



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 107.

An Act for better assessing and collecting the Poor and other Parochial Rates of the Parish of *Clapham* in the County of *Surrey*; and to alter, enlarge, rebuild, or repair the present Workhouse, and to regulate the Poor thereof, and for other Purposes relating thereto; and to amend so much of an Act of the Fourteenth Year of His present Majesty, for building a Parish Church, as relates to the assessing the Church Rates by the Land Tax.

[21st *May* 1811.]

WHEREAS the Poor of the Parish of *Clapham*, in the County of *Surrey*, are very numerous, and maintained at a great Expence, and the Laws and Statutes now in force within this Realm for assessing and collecting the Monies for the Relief of the Poor and for other Purposes are found ineffectual and the Payment thereof much evaded: And whereas it would tend to the Equalization and Reduction of the present Rates, and to the Relief of the Inhabitants of the said Parish in general, if further and additional Powers were given for the assessing and collecting of the Poor and other Parochial Rates, and for the better maintaining and employing the Poor thereof: And whereas the present Workhouse of the said Parish is insufficient for the Accommodation and proper Employment of the Poor of the said Parish requiring to be supported therein: And whereas it will tend to the better Relief and Accommodation of the said Poor if a convenient Building for their Reception and Employments were provided, by erecting a new Workhouse, either where the present Workhouse

[*Loc. & Per.*]

For better
Recovery of
Rates on
Houses let at
small Rents.

stands, with an Enlargement of that Scite of Ground by the Purchase of additional Grounds adjoining thereto, or in some other convenient Situation within the said Parish, by the Purchase of other Grounds or Buildings which may appear suitable to the above Purposes: 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 when the yearly Rent or Value of any House, Tenement, or Hereditament within the said Parish shall not amount to Twenty Pounds, or where any House, Tenement or Hereditament (whatsoever the yearly Rent or Value may be) shall be let to any weekly or monthly Tenants, the Rent whereof shall become payable at any shorter Period than Quarterly, or shall be let out either in the whole or in part in Lodgings, or in separate Apartments, then and in every such Case it shall and may be lawful to and for the Churchwardens and Overseers of the said Parish in Vestry assembled (if they shall think proper) to compound with the Landlord or Landlords, Owner or Owners 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 for the Relief and Maintenance of the Poor, and all the other Parochial Rates of the said Parish, at such reduced yearly Rental as the said Churchwardens and Overseers, or the major Part of them, shall think reasonable, so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, be rated at less than One-third or more than Three-fifths of the annual Value of the said Premises; and the Landlord or Landlords, Owner or Owners of all such Houses, Tenements or Hereditaments, is and are hereby required to enter into such Composition with the said Churchwardens and Overseers respectively; and in case such Landlord or Landlords, Owner or Owners 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 said respective Rates and Assessments charged upon his and their respective Premises for the Relief of the Poor, and all other the Parochial Rates of the said Parish, according to a fair and equal Assessment by the said Churchwardens and Overseers of the Poor respectively, or the major Part of them, to be made upon and in respect of the same; and upon Nonpayment thereof the said Churchwardens and Overseers, or any of them, is and are hereby authorized to levy such respective Rates by Distress and Sale of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, wheresoever the same may be found respectively: Provided always, that no such Landlord or Owner 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 having agreed to pay the Rates heretofore charged upon the several Occupiers of such Premises; and provided also, that the Goods and Chattels of all and every 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, 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

Landlords
not to be rat-
ed for reserv-
ed Rents.

said Rates or Assessments, and of all Arrears thereof as became due upon the said 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 Arrears thereof, than the Amount of the Rent actually due by such Occupier or Occupiers, to the Landlord or Landlords, Owner or Owners 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 then or at any Time thereafter due from him, her, or them to the respective Landlords or Owners of the Premises; and the Receipt for such Payment shall be a good and sufficient Discharge to such Occupier or Occupiers 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: Provided also, that no Tenant or Occupier of any House, Tenement or Hereditament as before mentioned, shall by reason of his residing in or occupying of the same, or by his Payment of any such Rate or Rates, Assessment or Assessments, in Manner aforesaid, or which shall have been compounded for as aforesaid, be deemed to acquire any Settlement in the said Parish; but in every such Case the Landlord or Owner of the Premises shall be deemed and considered to have paid the same, any Law, Statute, or Usage to the contrary hereof in anywise notwithstanding.

