



ANNO SEPTIMO

GEORGIIV. REGIS.

Cap. i.

An Act to repeal Two Acts relating to the Employment of the Poor within the Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*, and to disincorporate the said Hundreds.

[22d March 1826.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor in the Hundreds of Loes and Wilford, in the County of Suffolk*, it was (amongst other things) enacted, that from and after the Twenty-fourth Day of *June* One thousand seven hundred and sixty-five, all and every Person and Persons who should then be, and from Time to Time should thereafter become seised in his, her, or their own Right, of Lands or Tenements rated to the Poor's Rates in any Parish or Parishes, Hamlet or Hamlets, Place or Places, within the said Hundreds of *Loes* and *Wilford*, at the yearly Value of Thirty Pounds, and all Persons who were or should be named in any Commission or Commissions of the Peace for the said County of *Suffolk*, residing in the said Hundreds, and also all Rectors and Vicars for the Time being of the several Rectories and Vicarages within the said Hundreds, and also all and every Person or Persons who then, and from Time to Time thereafter, should possess or occupy, and be rated to the Poor's Rates in One or more Parish or Parishes, Hamlet or Hamlets,

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Hamlets,

Hamlets, Place or Places, within the said Hundreds, or either of them, or within any other Hundred in the said County, provided they had their chief Place of Residence or Abode within the said Hundreds of *Loes* and *Wilford*, or one of them, Lands, Tenements, Hereditaments, or Tithes, of the yearly Value of Sixty Pounds, should be and were thereby declared to be incorporated by the Name of "The Guardians of the Poor within the Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*," and should be for ever thereafter deemed and taken to be One Body Politic and Corporate in Law, to all Intents and Purposes, and should have a perpetual Succession and a Common Seal, and should be and be called "The Guardians of the Poor within the Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*," and should be enabled to sue and plead, and be sued by that Name, in all Courts and Places of Judicature within that Part of *Great Britain* called *England*, and by that Name should and might purchase, take, and receive any Goods and Chattels whatsoever, to or for the Use of the said Corporation; and the said Directors and acting Guardians were authorized and empowered by the said Act to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Ten thousand Pounds, provided that such Sum and Sums of Money so to be borrowed were not borrowed in less Sums than One hundred Pounds, and to assign over by Writing, signed by Thirteen of the said Directors at least, under the Common Seal of the said Corporation, all or any Part of the Poor's Rates to be collected within the said Hundreds of *Loes* and *Wilford*, as a Security for the Repayment of the Principal and Interest of the Money so to be borrowed; and the said Directors of the Poor, to be chosen in Manner aforesaid, should, and they were thereby required and empowered, as soon as conveniently might be, to enter into a Contract or Contracts for the absolute Purchase in Fee Simple of any Quantity of Land for the Use of the said Guardians and their Successors, not exceeding Fifty Acres, with or without Buildings thereon, lying in such Part or Parts of the said Hundreds which they might think most fit and convenient for the Situation of an House or Houses for the Reception and Employment of the Poor, and other Buildings therein-after mentioned, and for other Purposes of the now reciting Act; and the said Directors were thereby also required and empowered, within Two Years next after the entering into Contract or Contracts for the Purchase of Lands or Buildings as aforesaid, to build and erect, or cause to be altered, fitted up, and repaired, in a plain and durable Manner, on the Land so purchased as aforesaid, the several Buildings therein particularly mentioned and specified, and such other Buildings as the said Directors should find necessary for executing the Purposes of the said Act, which said Buildings should be called "The House or Houses for the Poor within the Hundreds of *Loes* and *Wilford*:" And whereas pursuant to and by force and virtue of the said recited Act, the Directors of the Poor, chosen in the Manner prescribed by the said Act, shortly after the passing thereof, purchased Lands and Hereditaments situate in *Melton* and *Ufford*, or in some other Town or Place near thereto adjoining, in the said Hundred of *Wilford*, and the same Lands and Hereditaments were duly conveyed and assured to the only Use and Behoof of the said Guardians of the Poor within
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the Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*, and their Successors for ever, and to and for no other Use, Intents, or Purposes whatsoever: And whereas, for the Purpose of carrying the Provisions of the said Act into Effect, and by virtue thereof, a large House of Industry and other Buildings were, shortly after the passing thereof, erected at a very considerable Expence, and great Numbers of poor Persons were, from Time to Time, received into and maintained in the said House of Industry: And whereas an Act was passed in the Thirty-first Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor within the Hundreds of Loes and Wilford, in the County of Suffolk*, whereby (amongst other things) after reciting the herein-before recited Act, and setting forth that the said recited Act was in many respects defective and ineffectual for the Purposes intended, and it was necessary and proper that the said recited Act should be repealed, and some other Powers and Provisions given and granted for the better Relief and Employment of the Poor within the said Hundreds, the said recited Act was thereby accordingly repealed and made void, and various other Provisions were enacted in lieu thereof; and it was (amongst other things) by the now reciting Act enacted, that the said House of Industry and all other Buildings erected as aforesaid, and all Lands purchased or taken, and also all Furniture, Goods, Implements, Materials, and other Things purchased or provided by the Guardians of the Poor by virtue of the said recited Act, and which immediately before the Commencement of the now reciting Act were vested in them, should be and were thereby vested in the Guardians of the Poor incorporated by virtue of the now reciting Act, for the Use and Purposes therein-after mentioned; and it was by the now reciting Act further enacted, that it should be lawful for the said Directors and acting Guardians to alter and enlarge the said House of Industry and other Buildings erected as aforesaid, and to cause to be erected and fitted up One other separate Building, or Part of a Building, to serve as a House or Houses of Correction, for the punishing and keeping to hard Labour such idle and disorderly Persons, who being able should refuse to work, or otherwise misbehave themselves, and also such other Buildings as the said Directors and acting Guardians should think necessary or proper for the Purposes of the now reciting Act, and from Time to Time to repair, alter, and support the same: And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for amending an Act passed in the Thirty-first Year of the Reign of His present Majesty, for the better Relief and Employment of the Poor within the Hundreds of Loes and Wilford, in the County of Suffolk*; wherein and whereby, after reciting the lastly herein-before recited Act, it was by the now reciting Act enacted, that under and by virtue of the said recited Acts passed in the Fifth and Thirty-first Years of His then present Majesty, the said Directors and acting Guardians should and might, and they were thereby required to make yearly and every Year, until the whole of the Debt then due and owing by the said Corporation and the Interest due thereon should be discharged, at their Quarterly or Annual Meetings, a distinct Rate or Assessment, to pay off and

