



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xlix.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor in the Hundred of Mutford and Lothingland in the County of Suffolk.*

[17th *May* 1833.]

WHEREAS in an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor in the Hundred of Mutford and Lothingland in the County of Suffolk*, are contained divers Provisions and Regulations, some of which may be beneficially amended, altered, extended, and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Powers, Authorities, Provisions, Regulations, Directions, Matters, and Things whatsoever contained in the said recited Act (save and except such of them or such Part or Parts thereof as are hereby or by any Statute in force or effect altered, varied, or repealed,) shall extend to this present Act, and shall operate and be in force with respect to this Act, and the Provisions and Enactments hereinafter contained, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, and were

4 G. 3. c. 89.

Powers of former Act extended to this Act.

[*Local.*]

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herein

herein particularly applied to the Provisions and Enactments herein contained, and notwithstanding any Alteration in the Days or in the Manner in which particular Acts are herein required to be done from the Days or the Manner appointed by the said recited Act.

Poor to be under the Management of Guardians, &c.

II. And be it further enacted, That from and after the passing of this Act all poor Persons who now or at any Time hereafter shall belong to any Parish, Hamlet, or Place within the said Hundred, and who now are or hereafter shall become chargeable to the same, shall continue and henceforth shall be under the Government and Management of the Guardians incorporated by the said recited Act, by the Name of "The Guardians of the Poor within the Hundred of *Mutford* and *Lothingland* in the County of *Suffolk*."

Repeal of Clauses in Act 4 G. 3. c. 89. as to Apprentices, acting Guardians, Quarterly and Monthly Committees, Fines, Assessments, Gratuities, and Profits of Poor.

III. And be it further enacted, That from and after the respective Times at which the Provisions herein-after contained shall be in full Operation, so much of the said recited Act as authorizes and empowers the Directors and acting Guardians therein appointed to bind Children to be Apprentices in the Manner therein mentioned, and as obliges the Persons to whom such Children shall be so bound to receive and provide for such Apprentices, and as directs that no Apprentice so bound shall (except with the Consent of the Directors and acting Guardians) be assigned over to any other Person, and then only to one of the same Trade, Business, or Occupation; and also so much of the said Act as relates to the Manner and Time of choosing acting Guardians; and also so much of the said Act as authorizes such Directors and acting Guardians, at the Meeting to be held on the *Tuesday* next after the Feast of *Saint John* the Baptist, to appoint Fifteen Directors and acting Guardians for each Quarter of the succeeding Year, to inspect, direct, manage, and provide for the poor Persons in the respective House or Houses for the Poor to be maintained and supported under the Authority of the said recited Act; and as authorizes the Directors and acting Guardians so appointed to act in the Duties thereby reposed in them, and as also authorizes them by Agreement amongst themselves to divide themselves into Committees of Five, to act, for each Month in each Quarter in the Manner therein mentioned; and as authorizes the Infliction of certain Fines, and the Mode of Recovery and Application of the same; and as empowers the said Directors and acting Guardians to assess such Sum and Sums of Money as therein mentioned upon the several Parishes, Hamlets, and Places within the said Hundred; and as directs the Manner in which such Assessments shall be allowed and collected; and as provides that the Sums to be assessed by such Directors and acting Guardians upon any One of the said Parishes, Hamlets, and Places shall not exceed in any One Year the Sum which shall have been rated, assessed, or expended for the Relief or upon the Account of the Poor in such respective Parish, Hamlet, or Place in One Year upon a Medium of Seven Years to be drawn from *Easter* One thousand seven hundred and fifty-six to *Easter* One thousand seven hundred and sixty-three; and as enacts that the Churchwardens, Overseers of the Poor, and Constables, or other Parish Officers of all and every the Parishes, Divisions, and Precincts within the said Hundred shall aid and assist the said Guardians, Directors, and acting Guardians, to the best of their Power, and shall obey their Warrants and Orders, relative to the Execution of the said recited Act;

and as authorizes the Infliction of certain Fines on the said Churchwardens, Overseers of the Poor, Constables, and other Officers for refusing or neglecting to raise, levy, and pay the Sums assessed upon their respective Parishes, or to obey any such Warrants or Orders, and the Mode of Recovery and Application of the same; and as enacts that over and above such Salaries as shall be assigned to the Governor or Steward and Matron or Matrons of such House or Houses by the Order of the said Directors and acting Guardians, they and each of them shall receive, out of the Profits of Work done by the poor People, such Proportion thereof as by the said Directors and acting Guardians shall be judged proper, so as such Gratuities shall not exceed Two-pence in the Pound of the Value of the said Profits; and as directs in what Manner the Accounts of the said Directors and acting Guardians, to be by them settled at their General Quarterly Meetings, shall be allowed; and as enacts how the Profits of the Work done by the said poor People at the House or Houses built for their Repetition shall be applied, shall be and is hereby repealed.

IV. And be it further enacted, That within Twenty-one Days and not less than Seven Days previous to the Twenty-ninth Day of *September* next after the passing of this Act, and also within Twenty-one Days and not less than Seven Days previous to the Twenty-fourth Day of *June* in each succeeding Year, there shall be elected, in manner after mentioned, Thirty-six Persons, from and out of the Body of Guardians for the Time being of the said incorporated Hundred, to be acting Guardians under this and the said recited Act for the several Parishes and Places in the said Hundred, in the Proportions and Order following; (that is to say,) for *Ashby*, One; for *Barnby*, One; for *Belton*, One; for *Blundeston*, One; for *Bradwell*, One; for *Burgh Castle*, One; for *Carlton Colville*, Two; for *Corton*, One; for *Flixton*, One; for *Fritton*, One; for *Gisleham*, One; for *Gorleston*, Four; for *Gunton*, One; for *Herringfleet*, One; for *Hopton*, One; for *Kessingland*, Two; for *Kirtley*, One; for *Lound*, One; for *Lowestoft*, Six; for *Mutford*, One; for *Oulton*, Two; for *Pakefield*, Two; for *Rushmere*, One; and for *Somerleyton*, One.

Acting
Guardians to
be elected
yearly.