II. And be it further enacted, That it shall and may be lawful to and for the said Churchwardens and Overseers of the said Parish, with the Consent of the Inhabitants of the said Parish in Vestry assembled, to sell, transfer, or set over, or set or let, or pull down, alter, repair, or enlarge, or remove all or any Part or Parts of the House and Premises now used as the Workhouse of the Parish of *Clapham* aforesaid, and may in the Stead thereof erect or cause to be erected in a plain substantial Manner one or more House or Houses, with suitable Office or Offices, Out-buildings and Fences, on the Site or Place where the present Workhouse now stands, or in any other Place or Places or Spot of Ground within the said Parish of *Clapham*, as the said Churchwardens and Overseers, with such Consent as aforesaid, shall think fit to purchase, and allot or appoint for that Purpose, for the better receiving, employing, and maintaining the Poor of the said Parish, and from Time to Time, as Occasion shall be and require, to alter, enlarge, and repair the said House or Houses, Fences or Out-buildings, that now are or shall or may be hereafter erected as aforesaid, in such Manner as they shall think proper: Provided that the Ground to be taken for the Purposes aforesaid shall not exceed Two Acres: And provided always, that the Expences of repairing, enlarging, or rebuilding the said Workhouse shall not exceed the Sum of Five thousand Pounds.

For pulling down or altering the present Workhouse, and Power to enlarge or build a new one.

III. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs

Bodies Politic, &c. empowered to sell Land, &c.

Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants unborn, Lunatics, Idiots, or Femes Covert, and all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments which the said Churchwardens and Overseers shall deem necessary for the Erection of such Workhouse and other Offices, Out-buildings and Appurtenances, in case they consent to sell the same, or treat, contract, or agree with the said Churchwardens and Overseers for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of and in the same, to the said Churchwardens and Overseers for the Time being, in Trust for the said Parish, or for the Lease or Leases of any such Lands, Tenements or Hereditaments, for any Term or Terms, at any annual Rent or Rents, for the Purposes aforesaid; and that all Contracts, Agreements, Bargains, Sales, Conveyances and Leases 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 Law whatsoever, be good, valid and effectual to and for such Ends, Intents and Purposes, not only to convey and demise the Estate and Interest of the Person or Persons conveying, but also to convey and demise all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever (save and except the Payment of the annual Rent or Rents reserved by such Lease or Leases, and the Covenants, Conditions, Restrictions, and Agreements as shall be therein contained) of their said several and respective Cestuique Trusts, and all claiming by, from, and under them, 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 Aggregate or Sole, 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.

How Purchase Money to be applied when amounting to or exceeding 200*l.* and applicable to Corporations, &c.

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for 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 Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Churchwardens and Overseers of the said Parish for executing this Act, 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 Lands, Tenements or Hereditaments, in the Purchase 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

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

V. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall not 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 Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands) be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Churchwardens and Overseers, (such Nomination or Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When less than 200*l.* and exceeding 20*l.*

VI. Provided also, and be it further enacted, That where such Money so agreed or awarded 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 Hereditaments so purchased, taken, or used for the Purposes of this Act, in

Where less than 20*l.*

[*Loc. & Per.*]

24 T

such

such Manner as the said Guardians shall think fit, or in case of Infancy or Lunacy, then 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.

In case of doubtful Titles.

VII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person 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 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 such Money, or to the Dividends or Interest of 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, 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; and the Dividends or 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 such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

For borrowing Money by way of Annuity for Lives,

VIII. And for the Execution of the Purposes of this Act, be it further enacted, That it shall and may be lawful to and for the Churchwardens and Overseers of the said Parish for the Time being, with the Consent of the Inhabitants of the said Parish in Vestry assembled, to be specially called for that Purpose, to raise by Annuities on Lives any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds, or so much thereof as the said Churchwardens and Overseers shall find necessary and expedient to raise, which Sum or Sums when raised shall be vested in the said Churchwardens and Overseers for the Purposes of this Act; and it shall be lawful for any Person or Persons whomsoever to contribute, advance, and pay into the Hands of the said Churchwardens and Overseers, or into the Hands of such other Person or Persons as they the said Churchwardens and Overseers shall by any Writing under their Hands and Seals authorize to receive the same, for the Uses and Purposes of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Five thousand Pounds, for the absolute Purchase of Annuities to be paid and payable during the natural Life or Lives of such Contributor or Contributors respectively, at the Time of Payment of their respective Contribution Money; and all which Annuities shall be paid and payable by the said Churchwardens and Overseers Half-yearly in the Vestry Room of the said Parish, or in such other convenient Place as they shall appoint for that Purpose.

or by way of Bond or Mortgage.