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discharge

discharge the Interest then due, or accruing due, upon the said Debt, and also the Sum of One thousand Pounds, Part of the Principal thereof; and it was by the now reciting Act likewise enacted, that the Money which the said Directors and Guardians were thereby authorized and directed to raise for the Payment of the Principal of the Debt or Debts then due and owing, under and by virtue of the said recited Acts passed in the Fifth and Thirty-first Years of His then present Majesty's Reign, should, as the same should be collected, be divided and paid unto and amongst such of the said Creditors of the said Corporation as were Mortgagees or Assignees of the said Rates, and who should give Notice in Writing, under their Hands respectively, to the Treasurer of the said Corporation, of their Desire to receive the same, at least Three Months previous to any Annual or Quarterly Meetings of the said Directors and acting Guardians, at which any Rate was to be made: And whereas all Principal Money and Interest due and owing by and from the said Corporation, upon the Security of the Rates or Assessments as herein-before mentioned, were duly paid off and discharged, under and by virtue of the Act lastly herein-before recited: And whereas Inconvenience and Increase of Expence in the Management of the Poor has arisen from the said Establishment, without any adequate beneficial Result, either to the Poor themselves or to the greater Number of the Parishes composing the Incorporation; and it hath therefore become expedient that the said recited Acts should be repealed, and that the Corporation should be dissolved: And whereas upon the Dissolution of the said Incorporation, and for the Purpose of carrying the Provisions of this Act into effect, it is necessary Powers should be given to certain Persons, to be appointed, to sell and convey the Lands and Hereditaments so purchased as aforesaid, together with the Buildings thereupon erected, and to sell and dispose of all and singular the personal Property, Estate and Effects, now belonging to the said Incorporation, and to distribute and divide the Proceeds of such Sale or Sales among the several Parishes composing the said Hundreds, in the Proportions and in the Manner herein-after particularly mentioned: 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 after the Sixteenth Day of *October* One thousand eight hundred and twenty-six, the said several recited Acts shall be and continue to be and the same are hereby declared to be repealed; and the said Corporation of the Guardians of the Poor within the said Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*, shall wholly cease and determine and be abolished, and the said Guardians of the Poor shall no longer be or be deemed to be a Body Politic or Corporate; and all Grants made to the said Guardians of the Poor, by or under or in pursuance of the said recited Acts or any or either of them, or in pursuance of any thing therein contained, shall, and the same are hereby declared to be henceforth null and void; and the said Corporation shall be and they are hereby divested of and from all Messuages, Tenements, and Buildings, Estates, Goods, Chattels, Rights, and Interests, which were purchased by the said Corporation

Recited Acts repealed.

The Corporation of Guardians of the Poor of Loes and Wilford abolished, and divested of all Grants made to them, or Estates purchased by

Corporation, under or in pursuance of the said recited Acts or either of them, or which have been otherwise acquired or now held by or in trust for the said Corporation.

them, in pursuance of the said Acts.

II. And whereas it may happen that, at the Commencement of this Act, a great Number of poor Persons may be in the said House of Industry, by virtue of the said recited Acts, under the Guidance and Management of the Guardians of the Poor of the said Hundreds of *Loes* and *Wilford*; and in order to carry the Provisions of this Act into effect, it will be necessary and expedient that the Trustees for the Time being of this Act should be empowered and authorized to return and remove the said Paupers to the several Parishes from which they were respectively received into the said House of Industry; be it therefore further enacted, That it shall be lawful for the Trustees herein-after named and appointed, or the Survivors of them, from and after the Commencement of this Act, and they are hereby empowered, by Order in Writing, and signed by Two or more of them (which said Order the Overseers of the respective Parishes now composing the said Incorporation are hereby required to obey) to direct all and every such Pauper and Paupers who shall be in the said House of Industry receiving Relief from the Guardians of the Poor of the said Hundreds, to be removed and sent to the Parish or Parishes, Place or Places, from which he, she, or they shall appear by the Books of the said Corporation to have been respectively received into the said House of Industry.