V. And be it further enacted, That in order that such several acting Guardians may be duly elected as aforesaid, a Meeting of the Parish Vestry of each of the said Parishes shall and is hereby required and directed to be convened within Twenty-one Days and not less than Seven Days previous to the Twenty-ninth Day of *September* next after the passing of this Act, and also within Twenty-one Days and not less than Seven Days previous to the Twenty-fourth Day of *June* in each succeeding Year, conformably to the Provisions of an Act passed in the Fifty-eighth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for the Regulation of Parish Vestries*; and the Election of such acting Guardians shall be made and conducted according to the Provisions of the said last-mentioned Act, save and except that no Inhabitant of any Parish who shall be rated under Five Pounds shall be entitled to vote or be present at any such Vestry Meeting as aforesaid; and within the Space of Three Days next after every such Election a Return shall be made to the said Directors and acting Guardians of the Person or Persons so elected, by a written Notice, to be signed by the Person presiding at such Vestry Meeting, containing the Name or Names and Place or Places of Abode of the Person or Persons so elected, and to be delivered to or left

Mode of
electing
acting
Guardians.

58 G. 3. c. 69.

left for the said Directors and acting Guardians at the House or at one of the Houses for the Poor of the said Hundred.

Acting
Guardians to
be qualified
and resident
in electing
Parishes.

VI. And be it further enacted, That no Person shall be capable of being elected to the Office of acting Guardian unless he shall be duly qualified as in the said first-recited Act is mentioned, and unless he shall at the Time of such Election be actually resident in the Parish or Place for which he shall be so elected: Provided always, that no Person for the Time being acting as a Director shall be capable of being elected as an acting Guardian: Provided also, that no Person shall be disqualified to be re-elected as an acting Guardian by reason of his having served the Office of acting Guardian during the Year preceding such Election, any thing in the said first-recited Act or this Act to the contrary notwithstanding.

Continuation
of acting
Guardians in
Office.

VII. And be it further enacted, That the present acting Guardians shall continue in Office until the first General Quarterly Meeting after the Twenty-ninth Day of *September* next inclusively, and that the several Persons to be elected previously to the said Twenty-ninth Day of *September* next as aforesaid shall continue in Office until the first General Quarterly Meeting next after the Twenty-fourth Day of *June* succeeding their Elections inclusively; and so in like Manner the several Persons to be elected previously to the Twenty-fourth Day of *June* in each succeeding Year shall enter upon the Office of acting Guardians from and after the Day of holding the General Quarterly Meeting next after the Twenty-fourth Day of *June* immediately succeeding their Election, and shall continue in Office until the General Quarterly Meeting next after the Twenty-fourth Day of *June* in the succeeding Year inclusively.

Vacancies to
be filled up.

VIII. Provided always, and be it further enacted, That when and as often as any acting Guardian shall cease to reside in the Parish or Place for which he was elected, or shall be declared a Bankrupt (of which Bankruptcy Notice thereof in the *London Gazette* shall be sufficient Evidence), or shall become insolvent (of which Insolvency a Declaration in the *London Gazette*, or his making any Assignment for the equal Benefit of his Creditors, shall be sufficient Evidence), or shall die or become disqualified, then and in every such Case it shall be lawful for the Inhabitants or Electors of the Parish or Place for which such acting Guardian was elected, within Twenty-one Days next after such ceasing to reside, Bankruptcy, Insolvency, Death, or Disqualification, to elect another Person in the Room or Stead of the Person so ceasing to reside, becoming bankrupt or insolvent, dying, or becoming disqualified, and so *toties quoties*; and such last-mentioned Election shall be made, conducted, and returned in the same Manner, and the same Persons only shall be entitled to be elected and to vote, as at the annual Elections of acting Guardians herein-before directed; and every Person so elected and returned shall have the same Powers and Authorities as the Person in whose Room or Stead he shall be so elected had or was invested with, and shall be and continue in Office during the same Period as the Person in whose Room or Stead he shall be so elected would have continued in Office.

Mode of
electing
acting Guar-

IX. Provided always, and be it further enacted, That in case Default shall at any Time be made in the Election or Return of an acting Guardian

Guardian or acting Guardians by any of the said Parishes or Places as herein-before provided for, or in case any acting Guardian or acting Guardians so to be elected and returned as aforesaid shall not be duly qualified according to the Provisions of the said first-recited Act and this Act, then and in every such Case the Directors and acting Guardians assembled at their General Quarterly Meeting to be held next after such Default, or such Election of disqualified Persons as aforesaid, shall and may proceed to elect and choose by Ballot such Number of Persons from the Body of Guardians of the said incorporated Hundred for the Time being as, together with the acting Guardians duly chosen by the said respective Parishes as herein-before provided for, shall make up the full Number of Thirty-six acting Guardians, any thing in the said first-recited Act or this Act, or either of them, contained to the contrary thereof in anywise notwithstanding; and such last-mentioned acting Guardians, together with such acting Guardians as shall have been duly elected and returned by the said several Parishes under the Authority of this Act, shall proceed in the Execution of the Duties of their Offices as fully and effectually and with the same Powers and Authorities to all Intents and Purposes as if the Elections of all the acting Guardians by the said several Parishes in the Proportions aforesaid had been duly made and returned pursuant to the Directions of this Act.

dians in case of Default by Parishes.

X. Provided always, and be it further enacted, That the said Directors and acting Guardians shall from Time to Time hold their Four General Quarterly Meetings by the said first-recited Act directed to be held in each Year, either at *Lowestoft* aforesaid or at the House or at one of the Houses for the Poor of the said Hundred, as to the said Directors and acting Guardians shall from Time to Time seem meet and convenient, and may from Time to Time alter the Days and Times of holding such Meetings, provided the same be held within Ten Days after the several Days specified in the said first-recited Act for the holding of the same, and of which Meetings Ten Days Notice shall be given in some Newspaper published and circulated in the said County of *Suffolk*.

Place and Time of holding Quarterly Meetings.

