



ANNO QUADRAGESIMO OCTAVO

# GEORGI II. REGIS.

\*\*\*\*\*

## *Cap. 22.*

An Act to amend and enlarge the Powers of an Act of King *William* the Third, for erecting Hospitals and Workhouses in the Borough of *King's Lynn*, in the County of *Norfolk*, and for the better employing and maintaining the Poor there. [14th April 1808.]

**W**HEREAS in and by an Act made in the Twelfth and Thirteenth Years of the Reign of his Majesty King *William* the Third, intituled, *An Act for erecting Hospitals and Workhouses within the Borough of King's Lynn, in the County of Norfolk; and for better employing and maintaining the Poor there*, certain Persons therein mentioned and their Successors to be chosen in Manner therein directed, were incorporated by the Name and Style of, *the Guardians of the Poor of the Borough of King's Lynn, in the County of Norfolk, and within the Liberties of the same Borough*, and declared to be One Body Politick and Corporate in Law, and to have perpetual Succession and a Common Seal: And whereas the said Guardians have proceeded in the Execution of the said recited Act, but certain of the Powers and Provisions thereof have by Experience been found insufficient for the Purposes thereby intended, and it is expedient that the same should be altered, amended, and certain Parts thereof repealed: But as the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted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

[Loc. & Per.] 4 H

12 & 13 W. 3.

Churchwardens for the Time being to be appointed Guardians.

with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Churchwardens for the Time being of the Parish of *Saint Margaret*, in the said Borough, and the Overseers of the Poor for the Time being for the several and respective Wards within the said Parish of *Saint Margaret*, to be appointed in manner herein mentioned, shall be and be deemed to be Guardians of the Poor of the said Parish of *Saint Margaret*, and shall be added to the Guardians of the Poor of the said Parish of *Saint Margaret*, nominated or chosen by virtue of the said recited Act, and shall have the like Powers and Authorities in as full, ample, and beneficial a Manner to all Intents and Purposes whatsoever, as if they respectively had been nominated or chosen such Guardians by virtue of the said recited Act.

Overseers to be appointed.

II. And be it further enacted, That on the first *Monday* next after the passing of this Act, the Overseers of the Poor of the said Parish of *Saint Margaret* last appointed, shall cease to be such Overseers, and that on such Day or within Ten Days thereafter it shall and may be lawful for any Two of His Majesty's Justices of the Peace for the said Borough, and they are hereby authorized and required, to nominate and appoint for each of the Nine Wards within the said Parish of *Saint Margaret* One fit and proper Person being a substantial Householder within the Ward for which he shall be so nominated and appointed; and such Nine Persons when so nominated and appointed shall continue to be Overseers of the Poor of the said Parish, until Nine other Overseers shall be nominated and appointed in the Manner and at the Time by Law directed, to succeed them; and in *Easter* Week or within One Month after *Easter* in each and every Year, One fit and proper Person for each of the said respective Wards, being a substantial Householder in the Ward for which he shall be nominated and appointed, shall be nominated and appointed in the Manner by Law directed, to be the Nine Overseers of the Poor of the said Parish.

Appointment of new Overseers.

III. And be it further enacted, That such Persons so nominated and appointed Overseers of the Ward for the Time being, shall be and they respectively are hereby declared to be invested with all and every the Powers and Authorities, and shall have and enjoy the same Privileges, Exemptions, and Immunities, and shall be subject and liable to the same Rules, Penalties, and Forfeitures (save and except as may be herein or in the said recited Act excepted) as Overseers of the Poor by the Laws made or to be made touching or concerning the Relief or Management or Employment of the Poor, or the Application of any Rates made for their Use or Maintenance, are or shall be invested with and have and enjoy and be subject and liable to; and such Overseers for the Time being are hereby declared within the said Parish competent to do and perform all and every Act and Acts which Overseers of the Poor are by Law enabled to do and perform, save and except as may be herein excepted.

Power of the Corporation to settle Allowances to the Poor repealed.