Paupers to be sent to their Parishes or Places of Settlement.

III. And be it further enacted, That *Andrew Arcedeckne, William Abraham Shuldham, Edmund Jenney, William Woods Page, Reverend John Hindes Gröome, Reverend George Frederick Tavel, James Wenn, John Lewin, and Edwards Crisp*, and their Successors, to be nominated and appointed as herein described, shall be and are hereby declared to be Trustees to carry the Purposes of this Act into Execution.

Nomination of Trustees.

IV. And be it further enacted, That from and immediately after the Commencement of this Act, all Messuages, Lands, Tenements, and Hereditaments, which were by the said recited Acts vested in the said Corporation, and also all Messuages, Lands, Tenements, and Hereditaments which have since been purchased or taken, or are in any Manner now held by any Person or Persons in trust for or for the Use of the said Corporation, either in Fee or for any Life or Lives, or any Term or Terms of Years, or any other or less Interest, and all Erections and Buildings which now are erected and built thereon, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, and also all Goods, Chattels, Monies, Securities for Money, and Effects, Stock, Bills of Exchange, Promissory Notes, Bonds, Notes, Specialties, and other Securities, Debts, Demands, Rights, Remedies, Cause and Causes of Action, which, at the Time when this Act shall take effect, shall belong to the said Corporation, or which shall be in the Hands, Custody, or Possession of any Person or Persons whomsoever, for their Use on their Account, and all Arrears of the Rates, and all Rents and other Monies which, at the Time aforesaid, shall be due and owing to the said

Property of Corporation vested in the Trustees.

said Corporation, and all other Materials, Articles, or Things which shall have been provided for the Purposes of the said recited Acts, or any of them, or which shall have been purchased, collected, or provided under or by virtue of the Provisions thereof, shall be and the same are hereby fully and absolutely vested in the said Trustees by this Act constituted and appointed, and the Survivors and Survivor of them, and the Heirs of such Survivor, for such and the like Estates, Terms, and Interests, and to such and the like Effect in Law, to all Intents and Purposes, as the same were previously vested in or held or possessed by or in trust for the said Guardians.

Persons holding Books or Monies under former Acts made accountable to the Trustees.

V. And be it further enacted, That all and every Person or Persons whomsoever who have received, or who shall or may have in his or their Custody or Power any Monies collected by virtue of the said several recited Acts hereby repealed, or any Books, Papers, Deeds, or Writings relating to all or any of the Matters aforesaid, or to the Execution of the said Acts, shall, when thereunto required by Notice in Writing, signed by the major Part of the said Trustees, given to him, her, or them, or left at his, her, or their last or usual Place or Places of Abode, account for and deliver the same to the said Trustees, or any Person or Persons authorized or appointed by them, or either of them, for that Purpose.

Power to Trustees to collect Debts, &c. due and owing to the Corporation.

VI. And be it further enacted, That for the more effectually enabling the said Trustees hereby appointed, and the Survivors and Survivor of them, to receive all and singular the Money, Goods, Chattels, and Effects herein-before vested in them, it shall and may be lawful for them the said Trustees, and they are hereby authorized and empowered to ask, demand, sue for, recover, and receive, of and from all and every Person and Persons, who is or are or shall be Debtor or Debtors to the said Corporation, either alone or jointly, on any account whatsoever, or from any or either of the same Persons, or whom else it may concern, all and every Sum and Sums of Money which now are or is due and owing, or shall become due or owing, to the said Corporation as aforesaid, and on Receipt thereof, or of any Part thereof, or on any Agreement or Composition respecting the same, to make, sign, seal, execute, and deliver a good and sufficient Receipt, Release, Acquittance, or other Discharge; or several good and sufficient Receipts, Releases, Acquittances; or other Discharges, for the Whole or any Part of the same Sum and Sums of Money, and generally to make, do, and execute any Act, Deed, Matter, or Thing whatsoever, for the Purpose of recovering and obtaining Payment of the Sum and Sums of Money, and the Possession or Delivery of the Goods, Chattels, and Effects hereby vested in them as aforesaid; and it shall be lawful for the said Trustees; and they are hereby empowered, to constitute and appoint any Person or Persons to act under them, as shall be thought necessary and proper, and with Powers to such Person or Persons to substitute One or more Person or Persons to act under him or them, and generally to act and do for, in, and about the Premises, as fully, amply, and effectually, to all Intents and Purposes, as the said Corporation might or could lawfully do if this Act had not passed.

VII. And

VII. And be it further enacted, That the said Trustees hereby appointed, and the Survivors of them, shall be and are hereby made subject and liable to and for all Agreements, Bonds, Covenants, Matters, and Things, to or for which the Corporation, constituted by the said recited Acts hereby repealed, are or shall be subject or liable to at the Time this Act shall take effect, but nevertheless such Liability shall not extend further than the Funds which the Trustees for the Time being shall have in their Custody or Possession.

