



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. lxxvi.

An Act for better assessing and recovering the Rates for the Relief of the Poor within the City of *New Sarum*, and enlarging the Powers of an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for consolidating the Rates to be made for the Relief of the Poor of the respective Parishes of Saint Thomas, Saint Edmund, and Saint Martin, in the City of New Sarum.* [29th May 1830.]

WHEREAS the City of *New Sarum* in the County of *Wilts* consists of Three Parishes; that is to say, the Parish of *Saint Thomas*, the Parish of *Saint Edmund*, and the Parish of *Saint Martin*, and the Poor belonging thereto are numerous, and are supported at a great Expence: And whereas an Act was passed in the Tenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for consolidating the Rates to be made for the Relief of the Poor of the respective Parishes of Saint Thomas, Saint Edmund, and Saint Martin, in the City of New Sarum*, whereby it was enacted, that from and after the Fifteenth Day of *April* One thousand seven hundred and seventy, the Poor of all the said Three Parishes within the said City of *New Sarum* should at all Times for ever be employed, supported, and maintained, and all Expences touching

[*Local.*]

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10 G. 3. c. 81.

touching all the said Poor be paid and defrayed by the Churchwardens and Overseers of the Poor of the said several Parishes, (that is to say, Two Churchwardens and Four Overseers of the Poor in the Parish of *Saint Thomas*, Two Churchwardens and Four Overseers of the Poor in the Parish of *Saint Edmund*, and Two Churchwardens and Two Overseers of the Poor in the Parish of *Saint Martin*, to be from Time to Time appointed as the Laws then in being directed,) out of and from One Common Stock and Fund, in a Workhouse standing in any One of the said Three Parishes, or otherwise as to the Churchwardens and Overseers, or the major Part of them, should seem meet, in the same Manner in every respect as if the said City had been and consisted of One Parish only; and whereby it was further enacted, that within One Month next after the Commencement of the said Act, and in every Year within One Month next after the Appointment of new Overseers of the Poor within the said Three respective Parishes, the Churchwardens and Overseers of the Poor of the said Parishes of *Saint Edmund* and *Saint Martin* respectively should and they were thereby required, by fair and proportionable Assessments to be by them respectively made on all the Inhabitants of each of the said Parishes of *Saint Edmund* and *Saint Martin* liable to be assessed to the Relief of the Poor thereof, to collect and raise the Sum of Thirty Pounds in each of the said respective Parishes of *Saint Edmund* and *Saint Martin* towards the said Common Stock and Fund, in like Manner and with such Remedies as Poor Rates were then collected and raised; and that all further and other Sums of Money which should from Time to Time be necessary for the Support and Maintenance of all the Poor within the said City, and for paying and defraying such Expences as aforesaid, should be collected and raised, in manner therein-after mentioned, from the Inhabitants of the whole of the said City, by a full and equal Rate of One Shilling in the Pound, and by an equal Number of such Rates to be collected in all the said Three Parishes, in which Rates all and every the Inhabitants of the said Three several Parishes should be assessed, rateably and proportionably one with the other, by a fair and just Assessment to be from Time to Time made by the Churchwardens and Overseers of the Poor of all the said respective Parishes, or the major Part of them, and should be liable to pay the same in like Manner in every respect as if the said City had consisted of One Parish only; and whereby (amongst other Things) it was further enacted, that all Rates and Assessments to be made in virtue of the said Act should be confirmed, published, collected, and recovered within each respective Parish under the Powers and Authorities then in being and by Law established, and that all future Churchwardens and Overseers of the Poor within the said Three respective Parishes should from Time to Time pass their Accounts in like Manner in every respect as if the said Act had not been made: And whereas many Houses, Buildings, Tenements, and Hereditaments within the said City of *New Sarum* are let out at low Rents, or to occasional Occupiers, or in Lodgings, or in separate Apartments, or for short Terms, or are let out to Tenants who are or become insolvent before the Rates charged on them can be collected, and by reason thereof the Payment of the Poor's Rates thereon is evaded, and the Inhabitants of the other Houses in such Parishes are unjustly compelled