IV. And be it further enacted, That so much of the said recited Act as enables the said Corporation, in their Courts or Assemblies, from Time to Time to set down and ascertain what Weekly or Monthly or other Sums shall be needful for the Employment of the Poor of the Workhouse or Workhouses, House or Houses of Correction, Hospital or Hospitals within the Care of the said Corporation, so that the same did not exceed what had



had been paid in the said Borough and the Liberties thereof towards the Maintenance of the Poor thereof in any One of the then Three last Years, and which said Sums so to be set down and ascertained should be assessed, raised, and levied by the Churchwardens and Overseers of the Poor there for the Time being, shall be and the same is hereby repealed and declared to be null and void to all Intents and Purposes whatsoever.

V. And be it further enacted, That it shall and may be lawful to and for the said Corporation, and they are hereby empowered and required from Time to Time and at all Times after the passing of this Act, and as often as Occasion shall require, at any Court or Courts, Assembly or Assemblies, Notice of such Court, Assembly or Assemblies, and of the Purpose thereof, having been first given on the *Sunday* immediately preceeding such Courts or Assemblies respectively, in the Parish Church of *Saint Margaret*, immediately after Morning Service (which Notice the Clerk officiating in the said Parish Church is hereby required to read and give) to make One or more such General Rate or Rates, Assessment or Assessments, as by the several Laws in Force and Effect, Churchwardens and Overseers of the Poor now are or shall or may or could or might be enabled or empowered to make, as they the said Corporation at such Court or Courts, Assembly or Assemblies, shall judge and determine to be necessary in and towards the Relief and Maintenance of the Poor of the said Parish, as well those inhabiting in the said Hospital or Workhouse, as of all the other Poor of the said Parish of *Saint Margaret*; and also for enlarging, rebuilding, or repairing the said Hospital or Workhouse, and other Buildings thereunto belonging, and other the several Purposes that are as well in the said recited Act and this Act, as also in the several Laws in Force and Effect touching and concerning the Relief and Maintenance of the Poor, or in anywise relating thereto, particularly mentioned, and for paying all such Sums of Money as by any Law in Force and Effect are directed to be paid out of any Rate or Rates, Assessment or Assessments, made or to be made for the Relief and Maintenance of the Poor, so that all such Rates or Assessments so to be made, when signed under the Common Seal of the said Corporation, or by the Governor or Deputy Governor for the Time being to the said Corporation, and allowed and confirmed by Two of His Majesty's Justices of the Peace in and for the said Borough, and Notice thereof given on the *Sunday* next after the same shall have been so allowed and confirmed in the Parish Church of *Saint Margaret* aforesaid after Morning Prayers, shall and may be collected and received by any Person or Persons appointed or to be appointed to collect and receive the same by the said Corporation, and all and every such Rate or Rates, Assessment or Assessments so made, allowed, and confirmed, and Notice thereof given as aforesaid, shall be deemed and taken to be as good, valid, and effectual as if the same had been ascertained and made by the Churchwardens and Overseers of the Poor of the said Parish, any Law, Statute, or Usage to the contrary notwithstanding, and no Rate or Rates, Assessment or Assessments shall be made for the Relief of the Poor of the said Parish other than and is or are by this Act directed, and all Monies arising from such Rates or Assessments, together with all Arrears due upon former Rates or Assessments, shall be applied and disposed of towards the Relief and Maintenance of the Poor of the said Parish, as well those inhabiting as not inhabiting the said Hospital or Workhouse, and other the several Purposes of the said recited Act and this Act, and other the Purposes

Rates to be made.



poses mentioned and described in the several Laws in Force and Effect touching or concerning the Relief and Maintenance of the Poor, or in any wile relating thereto; and for paying all such Sums of Money as by any Law in Force and Effect are directed to be paid out of any Rate or Rates, Assessment or Assessments made or to be made for the Relief and Maintenance of the Poor: Provided always, that in case any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Assessment so to be made as aforesaid, he, she, or they shall and may appeal therefrom in the Manner herein directed.

Property to  
be valued  
once in Seven  
Years.

