Anno decimo

Georgii III. Regis.

An Act to explain, amend, and render more effectual, an Act made in the Fourth Year of the Reign of His present Majesty, for maintaining, regulating, and employing the Poor of the Parish of *Saint Clement Danes*, in the Liberty of *Westminster*, and County of *Middlesex*.

WHEREAS by an Act made in the Fourth Year of the Reign of His present Majesty, for maintaining, regulating, and employing, the Poor of the Parish of Saint Clement Danes, in the Liberty of Westminster, and County of Middlesex, Power is given to the Churchwardens and Overseers of the Poor and Vestry of the said Parish, or the major Part of them, assembled in the Vestry-room of the said Parish pursuant to Notice given in the said Parish-church for that Purpose (as often as they shall see convenient) to ascertain the Monies or Rates to be assessed for the Relief of the Poor, as they in their Discretion shall think sufficient to answer the Ends and Purposes for the better maintaining and employing the Poor of the said Parish: But no Power is given by the Preamble.

said Act to purchase Ground to build a Work-house in the said Parish for the Reception of the Poor thereof, nor Power to raise Money for that Purpose: And whereas the Poor of the said Parish of Saint Clement Danes are very numerous, and are maintained and supported at a very great Expence by the said Parish: And whereas the granting proper Powers for providing a Place for their general Reception, will tend to the more effectual Relief of such as by Age and Infirmities are rendered incapable of supporting themselves by their Labour, to the better Employment of the Able and Industrious, to the proper Correction and Punishment of the Profligate and Idle, and to the Education of the poor Children in Religion and Industry; and thereby the said Poor, instead of being wholly supported by the Inhabitants of the said Parish, and being suffered to live in Idleness and Debauchery, may be brought to contribute to the Support and Relief mutually of each other, and be of some Advantage and Credit to the Community: 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 from and immediately after the passing of this Act, the Churchwardens and Overseers of the Poor of the said Parish, for the Time being, or the major Part of them, with the Assistants appointed by the said recited Act, or any Five or more of them, shall have full Power and Authority, and they are hereby authorised and impowered, by and with the Consent of the Vestry of the said Parish, to purchase, or hire by Lease, for no less a Term than Ninety-nine Years, any Lands, Tenements, or Hereditaments, within the said Parish; and from Time to Time to alter, repair, and furnish, any Buildings that may be standing on the same, for the better receiving, maintaining, and employing, the Poor of the said Parish; or may erect thereon One or more House or Houses for the like Purpose; and provide Furniture for the same, or for such Work-house or Work-houses as may be hired in Manner herein after mentioned; and by and out of the Monies to be received for the Purchase of the Annuities herein after authorised to be granted, shall pay and satisfy the Purchase-money for the same, and all necessary Charges relating thereto; and also all Monies which shall be justly due to the Artificers, Workmen, and others employed in and about erecting, altering, repairing, and furnishing

Churchwardens, &c. may hire Ground, and build or repair Houses for a Work-house.

furnishing the said House or Houses, and in and about other Matters and Things concerning the same.

Churchwardens may hire Houses;

Provided always, and be it further enacted, That the said Churchwardens and Overseers of the Poor for the Time being, or the major Part of them, with any Five or more of the said Assistants, by and with the Consent of the Vestry of the said Parish, may and have hereby Power and Authority, if they think proper, to contract for the Hire of any House or Houses, Building or Buildings, within the said Parish, for the Purposes aforesaid: And the Rent or Rents which shall be reserved and made payable for the same; as also the Rent or Rents reserved and made payable by or upon any Purchase as aforesaid, shall be charged upon, and shall, from Time to Time, be paid out of the Monies arising by the Rate directed by the said recited Act of the Fourth Year of his present Majesty's Reign, to be made for maintaining and employing the Poor of the said Parish.

and may borrow Money upon Annuities.

And be it further enacted, That it shall and may be lawful for any Person or Persons to contribute, advance, and pay to the said Churchwardens and Overseers of the Poor, or the major Part of them, with any Five or more of the said Assistants, or to such Person or Persons as they and the Vestry of the said Parish shall appoint for that Purpose, any Sum or Sums of Money, not exceeding in the Whole the Sum of Six thousand Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such other Person as shall be nominated by or on the Behalf of such respective Contributor, at the Time of Payment of his or her respective Contribution-money; which Annuity or Annuities shall not exceed the Rate of Eight Pounds per Annum for every One hundred Pounds, and so in proportion for any greater or less Sum to be advanced as aforesaid; and shall be payable and paid in the Vestry-room of the said Parish, or such other Place in the said Parish as the said Churchwardens and Overseers of the Poor of the said Parish for the Time being shall from Time to Time appoint, by Four equal Quarterly Payments in the Year; the First of which Payments to begin, and be made to the respective Purchasers or their Assigns, at the Expiration of the First Three Calendar Months next after Payment of his or her respective Purchase-money; which Annuities shall be publickly sold in the Vestry-room belonging to the said Parish, to the best Bidder for the same, on Fourteen Days Notice thereof being first given in the London