Trustees to be liable for the Debts, &c. of the Corporation, as far as the Funds will extend.

VIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and the Survivors and Survivor of them, and they are hereby authorized and empowered, to pull down and remove, or cause or procure to be pulled down and removed, the said Workhouse, and all other Erections and Buildings appurtenant thereto, and to sell or cause to be sold the Materials of the said Workhouse and Buildings so to be pulled down and removed as aforesaid, or to retain such of them as they shall think proper; and the Monies to be produced by the Sale thereof (after deducting the Expences of pulling down and removing the said Workhouse and Buildings, and of such Sale or Sales,) shall be applied and disposed of in manner herein-after mentioned.

Trustees to pull down, present Workhouse and other Buildings if they see fit, and sell the Materials.

IX. And be it further enacted, That it shall and may be lawful to and for the said Trustees for the Time being, of their own proper Authority, at any Time or Times within Twelve Months from and after the passing of this Act, when they in their Discretion shall think proper, to make Sale and absolutely dispose of all or any Part or Parts of the present Workhouse, and Buildings thereunto belonging, and of the Scite or Scites thereof and the Ground thereunto belonging, and also all or any Part or Parts of any other Messuages, Buildings, Lands, Tenements, and other Hereditaments, which did or shall belong to, or which, previously to the passing of this Act, were vested in or held by or in trust for the said Corporation constituted by the said recited Acts, or which have heretofore been purchased by the said Corporation out of the Money raised for the Relief of the Poor under their Care and Management, or the Rents and Profits whereof have been hitherto applied towards the Relief and Maintenance of such Poor, subject nevertheless to such Incumbrances as may affect the same Premises respectively, and all which said Hereditaments and Premises are now vested in the said Trustees under and by virtue of this Act, either altogether and in One Lot, or by Parcels and in several Lots, and either by public Auction or private Contract, or partly by public Auction and partly by private Contract, for the best Price or Prices that, at the Time of such Sale or Sales, can or may be obtained for the same; and by Indenture or Indentures under their Hands and Seals, to grant and convey (or to order and direct any Person or Persons who may be seised or possessed of all or any Messuages, Lands, Tenements, and Hereditaments, either to the Use of or in Trust for the said Corporation, to grant and convey) the same, by way of absolute Sale, in Fee Simple, or for such Estate and Interest as they the said Trustees shall have therein, to the Person or Persons who shall agree to become the Purchaser or Purchasers thereof, and his, her, and their Heirs and Assigns, or as

Trustees may sell and convey the Real and Personal Estate of the Corporation.

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he, she, or they shall direct or appoint; and it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to make Sale and absolutely dispose of all and singular the Furniture, Goods, Chattels, Implements, Materials, and other Things, and also of all other the Personal Estate and Effects whatsoever which shall be vested in them by virtue of this Act, either by public Auction or private Contract, for the best Price and most Money that can be reasonably had or gotten, and to such Person or Persons who shall or may be willing to become the Purchaser or Purchasers of the same: Provided always, that nothing in this Act contained shall be construed to give to the said Trustees for the Time being a greater or better Estate in the said Messuages or Tenements, Lands and Hereditaments, or any of them, than was vested in the said Corporation at the Time of passing this Act.

Purchase Money to be paid to Trustees.

X. And be it further enacted, That the Monies to arise and be produced by the Sale of any of the said Messuages, Lands, Tenements, Buildings, and Hereditaments, and of any of the Personal Estate and Effects which shall be so sold under the Provisions of this Act, shall be paid by the respective Purchaser or Purchasers thereof into the Hands of the Trustees for the Time being of this Act, or to such other Person or Persons as the said Trustees for the Time being, by Writing under the Hands of the said Trustees or the major Part of them, shall nominate and appoint to receive the same, to be applied and disposed of according to the Intents and Purposes herein-after expressed; and that the Receipt or Receipts of the said Trustees for the Time being, for any Purchase Monies, Rents, or Profits, or other Sum or Sums of Money payable unto them by virtue of this Act, shall be a sufficient and effectual Discharge, or sufficient and effectual Discharges, for the Money in such Receipt or Receipts expressed or acknowledged to be or to have been received; and that the Purchaser or Purchasers to whom the same respectively shall be given, shall not afterwards be answerable or accountable for the Misapplication or Nonapplication, or be in anywise obliged or concerned to see to the Application of the Money in such Receipt or Receipts expressed or acknowledged to be received.

After Purchase Money paid, &c. the Purchaser to have full Right of Possession.

XI. And be it further enacted, That immediately from and after the Payment of such Purchase Money, and the Execution of every such Conveyance and Assurance as aforesaid, the Purchaser or Purchasers therein named shall be deemed and adjudged to stand seised and possessed of the several Messuages, Lands, Tenements, Buildings, and Hereditaments which shall be so purchased and conveyed, or otherwise assured or made over to him, her, or them respectively, freed and absolutely discharged of and from all and all Manner of prior Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims, and Demands whatsoever, which can or may be had, made, or set up, in, to, out of, or upon or in respect of the same Messuages, Lands, Tenements, Buildings, and Hereditaments, by any Person or Persons whomsoever, or on any Account whatsoever, (save and except such Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims, and Demands, as in such Conveyance or Assurance shall be excepted).