VI. And for the more equal and better assessing and levying of the said Rates; be it further enacted, That the said Corporation shall and they are hereby required Once at least in every Seven Years, to be computed from the passing of this Act, to value or to cause to be valued, by such Ways and Means as to them shall seem right and proper, and shall be by them ordered and directed at any such Court or Assembly, all and every the Houses, Buildings, Lands, Tenements, and Hereditaments, and other the Property within the said Parish, subject and liable to be rated to any Rate or Assessment for the Relief or the Maintenance of the Poor thereof.

Appointment  
of Collectors,  
Clerks and  
other Officers.

VII. And be it further enacted, That it shall and may be lawful to and for the said Corporation at any Court or Assembly to elect and appoint, under such Regulations as they shall deem expedient, One or more Person or Persons to be a Collector or Collectors of the Rates and Assessments authorized to be made, collected, and levied by virtue of this Act, and to take such Security from all such Collectors so elected and appointed as the said Corporation shall think proper for the due Execution of their Offices, and from Time to Time to remove such Collector or Collectors at the Will and Pleasure of them the said Corporation, and out of such Rates and Assessments to be collected and received by virtue of this Act, to give such Salary or Allowance to the said Collectors as to them the said Corporation shall seem fit and proper for their Trouble in the Collection of the Rates and Assessments aforesaid; and all and every Collector and Collectors of the several Rates or Assessments hereby directed to be made, shall at all Times when thereunto required by the said Corporation, make up and render unto the said Corporation at their Courts or Assemblies respectively, a full, true, and perfect Account in Writing, with all necessary Vouchers for the Confirmation thereof, of all Monies by them received respectively for or on account of the said Rates or Assessments, or any of them, and shall produce their respective Rate Books, in order that the said Corporation may be satisfied as to the Sum or Sums of Money rated and assessed, received and to be received, and may give such Directions respecting the same as they shall think proper; and if any such Collector or Collectors shall refuse or neglect to make and render any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment of the Balance of all such Monies as shall appear to be and remain in their Hands respectively by virtue of their respective Offices, or shall refuse or neglect to deliver to the said Corporation or to such Person or Persons as they shall appoint to receive the same, within Ten Days next after being thereunto required by the said Corporation by Notice in Writing given or left at the last or usual Place of Abode of such Collector or Collectors, all Books, Papers, and Writings in his or their Custody or Power relating to the



the Execution of this Act, or give Satisfaction to the said Corporation respecting the same, then and in every such Case upon Complaint made by the said Corporation, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County, City, Borough, or Place wherein such Collector or Collectors so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal for the Person so refusing or neglecting to appear before him, and upon his or her appearing, or having been summoned 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 or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer) it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Person, such Justice may and he is hereby authorized and required upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Person, and if no Goods or Chattels of such Person can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Collector or Collectors shall have refused or neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act, shall be in the Custody or Power of such Collector or Collectors, and he or they shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case, such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, Borough or Place, where such Offender shall be or reside, there to remain without Bail or Mainprize, until he or she shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Corporation for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Corporation are hereby empowered to make and receive) and until he shall deliver up such Books and Writings, or give Satisfaction in respect thereof to the said Corporation: Provided always, that no such Collector so committed for Want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act for any longer Time than Six Calendar Months.

VIII. And be it further enacted, That it shall and may be lawful to and for the Person or Persons to be appointed by the said Corporation as Collector or Collectors of the said Rates or Assessments, and he and they is and are hereby authorized and empowered to receive, levy, and collect the same, and the several Sums of Money arising from such Rates or Assessments, together with all Arrears due upon former Rates or Assessments allowed as aforesaid, shall and may be received, levied, and collected Quarterly or otherwise, at the Discretion of the said Corporation; and for the better enabling such Collector or Collectors so to receive, levy, and collect all such Rates and Assessments, or any of them, it shall and may be lawful to and for such Collector or Collectors to execute all such Warrants of Distress, as shall be granted from Time to Time by any Justice or Justices of the Peace, in the Manner herein directed, against

[Loc. & Per.]