Gazette, or other publick News Paper; and a like Notice affixed upon some or One of the Doors of the said Parish-church, signifying such Intention: And the Money arising by the Sale of such Annuities shall be applied for and towards providing and procuring Land for building a Work-house or Work-houses upon, and for building, altering, or repairing, such Work-house or Work-houses as shall be necessary for the Relief and Employment of the Poor of the said Parish, and for and towards furnishing such Work-house or Work-houses, and to and for no other Use or Purpose whatsoever.

Names of Annuitants to be entered in a Book.

And it is hereby further enacted, That there shall be provided by the said Churchwardens and Overseers of the Poor, One or more Book or Books, in which shall be fairly written, in Words at length, the Names, proper Additions, and Places of Abode, of all such Persons as shall be Purchasers of any of the said respective Annuities; and of all Persons by whose Hands the said Purchasers shall pay in any Sum or Sums of Money; and also the Sum and Sums so paid for the Purchase of such Annuity or Annuities respectively, and the Days of Payment thereof; and also an Account of the Interest which shall be paid to the said Annuitant or Annuitants, from Time to Time, and by whom received; which Book or Books shall be lodged in the Hands of the Vestry-clerk of the said Parish; and it shall and may be lawful for the said respective Purchasers, their Executors, Administrators, and Assigns, provided such Purchaser or Purchasers shall purchase such Annuity or Annuities in any other Name or Names than his, her, or their own Name or Names, their Agent or Agents, and to and for any Person or Persons paying to the Rates or Assessments made by virtue of the before recited Act, from Time to Time, and at all seasonable Times, to have Recourse to, and inspect the same without Fee or Reward.

Annuities to be charged upon the Poor's Rates, and shall be exempt from Taxes.

And be it further enacted, That the Annuities so to be purchased shall be, and are hereby charged upon the Rate or Assessment to be made for maintaining and employing the Poor of the said Parish, by virtue of the said recited Act of the Fourth Year of His present Majesty's Reign: And the Contributor or Contributors, duly paying the Consideration or Purchase-money for any such Annuity or Annuities, or such Person or Persons as he, she, or they, shall appoint his, her, or their respective Assigns, shall have, receive, and enjoy, and by virtue of this Act be intitled to have, receive, and enjoy, the said Annuity or Annuities, out of the said Rate or Assessment, during the

the Term of the natural Life of the Person to be nominated by each such Purchaser or Contributor in Manner aforesaid; and that all and every such Purchaser and Purchasers, and his and their Assigns respectively, shall have good, sure, absolute, and indefeazable Personal Estate and Interest in the Annuities so by them respectively purchased, according to the true Meaning of this Act: And none of the aforesaid Annuities shall be subject or liable to the Tax charged upon Lands by Authority of Parliament, or any other publick or parochial Tax.

Assignments may be transferred.

And be it further enacted, That it shall and may be lawful to and for the Purchaser or Purchasers of any such respective Annuity or Annuities, his, her, and their Executors, Administrators or Assigns, provided such Purchaser or Purchasers shall purchase in any other Name or Names as aforesaid, at any Time or Times, by Writing under his, her, or their Hand and Seal, or their Hands and Seals, (without any Stamp thereon) to assign such Annuity or Annuities, or any Part thereof, or Interest therein, to any Person or Persons whatsoever, and so toties quoties: And a Memorandum or Entry of all such Assignments, and the Days the same were brought to be so entered, shall be made in a Book hereby required to be kept for that Purpose by the said Churchwardens and Overseers of the Poor for the Time being; and that the said Entry shall be made gratis, and shall and may, at all seasonable Times, be inspected by any Persons interested therein; but no such Assignment shall be deemed good and effectual, until such Memorandum or Entry shall be made.

Entry thereof to be made.

Contracts, &c. to be entered in Books,

And be it further enacted, That the said Churchwardens and Overseers of the Poor for the Time being, and the said Assistants, shall cause all Contracts made with or by the Artificers and Workmen, or others employed, or to be employed, in or about the said Work-house or Work-houses, and all Receipts, Payments, Debts, and Credits, and any Matter or Thing relating thereto, and all other their Proceedings in the Execution of this Act, to be fairly entered in a Book or Books to be provided for those Purposes; which shall, from Time to Time, and at all convenient Times, be open to the Inspection and Perusal of all Persons paying to the Rate or Assessment made by virtue of the said recited Act.

which may be inspected.

