



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 153.

An Act for amending an Act of His present Majesty, for more equally and effectually assessing and collecting the Poor Rates, within the Parish of *Saint Botolph without Aldgate*, in the County of *Middlesex*.
[10th June 1811.]

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled, *An Act for more equally and effectually assessing and collecting the Poor Rates, within the Parish of Saint Botolph without Aldgate, in the County of Middlesex*: And whereas some of the Provisions in the said recited Act have been found inexpedient for the several Purposes thereby intended, and it is expedient that the same should be altered, amended and enlarged, and further Provisions made: 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 so much of the said recited Act as is herein-after recited; (that is to say), "Where the yearly Rent or Value of any House, Tenement or Hereditament, within the said Parish, shall not exceed Twenty Pounds, or where the Houses, Tenements or Hereditaments, shall be let weekly or to monthly Tenants, or at Rents which shall become payable and be collected

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Part of former Act repealed.

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lected at any shorter Period or Periods than quarterly, or shall be let out ready furnished, or in Lodgings or separate Apartments either furnished or unfurnished, it shall be lawful for the Churchwardens and Overseers of the Poor, and Vestrymen of the said Parish, or any Five or more of them, (if they shall think proper), being assembled in Vestry, according to the ancient Custom of the said Parish, to compound with the Landlord or Landlords, Owner or Owners, of all and every or any such House or Houses, Tenement or Tenements and Hereditaments, in the said Parish, for Payment of the Rate or Rates, Assessment or Assessments, to be made for the Relief of the Poor, within the said Parish, at such reduced yearly Rental as the said Churchwardens, Overseers of the Poor, and Vestrymen, or any Five or more of them, being so assembled as aforesaid, shall think reasonable, so that such Houses, Tenements or Hereditaments, be not rated at less than Two-thirds or more than Four-fifths of the Rack Rent at which the same shall then be let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, of such Houses, Tenements or Hereditaments, as shall not exceed the yearly Rent of Twenty Pounds, and of such as shall be let to weekly or monthly Tenants, or from whence the Rents shall become due and be collected at any shorter Period or Periods than quarterly, and of such as shall be let out ready furnished, or in Lodgings or separate Apartments furnished or unfurnished, is and are hereby required to enter into such Composition with the said Churchwardens, Overseers of the Poor, and Vestrymen as aforesaid; and in case such Landlord or Landlords, Owner or Owners, shall refuse or neglect to enter into any such Composition, or the said Landlord or Landlords, Owner or Owners, and the said Churchwardens, Overseers of the Poor, and Vestrymen, shall not agree as to the Amount of such Composition, such Landlord or Landlords, Owner or Owners, shall from thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises, and shall be rated and assessed to, and shall from Time to Time pay or cause to be paid, the several Rates or Assessments charged upon the respective Premises, for the Relief of the Poor of the said Parish, according to a fair and equal Assessment, by the said Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish, unto the said Churchwardens or Overseers, or unto their Collector or Collectors for the Time being, who are hereby authorized and empowered to receive and collect the same, and upon Non-payment thereof to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, of the respective Premises aforesaid, wheresoever they shall be found, or of the Person or Persons inhabiting the same 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 several Rates or Assessments heretofore chargeable upon the Occupier; and that in such Case the said Rate or Rates, Assessment or Assessments, or so much thereof as shall remain unpaid, shall be and continue a Charge upon the Premises in respect whereof they shall be so rated, and shall and may be recovered of and from the Owner, Lessee, Landlord, Renter or Tenant respectively, in Manner herein-after mentioned and referred to," be repealed; and the same is hereby repealed accordingly.