XII. Provided always, and be it further enacted, That all and every the Sum and Sums of Money which shall be received by the said Trustees, or by the Person or Persons to be by them appointed as aforesaid, from any Sale or Sales herein-before directed to be made, and also the Rents and Profits (if any) of the said Hereditaments and Premises, until the same shall be sold, and also all other the Monies which shall be received by them by virtue of this Act, shall (after the Payment of the Costs and Expences of the said Sale or Sales, which are hereby directed to be paid thereout,) be applied in Manner and for the Purposes herein-after expressed.

Application
of Money
arising from
the Sale of
Premises.

XIII. And be it further enacted, That the said Trustees for the Time being shall be and they are hereby directed to stand possessed of all and singular the Monies which shall arise from the Sale of the Materials of the said Workhouse, Erections, and Buildings, and also from the Sale of the Lands and Hereditaments herein-before directed to be made, and all other the Monies which shall arise or be received from Time to Time by virtue of this Act, and which shall be paid to the said Trustees, or the Person or Persons to be by them appointed as aforesaid, upon trust, in the first Place, to pay, discharge, and satisfy the Costs, Charges, and Expences which shall have been incurred in or shall be incident to and attend the obtaining and passing this Act, and all previous Proceedings relative thereto, and in the Discharge of the Charges and Expences of carrying the several Purposes of this Act into Execution, and all Costs, Charges, and Expences which the said Trustees for the Time being, or any Person or Persons appointed by them, may sustain or be put unto in carrying this Act into Execution, or in prosecuting any Actions or Suits in anywise relating to or concerning any of the Monies to arise under or by virtue of this Act, or any other the Purposes of this Act, or in any Manner relating to the Execution thereof, and for such other Uses and Purposes as are herein-after expressed; and the said Trustees are hereby also directed and empowered, in the next Place, by and out of the Money to arise by such Sale or Sales, and to be received or collected in as aforesaid, to deduct, retain, and reimburse to and for himself and themselves, all such Costs, Charges, and Expences as they respectively shall or may sustain, expend, or be put unto, in or about the Expences incident to the Sale and Disposal of the Goods, Chattels, Furniture, and other Personal Estate and Effects vested in them by virtue of this Act, or to the collecting in or receiving the said Debts, and in or about the Execution of the several Trusts and Provisions of this Act, or otherwise relating thereto; and after Payment and Satisfaction of the same, to pay, satisfy, and discharge all the Costs, Charges, and Expences which shall or may be incurred in removing and returning the several poor Persons which shall or may be residing in the said Workhouse at the Time of the Commencement of this Act, to their respective Parishes as aforesaid; and after Payment and Satisfaction thereof, to pay, satisfy, and discharge all Salaries and Wages of the Clerks, Servants, Officers, and other Persons, and Gratuities to them, or such of them as shall or may have been appointed and employed by the Directors and acting Guardians aforesaid in and about the said House of Industry, and other incidental Expences incurred therein, or in anywise relating thereto; and

Purchase
Money vested
in the Trustees
for the
Purposes of
this Act.

and the said Trustees are also hereby directed and empowered (after Payment of all such Costs, Charges, and Expences as aforesaid), by and out of the Monies to be received and gotten in as aforesaid, to pay, satisfy, and discharge the several and respective Debt or Debts which may have been contracted by the said Guardians for the Purposes of the said recited Acts, and now due and owing to the several Creditors of the said Corporation, under and by virtue of the said recited Acts; and if it shall happen that there shall be any Surplus of the said Trust Monies after the full Payment of such Costs, Charges, and Expences, Debts, and Sums of Money aforesaid, then the said Trustees are hereby directed and empowered to pay such Surplus to the Churchwardens and Overseers for the Time being of such Parish, Township, or Place, or the several Parishes, Townships, or Places respectively, in the like Shares and Proportions as they respectively contributed towards the paying off and discharging the Debt and Interest, under and by virtue of the said recited Act of the Fiftieth Year of the Reign of King *George* the Third paid off and discharged, to be applied by such Churchwardens and Overseers of the Poor respectively in such and the like Manner as the Rates to be collected for the Relief of the Poor of the same Parish, Township, or Place, or several Parishes, Townships, or Places respectively, shall be applied from and after the Commencement of this Act.

Trustees
may sue and
be sued in
the Name of
any one of
themselves or
their Clerk.