to pay much more than their fair and due Proportions of the Charges of relieving and maintaining the Poor: And whereas the Laws now in force for assessing and collecting Monies for the Relief of the said Poor are defective and insufficient, and it is expedient that more effectual Powers and Provisions should be made and granted for assessing, collecting, and recovering the said Rates, and that the Powers of the said Act should be therefore enlarged: 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 the aforesaid recited Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Third, and all and every the Powers, Authorities, Articles, Provisoos, Exemptions, Penalties, Forfeitures, and all other Matters and Things therein contained, (save and except such as is or are varied, altered, enlarged, or repealed,) shall be as good, valid, and effectual for carrying the several Purposes of this Act into execution as if the same had been repeated and re-enacted in the Body of this Act.

Powers of recited Act extended to this Act.

II. And be it further enacted, That in all Cases where either the yearly Rent or the yearly Value of any House, Building, Tenement, Apartment, or Hereditament within the said City shall not exceed Ten Pounds, or where any House, Building, Tenement, Apartment, or Hereditament within the said City, whatever the yearly Rent or Value of the same may be, shall be let for any less Period than One Year, or shall be let in separate Apartments or in Lodgings, furnished or unfurnished, for any Period of Time whatever, then and in every such Case it shall and may be lawful to and for the aforesaid Churchwardens and Overseers, or Person or Persons making any Rate or Assessment by virtue of this Act, or by virtue of any other Act or Law or Statute relating to the Relief or Management of the Poor, and he and they is and are hereby authorized and required, in and by every and any such Rate or Assessment, at his and their Discretion to rate and assess the Landlord or Landlords, Owner or Owners, Lessor or Lessors of all and every or any such House or Houses, Building or Buildings, Tenement or Tenements, Apartment or Apartments, Hereditament or Hereditaments, or any Person or Persons receiving either on his, her, or their own Account, or as the Agent of any other Person or Persons, or Body or Bodies Corporate or Collegiate, or claiming to be entitled to the Rents of any such House or Houses, Building or Buildings, Tenement or Tenements, Apartment or Apartments, Hereditament or Hereditaments, for the Payment of every and any such Rate or Assessment, as if he, she, or they were the actual Occupier or Occupiers thereof respectively; and in each and every such Case each and every such Landlord and Landlords, Owner and Owners, Lessor and Lessors, and Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid, shall then and from thenceforth, and until the Expiration of the Period for which such Rate or Assessment shall be made and paid, and until the whole of such Rate or Assessment shall be collected, and until some other Person or Persons shall be rated to or pay the same, be and be deemed and taken to be, for the Purposes of this Act,
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For rating Landlords of Houses let under 10*l.* per Annum or in separate Apartments.

the Occupier and Occupiers of such Premises, and shall thereupon be rated to, and from Time to Time shall pay, the Rates or Assessments charged upon such Houses, Buildings, Tenements, Apartments, and Hereditaments respectively; and upon Nonpayment thereof or of any Part thereof, or of any Composition for the same or any Arrears thereof, the said Rates and Assessments shall and may be levied by Distress and Sale of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, Lessor or Lessors, or Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid, wheresoever the same may be found respectively, by Warrant under the Hands and Seals of any Two Justices of the Peace of and for the City of *New Sarum*, who are hereby authorized and required to grant and issue such Warrant upon every Application made to them for the same, in the Form herein-after mentioned: Provided always, that nothing herein contained shall extend to authorize the Assessment of any such Landlord or Landlords, Owner or Owners, Lessor or Lessors, or Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid, in respect of any House, Building, Tenement, Apartment, or Hereditament which shall be *bonâ fide* let by such Landlord or Landlords, Owner or Owners, Lessor or Lessors, or Person or Persons receiving or claiming to be entitled to the Rents as aforesaid, to any One individual Tenant, the immediate Occupier thereof, for the Period of One Year at the least, and the Rent whereof shall not be received at shorter Periods or Intervals than by quarterly Payments, or be collected or received in the whole or in part until the Expiration of the Quarter.