IX. And be it further enacted, That it shall be lawful for the said Churchwardens and Overseers, with such Concurrence as aforesaid, if they should think it more beneficial for the said Parish, to raise

and

and borrow the aforesaid Sum of Five thousand Pounds, or any Part thereof, by way of Bond or Mortgage, or other Security, bearing an Interest at the Rate of not more than Five Pounds *per Centum per Annum*, for such Term as shall be agreed upon between the said Churchwardens and Overseers, or any of them, and the Person or Persons advancing such Money respectively, instead of raising the same by Annuities as aforesaid; which Sum or Sums when so raised shall be vested as aforesaid for the Purposes of this Act; and it shall be lawful for any Person or Persons whomsoever to contribute, advance, and pay into the Hands of the said Churchwardens and Overseers, or of such other Person or Persons as they the said Churchwardens and Overseers shall by any Writing under their Hands and Seals authorize to receive the same, for the Uses and Purposes of this Act, any Sum or Sums of Money not exceeding in the whole the said Sum of Five thousand Pounds, on such Bond or Mortgage, or other Security as aforesaid; and all the Interest which shall become due thereon shall be paid and payable by the said Churchwardens and Overseers Half-yearly in the Vestry-room of the said Parish, or in such other convenient Place as the said Churchwardens and Overseers shall appoint for that Purpose.

X. And be it further enacted, That all and every the Annuity or Annuities so to be purchased, or the Interest of the Money so to be raised by Bond or Mortgage as aforesaid, under or by virtue of this Act, shall be and the same is and are hereby charged upon and made payable from Time to Time out of the Monies to arise by the Rate or Rates to be made Yearly or otherwise, for the Relief of the Poor of the said Parish of *Clapham*; and that all and every the Contributor or Contributors of any Money upon the Credit of this Act, duly paying the Consideration or Purchase Money for any such Annuity or Annuities, or other Security as aforesaid, or such Person or Persons as he, she, or they shall appoint, his, her, or their respective Executors, Administrators, or Assigns, shall receive and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy the respective Annuity or Annuities so to be purchased, or the Interest of such Bond, Mortgage, or other Security out of the said Rate or Rates by this Act charged therewith, and all and every such Purchaser and Purchasers of all and every such Annuity or Annuities, Bond, Mortgage, or other Security, and his, her, and their respective Executors, Administrators, and Assigns, shall have a good, sure, absolute, and indefeasible Estate, Right, and Interest in and to the said Annuities, Bond, Mortgage, or other Security, so to be by them respectively purchased as aforesaid, according to the Tenor and Meaning of this Act.

Annuities or Interest of Money charged on the Poor Rates.

XI. And be it further enacted, That it shall be lawful for any Purchaser or Purchasers of any such Annuity or Annuities, Bond, Mortgage, or other Security, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign the same, or any Part thereof respectively, or his, her, or their Interests therein, to any Person or Persons whomsoever, as often as Occasion shall require, which Assignment, after a Memorial thereof shall be entered in a Book or Books to be kept by or by the Order of the said Churchwardens and Overseers, shall be effectual to vest the same in the Assignee or Assignees.

Power to transfer Securities.

XII. And

How the Rates shall be recovered.

XII. And be it further enacted, That all Monies to become due by virtue of this Act, or any Rate or Rates made for the Maintenance of the Poor of the said Parish, and for the Purposes of this Act, shall and may be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of Two or more of His Majesty's Justices of Peace for the County of *Surrey*, acting for the said Parish of *Clapham*, or any neighbouring Justice, in manner hereinafter mentioned, which Warrant such Justices are hereby empowered and required to grant; and in case sufficient Distress shall not be found, it shall and may be lawful to and for the said Justices, and they are hereby authorized and required, by Warrant under their Hands and Seals, according to the Form or Effect in the Schedule hereto annexed, to cause such Offender or Offenders to be committed to the Common or other Gaol, or House of Correction of the said County, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month, unless such Monies and all reasonable Charges shall be sooner or fully paid and satisfied; and that when and as often as any Distress shall, by the Authority of this Act, be made for Non-payment of any of the said Rates or Monies hereby directed to be made, 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 making and keeping such Distress.