XIV. And be it further enacted, That the said Trustees shall and may sue and be sued in the Name or Names of any one of the said Trustees, or of their Clerk for the Time being; and all Actions, Suits, or Appeals which it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of the said Acts and this Act, or for or in respect of any Matter or Thing relating thereto, shall be brought and prosecuted or defended in the Name or Names of one of the said Trustees, or of their said Clerk for the Time being; and no Action, Suit, or Appeal which may be brought, commenced, prosecuted, or defended by or against the said Trustees or any of them, by virtue or on account of the said Acts or this Act, in the Name or Names of one of the said Trustees or their Clerk, shall abate or be discontinued by the Death or Removal of such Trustee or Clerk, or either of them, or by the Act or Default of such Trustee or Clerk, or either of them, done or suffered without the Direction or Consent of Five or more of the said Trustees for the Time being; but one of the said Trustees, or the Clerk of the said Trustees for the Time being, shall always be deemed Plaintiff or Defendant, Appellant or Respondent, (as the Case may be) in such Action, Suit, or Appeal: Provided always, that every such Trustee or Clerk in whose Name or Names any Action, Suit, or Appeal shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such reasonable Costs, Charges, and Expences as he or they shall sustain or be put unto, or become chargeable with, by reason of his being so made Plaintiff or Defendant, Appellant or Respondent thereon; and such Trustee or Clerk shall not be personally answerable or liable to the Payment of the same or any Part thereof, unless such Action, Suit, or Appeal shall

shall arise in consequence of his own Neglect or Default, and unless it shall have been brought, commenced, or defended without the Order and Direction of Five or more of the said Trustees assembled at a Meeting under this Act.

XV. And be it further enacted, That if any Monies to be raised by virtue of this Act shall be misapplied or converted to any other Use than the Purposes aforesaid by the said Trustees for the Time being, or any other Person or Persons acting under colour of any Warrant, Power, or Authority, by, from, or under them respectively, then and in such Case the said Trustees shall be answerable for the same in any Action or Actions to be brought by any of the Creditors of the said Corporation constituted as aforesaid, claiming under or by virtue of the said recited Acts, or by the Executors, Administrators, and Assigns of any such Creditor or Creditors; which said Sum and Sums of Money so recovered shall be applied to the same Uses as the Money so misapplied or converted should or might have been applied to, if such Misapplication had not happened, except that the Costs of Suit shall be deducted and retained thereout in the first Place, for the Benefit of him, her, or them so suing as aforesaid.

Trustees to be answerable for Misapplication of Money to be raised.

XVI. And be it further enacted, That the said Trustees shall and they are hereby authorized and empowered respectively from Time to Time, if they shall think fit and proper, for the Purposes of this Act, to nominate and appoint a Clerk or Clerks, and Servants, and to take (if they shall think it necessary) such Security and Securities for the faithful Execution of such Office as they the said Trustees shall from Time to Time think fit; and out of the Money to be received by the said Trustees by virtue of this Act, to pay and allow unto the Person or Persons so to be appointed respectively, such Salaries, Allowances, or Recompence for their Time and Trouble as they the said Trustees shall seem meet and reasonable, and from Time to Time to remove or suspend such Clerk or Clerks, and appoint another or others in his or their Room or Stead, as often as to them shall seem meet; and in case of the Death, Incapacity, or declining or neglecting to act of any such Clerk or Clerks, then and in any of such Cases the said Trustees shall and may in such and the like Manner appoint any other Person or Persons they may think proper.

Power of appointing a Clerk.

XVII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time and at all Times to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Person or Persons paying any of the Rates or Assessments granted by the said Acts, without Fee or Reward; and the said Trustees and

Accounts to be kept of Receipts and Disbursements.

[Local.]

D

Persons

Persons shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees or Persons, or any of them, to inspect the same at all seasonable Times, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein-after directed.

Trustees not to be personally liable beyond the Money raised.

XVIII. Provided always nevertheless, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to render the Trustees for the Time being, or their Estates and Effects, subject or liable to the Payment of any Sum or Sums of Money due and owing by the said Corporation, or any Costs, Charges, and Expences occasioned by the Nonpayment thereof, in case the Money to be raised and received by virtue of this Act shall happen to become insufficient; and that the said Trustees shall not be liable to any Action or Suit in respect of any Bond, Note, or other Security, (excepting in case of Misapplication of any Sum or Sums of Money to be received by them by virtue of this Act as herein-before is expressed); any thing in this Act contained to the contrary thereof notwithstanding.

Appointment of new Trustees.

XIX. And be it further enacted, That if any of the said Trustees for the Execution of this Act, or any future Trustee or Trustees to be appointed as herein-after is mentioned, shall die, or be desirous of being discharged of and from, or refuse or decline or become incapable to act as a Trustee for the Purposes of this Act, then and so often as by the Means aforesaid the Number of the said Trustees shall be reduced to Five, it shall and may be lawful for the remaining Trustees, by any Writing under their Hands and Seals, to constitute and appoint such other Person or Persons to be a Trustee or Trustees for the Purposes of this Act, in the Place or Stead of the Trustee or Trustees who shall have so died, or desired to be discharged, or refused, declined, or become incapable to act as aforesaid.

Property to vest in new Trustees.