Goods of
Tenants
liable to be
distrained as
far as the
Amount of
Rent by them
actually due.

III. Provided always, and be it further enacted, That the Goods and Chattels of all and every Person and Persons renting or occupying any House, Building, Tenement, Apartment, or Hereditament, or any Part or Parts of any House, Building, Tenement, Apartment, or Hereditament, whereof the Landlord or Landlords, Owner or Owners, Lessor or Lessors, or the Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid, is and are by this Act made liable and subject to pay the said Rates and Assessments as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, or of any Composition for the same, and of all Arrears thereof, as shall be due in respect of 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 be liable to pay, any greater Sum for or towards the Discharge of any such Rate or Assessment or Composition or Arrears than the Amount of the Rent actually due by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessor or Lessors, or the Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid of the Premises so occupied by him, her, or them, at the Time when the said Rate shall be made or demanded: Provided also, that each and every such Occupier who shall pay any such Rate or Assessment or Composition or Arrears, or any Part thereof, or upon whose Goods and Chattels the same shall be levied, shall and may from Time to Time deduct the Amount of such Rate or Assessment or Money which shall be so paid or levied from the Rent then due or at any Time thereafter to become due
from

from him, her, or them to the respective Landlord or Landlords, Owner or Owners, Lessor or Lessors of the Premises; and the Receipt for or Evidence of such Payment shall be a good and sufficient Discharge to such Occupier or Occupiers against his, her, or their Landlord or Landlords, Owner or Owners, Lessor or Lessors, or the Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid, for so much Money as he, she, or they shall have paid in the Manner directed by this Act, or shall have sustained the Loss of by reason of any Distress made under this Act.

IV. Provided always, and be it further enacted, That in all Cases where any Landlord or Landlords, Owner or Owners, Lessor or Lessors, or the Person or Persons so receiving or claiming to be entitled to the Rents as aforesaid, (not being the Occupier,) shall, in respect of any such House, Building, Tenement, Apartment, or Hereditament as aforesaid, be rated or assessed for the same in pursuance of this Act, the Rates and Assessments in respect of the same shall be made upon a reduced Rental of not more than Three Fifths of the full Rack Rent or annual Value of such Premises, instead of being rated or assessed upon the full Rack Rent or annual Value thereof.

Landlords, &c. to be rated at Three Fifths of the annual Value.

V. Provided also, and be it further enacted, That it shall be lawful for the said Churchwardens and Overseers to compound, if they shall think proper, with the Landlord or Landlords, Owner or Owners, Lessor or Lessors of any such House, Building, Tenement, Apartment, or Hereditament, or Person or Persons receiving or claiming to be entitled to the Rents as aforesaid, for the Payment of the said Rates or Assessments, at such a reduced Rental as the said Churchwardens and Overseers shall think reasonable, and vary, discontinue, and renew such Composition from Time to Time as they shall think expedient, so that no such House, Building, Tenement, Apartment, or Hereditament be rated at less than One Half of the actual Rent at which the same shall be let, or of the annual Value of such House, Building, Tenement, Apartment, or Hereditament, and that the Composition Money be paid and payable whether the same be occupied or not.

Power to compound with Landlords for Rates.

VI. And be it further enacted, That in default or failure of Payment of any such Rate or Assessment, or of any Part of such Rate or Assessment, in respect of any House, Building, Tenement, Apartment, or Hereditament, the Landlord, Owner, or Lessor whereof, or other Person so receiving or claiming to be entitled to the Rents as aforesaid, shall be rated or assessed in pursuance of this Act, the same Rate or Assessment or Arrears shall be and remain a Charge upon the Premises so rated and assessed so far only as that the same may be levied by Distress and Sale of the Goods and Chattels of any such Owner or Owners, Landlord or Landlords, Lessor or Lessors, or Person or Persons receiving or claiming to be entitled to the Rents as aforesaid, or of any Person or Persons inhabiting or occupying the same or any Part thereof (subject to the Limitation herein contained).

Arrears of Rates to remain a Charge upon the Premises.

Act not to
affect Agree-
ments.