II. And

II. And be it further enacted, That from and after the passing of this Act, where the yearly Rent or Value of any House, Tenement or Hereditament, within the said Parish of *Saint Botolph*, shall not exceed Twenty Pounds, or where the Houses, Tenements or Hereditaments, shall be let weekly or to monthly Tenants, or at Rents which shall become payable and be collected at any shorter Period or Periods than quarterly, or shall be let out ready furnished, or in Lodgings or separate Apartments either furnished or unfurnished, it shall be lawful for the Churchwardens and Overseers of the Poor and Vestrymen of the said Parish, or any Five or more of them; (if they shall think proper), being assembled in Vestry, according to the ancient Custom of the said Parish, to compound with the Landlord or Landlords, Owner or Owners, of all and every or any such House or Houses, Tenement or Tenements and Hereditaments, in the said Parish, at such reduced yearly Rental as the said Churchwardens, Overseers of the Poor, and Vestrymen, or any Five or more of them being so assembled as aforesaid, shall think reasonable; so that such Houses, Tenements or Hereditaments, be not rated at less than Two-thirds or more than Four-fifths, of the Rack Rent at which the same shall be then let; or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, of such Houses, Tenements or Hereditaments, as shall not exceed the yearly Rent of Twenty Pounds, and of such as shall be let to weekly or monthly Tenants, or from whence the Rents shall become due and be collected at any shorter Period or Periods than quarterly, and of such as shall be let ready furnished, or in Lodgings or separate Apartments furnished or unfurnished, is and are hereby required to enter into such Composition with the said Churchwardens, Overseers of the Poor, and Vestrymen as aforesaid; and in case such Landlord or Landlords, Owner or Owners, shall refuse or object to enter into such Composition, or the said Landlord or Landlords, Owner or Owners, and the said Churchwardens, Overseers of the Poor, and Vestrymen, shall not agree as to the Amount of such Composition, such Landlord or Landlords, Owner or Owners, shall from thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises, and shall thereupon be rated and assessed to, and shall from Time to Time pay or cause to be paid, the several Rates or Assessments charged upon the respective Premises for the Relief of the Poor of the said Parish, according to a fair and equal Assessment, by the said Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish, unto the said Churchwardens or Overseers, or unto their Collector or Collectors for the Time being, who are hereby authorized and empowered to receive and collect the same; and upon Non-payment thereof, to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, of the respective Premises aforesaid, wheresoever they shall be found, or of the Person or Persons inhabiting the same 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 several Rates or Assessments heretofore chargeable upon the Occupier; and that in such case the said Rate or Rates, Assessment or Assessments, or so much thereof as shall remain unpaid, shall be and continue a Charge upon the Premises in respect whereof they shall be so rated, and shall and may be recovered of and from the Owner, Lessee, Landlord, Renter or Tenant respectively,

Houses let at
small Rents,
&c.

Churchwardens,
Overseers and
Vestrymen,
to compound.

In case of refusal to enter
into such
Composition.

Landlord to
be deemed
the Occupier.

respectively, in Manner in and by the said recited Act mentioned and referred to.

Appeal allowed to Landlords assessed for Premises not exceeding the yearly Value of Twenty Pounds, and let yearly.

III. Provided always, and be it further enacted, That it shall be lawful to and for any Landlord who shall be assessed for any House, Tenement or Hereditament, not exceeding such yearly Value of Twenty Pounds as aforesaid, to appeal against being rated and assessed as Landlord for or in respect of any such House, Tenement or Hereditament, to the General or Quarter Sessions of the Peace to be holden for the County of *Midd'esex*, next after Notice in Writing given to such Landlord or his Collector for the Time being, of being so rated as Landlord, if such Notice shall be delivered at the last or usual Place of Abode of such Landlord, Fourteen Days, at the least before such General or Quarter Sessions of the Peace, or otherwise to the next General or Quarter Sessions of the Peace to be holden for the same County; and it shall be lawful for the Justices of the Peace or Magistrates assembled at such Sessions, and they are hereby authorized and empowered, if it shall appear to them, upon due Proof on Oath, that the Tenant or Occupier of any such House, Tenement or Hereditament, not exceeding such yearly Value of Twenty Pounds, is a good and responsible Person, and capable of paying the said Rates or Assessments, to relieve the Landlord, and to alter and amend such Rate upon any such Appeal, and substitute the Tenant or Occupier for the Landlord in such Rate, and to order and direct that such Rate shall be demanded, collected and levied, upon the Tenant or Occupier only, and not upon the Landlord; and such Determination shall be binding and conclusive for all future Rates made in respect of such House, Tenement or Hereditament, for the Space of Two Years from such Determination, (except such House, Tenement or Hereditament, shall be let to or occupied by a new Tenant within the said Space of Two Years), and no Rate shall be made upon the Landlord in respect of any such House, Tenement or Hereditament, the Rate whereof shall have been so altered or amended upon any such Appeal during such Period as last aforesaid, (except such House, Tenement or Hereditament, shall be let or occupied by a new Tenant within the said Space of Two Years as aforesaid): Provided also, that it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish, or any Five or more of them, being assembled in Vestry, according to the ancient Custom of the said Parish, and they are hereby authorized and empowered, upon Notice in Writing having been given to them, by any Landlord of any such House, Tenement or Hereditament, not exceeding such yearly Value of Twenty Pounds as aforesaid, and being let yearly, of his Intention to appeal against any such Rate, to alter and amend such Rate, and substitute the Tenant or Occupier of such House, Tenement or Hereditament, in the Place of every such Landlord; and every such Alteration or Amendment so made in any of the said Rates as aforesaid, shall be as valid and effectual in Law, to all Intents and Purposes, as if such Tenant or Occupier had been rated in respect of any such House, Tenement or Hereditament, at the Time the Rate was first made out; any Thing in the said recited Act or in this Act contained to the contrary thereof in anywise notwithstanding.