XX. And be it further enacted, That when and so often as any new Trustee or Trustees shall be nominated or appointed as aforesaid, the said Hereditaments and Premises, and the Fee Simple and Inheritance thereof, together with the Goods, Chattels, Personal Estate and Effects, shall be thereupon, with all convenient Speed, conveyed, assigned, and assured in such Sort and Manner, and so as that the same shall and may be legally and effectually vested in the surviving or continuing Trustee or Trustees jointly with such new or other Trustee or Trustees, and their Heirs and Assigns for ever; nevertheless, upon such or the same or the like Trusts, and to and for such or the same and the like Intents and Purposes, by this Act enacted and declared concerning the Trustees hereby nominated; and that every such new Trustees shall and may in all things act and assist in the Management and carrying into Execution the Trusts and Purposes of this Act, in conjunction with the surviving or continuing Trustee or Trustees, as fully and effectually, and with the

the same Power and Powers, Authority and Authorities, to all Intents, Constructions, and Purposes whatsoever, as if they had been originally in and by this Act nominated Trustees, and as the Trustees in this Act named, in or to whose Place such new Trustees shall respectively come or succeed, are enabled to do, or could or might have done under and by virtue of this Act, if then living and continuing to act in the Trust and for the Purposes hereby directed and declared.

XXI. And be it further enacted, That the said Trustees hereby nominated and appointed, and such new Trustees as aforesaid, and each of them, their and each of their Heirs and Assigns, shall be charged and chargeable only with and for so much of the said Trust Monies as they respectively shall actually receive, notwithstanding their respectively joining with any Co-trustee or Co-trustees in the Signature of Receipts for the Sake of Conformity; and that any One or more of such Trustees shall not be answerable or accountable for any other or others of them, or for the Acts, Deeds, Receipts, Neglects, or Defaults of any other or others of them, but each of them for his own respective Acts, Deeds, Receipts, Neglects, and Defaults only; and that they, or any or either of them, shall not be answerable or accountable for any Banker or other Person or Persons in whose Hands any of the said Trust Monies shall or may be deposited for safe Custody, or for the Insufficiencý or Deficiency of any Stocks, Funds, and Securities wherein or whereupon any of the said Trust Monies shall be placéd or invested in pursuance or by virtue of this Act, or for any other Misfortune, Loss, Accident, or Damage which shall or may happen in the Execution of any of the Trusts and Provisions of this Act expressed or otherwise in relation thereto, unless the same shall happen through their own wilful Defaults respectively.

Indemnity to Trustees.

XXII. Provided also, and it is hereby further enacted, That it shall be lawful for the said Trustees hereby nominated and appointed, and such new Trustees as aforesaid, and each of them, their and each of their Heirs and Assigns, by and out of the Monies which shall come to their respective Hands by virtue of this Act, to retain to and reimburse themselves respectively, and to allow to their respective Co-trustees all such Costs, Charges, and Expences as they or any or either of them shall or may sustain or incur in or about the Execution of any of the Trusts, Powers, and Provisions herein expressed, or otherwise in relation thereto.

Trustees to reimburse each other their Expences.

XXIII. And be it further enacted, That on the Sixteenth Day of October One thousand eight hundred and twenty-six, the said Trustees shall hold a General Meeting at the present House of Industry at Melton, or within Five Miles thereof, at the Hour of Ten of the Clock in the Forenoon; and the said Trustees, on any Five or more of them assembled at such Meeting, shall and may proceed to put this Act into Execution; and in case Five or more of the said Trustees shall not be there and then assembled, then such Meeting shall be deemed to be adjourned to the next Day, and so from Day to Day

Meetings to be held by Trustees.

Day until Five or more of the said Trustees shall assemble at the Place and Hour aforesaid ; and a Meeting of the said Trustees then shall be held upon the First *Monday* in every succeeding Calendar Month, for carrying this Act into Execution, at the same Place and same Hour of the Day (unless some other Day or Days in the Week, or some other Place within the said Hundreds of *Loes* and *Wilford*, or some other Hour, shall be appointed by the said Trustees, or any Five or more of them, at any of their said Meetings, which they or any Five or more of them are hereby empowered to do) ; and the said Trustees, or any Five or more of them, assembled at such First Meeting, or at any subsequent Meeting, shall and may adjourn the same from Time to Time to the same Place, or at any other convenient Place within the Limits aforesaid ; and in case on the Day and Hour appointed for any such subsequent Meeting there shall not be Five of the said Trustees present, then the Trustees or Trustee present, or the Clerk (if any) to the said Trustees, or any Person or Persons to be by them appointed in such Capacity, in case there shall be no Trustee present, shall and may adjourn the Meeting, to be held at the same Place and the same Hour of the Day, and on such Day, not sooner than after the Expiration of Two Days, nor later than Seven Days from the Day last appointed, as such Trustee or Clerk shall think fit.

Trustees not attending Three successive Meetings, deemed to have declined acting.

XXIV. Provided also, and be it further enacted, That if any one of the said Trustees hereby nominated, or to be nominated and appointed under the Provisions of this Act, shall refuse or neglect to attend at the First Meeting appointed to be holden for carrying this Act into Execution ; or if either of the said Trustees shall at any Time after the said First Meeting wilfully absent himself from any Three following successive Meetings appointed to be holden by virtue of this Act, or having been absent from Two successive Meetings, shall not attend during the whole of the Third or next succeeding Meeting, such Meetings being known to him, either by his being present at the Appointment thereof, or by Notice thereof in Writing having been given to him, or left at his last or usual Place of Abode Five Days at least previously to such Meeting, by the Clerk of or other Person to be appointed as aforesaid ; and such Trustee not having been prevented by Sickness or other reasonable Excuse, to be allowed by the other Trustees, from attending or continuing at such Meeting or Meetings ; then and in every of such Cases such Absence or Nonattendance shall be deemed and taken to be a Refusal to act within the Intent and Meaning of this Act.