VII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to make void any Contract, Covenant, or Agreement between Landlord and Tenant relating to the Payment of any Rates or Assessments within the said City.

Rates, how
to be col-
lected, &c.

VIII. And be it further enacted, That all Rates and Assessments to be made by virtue of this Act shall be confirmed, published, and collected within each of the aforesaid Parishes under the Powers and Authorities now in being and by Law established for the confirming, publishing, and collecting of any Rate or Assessment for the Relief of the Poor; and all future Churchwardens and Overseers of the Poor within the said respective Parishes shall from Time to Time pass their Accounts thereof in like Manner as if the said Rates or Assessments had been made by virtue of the said recited Act.

Rates to be
distrained for
after Sum-
mons of Par-
ties, if they
do not show
sufficient
Cause.

IX. And, for the better and more effectually raising and levying the Rates and Assessments authorized and directed to be made by this Act, be it further enacted, That in case any Person or Persons whatsoever who shall be rated or assessed towards the Payment of the Monies by this Act authorized to be raised shall refuse or neglect to pay any Rate or Assessment which shall be made, laid, or assessed under and by virtue of this Act, or any Arrear or Arrears due thereon, or the Amount of any Composition or the Arrears thereof, or who shall be liable to any former Rate or Assessment, Rates or Assessments, it shall and may be lawful to and for any Two or more of the Justices of the Peace of and for the said City of *New Sarum*, upon any Application made to them by any Overseer of the Poor of any of the said Parishes, and such Justices are hereby authorized and required, upon Oath being made before them by any such Overseer of his or their having attended at the Dwelling House or last or usual Place of Abode within the said City of the Person or Persons liable to the Payment of any such Rate or Assessment or Composition or Arrears, or at the Premises for which such Rate or Assessment or Composition or Arrears shall be or remain due, and having demanded the same, and of such Person or Persons having refused or neglected to pay the same, to summon, by Writing under their Hands, all and every Person or Persons who shall have refused or neglected to pay as aforesaid to appear before such Justices, or any other Justices acting within and for the said City of *New Sarum*, at the Time and Place to be mentioned in such Summons; and it shall and may be lawful to and for the said Overseers as aforesaid, or any or either of them, or any Constable or Constables of the said City, or other the Person or Persons to whom the same Summons shall be severally addressed, to serve all and every such Summons and Summonses upon all and every Person and Persons refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or usual Place or Places of Abode in the said City, or at the Premises in respect whereof the Rate, Assessment, or Composition mentioned in such Summons shall be or remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, then upon
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due

due Proof of Service of the Summons, and that such Rate or Assessment or Composition, or some Part thereof, remains due and unpaid, or if he, she, or they shall attend, and shall not show good and sufficient Cause to such Justices why he, she, or they is or are not chargeable with such Rate or Assessment, Rates or Assessments, or Composition or Arrears, or why the same should not be paid, then and in every such Case it shall be lawful for any Two of such Justices to order and adjudge all and every Person and Persons (who shall have been so summoned) to pay the Rate or Assessment or Composition or Arrears in respect of which such Summons was issued, and the reasonable Costs and Charges of such Summons, and to grant a Warrant or Warrants under their Hands and Seals, authorizing and directing the said Overseers, or any or either of them, or any Constable or Constables of the said City, to collect and levy such Rate or Assessment or Composition, and all Arrears thereof, and the Expence of the Summons and Warrant, by Distress of the Goods and Chattels of the Party so refusing or neglecting which shall be found either within the said City, or elsewhere if removed therefrom; and if within Five Days next after any such Distress shall be made the said Rate or Assessment or Composition, with all Arrears due, shall not be paid, together with the reasonable Charges of the said Summons and Warrant, and of making such Distress, and keeping such Goods and Chattels, the said Overseer or Overseers, Constable or Constables, shall cause the said Goods to be appraised by One or more Appraiser or Appraisers, and the same (or such Part or Parts thereof as shall be sufficient) to be sold by Auction or private Contract, and thereout to pay the said Rate or Assessment or Composition, together with all Arrears due, and the reasonable Charges aforesaid, and the Charges of keeping, appraising, and selling the same, (the Amount of all such Costs, Charges, and Expences being, in case of Dispute, settled by Two Justices of the Peace of and for the said City of *New Sarum*.) returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them; and if no sufficient Distress can be found, in consequence of the Removal of any such Goods or Chattels with an Intent to evade or elude the Payment, then it shall and may be lawful to and for the said Justices to commit such Person or Persons so refusing or neglecting to pay such Rate or Assessment or Composition or Arrears, or offending as aforesaid, to the Common Gaol or House of Correction for the said City, there to remain, without Bail or Mainprize, until such Time as such Person or Persons so committed shall have paid the Sum or Sums so rated or assessed upon him, her, or them, or compounded for, and such Charges as aforesaid, or during so long a Time as the Justices making such Commitment shall think reasonable, unless he, she, or they shall sooner pay the same; provided that no such Person or Persons shall be confined or detained in Prison for any longer Space of Time than Three Calendar Months.

