



ANNO QUINQUAGESIMO QUARTO

# GEORGI III. REGIS.

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## *Cap. 43.*

An Act for the better Management and Relief of the Poor in the Parish of *Lewisham* in the County of *Kent*, and for better assessing and collecting the Parochial Rates in the said Parish.

[18th *May* 1814.]

**W**HEREAS the Poor within the Parish of *Lewisham* in the County of *Kent* are very numerous, and are maintained and supported at a great Expence: And whereas the Buildings now used as a Poorhouse and Workhouse, in and for the said Parish, are in a decayed State, and not sufficiently large for the proper Accommodation and Employment of the Poor, and it will tend to their better Management and Relief if Power is given to enlarge the present Workhouse, or to erect a new Workhouse, either on the Site of the present one, or in any other Situation that may be found more eligible and proper: And whereas the Laws and Statutes now in force for assessing and collecting Monies for the Relief of the Poor and other Parochial Purposes of the said Parish are found inconvenient and ineffectual, since divers Houses within the said Parish are let to occasional Occupiers, and some are let out in Parcels to Under Tenants and to Lodgers in separate Apartments, both furnished and unfurnished, and others are let at small yearly Rents: And whereas it would tend to the Equalization and Reduction of the present Poor and other Parochial Rates within the said Parish, if further and additional Powers were given for assessing and collecting such Rates, and for better maintaining and regulating the Poor

[*Loc. & Per.*]

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of

Time of First Meeting for the Election of Guardians.

of the said Parish : 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 a Meeting of the Inhabitants of the said Parish of *Lewisham*, to be assembled in the Vestry of the said Parish, for the Purpose of carrying into Execution the Provisions of this Act, shall be held within One Calendar Month next after the passing of this Act ; and at such Meeting (or any Adjournment of such Meeting, in case the same shall be necessary,) the Inhabitants so assembled in Vestry shall nominate and appoint Eighteen substantial and discreet Persons, being Inhabitants and Householders in the said Parish, and who shall be possessed of an annual Income arising from Real or Personal Property, or both, of not less than One hundred Pounds, who shall be called "The Guardians of the Poor of the Parish of *Lewisham* in the County of *Kent*," for carrying into Execution the several Powers given and entrusted to them by this Act, until other Guardians shall be appointed in their room as herein provided ; and that all Acts, Matters, or Things to be done and executed by the said Inhabitants in Vestry in pursuance of this Act, may be done and executed by the major Part of them who may be present at their several Meetings to be holden under and by virtue of this Act.

The Vicar, Churchwardens, and Overseers to be Guardians.

II. Provided always, and be it further enacted, That the Vicar, or in his Absence his Curate being resident for the Time being, and the Churchwardens and Overseers of the Poor of the said Parish for the Time being, and each and every of them, shall be and they are hereby declared to be Guardians of the Poor, within the true Intent and Meaning of this Act, and shall have full Power and Authority, together with the several Guardians to be from Time to Time nominated and appointed as herein mentioned, to act as such to all Intents and Purposes as if they had been elected and chosen by the Inhabitants in Vestry of the said Parish, in Manner and Form prescribed by this Act.

Annual Vestry on Easter Tuesday for the Election of Guardians.

III. And be it further enacted, That a Vestry shall be held on the First *Tuesday* after *Easter Day* in each Year for the Nomination of Churchwardens, Overseers of the Poor, and such other Officers of the said Parish as annually go out of Office, and also for the Election of new Guardians of the Poor in the room of those who shall annually go out of Office under the Provisions of this Act, and for the Purpose of filling up all the Vacancies which shall have been occasioned in the Number of the Guardians of the Poor, by Death, by removing out of the said Parish, Non-attendance, or Refusal or Incapacity to act.

Guardians of the Poor first elected to go out of Office by Succession.

IV. And be it further enacted, That out of the said Persons so first elected Guardians of the Poor as aforesaid, Six shall go out of Office on the *Tuesday* after *Easter* in the Year One thousand eight hundred and fifteen, and Six others of the Persons so first elected as aforesaid shall go out of Office on the *Tuesday* after *Easter* in the Year One thousand eight hundred and sixteen, and the Remainder of the Persons so first elected shall remain and continue in Office until the *Tuesday* after *Easter* in the Year One thousand eight hundred and seventeen ; and the Six Guardians of the Poor, who shall have been absent from the General Meetings of the Guardians of the Poor the greatest Number of Times, shall first

go out of Office in each of such Years, and if any Persons shall have been absent an equal Number of Times, the going out of Office of such Persons shall be by Lot; and all Persons chosen at such annual Meetings as aforesaid new Guardians of the Poor, in the room of those going out of Office, or to supply Vacancies which shall have happened in the Course of the Year, shall remain and continue in Office for Three Years.

V. And be it further enacted, That every Guardian of the Poor who shall not have attended Three Meetings of the Guardians of the Poor at the least, within the Year ending on the *Tuesday* after *Easter* in each Year, shall forfeit his Office, and become disqualified to act in the succeeding Year, and another Person shall be elected at the annual Vestry in his Place and Stead, besides the Persons who shall be elected to supply the Places of those Persons who shall every Year in Rotation cease to be Guardians of the Poor of the said Parish as herein-before provided.

Disqualification of Guardians of the Poor.

VI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Guardian of the Poor of the said Parish during such Time as he shall hold any Office or Employment of Profit under the Churchwardens or Overseers, or by the Appointment of the Vestry of the said Parish, or have any Interest or Share in any Contract or Work for the Use of the said Parish, or the Poor thereof, or under any of the Powers in this Act, or shall have made any Tender for any such Contract during such Time as such Tender shall remain in suspense, or during such Time as he shall sell or furnish, or be concerned in Trade or Interest with any Person or Persons who shall sell or furnish, any Materials, Goods, Clothes, Victuals, or Provisions for the Workhouse, or otherwise for the Use of the Poor of the said Parish.