XI. And be it further enacted, That it shall be lawful for any Five or more of the said Directors and acting Guardians, although not assembled at any Meeting by the said first-recited Act and this Act, or either of them, authorized to be held, or for their Clerk (on an Order signed by Five or more of them), from Time to Time and at any Time, by Notice to be inserted Twice in some one Newspaper published and circulated in the said County of *Suffolk*, to convene and appoint a Special Meeting of the said Directors and acting Guardians, for any Purpose, specified in such Notice, relating to the Execution of the said first-recited Act and of this Act, to be held at any Time and in any convenient Place within the said Hundred to be specified in such Notice, such Time not being less than Ten Days after the first publishing of such Notice; and every such Meeting shall consist at least of as many Directors and acting Guardians as are directed to be present at the Four General Quarterly Meetings under the said first-recited Act: Provided always, that no other Business shall be transacted at any such Special Meeting as aforesaid than shall have been specified in such Notice.

Meetings on Emergencies.

XII. And be it further enacted, That the said Directors and acting Guardians shall, at their General Quarterly Meeting to be held on the

Appointment of Quarterly Committees.

[Local.]

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Tuesday

Tuesday next after the Twenty-ninth Day of *September* next after the passing of this Act, or within Ten Days after such Day, appoint Fifteen Directors and acting Guardians together (whereof Six at the least to be Directors) for each of the Three succeeding Quarters of the Year; and at their General Quarterly Meetings to be held on the *Tuesday* next after the Twenty-fourth Day of *June*, or within Ten Days after such Day, in every succeeding Year, appoint Fifteen Directors and acting Guardians together (whereof Six at the least to be Directors) for each Quarter of the succeeding Year, to inspect, direct, manage, and provide for the Poor within the said Hundred, or belonging thereto; and for that Purpose the said Directors and acting Guardians, or any Three or more of them (whereof One to be a Director), shall meet weekly or oftener, upon such Days and at such Hours and at such Place or Places as shall be directed by the said Directors and acting Guardians; and such of them as shall be there present shall and may give such Directions as they shall think proper for the Employment, Maintenance, and Relief of the Poor within the said Hundred, or belonging thereto, and for carrying into execution such Rules, Orders, Directions, Powers, and Authorities as shall from Time to Time be made, granted, and vested in them by the said Directors and acting Guardians.

Division into
Monthly
Committees.

XIII. Provided always, and be it further enacted, That the said Fifteen Directors and acting Guardians so to be from Time to Time appointed as aforesaid for each and every Quarter in the Year shall and they are hereby authorized and required to meet at such Time and Place as shall be directed by the said Directors and acting Guardians, and to divide themselves into Committees of Five, whereof Two shall be Directors, to act for each Month in each Quarter, but so as not to preclude any of such Fifteen from being present or voting at any such Weekly or other Meeting as aforesaid; provided that in case the whole of the said Fifteen Directors and acting Guardians shall not attend at the Meeting to be held for the Purpose of dividing themselves into such Monthly Committees as aforesaid, it shall be lawful for such of them as shall so attend, and they are hereby required, to divide themselves and the others of the said Fifteen Directors and acting Guardians into such Monthly Committees as before directed; and every such Director and acting Guardian not attending at such Meeting shall be bound by such Division as if he had personally attended and agreed thereto: Provided also, that until the Appointment of any Committee or Committees under the Authority of this Act, any Committee or Committees already appointed or hereafter to be appointed under the Authority of the said first-recited Act shall continue to act as if this Act had not been passed.

Committee
for Exami-
nation of
Accounts.

XIV. Provided always, and be it further enacted, That at the said last-mentioned Meetings to be held in each and every Quarter of the Year, for the Purpose of dividing the Fifteen Directors and acting Guardians appointed to act for each Quarter into Monthly Committees, the Directors and acting Guardians present at every such Meeting shall and they are hereby required from Time to Time to appoint a Committee for the Examination of the Accounts of the then current Quarter, such Committee to consist of not less than Three Directors and Three acting Guardians, One of such Directors and One of such acting Guardians to be elected and taken from each of the Monthly Committees of the current
Quarter,

Quarter, which Committee shall meet at such Time and Times previously to the next General Quarterly Meeting of the said Directors and acting Guardians, and at such Place or Places, as the said Directors and acting Guardians shall from Time to Time direct and appoint.

XV. And be it further enacted, That it shall be lawful for the said Directors and acting Guardians from Time to Time, or at any Time after the passing of this Act, to make such Rules and Regulations to secure and regulate the Attendance of the said Directors and acting Guardians at the several Meetings authorized to be held under the Provisions of this Act and of the said first-recited Act, or either of them, and to direct and appoint the Times and Places of holding such several Meetings, and for the Regulation and Conduct of the Business and Transactions at such several Meetings, as the said Directors and acting Guardians shall think proper, and likewise from Time to Time to vary, alter, amend, or repeal all or any of such Rules and Regulations, and to impose and inflict such reasonable Fines and Forfeitures, not exceeding the Sum of Five Pounds for any One Offence, on such Directors and acting Guardians as shall not obey such Rules and Regulations as aforesaid, as to the said Directors and acting Guardians shall seem expedient.

Directors may make Rules to secure the Attendance &c. of Directors and Guardians.

XVI. Provided always, and be it further enacted, That if any Person not being duly qualified according to the Provisions of the said first-recited Act and this Act, or either of them, shall presume to act as a Guardian, Director, or acting Guardian in the Execution of the said first-recited Act and this Act, or either of them, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt; and upon Issue joined, the Defendant in such Action shall, upon Proof being given of his having acted as a Guardian, Director, or acting Guardian in the Execution of the said first-recited Act and this Act, or either of them, be bound to prove that he was so qualified as aforesaid at the Time when he so acted, and in default thereof shall be deemed to have incurred the said Penalty: Provided always, that all Acts and Proceedings of every such Guardian, Director, or acting Guardian previously to his being convicted of such Offence shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been duly qualified.

Penalty on Directors or Guardians acting without being qualified.

XVII. And be it further enacted, That it shall not be lawful for the said Directors and acting Guardians to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of the said first-recited Act and this Act, or the Partner of any such Clerk, or any Person in the Service or Employ of any such Clerk, or any Person in the Service or Employ of the Partner of such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer, or any Person in the Service or Employ of the Partner of such Treasurer, to be the Clerk to the said Directors and acting Guardians; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the said first-recited Act and this Act, or if any Person being the Partner

Treasurer and Clerk not to be the same Person.

of

of any such Clerk, or in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or shall in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of the said first-recited Act and this Act, or shall act as Deputy of such Clerk, or shall in any Manner officiate for such Clerk; or if any such Treasurer shall hold any Place of Profit or Trust under the said Directors and acting Guardians other than that of Treasurer; every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt.