4 I

any

Collectors  
empowered  
to levy Rates.



any Person or Persons neglecting or refusing to pay such Rates or Assessments, or any of them, in the same Manner and as fully and effectually to all Intents and Purposes, as Overseers of the Poor by any Law or Laws in Force and Effect can or may execute the same.

How Rates  
are to be levied  
on Refusal.

IX. And for the better and more effectual raising and levying of the several Rates and Assessments by this Act directed to be made; be it further enacted, That in case any Landlord or Occupier, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of any Land, Ground, Dwelling House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, within the said Parish, herein-before made liable to pay any Rate or Assessment to be made, laid, and assessed by virtue of this Act, shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively, and all Arrears due thereon, or upon any former Rate or Rates, it shall and may be lawful to and for any Two or more of His Majesty's Justices of the Peace for the said Borough, One whereof shall be the Mayor for the Time being or his Deputy, and they are hereby authorized and required to summon, by Writing under their Hands, all and every Person and Persons who shall have refused or neglected as aforesaid (upon Oath being made before them by the Collector or Collectors appointed by the said Corporation as aforesaid for the Time being, of his or their having attended upon or at the Dwelling House or last Place of Abode of all and every Person or Persons then intended to be summoned, and having demanded the Rate or Rates, Assessment or Assessments, and of the Neglect or Refusal of such Person or Persons having refused or neglected to pay the said Rate or Rates, and of his having made Report of such Arrears to the said Corporation at any of their Courts or Assemblies, and received their Directions for summoning such Person or Persons refusing or neglecting to pay the Monies rated and assessed upon him, her, or them respectively) to appear before such Justices at a Time and Place to be mentioned in such Summons, and it shall and may be lawful to and for the Collector or Collectors appointed or to be appointed by the said Corporation, or for any of the Constables or Beadles of the said Parish, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either, by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their last or usual Place or Places of Abode, or at the Premises for which the Rate or Rates, Assessment or Assessments, mentioned in such Summons shall remain due and owing; and if any Person or Persons so summoned, shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend and shall not shew good and sufficient Cause to such Justices that he, she, or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such Case all and every Person and Persons who shall have been so summoned, shall pay the reasonable Costs and Charges of such Summons, and in all Cases where the said Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons it shall and may be lawful to and for the Justices who shall have issued such Summons or Summonses as aforesaid, and they are hereby authorized and required upon Oath made before them of the due Service of such Summons or Summonses by the Party who shall have served the same, to grant a Warrant or Warrants under their Hands and  
Seals,



Shals, authorizing or directing the said Collector or Collectors, or any Constable or Beadle of the said Parish, to collect or levy all and every such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the Costs and Charges of the Summons (if the same shall not have been before paid, and the Costs, Charges, and Expences of such Warrant and of executing the same, by Distress of the Goods and Chattels of the Party so neglecting, or refusing; and if within Four Days next after any such Distress shall be made, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, shall not be paid together with the reasonable Charges of the said Summons (if such Summons shall not have been before paid for) and Warrant, and of making such Distress and keeping such Goods and Chattels, the said Collector or Collectors, Constable or Constables, Beadle or Beadles, shall cause the said Goods to be appraised by One or more Appraiser or Appraisers, and to be sold, or such Part or Parts thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the reasonable Costs, Charges, and Expences aforesaid, and the Costs, Charges, and Expences of appraising and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them.

X. And be it further enacted, That every Warrant of Distress for Non-payment of any Rate or Assessment to be made by virtue of this Act, shall be in the Words or to the Effect following:

Form of Warrant of Distress for Non-payment of Rates, &c.

“ To the Churchwardens, Overseers and Collectors of the Poor  
 “ Rates in the Parish of *Saint Margaret*, in the Borough of  
 “ *King's Lynn*, and to all Constables and other Peace Officers for  
 “ the same Parish.