Persons incapacitated from being Guardians.

VII. Provided always, and be it further enacted, That the Guardians so to be appointed as aforesaid shall hold their Meetings in the Vestry Room, or in the Committee Room in the Workhouse of the said Parish once in every Month at the least, on such Day of the Month as may be agreed on for that Purpose, and at such other Time and Times, and at such other Place and Places as they shall think fit; and that the major Part of such Guardians who shall be present at such Meetings (not being less in Number than Three) shall from Time to Time have Power to carry this Act into Execution.

Time of Meetings of Guardians.

VIII. And be it further enacted, That all and every the Messuages or Tenements, Workhouses, Edifices, Buildings, Lands, Hereditaments, Monies, and Securities for Money, Goods, Chattels, and Effects, which, at the Time of the Election or Appointment of the Guardians of the Poor of the said Parish, pursuant to the Directions of this Act, shall be vested in, or held or possessed by, any Person or Persons whomsoever, in Trust for the Parishioners of the said Parish, or for and towards the Relief, Maintenance, Use, and Benefit of the Poor of the said Parish, shall, from and immediately after the Election or Appointment of the said Guardians, be vested in, possessed by, paid, delivered, and belong to the Guardians of the Poor acting in the Execution of this Act, and their Successors, as fully, effectually, and beneficially, and in as large and ample a Manner and Form, to all Intents and Purposes whatsoever, as they the said Persons or any of them, or other Person or Persons, were entitled to, or possessed

Estates, &c. in Possession of the Churchwardens, &c before this Act, to be vested in the Guardians.

possessed of, such Messuages or Tenements, Workhouses, Edifices, Buildings, Hereditaments, Monies, and Securities for Money, Goods, Chattels, and Effects, or as the same respectively were vested in such Persons, or any of them, but subject nevertheless to be used, possessed, applied, and disposed of, only upon the Trusts, and for the Uses and Purposes to which the same are now subject or applicable.

For appoint-  
ing a Trea-  
surer.

IX. And be it further enacted, That at such Vestry to be annually holden as aforesaid, it shall be lawful for the Inhabitants to be there assembled, and they are hereby required to elect and nominate One or more Treasurer or Treasurers for the Year ensuing, for receiving all the Monies to be raised and collected in pursuance and for the several Purposes of this Act, and all other the Parochial Rates and Assessments of the Parish of *Lewisham*; and the Person or Persons so to be elected shall, before entering upon the said Office, give to the said Guardians, and they are hereby required to take or accept, such Security, and to such Amount, for the due Performance of the said Office, as shall be fixed and required by the said Vestry; and such Treasurer and Treasurers is and are hereby directed to keep distinct Accounts of the Monies by him or them received and paid for the different Purposes of this Act, and from Time to Time to pay and discharge all such Sum and Sums of Money as the Guardians to be appointed as aforesaid, or any Three or more of them, shall at any of their Meetings draw upon him for, or order him to pay, and to account to the said Guardians or any Three or more of them, being a Majority at any Meeting, from Time to Time, when thereto required, for all the Monies by him or them received and paid pursuant to the Directions of this Act, and to pay all such Monies as upon the Balance of the said Accounts respectively shall appear to be remaining in his or their Hands, to such Person or Persons as the said Guardians, or any Three or more of them assembled at any Meeting, shall, by Writing under their Hands, authorize to receive the same, to be applied to and for the several Uses and Purposes for which the same was collected, raised, received, or levied.

Vestry to  
appoint Col-  
lector.

X. And in order the better to enable the Churchwardens and Overseers of the Poor of the said Parish of *Lewisham*, or the Collector of the Rates to be appointed by virtue of this Act, to collect and levy the Rates to be made by virtue of this Act, be it further enacted, That it shall be lawful for the Inhabitants, to be assembled at such Annual Vestry as aforesaid, in each and every Year, and they are hereby required, to nominate and appoint One or more Person or Persons to be a Collector or Collectors of the Poor Rates and other Parochial Rates to be made, collected, and levied for the said Parish of *Lewisham* for the Year ensuing (every such Collector being a resident Householder in the said Parish), and out of such Rate or Rates, Assessment or Assessments, to make such Allowance by way of Salary or Poundage to the said Collector or Collectors, as shall be fixed or agreed upon in such Vestry.

Security to  
be taken from  
Collector.

XI. And be it further enacted, That the said Guardians of the Poor for the Time being shall take such Security from such Collector or Collectors respectively as shall be required by such Vestry, for the due and faithful Execution of his or their Office of Collector or Collectors, and among other Things for the duly accounting for all Monies which, as such Collector or Collectors, he or they shall or may receive, and for the Payment  
of

of the same within the Space of Fourteen Days from the Receipt thereof, into the Hands of the Treasurer or Treasurers to be appointed pursuant to this Act.

XII. And be it further enacted, That the said Guardians shall and may, with the Consent of the Vestry of the said Parish, at all Times, wholly displace and remove such Collector or Collectors, and appoint another Collector or Collectors in the Place and Stead of him or them who shall be so displaced or removed; and the said Collector or Collectors, each and every of them, shall, and they are hereby respectively required at all Times whatever, either upon being so displaced or otherwise, to produce and deliver up to the said Churchwardens and Overseers of the Poor, or the major Part of them, or to the Guardians to be appointed by this Act, or any Three of them, whenever they shall be thereto required, all and every the Rate Book or Books, and all other Papers, Documents, Matters and Things respecting their said Office or Employment, in order that the said Churchwardens and Overseers of the Poor, or Guardians, or any Three of them, may take Possession of and retain the same, either for the Purpose of Inspection, safe Custody, or any other Account which to them shall seem meet and expedient.