Churchwardens to give Receipts, &c. to Contributors.

And be it further enacted, That every Contributor upon this Act for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase-money for the same into the Hands of the said Churchwardens and

Overseers of the Poor, and the said Assistants, or to such Person or Persons as they, or any Five or more of them, shall for that Purpose appoint, shall have a Receipt or Receipts for the same, and an Order in Parchment or Vellum for the Payment of the said Annuity or Annuities for and during the natural Life or Lives of such Person or Persons as shall be nominated therein; every such Order to be signed by the said Churchwardens and Overseers of the Poor, and the said Assistants, or any Five or more of them; which being so signed shall, by the Authority of this Act, be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof: And upon every Default of Payment of the said Annuity by the Space of Forty Days next after the Time or Times when the same shall become payable, the Assessment and Assessments to be made by Authority of this Act shall vest in the Annuitants, until the same Annuities, together with the legal Interest, and all Costs and Charges occasioned by the Nonpayment thereof, shall be fully paid and satisfied.

Lodging-houses how to be rated.

And whereas there are divers Houses in the said Parish let out in separate Lodgings or Apartments, and other Houses let ready-furnished to Lodgers, by which Means the Payment of the said Rates or Assessments may be evaded; be it therefore further enacted, That the Landlord or Owner of each and every House or Houses, so let in separate Apartments, ready-furnished to a Lodger or Lodgers, shall be deemed and taken to be the Occupier or Occupiers of such House or Houses, and may be rated or assessed accordingly; and shall be liable and subject to the Payment of the said Rates or Assessments directed to be raised and levied by virtue of the said recited Act and this Act.

Lodgers to pay the Rates,

And be it further enacted, That each and every Person so renting and occupying any separate Apartment in such House or Houses, or ready-furnished House, shall be liable and compellable to the Payment of the same.

and be allowed the same out of the Rents.

Provided always, That each and every such Occupier or Occupiers, who shall pay such Rates or Assessments, or from whom the same shall be recovered by virtue of this Act, shall and may deduct the same out of the next Rent due and payable from him, her, or them, to the Landlord or Owner thereof; and the Receipt for such Payment shall be a sufficient Discharge to such Tenant or Tenants, or Occupiers, to his or her said Landlord, for so much Money as he, she, or they, shall have paid, or shall have been levied on him, her, or them by virtue

of

this Act; and shall be allowed by such Landlord or Owner of such House, as if the same was paid to him in Specie.

Lodgers not to acquire Settlement by such Payment.

Provided also, That no such Tenant or Occupier of any separate Apartment of any House or Houses, or ready-furnished House, 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.

In case of Distress, Charges thereof to be paid.

And it is hereby further enacted, That when and as often as any Distress shall be made by the Authority of this Act, or of the said recited Act, 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 actually due upon the Rate or Rates for which such Distress is or shall be taken.

How Rates are to be recovered.

And, for the more effectual levying the Money rated and assessed for the several Purposes of this Act, be it further enacted, That the Goods and Chattels of any Person or Persons rated and assessed as aforesaid, who shall afterwards remove out of the said Parish, or shall neglect or refuse to pay the Sum or Sums by him, her, or them respectively payable as aforesaid, shall and may be levied in the Manner prescribed by the said recited Act, not only in the said Parish, but in any other Parish or Place within the said County: And, if sufficient Distress cannot be found within the same County, then, upon Oath thereof made before any One or more Justice or Justices of any other County, City, Liberty, or Place (which Oath shall be certified under the Hand of the said Justice or Justices on the Warrant made out for such Distress) the Goods and Chattels of the said Person or Persons so removing out of the said Parish, or neglecting or refusing to pay, shall be subject and liable to such Distress in any other County, City, Liberty, or Place, where the same shall be found, and may, by virtue of such Warrant and Certificate, be levied in the same Manner as if the same had been found in the said Parish of Saint Saint Clement Danes, any Custom or Law to the contrary thereof notwithstanding.

Distress may be followed.

Distress not unlawful for want of Form.

And, to prevent any vexatious Actions or Suits against the said Churchwardens, Overseers of the Poor, or Collectors

lectors, or other Persons concerned in the executing this or the said recited Act, be it enacted, That where any Distress shall be made for any Sum or Sums of Money justly due for any of the Purposes of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties concerned in or making the same, be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Warrant of or for the Appointment of such Collector or Collectors, or in the Rate or Assessment, or in the Warrant of Distress thereupon; nor shall the Party or Parties making or concerned in the same, be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties making or concerned in the same; but the Party or Parties aggrieved by such Irregularity shall or may recover full Satisfaction for the special Damage he, she, or they, shall have sustained thereby, and no more, in any Action of Trespass or on the Case, at the Election of the Plaintiff or Plaintiffs.

nor the Parties distraining be deemed Trespassers *ab initio*, for subsequent Irregularity.