WHEREAS the undermentioned Persons now or late Inhabitants, Holders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Part of some Building or Tenement within the said Parish of *Saint Margaret*, were and are truly rated and assessed or liable to the Rate or Rates duly made for the Purpose of an Act made in the Forty-eighth Year of the Reign of King *George* the Third, intituled, [*set forth the Title of the Act*]: And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names hereunder respectively set down, for Money due from them for or towards the Purposes in the said Act mentioned, and the said several Sum and Sums are still remaining due, in Arrears and unpaid, as appeareth upon Oath to us Two of His Majesty's Justices of the Peace for the said Borough, and the said several Persons having been summoned to appear before us to answer the Premises, as also appeareth to us the said Justices upon Oath, that nor either of them having shewn any sufficient Cause why such Sum or Sums of Money should not be paid: These are therefore in His Majesty's Name to will and require you or either of you forthwith to levy the said several Sums due from the said Persons, and hereunder joined to or set against their Names respectively, by Distress and Sale of their respective Goods and Chattels (such Goods and Chattels being kept for the Space of Four Days before the same are sold) rendering to them respectively, on Demand, the Overplus (if



(if any be) the reasonable Charges of such Distress, Sale and Keeping, being first deducted; and if no sufficient Distress can be had or taken, that then you certify the same to us, to the End such further Proceedings may be had therein as to the Law doth appertain; and we do hereby strictly charge and command all and singular the Constables and other His Majesty's Peace Officers for the said Borough, to be aiding and assisting in all Things relating to the Premises. Given under Our Hands and Seals this                      Day of                      in the Year of our Lord

Sums due.			
	£.	s.	d.
A. B.	-	-	-
C. D.	-	-	-
E. F. The Landlord for divided	-	-	-
G. H.	-	-	-

New Rates may be collected from Parties removing.

XI. And be it further enacted, That in case any Person or Persons shall remove out of or from or quit the Possession of any House, Shop, Building, Tenement, or other Premises, before such Rate or Rates, Assessment or Assessments charged thereon respectively shall be paid and discharged, or if any Person or Persons shall enter into the Occupation of any House, Shop, Building, Tenement, or other Premises in the said Parish, out of or from which any other Person or Persons shall have so removed before such Rate or Rates, Assessment or Assessments, shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from or quitting the Possession of, and the Person or Persons entering into the Occupation of any such House, Shop, Building, Tenement, or other Premises, shall be respectively subject and liable to the Payment of all such Rates and Assessments in proportion to the Time that such Persons respectively possessed or occupied the same, in the same Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession or Occupation of such House, Shop, Building, Tenement, or other Premises, or the Person or Persons so entering into the Possession or Occupation thereof respectively had been originally rated and assessed to such Rates or Assessments, or any of them; and such Proportion shall be ascertained by the said Corporation at any Court or Assembly; and in case of any Dispute respecting the Amount or Proportion thereof, the same shall be settled by any Two or more of His Majesty's Justices of the Peace for the said Borough.

Actions may be brought for Rates.

XII. And be it further enacted, That it shall and may be lawful to and for the said Corporation, if they shall think expedient, to bring or cause to be brought any Action or Actions of Debt, or on the Case for any of such Rates and Assessments, and in such Action or Actions to declare generally that the Defendant or Defendants is or are indebted to the said Corporation in the Sum or Sums of Money claimed to be due for any such Rates or Assessments as aforesaid, without any further or other particular Statement, and in every such Action the Defendant or Defendants may be held to Special Bail, on the Affidavit or Affidavits of the Collector or Collectors of such Rates or Assessments for the Time being; that the Sum or Sums claimed doth or do amount to the Sum of Ten Pounds or upwards, and is or are unpaid; and in case the said Corporation shall



in any such Action or Actions recover the Sum or Sums declared for, or any Part thereof, they shall have and recover full Costs, to be levied and recovered as other Monies upon Judgements may now by Law be levied and recovered; and in such Action or Actions no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

XIII. And be it further enacted, That where any Messuage, House, Tenement, or other Premises, within the said Parish of *Saint Margaret*, shall be let into separate Tenements, or into separate Rooms or Apartments, or where any Messuage, House, Tenement or Building, with the Yards and Gardens thereto belonging, or any other Property within the said Parish of *Saint Margaret*, shall be let at an annual Rent not exceeding Eight Pounds, it shall and may be lawful to and for the said Corporation in each and every such Case to rate or assess the Landlord or Owner with the whole Rate or Assessment under this Act, and the Landlord or Owner shall in each and every such Case be charged with and liable to pay the whole Rate or Assessment accordingly; but it shall and may be lawful to and for every such Landlord or Owner to recover of his or her respective Tenant every such Rate or Assessment as Rent, and by the same Means as he or she shall or may be enabled to recover his or her Rent or respective Rents.