Collectors to  
be removed.

XIII. Provided always, and be it further enacted, That if any such Collector or Collectors, when thereunto required by the said Churchwardens and Overseers or the major Part of them, or the Guardians of the Poor, or any Three of them, shall refuse, or shall not within Three Days after such Request shall be so made to him or them, deliver up such Rate Book or Rate Books, and all and every the Account and Accounts of all Monies by him or them received for or on account of the said Rates or Assessments, and all Papers, Matters and Things respecting their said Office or Employment, or such and so many thereof as shall have been of them demanded in Manner aforesaid, or shall not, upon being thereto required, pay the Balance of Monies received, which shall appear to remain in his or their Hands, by virtue of his or their respective Office or Offices, then and in every such Case, upon Complaint made by the said Churchwardens and Overseers, or the major Part of them, or the Guardians of the Poor, or any Three of them, of any such Refusal and Neglect as aforesaid; to any Justice of the Peace for the said County of *Kent*, such Justice may, and he is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Person or Persons so neglecting or refusing as aforesaid to appear before him, and upon his or their appearing, and if he or they shall not appear, then upon due Proof that the Person or Persons so neglecting to appear had been summoned, or could not be found for the Purpose of being summoned, to hear and determine the Matter in a summary Way, and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby required and empowered to administer), it shall appear to such Justice that any of the Monies which have been received or collected by virtue of this Act shall remain due from such Collector or Collectors, such Justice may, and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Collector or Collectors, each and every of them; and if it shall appear to

Collectors re-  
fusing to  
account.

such Justice or Justices, that such Collector or Collectors shall have refused or neglected to render and give such Account, or to produce the Rate Book or Rate Books, Papers or Writings, or any other Matters or Things relating to the Collection of the Rates, or in anywise respecting or appertaining to the said Office or Employment, which shall be in his or their Custody or Power, and required from him or them as aforesaid, or shall not have paid the Balance remaining in his or their Hands in Manner aforesaid, then and in each and every such Case such Justice shall commit such Offender or Offenders to the Common Gaol or House of Correction for the County where such Offender or Offenders shall be or reside, there to remain without Bail or Mainprize until he or they shall give and make a true and perfect Account, and deliver up such Books, Papers, Evidences, and Writings, or pay such Balance to the said Guardians of the Poor, or any Three of them, or the Treasurer to be appointed pursuant to this Act; provided that no such Collector or Collectors so committed shall be confined or detained in Prison, by virtue of any Warrant of Commitment for Nonpayment of the Balance of any Money in his or their Hands, for any longer Space of Time than Six Calendar Months: Provided nevertheless, that no such Commitment of any Collector or Collectors to the House of Correction as aforesaid, shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Churchwardens and Overseers or Guardians of the Poor, for the due and faithful Execution of the Office of Collector or Collectors, in Manner herein-before expressed and provided, nor any Action, Suit, or Process commenced or to be brought for the Recovery of any Money so received.

Collectors  
empowered  
to levy Rates.

XIV. And be it further enacted, That the Person or Persons to be appointed in Manner aforesaid a Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, is and are hereby authorized and empowered to demand, 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 or Assessments, shall or may be collected Quarterly or otherwise; and for the better enabling such Collector or Collectors to collect the same, 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 directed, against any Person or Persons neglecting or refusing to pay such Rates or Assessments, 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.

Power to  
compel the  
Churchwardens  
to account.

XV. And be it further enacted, That the Person or Persons having been Churchwarden or Churchwardens of the said Parish for the Year next preceding the passing of this Act, shall, and they and each of them are hereby required, to deliver to the said Guardians, at such Time as they for that Purpose shall appoint, by a Notice in Writing, to be delivered to the said Churchwardens, signed by the Vestry Clerk, a just and true Account or Accounts in Writing of all Monies which they or either of them shall have received or paid on account of their said Offices respectively, and every Department thereof, and shall produce and shew all the Vouchers of and for the Payments made by them; and shall, if thereunto required, verify such Account upon Oath before One or more Justice or Justices of the

Peace acting in and for the said County, in Manner herein-before provided, and which Oath any and every such Justice is hereby empowered to administer; and if the said Person or Persons having been Churchwarden or Churchwardens for the said Parish for such Year; or either of them, shall neglect or refuse to render such Account or Accounts, and to verify the same as aforesaid, every such Person for every such Neglect shall forfeit and pay the Sum of Fifty Pounds, One Moiety thereof to the Treasurer to the Guardians of the Poor of the said Parish for the Time being, to be applied in aid of the Rate for the Relief of the Poor, and the other Moiety to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and if upon the Examination of such Account it shall appear that such Person or Persons having been the Churchwarden or Churchwardens of the said Parish for the Year next preceding the passing of this Act, has or have expended more than he or they has or have received, then it shall be lawful for the Guardians of the Poor of the said Parish, and they are hereby required, by and out of the Rates hereby directed to be raised, to repay and reimburse to such Person or Persons all such Balances as shall appear upon the taking of such Account to be due and owing to him or them.

