Anno tricesimo

Georgii II. Regis.

An Act for the ascertaining and collecting the Poor's Rates; and for the better ordering and regulating the Poor in the Parish of Saint *Luke*, in the County of *Middlesex*.



WHEREAS the Poor of the Parish of Saint Luke in the County of Middlesex, are greatly encreased, and Idleness and Debauchery among the meaner Sort prevails every Day more and more, to the excessive Charge and Burthen of the Inhabitants, and to the apparent Distress of the deserving Poor: And whereas the giving sufficient Power and Authority to provide for the sickly and distrest, and to compel the indolent Poor to work, would in a great Measure remedy the said Grievances; May it therefore please Your Preamble.

most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish of Saint Luke, are hereby authorized and required to assemble and meet together, in the Vestry Room adjoining to the said Parish Church, annually, on Tuesday in Easter Week in the Forenoon, or oftner, from time to time, as Occasion shall require; and shall then and there ascertain the Monies to be assessed within the Limits of the said Parish, for the Relief of the Poor within the said Parish, as they in their Discretion shall think sufficient to answer all the Ends and Purposes of the several Statutes for the Relief of the Poor, and for carrying this present Act into Execution,

Vestry to meet on *Tuesday* in *Easter Week* annually, or oftner, to settle the Poor's Rate;

And be it further enacted by the Authority aforesaid, That the said Churchwardens, Overseers of the Poor, and Vestrymen, shall assemble and meet together in the said Vestry Room of Saint Luke's, within Twenty Days after the said Sums of Money shall have been so ascertained, as aforesaid, or oftner, from time to time, as Occasion shall require; and at such Meeting or Meetings shall and are hereby required to make One general equal Pound Rate or Assessment, for the Relief of the Poor in the said Parish, upon all and every Person or Persons, who do, and shall inhabit, hold, occupy, or enjoy, any Land, House, Shop, Warehouse, or any other Building, within the said Parish, or on any other Person or Persons, who by Law are chargeable and assessable, for and towards the Relief of the Poor within the said Parish, to be entered and kept in One or more Book or Books for that Purpose; in which said Book or Books there shall be Four distinct Columns for the Four Quarters, and a Fifth, or One other Column, for the Sum Total of the said Four Quarters, and over against the Name of every Person charged to the said Rate or Assessment, for the more easy Collection thereof.

and within 20 Days after to meet again, and make One general Pound Rate for that Purpose;

to be entered in proper Books.

And whereas there are divers Houses in the said Parish, which are let in separate Apartments, and other Houses let ready-furnished to Lodgers, by which the Payment of this parochial Tax is evaded: For Remedy whereof, be it enacted by the Authority aforesaid, That

the Landlord or Owner of each and every such House or Houses, so let in separate Apartments, or ready-furnished to a Lodger or Lodgers, shall be deemed and taken to be Occupier or Occupiers of such House or Houses, and shall be liable and subject to the Payment of the Rate or Assessment by this Act directed to be raised and levied. Where Houses are let in separate Apartments, the Landlord to be charged with the Rate;

And for the more easy Recovery of the said Rate or Assessment; be it further enacted, That each and every Person or Persons so renting or occupying any separate Apartment, in such House or Houses, or ready-furnished House, shall be liable and compellable to the Payment of the same; to be recovered in Manner herein after directed. and the Occupier is to pay the same,

Provided always, That each and every such Occupier or Occupiers, who shall pay such Rate or Assessment, or from whom the same shall be recovered, in the Manner herein after directed, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them, to the respective Landlord or Owner; and the Receipt for such Payment shall be a sufficient Discharge to such Tenant or Tenants, Occupier or Occupiers, to his, her, or their said Landlord, for so much Money as he, she, or they, shall pay, or shall be levied on him, her, or them, in the Manner directed by this Act. and deduct it out of the Rent;

Provided also, That no such Tenant or Occupier of any separate Apartment of any House or Houses, shall, by the Payment of such Rate or Assessment in Manner aforesaid, be deemed to acquire any Settlement in the said Parish by such Payment, but that the Landlord or Owner shall be deemed and construed to all Intents and Purposes, to have paid the same; any Law, Statute, or Usage, to the contrary notwithstanding. but is not to gain any Settlement in the Parish thereby.