For the better recovering Rates on Houses let at small Rents.

XIV. And be it further enacted, That where any Messuage, House, Tenement, or other Premises within the said Parish of *Saint Margaret* shall be let into ready furnished Lodgings, the Landlord or Owner of every such Messuage, House, Tenement, or other Premises, shall for the Purposes of this Act be deemed and taken to be the Occupier thereof, and shall be rated to and pay the several Rates and Assessments made by virtue of this Act.

Persons letting Houses in ready furnished Lodgings shall be deemed the Occupiers for the Purposes of this Act.

XV. Provided always, and be it further enacted, That the Goods and Chattels of all and every Person or Persons renting or occupying any such Messuage, House, Tenement, or other Premises, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, and of all Arrears thereof, as became due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them and Arrears thereof, than the Amount of the Rent actually due and payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, of the Premises so occupied by him, her, or them: Provided also, that each and every Occupier of any furnished Lodging who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent due and payable from him, her, or them to the respective Landlords or Owners of the Premises (unless there shall be some Agreement to the contrary between the Landlord or Tenant), and the Receipt for such Payment shall be a sufficient Discharge to such Occupier or Occupiers, and to his, her, or their Landlord or Landlords, for so much Money as he, she, or they, shall pay in the Manner directed by this Act: Provided also, That no such Tenant or

Provision that the Goods of Occupiers may be distrained for Rates.

[Loc. & Per.]

4 K

Occupier,



Occupier, by Payment of any such Rate or Rates, Assessment or Assessments, in Manner aforesaid, shall be deemed to acquire any Settlement in the said Parish, but in every such Case the Landlord or Owner of the Premises shall be deemed and construed to have paid the same, any Law, Statute, or Usage, to the contrary thereof in anywise notwithstanding.

Houses unoccupied not rateable.

XVI. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay any Rate or Assessment to be made under the Authority of this Act, for or in respect of any Messuage, House, or other Building, or of any Land which shall be unoccupied during the Whole of the Quarter of a Year, in or which the Quarterly Portion of Rate or Assessment demanded shall have become or accrued due.

Books may be inspected, &c.

XVII. And be it further enacted, That all and every such Rate or Rates, Assessment or Assessments, and all Books of Accounts concerning the Receipts, Payments, and Disbursements, shall from Time to Time, and at all convenient Times, upon Application being made to the Registrar or Clerk to the said Corporation, be open to the Inspection and Perusal of any Person or Persons paying to such Rate or Rates, Assessment or Assessments; and that the Registrar or Clerk for the Time being to the said Corporation shall, at the Request of any Person or Persons paying to such Rates or Assessments as aforesaid, make or cause to be made a Copy or Copies of the said Rates or Assessments, or any Part of them, within a reasonable Time after demanded, such Person or Persons paying such a Sum of Money for the same as by Law now provided.

Corporation shall print and publish their Accounts annually.

XVIII. And be it further enacted, That the said Corporation shall and they are hereby required once in every Year to print and publish, or cause to be printed and published, at least Two hundred Copies of the Account of all Receipts and Disbursements, Debts and Credits of the said Corporation, and to give One Copy to the several Members of the said Corporation, and the Residue thereof shall be distributed amongst the several Persons paying to such Rate or Rates, Assessment or Assessments, as aforesaid, applying for the same.

Power for Inhabitants to be Witnesses.