Officers to
account.

XVIII. And be it further enacted, That all such Officers and Persons appointed or to be appointed by the said Directors and acting Guardians under or by virtue of the said first-recited Act and this Act, or either of them, shall, under their Hands, (at such Time or Times and in such Manner as the said Directors and acting Guardians shall direct,) deliver to the said Directors and acting Guardians, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue or for the Purposes of this Act and the said first-recited Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Directors and acting Guardians, or to such Person as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Directors and acting Guardians, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by or on behalf of the said Directors and acting Guardians, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act and the said first-recited Act, and to give Information and Satisfaction to the said Directors and acting Guardians respecting the same, then and in every such Case, upon Complaint made by the said Directors and acting Guardians, or by any Person or Persons whom they shall by any Writing under the Hands of Three of such Directors or acting Guardians appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may and he is hereby authorized and required to summon the Officer or Person so refusing or neglecting before him, and upon his appearing, or having been summoned, by Notice given to him or left with some Inmate at his last or usual Place of Abode, and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such

such Justice that any of the Money which shall have been collected or raised by the said Directors and acting Guardians by virtue of this Act and the said first-recited Act is in the Hands of such Officer or Person, such Justice shall, upon Nonpayment thereof, by Warrant under his Hand and Seal cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the same, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act or the said first-recited Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, Town Corporate, or Place wherein such Offender shall be or reside, there to remain until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Directors and acting Guardians for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Directors and acting Guardians are hereby empowered to make and receive without Prejudice to the Liability of any Surety or Sureties for the Party so compounding,) and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said Directors and acting Guardians: Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels to answer such Distress shall be detained in Prison for any longer Term than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge or Satisfaction for the same, nor exonerate his Surety, but such Surety and the Estate and Effects of such Officer or Person shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

XIX. And be it further enacted, That in case of the Death of any such Officer or Person as last aforesaid before he shall have paid and fully satisfied all the Monies that he shall have received by virtue of this Act or the said first-recited Act, or made and paid such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Officer or Person so dying shall pay and satisfy the same out of the Estate and Effects of such Officer or Person; unto the said Directors and acting Guardians, or any Person appointed by them in that Behalf, in like Manner as other Debts are directed by Law to be discharged by such Executors or Administrators, and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office or relating to the Execution of this Act or the said first-recited Act which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payment in any Action or Suit which may be brought against them on account of such Estate and Effects, and give the same in Evidence; and in case of the Nonpayment of such Monies, or the Nondelivery of such Books, Papers, Writings, and Things, for the

In case of
Death of
Officers, Re-
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to account.

Space of Twenty-one Days after Demand made thereof in Writing by or on the Behalf of the said Directors and acting Guardians, it shall be lawful for the said Guardians of the Poor to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, for the Recovery of the said Monies, and for the Recovery of such Books, Papers, Writings, and other Things in Specie, with Damages for the Detention thereof, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Guardians of the Poor: Provided also, that nothing herein contained shall be construed to exonerate the Surety or Sureties of such Officer or Person from the Liability to pay or make good the Balance of any Monies remaining due from such Officer or Person, but such Surety or Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer or Person were still alive, and such Action or Actions had not been commenced or prosecuted against his Executors or Administrators.

Accounts and Assessments to be allowed by Two Justices.

XX. And be it further enacted, That from and after the passing of this Act the Accounts of the said Directors and acting Guardians for each Quarter of the Year, which by the said first-recited Act are directed to be settled at their Four General Quarterly Meetings, and from Time to Time to be laid before the Justices of the Peace at the General Quarter Sessions of the Peace in and for the said County of *Suffolk*, to be held for the Division wherein the said Hundred lies next after each Quarterly Meeting, to be by the said Justices examined, audited, and finally passed, shall and may be so examined, audited, and finally allowed, passed, and signed; and all Rates or Assessments made by the said Directors and acting Guardians shall and may be signed and allowed by any Two Justices of the Peace for the said County, which Allowance shall be as effectual to all Intents and Purposes whatsoever as if the same Accounts, Rates, or Assessments had been allowed by the Justices at such Quarter Sessions, in the Manner prescribed by the said first-recited Act.

Assessments.

XXI. And for ascertaining the Money required for the Purposes of this and the said first-recited Act, be it further enacted, That at the General Quarterly Meeting to be held on *Tuesday* next after the Twenty-fourth Day of *June* One thousand eight hundred and thirty-three, or within Ten Days after that Day, and at every succeeding General Quarterly Meeting, an Account shall be taken from the Books of the said Directors and acting Guardians of all the Costs, Charges, and Expences which shall have been incurred on account of the Poor of each of the Parishes, Hamlets, and Places within the said Hundred, for Maintenance, Clothing, Fuel, and other Relief, as well for those resident in the said House or Houses for the Poor (including the Burial of Paupers dying there) as for those not resident in the said House or Houses, and whether resident in the Hundred or not, and the Premiums upon and other Expences of binding out Apprentices, for the then preceding Quarter, to be computed from Feast Day to Feast Day, and the Amount thereof shall be deemed and taken to be the Sum to be raised, and shall be assessed, imposed, and raised upon each such Parish, Hamlet, and Place for the then current Quarter, to be computed as aforesaid, for defraying the Costs, Charges, and Expences which will be incurred by the said Directors and acting Guardians

Guardians in respect of each such Parish, Hamlet, and Place during that Period, for the Purposes herein-before mentioned ; and the said Directors and acting Guardians are hereby empowered to increase or diminish any succeeding Assessment upon any Parish, Hamlet, or Place, as Occasion may require, so that the respective Parishes, Hamlets, or Places in their succeeding Assessments may have the Benefit or bear the Charge of any Surplus or Deficiency which may happen by reason of any Difference between the Amounts so raised upon them respectively and the Monies expended in the Payment of such Costs, Charges, and Expences as last aforesaid in respect of each such Parish, Hamlet, or Place in every succeeding Quarter ; and further, that the Amount which the said Directors and acting Guardians shall at each such General Quarterly Meeting deem necessary to be raised in the then current Quarter, to be computed as aforesaid, for defraying the general Expences of the said Directors and acting Guardians, shall be assessed, imposed, and raised on the said several Parishes, Hamlets, and Places in the like Proportions as the under-mentioned Sums entered opposite to the Names of the said Places respectively bear to the aggregate Sum of One hundred Pounds ; (that is to say,)