And be it further enacted by the Authority aforesaid, That the said Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish, at a publick Meeting to be held pursuant to this Act, shall chuse and appoint One or more fit Person or Persons, to be Collector or Collectors of the said Rate or Assessment to be raised and levied by virtue of this Act; and shall and may, from time to time, remove such Person or Persons, and appoint such other Person or Persons in his or their Room and Stead; and shall or may, out of such Rate or Assessment to be collected as aforesaid, make Vestry to appoint a Collector of the Rate,

and appoint him a Salary;

such Allowance to such Collector or Collectors, for his or their Trouble in collecting the same, as they shall think fit, not exceeding the annual Sum of Sixty Pounds in the whole, or in Proportion for any less Time than a Year; and they are hereby required to

and to take Security for the faithful Discharge of his Office.

take such Security of such Collector or Collectors so by them appointed, for the faithful accounting for all such Monies as they shall receive by virtue of their said Office, as to them the said Churchwardens, Overseers of the Poor, and Vestrymen so assembled, shall appear a sufficient Security for the Monies to be received by the Collector or Collectors; and such Collector or Collectors, shall, and they are hereby impowered and required to collect the said Rate by quarterly Payments,

He is to pay over the Monies to their Order,

and from time to time, pay over such Monies so by them collected, to such Person or Persons, as the said Churchwardens, Overseers of the Poor, and Vestrymen, present at a publick Meeting as aforesaid, or any Nine or more of them, shall, by Writing under their Hands, authorize and appoint to receive the same, to be applied for the Relief of the Poor in the said

and account Quarterly;

Parish; and the said Collector or Collectors shall make up and render to the said Churchwardens, Overseers of the Poor, and Vestrymen, Four Times in every Year, or oftener if thereunto required, a full, true, and perfect Account upon Oath, of all the Monies so collected and received by them by virtue of this Act; which Oath the said Vestrymen, or any Five or more of them, are

and refusing so to do, he is to be committed.

hereby impowered to administer; and if such Collector or Collectors shall refuse or neglect to give in a just Account as aforesaid, or to pay the Monies remaining in his or their Hands in the Manner aforesaid, it shall and may be lawful for any Two Justices of the Peace for the County of Middlesex, upon Complaint made to them by any One of the Churchwardens, or any Two or more Vestrymen of the said Parish, and Proof thereof by the Oath of One or more of them (which Oath the Justices are hereby authorized and impowered to administer) by Warrant under their Hands and Seals, to commit such Person or Persons to the Common Gaol, there to remain without Bail or Mainprize, until he or they shall have made a true Account, and until such Money, as upon the said Account shall appear to be remaining in his or their Hands, shall be paid and satisfied by such Person or Persons, or by his or their Security, or shall have compounded for the same.

And be it further enacted by the Authority aforesaid, That the said Churchwardens, Overseers of the Poor, and Vestrymen, assembled at a Publick Meeting as aforesaid, shall, if they think fit, appoint One or more Treasurer or Treasurers, for the Receipt of the Monies to be collected by the said Rate or Assessment, and of all other Monies whatsoever, applicable to the Relief of the Poor within the said Parish; and such Treasurer or Treasurers are hereby directed to account annually, or oftener, if thereunto required by the said Churchwardens, Overseers of the Poor, and Vestrymen, in such Manner as Overseers of the Poor are by the Laws in being directed to account for the Monies by them received and paid, for the Relief of the Poor; and to pay such Money, as, upon the said Account, shall appear to be remaining in his or their Hands, to such Person or Persons as the said Churchwardens, Overseers of the Poor, and Vestrymen, or any Nine or more of them, at any Publick Meeting as aforesaid, shall authorize and appoint to receive the same, to be applied to and for the several Uses and Purposes for which the same was levied and raised; and in Default of rendering such Account as aforesaid, or the Payment of the Money in his or their Hands as aforesaid, to be liable to such Penalties, Forfeitures, and Distress, as Overseers of the Poor in the like Cases are liable unto.

Vestry may also appoint a Treasurer,

who is to account annually, or oftener,

and pay over the Money to their Order.