On Notice of Appeal from Landlord, Churchwardens and Overseers, &c. are allowed to amend Rate.

IV. Provided always, and be it further enacted, That no Landlord who shall let any House to weekly or monthly Tenants, or at Rack Rents

which shall become due and payable and be collected at shorter Periods than One Quarter, or who shall let any House ready furnished or in Lodgings, or separate Apartments either furnished or unfurnished, shall be allowed to appeal, under this Act, against being rated and assessed as Landlord for or in respect of any such House; any Thing herein-before contained to the contrary notwithstanding.

V. And be it further enacted, That each and every Rate or Assessment now ordered and directed to be levied, assessed and collected, 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 Restrictions and Regulations, as the same are therein ordered and directed to be raised, levied and collected, subject nevertheless to such Appeal in respect to Landlords as herein-before mentioned.

Old Rates to be deemed good.

VI. And be it further enacted, That so much of the said recited Act as is herein-after recited, (that is to say), "that in Cases of Appeal to the Justices of the Peace at the Quarter Sessions to be holden for the County of *Middlesex*, from the Determination of the said Churchwardens, Overseers of the Poor and Vestrymen, relating to any Rate or Assessment made or assessed under or by virtue of this Act, or any other Act or Acts now in force, relating to the Relief of the Poor, the said Justices upon hearing such Appeal, where they shall see just Cause of Relief, shall and are hereby empowered to correct, alter and amend, the said Rates and Assessments, in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without altering such Rates and Assessments with respect to any other Person or Persons mentioned in the same, any Law, Statute or Usage, to the contrary thereof notwithstanding;" be repealed, and the same is hereby repealed accordingly.

Other Part of former Act repealed.

VII. And be it further enacted, That the said recited Act, and all and every the Powers, Provisions, Authorities, Articles, Clauses, Penalties, Forfeitures, Rules, Directions, Regulations, Matters and Things, therein contained or prescribed, (and not hereby varied, altered or repealed), shall be and continue in full Force and Effect, and shall be applied and extended, and construed, deemed and taken, to apply and extend to this Act, as fully and effectually to all Intents and Purposes, as if the same had been severally and respectively repeated or re-enacted in the Body of this Act.

Powers and Provisions of former Act continued.

VIII. And be it further enacted, That where any Person shall be summoned to appear before any Justice or Justices of the Peace, for Neglect or Refusal to pay the Rate or Assessment directed to be levied and collected upon him or her, by or under the Authority of the said recited Act or of this Act, or any other Act or Acts of Parliament now in force, relating to the Relief of the Poor, and shall not shew good and sufficient Cause against the Payment of the Rate or Assessment in respect of which such Summons was issued, then and in every such Case, it shall and may be lawful to and for such Justice or Justices to charge every such Person or Persons so neglecting or refusing, with the Payment of all reasonable Costs and Charges attending such Summons, and upon Non-payment thereof to recover and levy the same by such Ways and Means as the said

Justices may award Costs against Persons summoned to appear on Appeals.

Rates are by the said recited Act and this Act, appointed to be recovered and levied.

Charges of
Expence of
Warrants of
Summons to
be paid by the
Parties sum-
moned.

IX. And be it further enacted, That if any Person shall have been so summoned, and shall not pay the Rate or Assessment directed to be levied and collected upon him or her, by or under the Authority of the said recited Act or of this Act, or any other Act or Acts of Parliament now in force, relating to the Relief of the Poor, together with all reasonable Costs and Charges attendant upon such Summons at the Return thereof, and a Warrant of Distress shall thereupon be issued against him or her, then and in every such Case, it shall and may be lawful to and for the Overseers of the Poor of the said Parish, or such other Person or Persons appointed to execute such Warrant, to charge every such Person against whom such Warrant is issued, with the Costs and Charges of such Warrant, notwithstanding the Rate or Assessment may be paid without any Distress being made, and upon Non-payment of the Costs and Charges attendant upon any such Summons or Warrant, to levy the same by Distress and Sale of the Goods and Chattels of every such Person.

Proceedings
not to be
quashed for
Want of
Form.

X. And be it further enacted, That no Rate, Assessment, or other Proceeding had, made or done under or by virtue of the said recited Act or of this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Writ of *Certiorari*, or any other Writ or Process, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage, to the contrary thereof in anywise notwithstanding; and that where any Distress shall be made for any Sum or Sums of Money, Rates or Assessments, to be levied by virtue of the said recited Act or 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 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 Satisfaction for the special Damage in an Action on the Case.

For paying
Expences of
the Act.

XI. And be it further enacted, That all Charges and Expences attending the obtaining and passing of this Act, shall be paid out of the Rates made by virtue of the said recited Act, or out of the First Money which shall be raised by any Rate or Rates to be made by virtue of the said recited Act or of this Act.

Public Act.

XII. 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.