X. And be it further enacted, That every Warrant of Distress for the Nonpayment of any Rate or Assessment or Composition to be made by virtue of this Act may include One or more Person or Persons,

Form of
Warrant of
Distress.

Persons, and shall be in the Words or to the Effect following;
(*videlicet*),

‘ City of } To the Overseer [*or Overseers*]
‘ *New Sarum.* } of, *et cætera*, appointed by virtue of the Powers
‘ of an Act passed in the Eleventh Year of the Reign of
‘ His Majesty King George the Fourth, intituled *An Act*
‘ *for better assessing and recovering the Rates for the Relief*
‘ *of the Poor within the City of New Sarum, and enlarging*
‘ *the Powers of an Act passed in the Tenth Year of the*
‘ *Reign of His late Majesty King George the Third, inti-*
‘ *tuled ‘ An Act for consolidating the Rates to be made for*
‘ *the Relief of the Poor of the respective Parishes of Saint*
‘ *Thomas, Saint Edmund, and Saint Martin, in the City of*
‘ *New Sarum,*’ and to all Constables and other Peace
‘ Officers of the same City :

‘ **W**HEREAS the under-mentioned Person or Persons now or late
‘ Inhabitant or Inhabitants, Holder or Holders, Landlord or
‘ Landlords, Tenant or Tenants, Occupier or Occupiers, Enjoyer or
‘ Enjoyers of or receiving or claiming to be entitled to the Rents of
‘ Houses, Buildings, Tenements, Apartments, or Hereditaments, or
‘ other rateable Property, in the Parish or several Parishes of
‘ within the said City of *New Sarum* in the County
‘ of *Wilts*, was and is [*or were and are*] duly rated and assessed and
‘ liable to pay the Rate and Rates made by virtue of the above-
‘ mentioned Act : And whereas the said Person [*or Persons*] has
‘ [*or have*] refused or neglected to pay the Sum [*or several Sums*] of
‘ Money at and against his [*or her*] Name [*or their Names*] hereunto
‘ set [*or respectively set*], and due from him [*or her*] [*or them*
‘ respectively] for or towards the Purposes mentioned in the said
‘ Act ; and the said Sum [*or several Sums*] is [*or are*] still remaining
‘ due, in arrear, and unpaid, as appeareth upon Oath [*or Affirmation,*
‘ *if a Quaker,*] to us of His Majesty’s Justices of the
‘ Peace of and for the said City ; and the said Person [*or several*
‘ Persons] having been summoned to appear and to answer the Pre-
‘ mises, as also appeareth to us the said Justices upon Oath, [*or*
‘ *Affirmation, if a Quaker,*] has not [*or have not*] [*or hath either of*
‘ them] shown 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, any or either of you, forthwith to levy the
‘ said Sum [*or several Sums*] due from the said Person [*or Persons*],
‘ and also such further Sum [*or Sums*] for Costs as is [*or are*] here-
‘ under set opposite to his [*or her*] Name [*or their Names respec-*
‘ tively], by Distress and Sale of his [*or her*] [*or their respective*]
‘ Goods and Chattels, (such Goods and Chattels being kept for the
‘ Space of Five Days before the same are sold,) rendering to him [*or*
‘ her] [*or them respectively*] the Overplus (if any be), the reasonable
‘ Charges of such Summons and Warrants, and also of such Distress,
‘ Appraisalment, Removal, 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 by Law are directed ; and we do hereby
‘ strictly charge and command all and singular the Constables and
‘ other

‘ other His Majesty’s Peace Officers for the said City 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 One thousand eight hundred .