How Rates shall be paid where Houses are inhabited by Ambassadors and their Servants.

XIII. And be it further enacted, That no Rate or Assessment shall be made or assessed by virtue of this Act for or in respect of any House, Tenement, or Hereditaments inhabited or occupied at this Time by any Ambassador, resident Agent, or public Minister of any Foreign Prince or State, or any of their domestic Servants, but that in case of any future Demise or Occupation thereof, such Rate or Assessment as may be assessed in respect of the said Occupation shall be paid by the Lessor or Landlord of every such House, Tenement, or Hereditament, who is hereby declared to be liable and compellable to the Payment thereof, and the same shall be recovered in Manner hereinafter mentioned.

For levying Rates from Persons quitting Houses, &c. and removing out of the Limits.

XIV. And whereas it may happen that many Persons liable to and who may be rated and assessed for the Relief of the Poor of the said Parish may, before the Payment of the Sums 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 Limits of the said Parish, and endeavour to avoid the Payment of the said Rates and Assessments; be it therefore enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit his or their Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, before he, she, or they shall have paid the Rate or Assessment, and shall afterwards refuse to pay the same when due and demanded by the Churchwardens and Overseers, or by the Collector or Person authorized and appointed to receive the same, that then and in every such Case it shall and may be lawful to and for the said Collector or Collectors, or one of them, by Warrant under the Hands and Seals of Two of His Majesty's Justices for the County of *Surrey*, acting for the Parish of *Clapham* aforesaid, or of any neighbouring

bouring Justices in the said County (which Warrant the said Justices are hereby authorized and required to grant in any Place within the County of *Surrey*), and such Warrant, being first backed or countersigned by some Magistrate of the County, City, or Liberty where the Distress is to be made (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, and to sell the same, rendering the Overplus (if any be), after having deducted the reasonable Charges and Expences of such Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made.

XV. And be it further enacted, That whenever any poor Person or Persons shall be ordered to be removed from the said Parish of *Clapham* to the Place or Parish of his, her, or their legal Settlement, it shall be lawful for the said Churchwardens and Overseers of the Poor (if they shall think fit) to cause such poor Person or Persons to be respectively removed in the usual Manner of removing Paupers, by a Beadle or some Person or Persons to be appointed by the said Churchwardens and Overseers of the Poor, 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 shall be ordered to be removed as aforesaid, is hereby required to receive every such poor Person or Persons in like Manner as he or they would have been bound to do if such poor Person or Persons had been delivered to him, her, or them, by One of the Overseers of the Poor of the said Parish of *Clapham*; any Law, Custom, or Usage to the contrary notwithstanding.

Paupers may be removed by Beadles, &c. instead of Overseers.

XVI. And be it further enacted, That if any Person or Persons shall knowingly buy, receive into pawn, or secrete any of the Clothes and Wearing Apparel of the Poor, who at any Time shall be received into and maintained in the said Workhouse, or any Goods or Materials carried into the same to be wrought up, manufactured, or used by the Poor therein, or any of the Goods or Furniture thereof, or shall buy or receive any of the Provisions allotted or provided for the Poor of the said Workhouse, every Person so offending shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, nor less than Twenty Shillings, upon Conviction on the Oath or Affirmation of One or more credible Witness or Witnesses before One or more of His Majesty's Justices of the Peace for the said County of *Surrey*; which Penalty, when recovered and paid, shall go, one Moiety to the Informer or Informers, and the other Moiety to the Overseers for the Use of the said Parish; and in Default thereof such Person or Persons shall be committed to the House of Correction for the said County for any Period of Time not exceeding Thirty Days.

Penalty on Persons buying or taking into Pawn any of the Clothes, &c. of the Poor.

XVII. And, for the more speedy Conviction of the Offenders against this Act, be it enacted, That all and every Justice and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the Form mentioned in the Schedule hereunto annexed, or in any other Words to the same Effect.