XVI. And be it further enacted, That the Guardians so to be elected and appointed as aforesaid, or the major Part of them assembled at any Meeting to be called or appointed for that Purpose, shall from Time to Time ascertain the Sum or Sums of Money which they shall judge necessary to be raised and assessed within the said Parish, for the Relief and Maintenance of the Poor, and sufficient to carry the Purposes of this Act into Execution; and shall raise the same by Rates and Assessments to be from Time to Time made by them, according to the general Laws now in being relative to the Rates and Assessments for the Relief of the Poor in *England*; and shall and may make such Rules, Orders, and Regulations for applying and disposing of the Monies to be so raised in or towards the Relief of the Poor of the said Parish, and for the Purposes of this Act, and also for the better maintaining, governing, employing, and regulating of the Poor thereof, as to the said Guardians, or any Five or more of them, being a Majority of the Number assembled at any such Meetings as aforesaid, shall appear expedient; and for the Purposes aforesaid, the said Guardians shall be invested with all the Powers given by any Act of Parliament to Overseers of the Poor; and no Rate or Rates for the Relief of the Poor in the said Parish shall be made otherwise than is directed by this Act.

Guardians to  
make Rates,  
&c.

XVII. And be it further enacted, 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 yearly, monthly, or weekly Tenants, the Rent whereof shall become payable at any shorter Period than Quarterly, and 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 Poor, or the major Part of them, with the Consent of the Guardians of the Poor of the said Parish, or any Three or more of them,

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

if

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 other the Parochial Rates of the said Parish, save and except Ecclesiastical or Church Rates as far as respects the People called *Quakers*, at such a reduced yearly Rental as the said Churchwardens and Overseers of the Poor, or the major Part of them, with the Consent of the Guardians of the Poor, or any Three or more of them, shall for that Purpose think reasonable; so that such Houses, Tenements, or Hereditaments be not rated at more than One Fourth when the yearly Rent thereof shall not exceed Twelve Pounds, One Third when the yearly Rent shall not exceed Fifteen Pounds, and One Half when the yearly Rent of the said Premises shall exceed Fifteen Pounds and not amount to Twenty Pounds; 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 of the Poor, or the major Part of them, and the said Guardians of the Poor, or any Three or more of them; and in case such Landlord or Landlords, Owner or Owners, shall, upon Request to be made to them for that Purpose, refuse to enter into such Composition, he, she, or they shall from thenceforth be deemed and taken to be the Occupier of such Premises, and shall be thereupon rated to, and from Time to Time shall pay or cause to be paid, the Rates or Assessments charged upon the same 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, or the major Part of them, with the Consent of the said Guardians of the Poor, or any Three or more of them, to be made upon and in respect of the same, and upon Nonpayment thereof, or of such Composition as aforesaid, the said Churchwardens and Overseers, or the Collector or Collectors of the Rates for the Time being, or any of them, are hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, wheresoever the same may be found respectively; and that when and as often as any Distress shall, by Authority of this Act, be made for the Nonpayment of any of the said Rates or Monies to be raised by virtue of this Act, or any Part of them, 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 and of such Sale: Provided always, that no such Landlord or Landlords shall be charged with or liable to pay for any increased Rent reserved and made payable to him for or on account of such Landlord or Landlords 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 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 subject and liable 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 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

Landlords  
not to be  
rated for  
increased  
Rents.



Rates or Assessments, or any of them, or Arrears thereof, than the Amount of 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 to become due from him, her, or them, to the respective Landlords or Owners of the said Premises; and the Receipt for such Payment shall be a good and sufficient Discharge to such Occupiers, to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed in this Act.

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

Agreements between Landlord and Tenants not to be impeached.

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Churchwardens and Overseers for the Time being, or the major Part of them, with the Consent of the Guardians, or any Three of them, and they are hereby empowered, upon the Complaint or Request of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, who shall think himself, herself, or themselves aggrieved thereby, or incompetent to pay the same, to mitigate, reduce, or lessen the same, as they in their Discretion shall think just and reasonable; and also to remit or excuse the Payment thereof on account of the Poverty or Indigence of any Person or Persons liable to pay the same, so complaining or requesting the Remission or Reduction of such Rates or Assessments.

Power to excuse Rates on account of Poverty.

XX. And be it further enacted, That in case any Person or Persons shall remove out of or from, or quit the Possession of any House, Shop, Building, Tenement, or other Premises, before such Rate or Rates, Assessment or Assessments, charged thereon respectively, shall be paid and discharged, or if any Person or Persons shall enter into the Occupation of any House, Shop, Building, Tenement, or other Premises in the said Parish, out of or from which any other Person or Persons shall have so removed, before such Rate or Rates, Assessment or Assessments, shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from, or quitting the Possession of, and the Person or Persons entering into the Occupation of any such House, Shop, Building, Tenement, or other Premises, shall be respectively subject and liable to the Payment of all such Rates and Assessments in proportion to the Time that such 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 or assessed to such Rates or Assessments, or any of them, and such Proportion shall be ascertained by the Churchwardens and Overseers, and Guardians of the

How Rates may be collected from Parties removing.

Poor of the said Parish, or any Three or more of them; and in case of any Dispute respecting the Amount or Proportion thereof, the same shall be settled by any One or more of His Majesty's Justices of the Peace in and for the said County of *Kent*.

Form of  
Warrant of  
Distress.