	Sums due.	Costs.	Total.	
‘ A. B.	- -	- -	- -	For a House let to
‘ C. D.	- -	- -	- -	For a House let in separate Apartments.
‘ E. F.	- -	- -	- -	{ Landlord or Receiver of the Rent, or Per- { son claiming to be entitled thereto.
‘ G. H.	- -	- -	- -	Landlord, for House compounded for.
‘ I. K.	- -	- -	- -	Inhabitant, or Tenant, or Occupier.’

XI. Provided always, and be it further enacted, That in case any Person or Persons who shall be rated as herein mentioned shall give Notice in Writing to either of the Churchwardens or Overseers of the Parish or respective Parishes in which such Person or Persons shall be respectively rated, of his, her, or their Intention to apply to have the said Rates or Assessments either lessened or reduced, or otherwise to be wholly discharged from the Payment thereof, on account of the Poverty of the Landlord or Landlords, Owner or Owners, Lessor or Lessors, or other Person or Persons receiving or claiming to be entitled to the Rents as aforesaid, or his, her, or their Inability to collect his, her, or their Rent from the Tenant or Occupier, it shall and may be lawful to and for the Justices acting for and within the said City of *New Sarum*, or any Two or more of them, on hearing such Applicant or Applicants and the said Churchwardens or Overseers, or the Person or Persons who shall attend on behalf of the said Churchwardens or Overseers respectively, or, in the Absence of any Person on behalf of the said Churchwardens or Overseers, on Proof of such Notice having been given as herein-before required, to lessen and reduce the Amount of such Rate or Rates, Assessment or Assessments, so far as respects such Applicant or Applicants, to such Extent as the said Justices, or any Two or more of them, (in case they shall be of opinion that the House, Building, Tenement, Apartment, or Hereditament shall be assessed at too high an Amount,) shall think proper, or in case they shall think that such Applicant or Applicants ought not to have been rated or assessed, then wholly to discharge him, her, or them, or otherwise to remit or reduce the Payment of the Amount charged in such Rate or Assessment, Rates or Assessments, on account of the Poverty of such Applicant or Applicants respectively, or his, her, or their Inability to collect his, her, or their Rents as aforesaid, as to them shall seem reasonable and proper: Provided always, that in case the said Churchwardens or Overseers respectively, or any or either of the said Parties respectively, entitled to the Monies so rated and assessed, shall be dissatisfied with such Determination, it shall and may be lawful for such Churchwarden or Churchwardens or Overseers or Party or Parties respectively to appeal to the Justices at the General or Quarter Sessions of the Peace to be holden for the said City in the usual and accustomed Manner.

Justices empowered to reduce or remit Assessments.

For Recovery
of Rates on
Removal of
Persons into
other Pa-
rishes of the
City.

XII. 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, Building, Land, Tenement, or Hereditament within the said City, before the Rate or Assessment charged thereon by virtue of this Act shall be paid and discharged, or if any Person shall enter into the Occupation of any House, Building, Land, Tenement, or Hereditament in the said City, out of or from which any other Person or Persons shall have so removed before Payment of the said Rate or Assessment, then 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, Building, Land, Tenement, or Hereditament, shall be respectively liable to the Payment of such Rate or Assessment in proportion to the Time such Person or Persons respectively possessed or occupied the same, in the like Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession or Occupation of such House, Building, Land, Tenement, or Hereditament, or the Person or Persons so entering into the Possession or Occupation thereof had been originally rated or assessed to such Rate or Assessment; which Portion, in case of Dispute, shall be ascertained by any Two or more of His Majesty's Justices of the Peace of and for the said City, on the Application of any Overseer or Person interested as aforesaid; and in case any Person or Persons shall come into the Occupation of any such House, Building, Land, Tenement, or Hereditament, by renting or taking the same from the last immediate Occupier, then and in such Case the Person or Persons so coming into the Occupation thereof shall be subject and liable to the Rate and Assessment in arrear for any Period not exceeding Three Calendar Months preceding such his Occupation, as if he, she, or they had been originally rated or assessed.