Justices may cause Conviction to be drawn out in the Form in the Schedule.

[*Loc. & Per.*]

24 U

XVIII. And

Inhabitants
may be Wit-
nesses.

XVIII. And be it further enacted, That no Inhabitant of the said Parish shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination, or otherwise, in, about, touching or concerning the Execution of this Act, be deemed an incompetent Witness, by reason of his or her contributing to the Rates of the said Parish; any Law, Statute, or Usage to the contrary notwithstanding.

Application
of Penalties.

XIX. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Recovery and Application whereof is not hereinafter particularly directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County, either by the Confession of the Party or Parties offending, or by the Oath or Oaths of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants such Justice is hereby authorized and required to grant for those Purposes, and to administer all such Oaths gratis), and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale (such Charges to be settled by the said Justice) are recovered and deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels, and all such Penalties or Forfeitures, when so recovered or paid (if not otherwise directed to be applied by this Act), shall from Time to Time be paid to the said Churchwardens and Overseers, to be applied towards the Maintenance of the Poor in the said Workhouse, or for otherwise putting this Act in Execution; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all such Charges as aforesaid, shall be sooner paid and satisfied.

Appeal.

XX. And be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, for which no particular Method of Relief hath been already appointed, such Person may, within Six Weeks after the Cause of Complaint shall have arisen, and upon Ten Days Notice in Writing to be given of his or their Intention, appeal to Two or more Justices of the Peace for the said County of *Surrey*, residing in or near the said Parish, at any Petty Session; and such Justices are hereby authorized to hear and determine every such Appeal in such Manner, and to give such Relief in the Premises, as to them shall seem just; provided nevertheless, that if any Person or Persons shall be dissatisfied with the Determination of such Justices, it shall and may be lawful for him or them to appeal against such Determination at the then next General Quarter Sessions of the Peace, to be holden for the said County of *Surrey*, or at the Second General or Quarter Sessions at the farthest, such Appellant giving or causing to be given Ten entire Days Notice at least, in Writing, of his or her Intention to bring such Appeal and of the Matter thereof to the Churchwardens and Overseers, and, within Five Days

after such Notice, entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Session; and the Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as they the said Justices shall think proper; and the Determination of such General or Quarter Session shall be final, binding, and conclusive, to all Intents and Purposes.

XXI. Provided always, and be it further enacted, That on all Appeals from the Rates to be made for the Relief of the Poor of the said Parish of *Clapham*, or for the Purposes of this Act, the Court of General or Quarter Sessions of the Peace shall, and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate: Provided always, that if the Court shall be of Opinion that it is necessary for the Purpose of giving Relief to the Person or Persons appealing, that the Rate or Assessment should be wholly quashed, then the said Court may quash the same.

Justices empowered to grant Relief against Rates without quashing the whole Assessment.

XXII. And be it further enacted, That no Order made touching or concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Defect or Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*; or elsewhere; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, such Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form, or any other Irregularity in the Summons, Conviction, Order, Warrant, or other Proceeding relating thereto, nor shall the Party or Parties making the same 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 any such Irregularity shall and may recover Satisfaction for the special Damage only in an Action upon the Case.

Proceedings not to be quashed for want of Form.

XXIII. And be it further enacted, That all Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act, and all other Costs, Charges, and Expences of carrying the same into Execution and incident thereto, shall be borne, paid, and defrayed out of the first Monies which shall come into the Hands of the said Churchwardens and Overseers, or their Treasurer, by virtue of this Act.

Paying Expences of Act.

XXIV. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done

Limitation of Actions.

done in pursuance of this Act, or any of the Powers hereby given, or in anywise relating thereto, until Twenty-one Days Notice shall have been thereof given in Writing to the Treasurer or Clerk to the said Churchwardens and Overseers, nor after Satisfaction or Tender of sufficient Amends shall have been made; and every such Action or Suit shall be commenced or brought within Three Calendar Months next after the Cause of Complaint shall have arisen, and not afterwards, and shall be laid and brought in the County of *Surrey*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if it shall appear to be done in pursuance of this Act, or that such Action or Suit shall be brought before Twenty-one Days Notice thereof given as aforesaid, or before the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have and be entitled to the like Remedy for the same as any Defendant or Defendants hath or have for Costs in any other Cases by Law.