XXI. 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, may include One or more Person or Persons, and shall be in the Words or to the Effect following:

‘ Kent } TO the Churchwardens, Overseers, and Collectors of the  
‘ to wit. } Rates of the Parish of *Lewisham*, in the County of *Kent*,  
‘ and to all Constables and other Peace Officers of the said 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, and Hereditaments, or Part of some Building  
‘ or Tenement within the said Parish of *Lewisham*, were and are truly rated  
‘ and assessed, or liable to pay the Rate or Rates duly made for the Purpose  
‘ of an Act passed in the Fifty-fourth Year of the Reign of King *George* the  
‘ Third, intituled [*here set forth the Title of this Act*]: And whereas the said  
‘ Persons have refused or neglected to pay the several Sums of Money re-  
‘ spectively set down against their respective Names, for Money due from  
‘ them for or towards the Purposes in the said Act mentioned, and the said  
‘ several Sums are still remaining due in Arrear and unpaid, as appeareth  
‘ upon Oath to One 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  
‘ upon Oath, and they the said Persons undernamed, or either of them,  
‘ not having shewn any sufficient Cause why such Sum or Sums of Money  
‘ should not be paid: These are therefore in His Majesty's Name to will and  
‘ require you, or either of you, forthwith to levy the said several Sums due  
‘ from the said Persons, and hereunto joined 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 clear Days  
‘ before the same are sold), rendering to them respectively the Overplus  
‘ (if any be), the reasonable Charges of such Distress, Sale, and Keeping  
‘ thereof being first deducted; and if no sufficient Distress can be had or  
‘ taken, that then you certify the same to me, to the End that such further  
‘ Proceedings may be had therein as to Law doth appertain; and I 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  
‘ Hand and Seal the Day of in the Year  
‘ of our Lord One thousand eight hundred and

	Sums due.	Costs.
	£ s. d.	£ s. d.
‘ A. B.	- - -	- - -
‘ B. C.	- - -	- - -
‘ C. D.	- - -	- - -
‘ E. F. (the Landlord for divided)	- - -	- - -
‘ G. H.	- - -	- - -

XXII. And be it further enacted, That where any such 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 Defect or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage by an Action on the Case.

Parties making Distress not to be deemed Trespassers *ab initio*.

XXIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act; unless Notice in Writing of such intended Action shall have been given to the Vestry Clerk or Clerks of the said Parish, or left at his or their last or usual Place or Places of Abode Twenty-one Days before such Action shall be commenced, signed by the Attorney for the intended Plaintiff or Plaintiffs, specifying the Cause or Causes of such Action; nor shall any Plaintiff or Plaintiffs recover in such Action for Satisfaction for Special Damages or otherwise, or for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, every or any such Irregularity, Trespass, or wrongful Proceeding, before such Action shall be brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined in such Action, to pay into such Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover if Tender of Amends made.

XXIV. And be it further enacted, That every Warrant for Want 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:

Form of Warrant of Commitment for Want of Distress.

‘ Kent } TO all Constables and other Peace Officers for the County.  
‘ to wit. } of Kent, and also to (as the Case may be):

‘ WHEREAS now or late an Inhabitant, Holder,  
‘ 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 said Parish of *Lewisham*, 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 passed  
‘ in the Fifty-fourth Year of the Reign of King *George* the Third, intituled  
‘ [*here set forth the Title of this Act*]: And whereas the said  
‘ refused or neglected to pay the said Sum of  
‘ to the Overseer of the Poor, or the Collector of the Rates of the said  
‘ Parish, although the same was demanded, as appeared to me, one of His  
‘ Majesty’s Justices of the Peace for the said County, upon Oath; where-  
‘ upon I the said Justice granted my Warrant, bearing Date the  
‘ Day of directed to to levy the said Sum  
‘ of on the said by Distress and Sale  
‘ of

of his Goods and Chattels, rendering to him the Overplus (if any) :  
 And whereas one of the Constables of the said  
 County of *Kent*, to whom the same was so delivered to be executed, hath  
 made a Return of the said Warrant, and certified to me that upon Inquiry  
 and Search it appeareth unto him that the said  
 hath not any Goods or Chattels whereon a sufficient Distress could be  
 had or taken to levy the Sum of and the said Sum of  
 is still due and unpaid, as appeareth also to me 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 Justice shall think proper*) or his  
 Deputy, together with this Warrant ; and I do also hereby command you  
 the said to receive the said  
 into your Gaol, and him safely keep without Bail or Mainprize, for any  
 Time not exceeding Three Calendar Months, unless such Money, and all  
 reasonable Charges, shall be sooner paid. Given under my Hand and  
 Seal this Day of in the Year

Power to  
borrow  
Money.

XXV. And be it further enacted, That it shall and may be lawful to and  
 for the said Guardians, or any Nine or more of them, with and by the  
 Consent, Order, or Direction of the Vestry of the said Parish, of which  
 Order or Direction a Certificate under the Hand of the Vestry Clerk shall  
 be good and sufficient Evidence, from Time to Time to borrow and take  
 up at Interest such Sums of Money as the Inhabitants assembled in such  
 Vestry shall judge necessary, not exceeding in the whole the Sum of Eight  
 thousand Pounds, for the Purposes of this Act, upon the Credit of all or any  
 of the Rates or Assessments to be made and collected by virtue of this Act,  
 and by Writing under the Hands and Seals of such Guardians, or any Nine  
 or more of them, to assign all or any Part of the said respective 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 legal Interest for the same ; and the  
 Costs and Expences of such Assignment thereof, and Security for the same  
 to be made as herein-after mentioned, shall be from Time to Time defrayed  
 by the said Guardians of the Poor for the Time being, out of the Monies  
 to be so borrowed ; and every such Assignment shall be in the Words or  
 to the Effect following :

Form of  
Assignment.