XIX. And be it further enacted, That no Person shall in any Action, Prosecution, Information, Cause, or Proceeding whatsoever relating to or concerning the Execution of the said recited Act and this Act, or either of them, be deemed incompetent to give Evidence therein by reason of his or her being rated to and liable to pay any Rate or Assessment made in pursuance of this Act.

Power to borrow Money.

XX. And be it further enacted, That in case it shall appear to the said Corporation at any Court or Assembly, that it shall be necessary for the several Purposes of the said recited Act and this Act, or either of them, to take up any Sum or Sums of Money by Loan, over and above any such Rates or Assessments to be made and levied as aforesaid, then and in every such Case it shall and may be lawful to and for any Fifteen or more of the said Guardians, at any Court or Assembly, from Time to Time to borrow and take up at Interest such Sum or Sums of Money, as they shall judge necessary, for such Purposes, upon the Credit of the said Rates or Assessments to be made, levied, and collected by virtue of this Act, so that the whole Sum due and owing on the Credit of the said Rates or Assessments at any One Time shall not exceed One thousand Pounds, and



and by Writing under the Seal of the said Corporation, to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon, not exceeding the Sum of One thousand Pounds, or to his, her, or their Trustee or Trustees as a Security for the Principal Money to be advanced, with legal Interest for the same, and the Charges and Expences of such Assignment thereof (to be made as hereafter mentioned) shall be from Time to Time defrayed by the said Corporation out of the Monies so borrowed, and every such Assignment shall be in the Words or to the Effect following:

WE the Guardians of the Poor of the Borough of *King's Lynn* in the County of *Norfolk*, and within the Liberties of the same Borough, by or in pursuance of an Act of Parliament, passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled, [*here set forth the Title of this Act*] in consideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said *A. B.* (or to his Trustee or Trustees, as the Case may require) his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments to be raised, levied, and collected by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing, or be charged upon the Credit of the said Rates or Assessments, to be had and holden from this Day of until the said Sum of with Interest at *per Centum per Annum* for the same shall be repaid and satisfied. Given under our Common Seal the Day of in the Year

And every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall be made, his, her or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

**XXI.** And be it further enacted, That it shall and may be lawful to and for the Persons entitled to any of the said Securities, and their respective Executors, Administrators, or Assigns, at any Time by Writing under their Hands and Seals to transfer such Securities to any Person or Persons whomsoever, and every such Transfer may be in the Words or to the Effect following:

Power of transferring Assignments and Annuities in a prescribed Form

I *A. B.* being entitled to the Sum of by virtue of an Assignment bearing Date the Day of under the Seal of the Guardians of the Poor of the Borough of *King's Lynn*, in the County of *Norfolk*, and within the Liberties of the said Borough, upon the Credit of the Rates or Assessments, do hereby transfer all my Right and Title in and to the same Sum, and all Interests and other Money now due and arising thereon, unto *E. F.* his Executors, Administrators, and Assigns. Dated the Day of

And a Copy of every Security or Assignment which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Registrar or Clerk to the said Corporation, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall



at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the said Registrar or Clerk shall be paid by the Person to whom such Transfer shall be made, the Sum of Three Shillings and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Application  
of Money  
borrowed.

XXII. And be it further enacted, That all the Money which may be borrowed, advanced, or lent as aforesaid on the Credit of the said Rates or Assessments, shall be paid to the Treasurer for the Time being to the said Corporation, or to such Person or Persons as they shall appoint, and the same shall be applied and disposed of in paying and defraying the Costs, Charges, and Expences of obtaining and passing this Act, and for other the Purposes of this Act, and for no other Use, Intent, or Purpose whatsoever.

Appeal.

XXIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made by virtue of this Act, or by any Order, Judgement, or Determination of the said Corporation, or by any other Matter or Thing done or directed to be done or committed by or by Order of the said Corporation, such Person or Persons may appeal to the said Corporation at any Court or Assembly to be holden within Three Calendar Months next after the Cause of Complaint shall have arisen, or any Matter or Thing done or committed by or by Order of the said Corporation, and the said Guardians at such Court or Assembly, or any Fifteen or more of them, are hereby authorized and empowered, if they shall think such Persons aggrieved, to give such Relief in the Premises as to them shall seem fit and necessary, and if any such Person or Persons shall not be satisfied with the Determination of the said Guardians, or if any Person or Persons shall think himself, herself, or themselves, aggrieved by reason of any Judgement, Order, or Determination, of any Justice or Justices of the Peace acting in the Execution of this Act, then and in every such Case he, she, or they may appeal to the General Quarter Sessions of the Peace to be holden for the said Borough, within Four Calendar Months next after such Determination of the said Guardians, or any Fifteen or more of them, or after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given, Ten Days Notice at least in Writing of his, her, or their Intention to bring such Appeal and of the Matter thereof to the Registrar or Clerk to the said Corporation, and within Three Days next after such Notice entering into a Recognizance with sufficient Sureties, in the Sum of Thirty Pounds before some Justice of the Peace for the said Borough, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General Quarter Sessions, and the said Justices at such General Quarter Sessions, upon due Proof of such Notice 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 award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper, and the said Justices may if they see cause order any Money to be returned which shall have been levied in pursuance of such Judgement or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall think reasonable.

XXIV. Provided



XXIV. Provided always, and be it enacted, That on Appeal from the said Rates or Assessments or any of them to be made for the Purposes of this Act, the Justices at such General Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same, but if upon Appeal from the whole Rate or Assessment it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Justices may relieve on Appeal against Rates without quashing the whole Assessment.

XXV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Want of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action upon the Case: Provided always, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Registrar or Clerk to the said Corporation, or left at his last or usual Place of Abode, Ten Days before such Action shall be commenced, of such intended Action, 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 have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgement shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Distress not unlawful for Want of Form merely.

Plaintiff not to recover without Notice, or after Tender of Amends.

XXVI. Provided always, and be it enacted, That no Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons for any Thing done or to be done by virtue or in pursuance of this Act, after Three Calendar Months next after the Fact committed, or the Cause of such Action shall have arisen; and every such Action shall be brought and laid in the County of *Norfolk*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead at his, her, or their Election specially or 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 or by the Authority of this Act, and if upon the Trial of such Action or Suit it shall appear to have been so done, or that such Action or Suit shall have been brought before the Expiration of Fourteen Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid,

Limitation of Actions.

[Loc. & Per.]

4 L

said,



said, or after the Time limited for bringing the same as aforesaid, or be brought or laid in any other County than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Action or Suit, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if upon Demurrer, Judgement shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover full Costs, and have such and the like Remedy for recovering the same as any Defendant or Defendants hath or have for recovering Costs of Suit in any other Cases by Law.

Provisions of  
former Acts  
extended to  
this Act.

XXVII. And be it further enacted, That the said recited Act, and all other Acts now in force for levying and collecting the Rates for the Relief of the Poor within that Part of the United Kingdom called *England*, and all and every the Powers, Authorities, Restrictions, Indemnities, Protections, Exemptions, Penalties, Forfeitures, Matters and Things therein respectively contained, save and except such Parts thereof as are varied, altered, or repealed by this Act, or by an Act made in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for paving, cleansing, lighting, watching, and improving the Borough of King's Lynn, in the County of Norfolk; and for removing Nuisances and Annoyances therein; and for holding the Saturday and Beast Markets within more convenient Parts of the said Borough*, shall be as good, valid, and effectual for carrying this Act into Execution, to all Intents and Purposes whatsoever, as if the same had been particularly repeated and re-enacted in the Body of this present Act.

Act not to ex-  
tend to South  
Lynn All  
Saints.

XXVIII. Provided always, and be it enacted, That nothing in the said recited Act or this Act contained shall extend, or be construed to extend, to the Parish of *South Lynn* otherwise *All Saints* within the said Borough.

For paying  
Expences of  
Act.

XXIX. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid by the Treasurer for the Time being to the said Corporation out of the Monies already collected or received and paid into his Hands, or to be collected and received by him by virtue of this Act, in preference to all other Payments whatsoever.

Publick Act

XXX. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1808.