And be it further enacted by the Authority aforesaid, That the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish of Saint Luke, shall assemble and meet in the Vestry Room of the said Parish, on Tuesday in Easter Week yearly, or within Forty Days after, and shall then and there nominate and appoint Twenty substantial and discreet Persons, residing in the Parish, out of their own Body; and such Persons so appointed, together with the Churchwardens and Overseers of the Poor for the time being, shall be called Governors and Directors of the Poor of the said Parish; and shall and may make such Rules, Orders, and Regulations, for the better Disposition of such Monies as shall be raised and received for the Relief of the Poor of the said Parish, and for the better maintaining, governing, employing, and regulating the Poor of the said Parish, as to them, or any Five or more of them, at a publick Meeting assembled, shall appear necessary or expedient; but no such Rules, Orders,

Vestry also to meet annually, and appoint 20 Persons to be Governors and Directors of the Poor,

who are impowered to make By-laws,

but which are not to be in Force, till confirmed;

ders, or Regulations, shall be in Force, until confirmed by the Churchwardens, Overseers of the Poor, and Vestry of the said Parish, at a publick Meeting assembled, as aforesaid, or the major Part of them; nor shall any such Rules, Orders, and Regulations, when made and confirmed, be repealed or altered, except at a publick Meeting of the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish.

nor to be altered afterwards but in Vestry.

By-laws not to be repugnant to the Laws of the Land.

Provided always, That such Rules and Regulations are not repugnant to the Laws of this Realm.

Governors to order the Payment of Money.

And be it further enacted by the Authority aforesaid, That the said Governors and Directors of the Poor, or any Five or more of them, shall, and they are hereby impowered, by Writing under their Hands, to order and direct the said Treasurer or Treasurers, from time to time, to pay all such Sum or Sums of Money as they shall think necessary for the Purposes of this Act; and the said Treasurer or Treasurers are hereby authorized and required to pay the same, from time to time, accordingly; which Sum or Sums so paid, shall be allowed him or them in his or their Accounts respectively.

No Governor to furnish any Goods, &c. for the Use of the Workhouse.

And be it further enacted, That no Governor, Director, or Overseer of the Poor for the time being, shall provide, furnish, or supply, for his or their own Profit, any Goods, Materials, or Provisions, for the Use of the Workhouse or Workhouses erected or to be erected in the said Parish, for the Support and Maintenance of the Poor, during the Time of his being such Governor, Director, or Overseer.

Governors to employ the Poor,

and purchase Materials for that Purpose,

and apply the Profits in aid of the Rates;

And be it further enacted by the Authority aforesaid, That the Governors and Directors of the Poor, appointed as aforesaid, or any Five or more of them, at a publick Meeting, shall, and they are hereby impowered, to keep, maintain, and employ, all such Poor of the said Parish, in any Workhouse or Workhouses erected or to be erected in the said Parish; and to purchase Materials for that Purpose; and to take the Benefit of the Work, Labour, and Service, of every such Person or Persons who shall be kept and maintained in such House or Houses, to be applied towards the Relief and Maintenance of the Poor of the said Parish.

Provided always, and be it further enacted by the Authority aforesaid, That the said Governors and Directors of the Poor, or any Nine or more of them, shall

shall, and they are hereby impowered to contract and agree, from time to time, if they think fit, with any Person or Persons, for the lodging, keeping, maintaining, or employing, any or all such Poor of the said Parish; and to pay the Monies due or to become due upon such Contracts and Agreements, to the Person or Persons intitled to receive the same, out of the Monies to be raised and collected by Authority of this Act. they may also contract for their Keeping and Work,

Provided always, That in case the Churchwardens or Overseers of the Poor of the said Parish, shall refuse or neglect to meet or to join in such Contracts, then it shall and may be lawful to and for the said Governors and Directors, or any Nine or more of them, to make and enter into such Contract or Contracts, and to perform the same; any Law, Statute, or Usage to the contrary notwithstanding. and make good the said Contracts, in case the Churchwardens, &c. refuse to join therein;

And whereas many Persons maintained in publick Workhouses refuse to work, or are guilty of profane Cursing and Swearing, Drunkenness, or other Misbehaviour, and, by the Laws now in being, no Punishment can be inflicted upon them without committing them to the House of Correction or Common Gaol; which Commitments have not been found to answer the Purpose thereby intended: Be it therefore enacted by the Authority aforesaid, That if any Poor Person maintained in any Workhouse or Workhouses belonging to the said Parish, shall refuse to work, or shall embezzle or purloin the Goods or Provisions thereof, or Materials for Work, or be guilty of profane Cursing or Swearing, Drunkenness, or of any lewd, immoral, or indecent Behaviour; or refuse to perform the Work or Service which he or she shall be required to do, or shall be remiss therein, it shall and may be lawful to and for any Five Governors and Directors, to cause such Person or Persons so offending to be punished in such Workhouse, either by moderate Correction, Confinement, distinguishing them in Dress, or such other Method as best tend to remedy such Offences for the future, without committing such Offenders to the House of Correction, or other Prison; any Law, Statute, or Usage to the contrary notwithstanding. they may also punish the Poor who are idle, or misbehave themselves, &c.