Recital of Act for building Parish Church.

XXV. And whereas by an Act made in the Fourteenth Year of His present Majesty's Reign, intituled *An Act for vesting a Piece of Waste Ground within and Parcel of the Manor of Clapham, in the County of Surrey, in Trustees, and for enabling them to build a new Parish Church thereon*, it was, among other Things, enacted as follows: "And be it further enacted by the Authority aforesaid, That the Rents of the said Pews and Seats shall from Time to Time be appropriated for the Purposes of this Act; but in regard the same will not be sufficient to answer such Purposes, it shall and may be lawful to and for the said Trustees or any Five or more of them, and they are hereby directed or required Twice or oftener in every Year, if thought needful by them, by any Writing under their Hands and Seals, to assess all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Vault, or other Tenement within the said Parish, in any Sum of Money not exceeding Sixpence in the Pound, in any One Year, of the yearly Rent of such Lands, Houses, Shops, Warehouses, Vaults, or other Tenements, as the same shall from Time to Time be ascertained and rated by the Land Tax for the Time being; and that the Monies to arise by such Assessment or Assessments so to be made as aforesaid, shall be and the same are hereby vested in the said Trustees, and applied and appropriated by them for the Purposes of this Act, as well as the Rents of the said Pews and Seats in aid thereof:" And whereas certain Parts of the Lands and Tenements within the said Parish have been redeemed from the Payment of the Land Tax, and many Houses and Premises have been erected and built on the Lands and Premises so redeemed from the said Land Tax, and in consequence of such Redemption the Person or Persons who hold, inhabit, or occupy the same, are not charged or assessed to the Land Tax, and the Trustees empowered by the said Act are therefore unable to assess the said Person or Persons who do or shall inhabit,

hold,

As to rating by the Land Tax Assessment.

Recital that Lands have been redeemed from the Land Tax, and that Trustees are therefore unable to put

hold or occupy any House, Shop, Warehouse, Vault, or other Tenement within the said Parish by the Land Tax for the Time being, as the said Trustees are required and directed by the said Act; be it therefore enacted by the Authority aforesaid, That so much of the said Act as directs that it should and might be lawful to and for the said Trustees, or any Five or more of them, and they were thereby directed or required, Twice or oftener in every Year if thought needful by them, by any Writing under their Hands and Seals, to assess all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Vault, or other Tenement within the said Parish, in any Sum of Money not exceeding Sixpence in the Pound in any one Year, of the yearly Rent of such Lands, Houses, Shops, Warehouses, Vaults, or other Tenements, as the same shall from Time to Time be ascertained and rated by the Land Tax for, the Time being, be repealed; and that from and after the passing of this Act, it shall and may be lawful to and for the said Trustees, or any Five or more of them, and they are hereby directed or required, Twice or oftener in every Year, if thought needful by them, by any Writing under their Hands and Seals, to assess all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Vault, or other Tenement within the said Parish, in any Sum of Money not exceeding Sixpence in the Pound in any one Year of the yearly Rent of such Lands, Houses, Shops, Warehouses, Vaults, or other Tenements; and that the Monies to arise from such Assessment or Assessments so to be made as aforesaid shall be and the same are hereby vested in the said Trustees, and shall be applied or appointed by them for the Purposes of the said recited Act, as well as the Rents of the said Pews and Seats, and in aid thereof.

said recited Act into Execution.

Clause to leave out the Words referring to Land Tax Assessment.

XXVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

The SCHEDULE referred to, containing the Form of Proceedings.

Warrant of Distress for Non-payment of Rates.

Surrey, to wit. } To the Churchwardens and Overseers of the Poor of the Parish of *Clapham*, in the County of *Surrey*, and to all Constables, Headboroughs, and other Peace Officers for the same County.