Manner of Proceeding in case of Difference of Opinion amongst Trustees.

XXV. And be it further enacted, That if any Difference or Disagreement of Opinion shall arise between the said Trustees for carrying this Act into Execution, touching or concerning any Matter or Thing to be done by them by virtue or in the Execution of this Act, such Difference or Disagreement of Opinion, so often as it shall arise between them, shall be determined and decided by the Majority of the Trustees present ; and in case of an Equality of Votes, the Chairman of such Meeting or respective Meetings shall, besides his own Vote, have a casting Vote.

XXVI. Pro.

XXVI. Provided always, and be it further enacted, That from and after the Trusts and Provisions of this Act shall be finally settled and determined, the Trustees or Trustee for the Time being shall cause a true and just Statement or Account of all such Sum and Sums of Money which they shall or may have received, paid, and disbursed by virtue of this Act, to be inserted for Two successive Weeks, in Two or more of the weekly Newspapers published in the County of *Suffolk*.

Accounts to
be published
in Two
Newspapers.

XXVII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following, shall be good, without alleging more than the Substance of the Offence; (that is to say),

Form of
Conviction.

Suffolk, } BE it remembered, That on the _____ Day
to wit. } of _____ in the Year of our Lord
_____ is [or are, as the Case may be]
convicted before me [or us, as the Case may be] One [or
as the Case may be] of His Majesty's Justices of the Peace for the
County of *Suffolk*, of having [here state the Offence, and the Time
and Place when and where the same was committed], contrary to
an Act passed in the Seventh Year of the Reign of His Majesty
King George the Fourth, intituled, [here insert the Title of this
Act], for which Offence I [or we, as the Case may be] do
adjudge the said _____ to have forfeited the Sum
of [here state the Amount of the Penalty, Fine, or Forfeiture for
the Offence], according to the said Act of Parliament; [and in
Case where the Justice or Justices may see cause to mitigate the
Penalty, here insert, and I, or we, the said Justice or Justices, seeing
cause to mitigate and lessen the said Penalty, do, according to the
Provisions of the said Act of Parliament, mitigate and lessen the
same to the Sum of _____], which said Sum of [here
name the Amount of the Penalty or mitigated Penalty, as the Case
may be] is to be distributed and applied in manner following;
that is to say, one Moiety thereof to the Use of the Trustees for
putting the said Act into Execution, and the other Moiety thereof
to the Use of *A. B.* [here name the Informer], according to the
Provisions of the said Act of Parliament. Given under my Hand
and Seal, [or our Hands and Seals, as the Case may be], the Day
and Year first above written.

XXVIII. Provided always, and be it further enacted, That if any Person or Persons, Bodies Politic or Corporate, shall think himself, herself, or themselves aggrieved by any Matter or Thing done or to be done in pursuance of this Act, such Person or Persons, Bodies Politic or Corporate, may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the said County of *Suffolk*, within Four Calendar Months next after the Determination of the said Trustees, such Appellant giving or causing to be given Fourteen Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Trustees, and within Ten Days next after such Notice entering or causing a Recognizance to be entered into before some Justice of the Peace acting in and for the said County of

Appeal.

[Local.]

E

Suffolk,

Suffolk, with Two sufficient Persons, conditioned to try such Appeal, and abide the Order thereon, and to pay such Costs as shall be awarded by such Justices at such General Sessions; and such Justices, upon due Proof of Notice being given as aforesaid, and of entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and may order such Satisfaction to be made by the Party injured as the said Justices shall think proper; and the Determination of such Justices shall be binding and conclusive.

Limitations
of Actions.

XXIX. Provided always, and be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any thing done under colour of or in pursuance of this Act, except such Action be brought within Three Calendar Months next 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 where the Cause of Action shall have arisen, and not elsewhere: Provided also, that no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or other Proceeding, unless Notice in Writing shall have been given to the Person or Persons against whom the same is intended to be brought, or left at his, her, or their last or usual Place of Abode, Twenty-one Days before such Action shall be commenced, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who shall have committed, or cause to be committed, the said Fact, before such Action 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 Actions, by Leave of the Court where such Action shall depend, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding or Order and Judgment shall be had, made, or given in and by such Court, as in other Actions when the Defendant is allowed to pay Money into Court: 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 of and by Authority of this Act; and if upon the Trial of such Action or Actions it shall appear to have been so done, or that such Action or Actions 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 after the Time limited for bringing the same as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall be found against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for recovering the same as any Defendant or Defendants have or hath for Costs of Suit in other Cases of Law.

XXX. And be it further enacted, That this Act shall commence and take place upon the Sixteenth Day of *October* One thousand eight hundred and twenty-six. Commence-
ment of Act.

XXXI. 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. Public Act.

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