And whereas divers Children deserted by their Parents, are frequently wandering and begging, and not able to give an Account of themselves, or the Place of their legal Settlement: And whereas, if such Chil-

then were properly employed and inured to a Habit of Industry, they might be furnished with Means for their future Maintenance, and, instead of a Nusance, be rendered useful to the Publick; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Churchwardens, Overseers of the Poor, and Governors, or any One or more of them, to cause such Child or Children, as he or they shall judge to be under the Age of Twelve Years, who shall be found wandering or begging in the said Parish of Saint Luke, if they think proper, to be taken and sent to any of the Workhouses belonging to the said Parish, there to be detained and employed till he or she shall attain (or in case his or her Age cannot be ascertained) till he or she shall be adjudged to have attained the Age of Twenty one Years, or be married, unless sooner discharged by the said Officers or Governors, or any Five or more of them, or by due Course of Law; and also it shall and may be lawful to and for the said Churchwardens, Overseers of the Poor, and Governors, or any One or more of them, to cause such Person or Persons as shall be found wandering or begging, or misbehaving themselves in the said Parish, if they think proper, to be sent to the Workhouses, there to be detained and employed for so long Time, as the said Churchwardens, Overseers, and Governors, or any Five or more of them, shall think proper, or until they shall be discharged by due Course of Law; and in case of any Misbehaviour of any such Persons, so sent as aforesaid, it shall and may be lawful to punish such Offenders in Manner as before mentioned.

and take up vagrant and deserted Children found begging,

and keep them till of Age, or till married;

and also grown Persons, till discharged by Law;

and may punish them for Misbehaviour.

Such Persons not to gain a Settlement thereby.

Provided also, That no such Child or Children, or any other Person or Persons, so taken and sent to the said Workhouses, shall gain any Settlement by residing therein.

Power given to Collectors for levying the Rates.

And be it further enacted by the Authority aforesaid, That the Rates or Assessments directed to be made by this Act, shall be levied and recovered by the said Collector or Collectors on the Person or Persons hereby directed to pay the same, in such Manner as herein directed; and as the Rates made for the Relief of the Poor are directed to be levied and recovered by the Churchwardens and Overseers of the Poor, by an Act passed in the Forty third Year of the Reign of Queen Elizabeth, intituled, An Act for the Relief of the Poor; or by any subsequent Act or Acts relating to the Relief of the Poor; which said several

several Methods of levying and recovering the said Rates or Assessments for the Relief of the Poor, shall, and they are hereby declared to be legal Methods and Ways of enforcing the Payment of the Rates or Assessments directed to be made in pursuance of this Act, and Arrears thereof, as fully and effectually as if such Methods were repeated and re-enacted in the Body of this Act.

Charges of Distress to be levied also.

And it is hereby further enacted, That when and as often as any Distress shall, by the Authority of this or any other of the Acts aforesaid, be made for Nonpayment of any of the said Rates hereby directed to be made, or any Part thereof, it shall and may be lawful to and for the Person or Persons making such Distress, to raise and levy the reasonable Charges of making such Distress, over and above the Sum of Money due upon the Rate or Rates for which such Distress is or shall be taken.

Persons aggrieved by the Rates to apply first to the Vestry,

Provided nevertheless, and be it enacted by the Authority aforesaid, That if any Person or Persons shall find him, her, or themselves aggrieved by such Rates or Assessments, he, she, or they shall first apply to the Vestry of the said Parish, and if not relieved, shall be obliged to pay such Rates or Assessments; and upon Appeal to the General or Quarter Sessions to be held for the County of Middlesex, which shall happen next after Twenty Days from the Payment of such Rates and Assessments respectively, or from the making such Distress or Distresses for such Rates or Assessments, it shall and may be lawful for the Justices of the Peace, or the greater Number of them then assembled, to cause so much Money to be returned to such Person or Persons who shall appeal as aforesaid, as shall appear to the said Justices to have been over paid by such Person or Persons to the said Rates or Assessments respectively, and to make such Order therein as to them shall seem meet; which Order shall be final and conclusive to all Parties.

and if not relieved there, to appeal to the Quarter Sessions,

who are to make an Order thereon, which Order is to be final.

Poor Laws to be in Force where not altered by this Act.