Ashby, Fourteen Shillings and Four-pence ;
Barnby, One Pound Nine Shillings and Seven-pence ;
Belton, Three Pounds Eleven Shillings and Seven-pence ;
Blundeston, One Pound Eighteen Shillings and Sixpence ;
Bradwell, Three Pounds and Eleven Shillings ;
Burgh Castle, Three Pounds and Twelve Shillings ;
Corton, Two Pounds Eighteen Shillings and Nine-pence ;
Carlton Colville, Seven Pounds Five Shillings and Seven-pence ;
Flixton, One Pound Twelve Shillings and Two-pence ;
Fritton, Two Pounds Six Shillings and Four-pence ;
Gisleham, Three Pounds Twelve Shillings and Eight-pence ;
Gorleston, Ten Pounds Thirteen Shillings and Sixpence ;
Gunton, One Pound Seven Shillings and Sixpence ;
Hopton, Seventeen Shillings and Ten-pence ;
Herringfleet, Two Pounds Eight Shillings and Seven-pence ;
Kessingland, Four Pounds and Thirteen Shillings ;
Kirtley, Two Pounds Fourteen Shillings and Three-pence ;
Lound, One Pound Five Shillings and Ten-pence ;
Lowestoft, Twenty-two Pounds Eleven Shillings and Seven-pence ;
Mutford, Two Pounds and Ten Shillings ;
Oulton, Five Pounds Seven Shillings and Sixpence ;
Pakefield, Eight Pounds and Five Shillings ;
Rushmere, One Pound Nine Shillings and Five-pence ;
Somerleyton, Three Pounds Three Shillings and Sixpence ;

Which general Expences so to be assessed, imposed, and raised as aforesaid shall comprise all Charges for Buildings and Repairs, Rent, Taxes, Working Utensils and Machinery, Tithes and Insurances, Money borrowed and Interest, Stipends, Salaries, and Wages of Officers and Servants, with occasional Gratuities, Surgeons and Medical Attendance, Expences of casual Poor, removing Paupers out of the Hundred not belonging thereto, Law Expences (save and except such Law Expences as may be incurred by Orders of Removal of Paupers, and Appeals against such Orders, between disputing Parishes within the said Hundred, which last-mentioned Expences shall

shall be borne by the Parish or Parishes incurring the same), Stationery, Stamps, and all other incidental Expences incurred in carrying this Act and the said first-recited Act into execution not included in the particular Expences before mentioned to be charged to the respective Parishes, Hamlets, or Places (after deducting thereout the total Amount of the Profits of any Work, Business, or Occupation carried on by or under the Direction or on behalf of the said Directors and acting Guardians, and the Earnings of the in-door Poor, first deducting therefrom such Allowances as by the said first-recited Act are directed to be made).

For raising Monies required for such Purposes.

XXII. And for raising such Monies as may be required as aforesaid, be it further enacted, That the said Directors and acting Guardians shall, without Prejudice to the Power herein-before given of increasing or diminishing such Assessment as Occasion may require, at each General Quarterly Meeting of the said Directors and acting Guardians, assess each of such Parishes, Hamlets, and Places in the Sums so respectively herein-before authorized to be assessed and raised on each such Parish, Hamlet, and Place respectively as aforesaid, in and for the then current Quarter, to be computed as aforesaid; and, such Assessment being first allowed by the Justices as herein-before mentioned, the said Directors and acting Guardians, or any Three or more of them (whereof One to be a Director), shall from Time to Time issue Warrants under the Common Seal of the said Corporation to the Churchwardens and Overseers of the Poor, or any of them, in all the Parishes, Hamlets, and Places within the said Hundred, requiring such Churchwardens or Overseers of the Poor to pay, at some particular Time and Place to be specified in the said Warrants, the Sums so assessed upon the said several Parishes, Hamlets, and Places respectively, to the Treasurer of the said Guardians, whose Receipt for the same shall be a legal Discharge to such Churchwardens and Overseers of the Poor; and such Churchwardens and Overseers of the Poor shall from Time to Time, with as much Equality and Indifference as is possible, raise, by Taxation of every Inhabitant, Parson, Vicar, and others, and of every Occupier of Lands, Houses, Tenements, Tithes impropriate, Propriations of Tithes, Coal Mines, or saleable Underwoods in their respective Parishes, Hamlets, and Places, so much Money as shall be assessed upon such respective Parishes, Hamlets, and Places by the said Directors and acting Guardians; for all which Sums of Money so assessed and received by the said Churchwardens and Overseers of the Poor, in case of any Deficiency, the Parishioners and Inhabitants of the said respective Parishes, Hamlets, and Places wherein such Sums of Money shall be so assessed or received shall be answerable, and shall be compellable to pay the same upon a Re-assessment, which in that Case shall be made by the said Directors and acting Guardians assembled at any General Quarterly Meeting; and such Taxes and Assessments, and also such Re-assessments, shall be assessed, levied, and recovered in the like Manner as Money assessed for the Relief of the Poor is by the Laws now in being authorized to be levied and recovered, and with the same Power of Appeal for Persons aggrieved.

Penalty on Churchwardens, &c. refusing to obey Orders of Guardians, &c.