WHEREAS the undermentioned Persons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers or Enjoyers of Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, and other Buildings, Tenements, or Hereditaments, or Part of some Building or Tenement within the said Parish of *Clapham*, were and are hereby rated and assessed, or liable to pay the Rate and Rates duly made for the Purposes of an Act made in the Fifty-first Year of the Reign of King *George* the Third, intituled, [*set forth the Title of this Act*]: And whereas the said Persons have refused or neglected to pay the several Sums of Money set down at and against their Names thereunto respectively for Money due from them for or towards the Purposes in this Act mentioned, and the said several Sum or Sums of Money are still remaining due, and in arrear and unpaid, as appeareth upon Oath to us, Two of His Majesty's Justices of the Peace for the County of *Surrey*; and the said several Persons having been summoned to appear before us, to answer the Premises, as also appeareth to us the said Justices upon Oath, and they, nor either of them, having shown any sufficient Cause, these are therefore in His Majesty's Name to will and require you, or either of you, forthwith to levy the said several Sums of Money due from the said Persons, and hereunder joined, and to set against their Names respectively, by Distress and Sale of their respective Goods and Chattels, (such Goods and Chattels being kept by 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 us, to the End that such further Proceedings may be had therein as to the Law doth appertain; and we do hereby strictly charge all and singular the Constables, Headboroughs, and other His Majesty's Peace Officers for the said County of *Surrey*, to be aiding and assisting in all Things relating to the Premises. Given under our Hands and Seals this _____ Day of _____ in the Year of our Lord _____

	Persons Names.	Sums due.
<i>A. B.</i>	- - - - -	}
<i>C. D.</i>	- - - - -	
<i>E. F.</i> (the Landlord for divided)	- - - - -	
<i>G. H.</i>	- - - - -	

Warrant

Warrant for want of Distress of Goods.

Surrey, to wit. { To all Constables, Headboroughs, and other Peace Officers
for the County of *Surrey*, and also to
[*as the Case may be*].

WHEREAS now or late an Inhabitant, Holder, Landlord, Tenant, or Occupier of Land, House, Shop, Warehouse, Cellar, Vault, or other Buildings, Tenements, or Hereditaments, or Part of some Building or Tenement within the Parish of *Clapham*, was and is truly rated and assessed, or liable to pay the Sum of for and towards the Rate lately made for the Purposes of an Act made in the Fifty-first Year of the Reign of King *George* the Third, intituled [*set forth the Title of this Act*]: And whereas the said refused or neglected to pay the said Sum of Money to the Overseer of the Poor, or the Collector of the Rates of the said Parish, although the same was demanded, as appeared to us, Two of His Majesty's Justices of the Peace for the said County, upon Oath, whereupon we the said Justices granted our Warrant, bearing Date the Day of directed to to levy the said Sum of on the said by Distress and Sale of his Goods and Chattels, rendering to him the Overplus, (if any): And whereas one of the Constables or Headboroughs of the County of *Surrey*, to whom the said Warrant was so delivered to be executed, hath made a Return of the said Warrant, and certified to us, that upon Inquiry and Search it appeareth unto him that the said hath not any Goods or Chattels whereof a sufficient Distress could be had or taken to levy the Sum of , and the said Sum is still due and unpaid, as appeareth also to us upon Oath, these are therefore in His Majesty's Name to will and require you and every of you to apprehend the said and him safely convey and deliver to the or the Keeper of [*as the Justices shall think proper*] or his Deputy, together with this Warrant; and we also do hereby command you the said Keeper or Deputy-keeper to receive the said into your said Gaol, and him safely keep without Bail or Mainprize for any Time not exceeding One Calendar Month, unless such Money, and all reasonable Charges, shall be sooner paid.

Given under our Hands and Seals this Day of .

Notice of Appeal.

IN pursuance of an Act of Parliament made and passed in the Fifty-first Year of the Reign of King *George* the Third, intituled, [*here set forth the Title of this Act*]: We do hereby give you Notice, that we do intend to appeal to the next Sessions of the Peace to be holden [*if by Adjournment, then these Words are to be added*] for the County of *Surrey*, against the Order, Conviction, or Determination [*as the Case may be*] of Two of His Majesty's Justices of the Peace for the County of *Surrey*, whereby they having [*stating the Matter intended to be appealed against*].

Dated the Day of .

Form

Form of Conviction.

BE it remembered, That on the Day of in the
Year of the Reign of King *George* the Third, *A. B.* is convicted be-
fore One of His Majesty's Justices of the Peace for
the County of *Surrey*, by virtue of an Act made in the Fifty-first Year of
King *George* the Third, intituled [*set forth the Title of this Act*]
 [*specifying the Offence*]. Given under our
Hands and Seals, [*or my Hand and Seal*] the Day and Year aforesaid.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1824.