And be it further enacted by the Authority aforesaid, That the several Laws relating to the Overseers of the Poor, and for the Relief and providing for the Poor, shall continue in Force within the said Parish of Saint Luke, except where the same are declared to be altered by this present Act, any thing in this Act contained to the contrary notwithstanding.

No other Rate to be made than as here directed.

Provided always, That no Rate or Rates shall be made for the Relief of the Poor other than is in and by this Act directed.

Persons buying or taking in Pawn the Parish Clothes, Goods, or Furniture,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall knowingly buy or receive into Pawn any of the Clothes and Wearing Apparel of any of the Poor who shall hereafter be received into and maintained in the Workhouse of the said Parish, or who shall knowingly buy or receive into Pawn any of the Goods and Materials carried into the said Workhouse to be wrought up, manufactured, or used by the Poor there, or any of the Goods and Furniture of the said Workhouse, the Person or Persons so offending shall forfeit for every such Offence the Sum of Forty Shillings upon Conviction, by the Oath of One or more credible Witness or Witnesses before any One or more Justice or Justices of the Peace for the said County of Middlesex; which Penalty of Forty Shillings shall be levied by Warrant under the Hand and Seal, or Hands and Seals of the said Justice or Justices, by Distress and Sale of the Goods and Chattles of the Offender; One Moiety of the said Penalty to be paid to the Informer, and the other Moiety to the Collector or Collectors of the Monies to be raised by virtue of this Act, as aforesaid, for the Use of the Poor of the said Parish; and if no Goods and Chattles can be found whereon to make such Distress, or that the said Penalty shall not be forthwith paid, then and in such Case such Justice or Justices shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, commit such Offender or Offenders to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Month.

to forfeit 40 s.

One Moiety thereof to the Informer, the other to the Collector.

For want of Distress Offender to be committed.

Books of the Parish Accounts to be kept by the Vestry Clerk;

And be it further enacted by the Authority aforesaid, That an Account of the Total Sums assessed, collected, and received within each distinct Ward or Liberty of the said Parish, and of all the Monies paid and disbursed for all or any of the Purposes mentioned in this Act, shall be fairly entered in a Book or Books to be provided for that Purpose (without any Charge to the said Parish) by the Vestry Clerk of the said Parish for the time being, or such other Person as the said Vestry shall appoint; and on or before the Twenty ninth Day of September yearly, shall be examined, adjusted, and signed, at a Meeting of the Vestry duly assembled, the Collector or Collectors being previously sworn to his or their Accounts; which said Book or Books, and Accounts, shall be lodged in such proper Place as shall be appointed by the said Vestry, under the Care of the said Vestry Clerk, or such other Person as aforesaid; and shall and may at all seasonable Times be inspected and perused by any

the same to be audited and settled yearly;

and inspected *gratis*.

any of the Inhabitants of the said Parish, who shall desire the same, without Fee or Reward.

Notice for Meetings of the Vestry, &c. to be given in the Church.

Provided always, and be it further enacted by the Authority aforesaid, That no Meeting shall be held by the said Churchwardens, Overseers, Vestrymen, Governors, and Directors of the Poor, for the Execution of this Act, unless publick Notice be given of such Meeting in the Church of the said Parish, immediately after Divine Service in the Forenoon, on the Lord's Day, next before every such Meeting; and all such Meetings shall be held at the Vestry Room or Workhouse in the said Parish; and that the several Authorities and Powers hereby granted to the said Churchwardens, Overseers, Vestrymen, Governors, and Directors of the Poor, shall be respectively carried into Execution by the said Churchwardens, Overseers, Vestrymen, Governors, and Directors of the Poor, or the major Part of them the said Churchwardens, Vestrymen, Governors, and Directors of the Poor, present at such Meetings as shall be held by virtue of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Power given to the Vestry to put this Act in Execution.

Charges of this Act to be paid out of the Rates.

And be it further enacted by the Authority aforesaid, That the Charges of passing this Act, and other Charges incident thereto, shall be borne, paid, and defrayed, out of the First Monies to be raised by the Rates to be made by virtue of this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Premisses, that in every such Case, the Action shall be commenced within Six Months after the Fact committed, and not afterwards, and shall be laid and brought in the County of Middlesex, and not elsewhere; and the Defendant or Defendants in such Action or Actions to be brought may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance, and by Authority, of this present Act; and if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County, City, or Place, than the County of Middlesex, that then, and in such Case, the Jury shall find for the Defendant or Defendants; and if, upon such Verdict, or

General Issue.

if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Treble Costs.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

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FINIS.