XXIII. And be it further enacted, That the Churchwardens and Overseers of the Poor of the several Parishes, Hamlets, and Places within the said Hundred, and also all Constables and other Parish Officers within the same, shall and they are hereby respectively required to aid and assist the said Guardians, Directors, and acting Guardians, and obey their

Warrants

Warrants and Orders, in all Matters and Things relating to the Execution of the said first-recited Act and this Act, or either of them; and in case any such Churchwarden, Overseer of the Poor, Constable, or other Parish Officer shall refuse or neglect to raise and levy the Sums so assessed upon his respective Parish, Hamlet, or Place, or to pay at the Time and Place appointed the Money so collected and levied, or to do all or any such Acts, Matters, and Things as shall be required of him as aforesaid, or to obey the Warrants and Orders of the said Guardians, Directors, and acting Guardians, or any of them, relative to the Execution of the said first-recited Act and this Act, or either of them, every such Churchwarden, Overseer of the Poor, Constable, or other Parish Officer as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

XXIV. And be it further enacted, That when it shall appear to the said Directors and acting Guardians to whom Application shall be made by the Wife of any Person usually resident within the said Hundred and legally settled there, but who at the Time of such Application shall be absent from the said Hundred, for the Relief of herself or of her Children by such Person, that such Person possesses, or upon his Return within the said Hundred is likely to possess, the Means of supporting his Family, it shall be lawful for the said Directors and acting Guardians to advance, as Part of the particular Expence of the Parish, Hamlet, or Place in which such Wife or Children shall be legally settled, Money, weekly or otherwise, as may be requested, to the Wife so applying, by way of Loan only, and to take her Receipt for and Engagement to repay every Sum to be so advanced; and it shall be lawful for any Two Justices of the Peace for the said County of *Suffolk*, upon the Application, within One Year after such Loan or Loans, of Three or more of the Directors and acting Guardians, or of any Person by them authorized in Writing under their Hands, to summon the Person to whose Wife the Monies shall have been so advanced; and if upon Examination by such Justices in to his Circumstances it shall appear to them that such Person is able by weekly Instalments or otherwise to repay the Whole or any Part of the Monies so advanced, and for which any such Receipt and Engagement shall have been given as aforesaid, it shall be lawful for such Justices to make an Order under their Hands and Seals for the Repayment of the Whole or any Part of such Money at such Time or Times and in such Proportions and Manner as they shall see fit, and upon every Default of Payment to commit such Person to the Common Gaol or House of Correction for the said County of *Suffolk* for any Time not exceeding Three Calendar Months, unless the Sum or Sums which shall be payable by virtue of such Order shall be sooner paid.

Recovery of Money advanced to Families of Absentees.

XXV. Provided always, and be it further enacted, That if any of the said Parishes, Hamlets, or Places shall think themselves aggrieved by any Rate or Assessment to be hereafter made, the Churchwardens and Overseers of the Poor of every such Parish, Hamlet, or Place shall, upon the Request in Writing of the Majority in Value of the Occupiers of Estates within such Parish, Hamlet, or Place (such Value to be ascertained from the Assessments in the last effective Poor's Rate in and for such Parish, Hamlet, or Place), deliver at the House or at one of the Houses for the Poor, at least Twenty-eight Days before the General Quarterly Meeting

Power given to Parishes to object to Assessments.

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of the said Directors and acting Guardians held next after such Assessment shall be made, a Statement in Writing under the Hands of the said Churchwardens and Overseers of the Poor, or of some or one of them, setting forth the Objection or Objections to such Assessment; and thereupon the said Directors and acting Guardians assembled at such General Quarterly Meeting shall examine into the Grounds of such Objections, and amend or confirm the Assessment objected to, as they shall think proper: Provided always, that in case such Assessment shall be amended, the same shall be signed or allowed in such or the like Manner as is by this Act directed touching the Assessments hereby required to be made, before any Warrant shall be issued thereon to levy Money under the same.

If still ag-
grieved, the
Parish may
appeal to the
Quarter
Sessions;

and the De-
termination
of Sessions
to be final.

XXVI. Provided also, and be it further enacted, That it shall be lawful for the Churchwardens and Overseers of the Poor of every such Parish, Hamlet, or Place, and they are hereby required, upon Request in Writing to them given under the Hands of the Majority in Value of the Occupiers of Estates within such Parish, Hamlet, or Place (such Value to be ascertained as aforesaid), and who shall think themselves aggrieved by such Assessment being so amended or confirmed, to appeal against the same to any General or Quarter Sessions of the Peace to be holden in and for the said County of *Suffolk* within Four Calendar Months next after such Amendment or Confirmation; which Court of General or Quarter Sessions of the Peace shall in its Discretion amend or confirm such Assessment, and give such Relief as the Case may require; and the Determination of the said Court shall be final; and if on the hearing of such Appeal the same shall be allowed, the said Court shall award to such Appellants their reasonable Costs, which shall be paid out of the general Funds of the Corporation; but in case such Appeal shall not proceed after Notice given, or shall be dismissed either upon hearing of the Merits or for any other Cause, the said Court shall award to the Respondents in such Appeal their reasonable Costs, which shall be paid by such Appellants.

Notice of
Appeal.

XXVII. And be it further enacted, That the Churchwardens and Overseers of the Poor of every such Parish, Hamlet, or Place so intending to appeal shall, Twenty-eight Days at least before such General or Quarter Sessions of the Peace, deliver or cause to be delivered at the said House or at one of the said Houses for the Poor a Notice in Writing of such Appeal, and the Grounds of Objection to the said Assessment; and upon the hearing of any such Appeal the said Court of General or Quarter Sessions of the Peace shall not examine or inquire into any Causes of Appeal which are not specified in the original Statement of Objections hereby directed to be delivered at the said House or Houses for the Poor: Provided nevertheless, that the Money which shall be assessed by the said Directors and acting Guardians upon any Parish, Hamlet, or Place which shall object to or appeal against the same shall be levied and recovered by the Churchwardens and Overseers of the Poor of such Parish, Hamlet, or Place, in the same Manner and by such and the same Ways and Means, and such Churchwardens and Overseers of the Poor shall be liable to the same Penalties for neglecting to levy and pay in the same to the Treasurer of the said Guardians, as if there had not been any Objection made to or Appeal against the same; and in
case

case such Assessment shall be reduced, either by the said Directors and acting Guardians, or by the Sessions, upon Appeal, then any Surplus paid or levied under the same shall be repaid by the Treasurer of the said Guardians to the Churchwardens and Overseers of such Parish, Hamlet, or Place.