Provided always, That no Plaintiff or Plaintiffs shall recover, in any such Action or Actions, for any Irregularity as aforesaid, if Tender of Amends hath been made by the Party of Parties making the Distress before such Action or Actions was or were brought; nor if Tender of Amends shall be made at any Time after the said Action or Actions shall have been brought, and before the Trial thereof, together with Costs of Suit to the Time of such last mentioned Tender.

Plaintiff not to recover, if Tender of Amends hath been made.

And be it further enacted, That all Expences in and about procuring and passing this Act shall be borne, paid, and defrayed, out of the First Monies which shall be raised by virtue hereof.

Expences of this Act to be first paid.

And whereas divers Children, deserted by their Parents, are frequently found wandering and begging, and not able to give an Account of themselves, or the Place of their legal Settlement: And whereas, if such Children were properly employed, and enured to a Habit of Industry, they might be furnished with Means for their future Maintenance; be it therefore further enacted, That it shall and may be lawful to and for the said Churchwardens and Overseers of the Poor for the Time being, and Assistants, 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 Ten Years, who shall be found wandering or begging in the said Parish of Saint Clement Danes, if they think proper, to be taken and sent to any Work-house or Work-houses belonging to the said Parish,

How deserted Children are to be provided for and sent to the Work-house.

rish, there to be detained until he or she shall attain, or (in case his or her Age cannot be ascertained) until he or she shall be adjudged to have attained, the Age of Twenty-one Years, or Day of Marriage (if a Female); unless sooner owned and taken away by his or her Parent or Parents, or discharged by the said Officers or Assistants, or any Five or more of them, or by due Course of Law.

but not to gain Settlement thereby.

Provided always, That no such Child or Children, so taken and sent to the said Work-house, shall gain any Settlement by residing or being maintained therein in Manner aforesaid.

Persons conveying Spirituous Liquors into the Work-house are to be punished.

And be it further enacted, That if any Person or Persons shall convey any Spirituous or Strong Liquors into any House or Houses to be erected by virtue of this Act; such Person or Persons shall be, and they are hereby declared to be subject to such and the like Pains and Penalties as are, by an Act of the Twenty-fourth Year of the Reign of His late Majesty King George the Second, directed to be inflicted on Persons conveying Spirituous Liquors into Prisons or Gaols.

Governors to remove Beadles on Misbehaviour.

And whereas Power is given by the herein before recited Act to the Governors of the Nightly Watch, in case of the Misbehaviour of any Watchman, to remove or discharge him, but no Power is thereby given to the said Governors to remove or discharge any Beadle of the said Parish for ill Behaviour or Neglect of his Duty; be it therefore further enacted, That if at any Time after the making of this Act, any Beadle of the said Parish shall misbehave himself in the due Execution of his Office, or shall neglect the Duty required to be done by him, it shall and may be lawful to and for the said Governors of the Watch for the Time being, or any Seven or more of them, at any of their publick or other Meetings, to discharge and remove such Beadle, who shall have so misbehaved or neglected doing his Duty as Beadle, from such his Office or Employment; and he shall not be any longer employed as Beadle of the said Parish.

Constables to keep Watch in the Watch-house, and not elsewhere.

And whereas divers Persons, while they have been in the Office of Constable in the said Parish of Saint Clement Danes, have kept Watch and Ward at different Places in the said Parish, and not in the Watch-houses where such Watch and Ward ought to be kept; and it has been often difficult to find them when Occasion has required their Assistance; be it therefore further enacted, That every Person who shall hereafter be appointed Constable of and in the said Parish, shall keep Watch and

and Ward within the Watch-house of the Liberty he shall be chose in, and not elsewhere.

Powers of the former Act to extend to this Act.

And be it further enacted, That all the Powers, Clauses, Provisions, and Penalties, mentioned and contained in the said recited Act of the Fourth Year of His present Majesty's Reign, shall extend, and be construed to extend, to all the Clauses, Provisions, and Purposes of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Powers, Clauses, Provisions, and Penalties, were repeated and re-enacted in the Body of this Act.

Publick Act.

And be it further enacted, That this Act shall be taken and allowed, in all Courts of Justice, as a Publick Act; and all Judges, Justices, and other Persons whatsoever, are hereby required to take Notice thereof as such, without specially pleading the same.

FINIS.