WE, Nine of the Guardians of the Poor of the Parish of *Lewisham*,  
 in the County of *Kent*, in pursuance of an Act passed 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  
 advanced and lent by *A. B.* upon the Credit and for the  
 Purposes of the said Act, do hereby grant and assign unto the said *A. B.*  
 (*or to his Trustee or Trustees, as the Case may require*), his Executors,  
 Administrators, and Assigns, such Proportion of the Rates or Assessments  
 arising by virtue of the said Act, (*for building the Workhouse or repairing  
 the same, as the Case may be,*) 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

with Interest, at *per Centum per Annum* for the same, shall be repaid and satisfied: In witness whereof, we the said Guardians of the Poor 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 proceed on progressively; and every such Security shall be good, valid, and effectual, and 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 thereon, according to the true Intent and Meaning of this Act: Provided always, that all Monies to be so borrowed shall be repaid by the said Guardians out of the Monies from Time to Time received out of the Rates or Assessments, or otherwise, under the Authority of this Act, with such Interest for the same as shall be agreed upon, in Twenty-five Years, by Twenty-five equal annual Instalments, the Interest which shall have accrued at the End of each Year to be paid together with the Instalment then due; and the Person or Persons lending or advancing such Money shall be compellable to accept the Repayment thereof, with the Interest from Time to Time to become due thereon, by such Instalments and Payments as aforesaid.

Money borrowed to be repaid within Twenty-five Years.

XXVI. And be it further enacted, That in case the said Inhabitants to be assembled in Vestry shall think it advisable or more advantageous to raise all or any Part of the Money to be borrowed under this Act by granting Annuities for Lives instead of Assignments as aforesaid, it shall be lawful for the Guardians of the Poor, or any Nine or more of them, for the Time being, with and by such Consent, Order, or Direction of the said Vestry, of which such Certificate as aforesaid shall be sufficient Evidence, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities unto any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer of the said Parish of *Lewisham* any Sum or Sums of Money which the said Guardians of the Poor, or any Nine or more of them, with and by such Consent, Order, or Direction as aforesaid, shall approve and accept for the absolute Purchase of any Annuity or Annuities to be paid and payable during the natural Life of any such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor at the Time of Payment of his, her, or their Contribution or Purchase Money, so that no such Annuity shall exceed the Rate of Fifteen Pounds *per Centum per Annum* upon a single Life; and the Expence of every such Grant shall be defrayed by the Guardians of the Poor for the Time being; and the Grant of every such Annuity shall be in the Words or to the Effect following:

Power to raise Money by Annuities.

WE \_\_\_\_\_ ( \_\_\_\_\_ ) of the Guardians of the Poor of the Parish of *Lewisham* in the County of *Kent*, in pursuance of an Act passed 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 *A. B.* to *C. D.* the Treasurer appointed in pursuance of the said Act, do hereby grant unto the said *A. B.* an Annuity or yearly Sum of \_\_\_\_\_ out of the Rates or Assessments granted or arising for the Relief of the Poor of the said Parish of *Lewisham*, which Annuity or yearly Sum of \_\_\_\_\_ shall be paid to the said *A. B.* or his Assigns, during the Term of his natural Life, (or to the said *A. B.* his Executors, Administrators,

Form of Annuity.

[*Loc. & Per.*]

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nistrators,

nistrators, and Assigns, during the natural Life of *C. D.*, *as the Case*  
*may be*) upon the \_\_\_\_\_ Day of \_\_\_\_\_ and \_\_\_\_\_  
 Day of \_\_\_\_\_ in every Year during the natural Life of him the  
 said \_\_\_\_\_ at the Vestry Room of the said Parish, the first  
 Payment thereof to be made upon the \_\_\_\_\_ Day of \_\_\_\_\_  
 next ensuing the Date hereof: In witness whereof we the said Guar-  
 dians of the Poor have hereunto set our Hand and Seals, the  
 Day of \_\_\_\_\_ in the Year \_\_\_\_\_

And every such Grant shall be good, valid, and effectual in the Law,  
 without any Inrolment or Registry of the Memorial thereof; and every  
 Annuity so granted as aforesaid shall be and is hereby charged upon,  
 and shall be payable and paid by the Treasurer of the said Parish of  
*Lewisham* out of the said Rates or Assessments, and other Money to be  
 received by virtue of this Act, according to the Grant of such Annuity.

Application  
 of Money  
 raised or  
 borrowed.

XXVII. And be it further enacted, That all Money to arise by or  
 from the said Rates or Assessments to be levied or received from Time to  
 Time by virtue of this Act, and all the Money which may be borrowed on  
 the Credit thereof, or advanced for Annuities as aforesaid, shall be paid  
 to the Treasurer to be appointed in manner directed by this Act, and shall  
 be paid, applied, and disposed of under the Order and Direction of the  
 Guardians, or any Three or more of them; in the first place in paying and  
 defraying the Charges and Expences which shall be incident to and attend  
 the obtaining and passing of this Act, and of the Interest for the Money  
 which shall have been advanced for defraying such Charges and Expences,  
 and in the next place from Time to Time in defraying 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 of the Poor or any of them may sustain or be put unto in  
 carrying this Act into Execution, or of any thing to be done by virtue  
 thereof, and for such other Uses and Purposes as herein expressed, and  
 for no other Use, Intent, or Purpose whatsoever.

Power of  
 transferring  
 Mortgages  
 and Annui-  
 ties.

XXVIII. 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 upon legal Interest as aforesaid, or to be raised by the granting  
 of Annuities in manner herein directed, and their respective Executors,  
 Administrators, and Assigns (as the Case may be), at any Time, by Writ-  
 ing under their Hands and Seals, to transfer such Securities to any Person  
 or Persons whomsoever, which Transfer may be in the Words or to the  
 Effect following:

Form of  
 Transfer.