XXVIII. And be it further enacted, That all Bonds hereafter to be given by private Persons to indemnify the Parishes, Hamlets, or Places within the said Hundred respectively from any Charge that may arise from particular Bastard Children shall be made to, and all Orders of Filiation of such Bastard Children, and all Orders for the Maintenance of poor Persons made upon the Relatives of such poor Persons, shall, upon the Complaint of the Churchwardens and Overseers of the Poor of the respective Parishes, Hamlets, or Places to which such Children or poor Persons respectively are chargeable or are likely to become chargeable, be made to and enforced by such Churchwardens and Overseers of the Poor; and it shall be lawful for the said Directors and acting Guardians, by any Bye Laws, Rules, or Regulations to be made from Time to Time as in the said first-recited Act and herein-before mentioned, to delegate to the respective Churchwardens and Overseers of the Poor of such Parishes, Hamlets, and Places, and their Successors for the Time being, all or any of the Powers vested in or exercised by the said Directors and acting Guardians, or in or by the said Guardians of the Poor, or in or by the Treasurer or any other Officer of the said Guardians, with respect to the demanding, suing for, recovering, or receiving Monies under Bonds of Indemnity or Orders of Filiation or of Maintenance given or made for such Purposes as aforesaid before the passing of this Act; and all such Orders of Filiation or of Maintenance already made shall, within One Calendar Month after the passing of this Act, be filed with the Clerk of the said Guardians of the Poor at the House or one of the Houses for the Poor, and all such Orders hereafter to be made shall be so filed by the Churchwardens or Overseers of the Poor, or some or one of them, within One Calendar Month after the Delivery thereof to such Churchwardens or Overseers of the Poor; and a Copy of any such Order, certified under the Common Seal of the said Guardians of the Poor, shall be admissible in Evidence for all Purposes for which the original Order would have been so admissible, without requiring any further Proof of the Execution of such Order or of the Authority of the Justices by whom it shall purport to be executed.

Bastardy Bonds and Orders to be made to Churchwardens and Overseers.

Directors, &c. may delegate Powers as to existing Bastardy Bonds and Orders to Churchwardens and Overseers.

Orders to be filed.

XXIX. And be it further enacted, That at each of the said Four General Quarterly Meetings to be held under the Authority of the said first-recited Act and this Act the said Directors and acting Guardians shall make out and prepare a List of the several Children maintained in the said House or Houses for the Poor, and fit to be placed out as Apprentices, and of the respective Parishes, Hamlets, and Places to which they belong, and shall immediately after such Meeting cause Notice to be given to the Churchwardens and Overseers of the Poor of each of such Parishes, Hamlets, and Places, in order that such Churchwardens and Overseer of the Poor may find Masters or Mistresses for such Children, either with or without a Premium; all which Children the said Directors and acting Guardians are hereby authorized and empowered at any of their said General Quarterly or Weekly Meetings to be holden in pursuance of the

Children to be bound out Apprentices.

said

said first-recited Act or of this Act, with such Consent of Justices as is required by Law, to bind out as Apprentices, by Indenture under the Common Seal of the said Corporation, on the Request of such Churchwardens and Overseers of the Poor respectively, and upon the Payment of such Premiums as the said Churchwardens and Overseers of the Poor may direct and require: Provided always, that in case all such Children as aforesaid shall not be so bound out Apprentices by the then next General Quarterly Meeting of the said Directors and acting Guardians, the said Directors and acting Guardians shall bind out at any such Meeting, and with such Consent and by such Indenture as aforesaid, all such Children who shall remain in the said House or Houses, to such Person or Persons, upon the Payment of such Premium, and in such other Way and Manner, as they shall think proper: Provided also, that nothing herein contained shall authorize or empower the said Directors and acting Guardians to allow any larger Sum or Premium with any Child so bound out Apprentice as aforesaid than the Sum of Twenty Pounds; and no Apprentice so bound out as aforesaid shall be assigned by his or her Master or Mistress, or by the Executors or Administrators of such Master or Mistress, to any other Person, without the Assent of the said Directors and acting Guardians present at one of such General Quarterly or Weekly Meetings, nor where the Child has been apprenticed to learn any Trade or Business to any Person not carrying on the same Trade or Business, without the Consent of such Child, or of his or her Father or Mother, if living, to be expressed in such Assignment, and testified by their executing the same respectively.

Directors and Guardians may act as Justices except when personally interested.

XXX. And be it further enacted, That all such of the said Directors and acting Guardians, and their Successors, as are or shall be Justices of the Peace may act as Justices in the Execution of this Act and the said first-recited Act, notwithstanding their being Directors and acting Guardians, except in Cases where they shall be individually and personally interested.

Justices may appoint Two special Constables.

XXXI. And be it further enacted, That it shall be lawful for His Majesty's Justices of the Peace for the said County of *Suffolk* from Time to Time, on Request made to them by the said Directors and acting Guardians, at any Special or Petty Sessions of the Peace, to nominate and appoint either One Person or Two Persons to be a Special Constable or Special Constables of the said Hundred for the Purposes of this Act and the said first-recited Act, such Special Constable or Constables to have a concurrent Authority with other Constables within the said Hundred, and such Special Constable or Constables, being sworn in before any One or more of His Majesty's Justices of the Peace for the said County of *Suffolk*, shall have such Powers and Authorities, Privileges and Advantages, and be liable to all such Duties and Responsibilities, and subject to such Penalties for Breach of Duty and Misconduct while acting in any Matter connected with the Execution of the said first-recited Act or of this Act, as any Constable within his Constablewick has or is subject or liable to.

Persons paying Rates may be Witnesses.

XXXII. And be it further enacted, That no Person shall be disqualified from being a Witness or from giving Evidence in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever authorized by or relating to the Execution of this Act or the said first-recited Act by reason of Liabilities to pay any of the Rates or Assessments

authorized by this or by the said first-recited Act to be charged, levied, made, or assessed, or any other Rate or Assessment within the said Hundred, or by reason of his being one of the Directors or acting Guardians for putting this Act and the said first-recited Act into execution, or of his holding any Office or Employment under the said Directors and acting Guardians.