For Recovery
of Rates in
case Parties
remove out of
the City.

XIII. And whereas it may happen that Persons liable to be rated by virtue of this Act may, before the Payment of the Sum or Sums which may be rated or assessed on or due from them respectively, quit and leave the Houses, Buildings, Lands, Tenements, or Hereditaments in respect of which they shall be so liable as aforesaid, and remove out of the said City; be it therefore enacted, That when any such Person or Persons shall quit or be about to quit his, her, or their Houses, Buildings, Lands, Tenements, or Hereditaments, before he, she, or they shall have paid any Rate or Rates, Assessment or Assessments, or Sum or Sums so due, and shall neglect or refuse to pay the same, or any Part thereof, when due and demanded by any Overseer or Overseers authorized to receive the same, then and in every such Case it shall be lawful for such Overseer or Overseers, (Proof on Oath or Affirmation being made by him or them, to the Satisfaction of any Justice or Justices of the said City, that he or they hath or have Cause to suspect such Person or Persons hath or have removed, or is or are removing or about to remove, his, her, or their Goods and Chattels,) by Warrant under the Hands and Seals of any Two of such His Majesty's Justices of the Peace for the said City, (which Warrant such Justices are hereby authorized and required to grant, and in case such Person or Persons shall have removed, such Warrant being first backed or countersigned by some Justice of the

the County, City, Borough, or Liberty to which such Person or Persons shall have removed, which Warrant such Justice is hereby required to back or countersign,) to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments or Sum or Sums so due, or any Part thereof, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, (upon Demand,) to the Owner or Owners of such Goods and Chattels respectively, in like Manner as is hereinbefore provided for the Recovery of the said Rates in ordinary Cases by Distress and Sale of the Goods of Persons making Default in Payment of the said Rates or Assessments.

XIV. And be it further enacted, That the respective Overseers of the Poor of and for the several Parishes of and belonging to the said City, now being or hereafter to be appointed, shall and may, during the Space of Three Calendar Months next after the Appointment of other Overseers in their respective Places, have and use the like Powers, Means, and Authority for levying and collecting the Arrears and Deficiencies of the several Assessments or Sums due and not paid, after their Offices have expired, as they respectively had and used or might have had and used during the Continuance of their respective Offices.

Overseers to collect Arrears after their Offices have expired.

XV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of or under the Authority or Colour of the said recited Act of the Tenth Year of the Reign of His late Majesty King *George* the Third, or this Act, until after Ten Days Notice shall have been given thereof in Writing to the said Churchwardens and Overseers, nor after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried in the County or Place where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, or give the said recited Act and this Act, and every special Matter, in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of the said recited Act or this Act, or if it shall appear that such Action or Suit was brought before Ten Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find a Verdict or Verdicts for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuit, or suffer a Discontinuance of such Action or Actions, or if, upon any Demurrer or Demurrers in such Action or Actions, Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such

Limitation of Actions.

Defendant

Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs in any other Case by Law.

Expences of Act.

XVI. And be it further enacted, That all Costs, Charges, Payments, and Expences of passing this Act, and all other Charges and Expences incident to or attending the obtaining thereof, or in any Manner relating thereunto, shall be borne, paid, and defrayed out of the first Monies received or to be received in respect of the Rates authorized to be made by the said recited Act of the Tenth Year of the Reign of His late Majesty King *George* the Third, or this Act, for the Relief of the Poor of the said City, and other the Purposes in the same recited Act and this Act mentioned.

Public Act.

XVII. 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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