I *A. B.*, being entitled to the Sum of \_\_\_\_\_ (or an An-  
 nuity of \_\_\_\_\_) secured to *C. D.* and his Assigns (or  
 his 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 Guardians of the Poor of the Parish of *Lewisham* in  
 the County of *Kent*, acting in the Execution of an Act passed 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 certain Rates or Assess-  
 ments granted or payable by the said Act, do hereby transfer all  
 my Right and Title in and to the said Sum or Annuity, and all In-  
 terest or other Money now due and owing thereon, unto *E. F.*, his  
 \_\_\_\_\_ Executors,

Executors, Administrators, and Assigns. Dated this  
Day of

And a Copy of every Security or Assignment, and of every Grant or Annuity which shall have been 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 Vestry Clerk of the Parish of *Lewisham*, which Extract or Memorial shall signify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access and have free Liberty, to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, 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, or Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Inrolment whatsoever.

XXIX. And be it further enacted, That it shall and may be lawful, to and for the Guardians of the Poor of the said Parish of *Lewisham* for the Time being, or any Nine or more of them, being a Majority of any Meeting of the said Guardians, with the Consent, and by or pursuant to the Order or Direction of the Vestry of the said Parish, of which Order and Direction such Certificate as aforesaid shall be Evidence, to contract for the Sale, and to sell or convey the Messuage or Tenement, Erections, Buildings, Hereditaments, and Premises now used as a Workhouse or Place for the Reception of the Poor in the said Parish of *Lewisham*, with the Site, Garden, and Appurtenances thereof; and also to contract for the Sale, and to sell and convey any Pieces or Parcels of Land or Ground situate and being in the Parish of *Lewisham* aforesaid, which hath or may be allotted to or for the Benefit of the said Parish by the Commissioners named and appointed in and by a certain Act of Parliament made and passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for inclosing Lands in the Parish of Lewisham in the County of Kent*, unto any Person or Persons who may be willing to become the Purchaser or Purchasers thereof; and the Money to arise by such Sale or Sales, it is hereby enacted, shall be paid by the said Guardians to the Treasurer for the Time being, appointed pursuant to this Act, to be applied by the said Guardians in or towards erecting a new Workhouse, or in or towards the Purchase of any Lands or Buildings to be used for that Purpose; and it shall also be lawful for the said Guardians for the Time being, with or by the like Consent, Order, or Direction, to demise and let all or any of the Messuages, Lands, or Tenements, which for the Time being shall be vested in them by virtue of this Act; and all Contracts, Agreements, Bargains, Sales, Conveyances, Agreements, and Demises which shall be made by the said Guardians for the Time being, by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, be good, valid, and effectual, for the Purpose of conveying the same respective Premises to such Purchaser or Purchasers respectively; any Law, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Empowering  
the Guar-  
dians to sell  
the present  
Workhouse.

XXX. And be it further enacted, That it shall be lawful for the Guardians of the Poor of the said Parish, or any Three of them, with and by such Consent, Order, and Direction as aforesaid, of which such Certificate

Workhouse  
may be re-  
built or re-  
paired.

tificate as aforesaid shall be good and sufficient Evidence, to build a new Workhouse, or to alter, enlarge, or repair, or cause to be altered, enlarged, or repaired, the present Workhouse of the said Parish, or any Part or Parts thereof, for better receiving, maintaining, and employing the Poor of the said Parish; and by and out of the Monies to arise by any such Sale or Sales as aforesaid, as also out of the Monies to be received or raised under or by virtue of this Act, for the Relief of the Poor, to pay all such Money as shall be justly due to the Artificers, Workmen, and others employed in or about the building of any such new Workhouse, or in altering, repairing, or enlarging the present Workhouse, and furnishing the same or either of them, and other incidental Expences relating thereto.

Empowering  
the Church-  
wardens and  
Overseers to  
purchase  
Lands for  
new Work-  
house, &c.

XXXI. And be it further enacted, That the Guardians of the Poor of the Parish of *Lewisham* for the Time being shall be and they are hereby respectively declared to be One Body Politic and Corporate, and be called by the Name of 'The Guardians of the Poor of the Parish of *Lewisham* in the County of *Kent*,' and are hereby authorized and enabled by that Name to sue and be sued, and from Time to Time, and at any Time or Times, to accept, take, and hold by Purchase or Lease, and with the Consent or by the Order or Direction of the Vestry of the said Parish (to be testified by such Certificate as aforesaid) to purchase or hire, at such Price, or under such Rent, Terms, and Conditions, as shall be approved by the said Vestry, and in such Order and Direction shall be expressed, any Lands, Tenements, or Hereditaments of Inheritance or for Lives, or Years determinable on the Death of any Life or Lives, not exceeding in the whole Four Acres of Statute Measure, for the Site of a House or Houses, and Buildings for the Use of the Poor, and for Land to be occupied therewith; and also to accept, take, and hold all voluntary Grants and Donations of Lands, Tenements, and Hereditaments, of Inheritance or for Lives, or Years determinable on Lives, or of personal Property which shall be made to them for the Use and Benefit of the Poor of the said Parish of *Lewisham*.

XXXII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Guardians, or any Three of them, shall be made in the Form or to the Effect following; *videlicet*,

Form of  
Conveyance.