XXXIII. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act and the said first-recited Act, or either of them, or by any Bye Law, Rule, Order, or Regulation to be made in pursuance thereof, (the Manner of levying and recovering whereof is not hereby or by the said first-recited Act particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way before One or more Justice or Justices of the Peace of the County, City, Town, or Place wherein the Offender or Offenders shall be or reside, and be levied (as well as the Costs attending such Recovery) by Distress and Sale of the Goods and Chattels of the Offender or Offenders or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized to examine into and hear and determine in a summary Way all Complaints and Offences arising under the said first-recited Act or this Act, or any Bye Law, Rule, Order, or Regulation made or to be made according to the Provisions in that respect therein or herein contained; and the Overplus (if any) of the Money so raised, after discharging the Fine, Penalty, or Forfeiture, and the Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods or Chattels so seized; and it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be made to such Warrants of Distress (unless the Offender or Offenders shall give Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before him or them on such Day as shall be appointed for the Return thereof, not being more than Eight Days from the taking of such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance); and if upon Return of such Warrant or Warrants, or if it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that such Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Fines, Penalties, or Forfeitures, Costs and Charges may be levied, such Justice or Justices shall not be required to issue such Warrant of Distress, but thereupon it shall be lawful for any such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County, City, Town, or Place wherein the Offender or Offenders shall be or reside, for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, Costs, Charges, and Expences, shall be sooner paid; and (where the Application thereof is not otherwise directed) all such Penalties shall be paid to the Treasurer of the said Guardians, to be applied by them to the general Purposes of this Act and the said first-recited Act: Provided always, that where any Penalty sought to be recovered as aforesaid shall exceed the Sum of Ten Pounds, no such

Mode of
Recovery of
Fines and
Forfeitures.

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Proceeding

Proceeding shall be had for the Recovery of the same unless the same be taken before Two Justices of the Peace.

Justices may proceed by Summons in recovering Penalties.

XXXIV. And be it further enacted, That in all Cases in which by this Act and the said first-recited Act or either of them, or by any Bye Law, Rule, Order, or Regulation to be made in pursuance thereof, any Penalty or Forfeiture is made recoverable by Information before any Justice or Justices of the Peace, it shall be lawful for the Justice or Justices of the Peace before whom Complaint shall be made of any Offence committed against this Act and the said first-recited Act, or either of them, or against any such Bye Law, Rule, Order, or Regulation as aforesaid, and he and they is and are hereby required to summon before him or them, or before any other Justice or Justices of the Peace who shall be present at the Time and Place appointed for hearing and determining any such Complaint, the Party complained against, and on such Summons it shall be lawful for the Justice or Justices who shall be present at the Time and Place so appointed in that Behalf as aforesaid, and he or they is and are hereby required, to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited before such Justice or Justices; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Form of Conviction.

XXXV. And for the more easy and speedy Conviction of Offenders against this Act or the said first-recited Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say,)

‘ County of } **BE** it remembered, That on the Day of
 ‘ Suffolk. } in the Year of our Lord
 ‘ is convicted before 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 the
 ‘ Statute [*or contrary to a certain Rule or Regulation made in pursuance*
 ‘ *of the Statute]* passed in the Third Year of the Reign of His Majesty
 ‘ King *William* the Fourth, intituled [*here set forth the Title of this Act*],
 ‘ for which Offence do adjudge the said
 ‘ to have forfeited the Sum of . Given under
 ‘ Hand and Seal the Day and Year first above written.’

Appeal to Quarter Sessions.

XXXVI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by the Judgment of any Justice or Justices, such Person or Persons may appeal to the General or Quarter Sessions of the Peace to be holden for the said County of *Suffolk* next after or next after the Expiration of One Calendar Month from such Conviction, such Appellant or Appellants at the Time of such Conviction entering into Recognizance, with Two sufficient Sureties, conditioned personally to appear at the said Sessions to try such Appeal, and to abide the further Judgment of the Justices at such Sessions assembled; and the said Justices at such General or Quarter Sessions

Sessions shall hear and determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to either Party, and make such Order therein, as the said Justices shall think proper ; and the Determination of such Justices at their General or Quarter Sessions shall be final.

XXXVII. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any of the Matters aforesaid shall be quashed or vacated for Want of Form, or be removed by Certiorari or any other Process whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere ; and when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this or the said first-recited Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making 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 distraining, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case ; but no Plaintiff shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made by or on behalf of the Party or Parties distraining before such Action shall be brought ; and in case no such Tender shall be made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall be advised, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for Want of Form nor removed by Certiorari.

XXXVIII. And be it further enacted, That in all Cases relating to the Poor where any Justice or Justices of the Peace is, are, or shall be empowered by Law to proceed on Complaints made by Churchwardens and Overseers of the Poor or by any of them, (except in Cases of Application for or Proceedings upon Orders of Filiation or of Maintenance as hereinbefore mentioned,) it shall be lawful for such Justice or Justices of the Peace to proceed upon the Complaint of any One of the said Directors or acting Guardians, or of their Governor or Steward of their Poor's House, or of their Clerk or Constable for the Time being, as fully and effectually as if such Complaint had been made by the Churchwardens and Overseers of the Poor of any Parish or Place within the said Hundred.

Justices may proceed on Complaint of Directors, &c. in the same Manner as on Complaint of Overseers.

XXXIX. And be it further enacted, That all Notices and Summonses which are directed and required to be given by the said first-recited Act or this Act, or which are or may be directed or required to be given by any Rule, Order, or Regulation to be made in pursuance of the said first-recited Act or this Act, or which shall or may be necessary for carrying into execution any of the Powers of this Act or the said first-recited Act, or any or either of such Rules, Orders, or Regulations, of which the Manner of serving the same is not particularly directed by this or the said first-recited Act, shall be printed or written, or partly printed and partly written, and shall or may be served either by delivering the same personally to the Person or Persons to whom such Notices or Summonses respectively are to be given, or by leaving the same with some Inmate at his, her, or their usual or last known Place or Places of Abode, and

Serving of Notices, &c.

and with respect to the said Guardians or Directors and acting Guardians, by delivering the same personally to the Clerk of the said Guardians, or by leaving the same at the Office of such Clerk, or with some Inmate at his usual or last known Place of Abode, or in case the same shall not be found or known, or if there shall be no such Clerk, then by leaving the same at the House or at one of the Houses for the Poor, and, being so respectively given or left, shall be deemed to be given and served according to the Meaning of this Act and the said first-recited Act.

Expences of
Act.

XL. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and passing of this Act shall be paid by the Treasurer of the said Guardians out of the Funds of the said Corporation, and shall be deemed Part of their general Expences.

Public Act.

XLI. 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.

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