' I *A. B.* of \_\_\_\_\_ in consideration of the Sum of \_\_\_\_\_  
' to me paid by the Guardians of the Poor of the Parish of *Lewisham*,  
' acting by virtue of an Act passed in the Fifty-fourth Year of the Reign  
' of King *George* the Third, intituled [*here insert the Title of this Act*], do  
' hereby grant and convey to the said Guardians all [*here describe the*  
' *Premises to be conveyed*], and all my Right, Title, and Interest to and in  
' the same and every Part thereof, to hold to the said Guardians for ever.  
' In witness whereof I have hereunto set my Hand and Seal this  
' Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And every such Sale, Conveyance, and Assurance so made, shall be good, valid, and effectual, to vest the Premises so conveyed in the said Guardians, freed and absolutely acquitted and discharged of and from all Claims, Rights, Interests, Charges, and Incumbrances of all Persons whomsoever, to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

XXXIII. And



XXXIII. And be it further enacted, That every Sum of Money to be agreed for as aforesaid shall be paid, out of the Monies to be received by virtue of this Act, to the Party or Parties respectively entitled to such Monies or to their Agents, and upon Payment thereof, or on placing the same in the Bank of *England*, in Manner by this Act directed (whether such Conveyance as aforesaid shall or shall not be made), all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Person or Persons respectively to whose Credit or Use the same shall have been paid, in, to, and out of such Lands, Tenements, or other Hereditaments, shall vest in the Guardians of the Poor of the Parish of *Lewisham* for the Time being, in Trust for effecting the Purposes of this Act; and they shall be deemed in Law to be in the actual Possession and Seisin thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments shall have been made as aforesaid, but also shall extend to, and 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; and every Person 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.

Provision for Payment of Purchase Money, &c. and for vesting of Property in the Guardians.

XXXIV. 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 and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants unborn, Lunatics, Idiots, Femes Covert, Tenants for Life or Tenants in Tail, 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 Guardians of the Poor or any Nine or more of them, with and under such Consent, Order, or Direction as aforesaid, shall deem necessary for the Erection of such Workhouse and other Offices, Outbuildings, and Appurtenances (or to be held or occupied therewith), in case they consent to sell the same, to contract and agree with the Guardians of the Poor of the said Parish of *Lewisham*, or any Nine or more of them, 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 Guardians of the Poor, 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 be made to the Guardians of the Poor of the Parish of *Lewisham* for the Time being, and shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances and Assurances in the Law whatsoever, be good, valid, and effectual to and for such Ends and Purposes, not only to convey and demise the Estate and Interest of the Person or Persons conveying, but also to convey and demise

Bodies Politic, &c. empowered to sell Land.

[*Loc. & Per.*]

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all

all Right, Estate, Interest, Use, Property, Claim, or Demand whatsoever, (save and except the Payment of the Rent or Rents reserved by such Lease or Leases, and the Covenants and Conditions therein contained) of their several and respective Cestuique Trusts, and all claiming by, from, or under them; any Law, Usage, or Custom 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 or shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act, as aforesaid.

Purchase Money to be applied when amounting to or exceeding 200*l*.

XXXV. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Tenements, or Hereditaments purchased by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Femes Covert, Infants, Lunatics, or Tenants for Life or in Tail, or other 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 Guardians of the Poor of the Parish of *Lewisham* in the County of *Kent*, 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 in 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, 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 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 mean time 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 mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

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

XXXVI. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments purchased for the Purposes of this Act, and belonging to any Corporation,

or

or to any Person or Persons under Disability as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall 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, 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 Guardians of the Poor, (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.

XXXVII. Provided also, and be it further enacted, That where such Money so agreed to be paid as last before mentioned shall not exceed 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 for the Purposes of this Act, in such Manner as the said Guardians of the Poor 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.

Where not more than 20*l*.

XXXVIII. And be it further enacted, That whenever any poor Person or Persons shall be or be ordered to be removed by the said Parish of *Lewisham*, to the Place or Parish of his, her, or their legal Settlement, it shall and may be lawful for the Churchwardens and Overseers of the Poor of the said Parish of *Lewisham* for the Time being, 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 for the Time being, or any Two or more of them, for that Purpose, in Writing under their Hands; and every Overseer and every 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 *Lewisham*; any Law, Custom, or Usage to the contrary notwithstanding.

Paupers to be removed by Beadles instead of Overseers.

XXXIX. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Parish shall be deemed incompetent to give Evidence, by reason of his, her, or their being rated or assessed by virtue of this Act; any Law, Custom, or Usage to the contrary notwithstanding.

Inhabitants deemed competent Witnesses.

XL. And be it further enacted, That all Penalties and Forfeitures by this Act imposed and incurred (for the Recovery whereof no other Method

The Manner of Recovery has

and Application of Penalties and Forfeitures.

has herein been directed) shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of One or more Justice or Justices of the Peace for the said County of *Kent*; which Warrant such Justice or Justices is and are hereby empowered and required to issue upon Proof of the Offences respectively, either by the Confession of the Party or Parties, or upon the Evidence of any credible Witness upon Oath, (which Oath such Justice or Justices is and are hereby empowered and required to administer); and the Overplus of the Money, if any, arising by such Distress and Sale, shall be returned, upon Demand, to the Owner of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale; and all such Penalties and Forfeitures, when recovered, as are not herein directed to be otherwise applied, shall be paid to the Treasurer of the said Parish of *Lewisham* for the Time being, to be applied by him for such of the Purposes of this Act as the Guardians of the Poor for the Time being shall think fit; and in case sufficient Goods and Chattels cannot be found, or such Penalties or Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction of and for the said County, for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Expences attending the same, shall be sooner paid and satisfied.

Limitation of Actions.

XLII. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for any thing done under colour of or in pursuance of this Act, but within Three Months after the Fact shall have been committed out of which the Cause of such Action shall have arisen; and every such Action shall be laid and brought in the County of *Kent*, and not elsewhere: Provided also, that the Defendant or Defendants in all and every such Action or Actions may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance 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, tendered, or paid into Court 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; or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his or their Action or Actions, or if a Verdict shall be found against the Plaintiff or Plaintiffs, then and in every such Case it shall and may be lawful for the Defendant or Defendants to 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.

General Issue.

Treble Costs.

Public Act.

XLII. 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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