Anno quarto

Georgii III. Regis.

An Act to amend, and render more effectual, an Act passed in the Twenty ninth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for the better Relief and Employment of the Poor in the Hundreds of* Colneis *and* Carlford, *in the County of* Suffolk.



WHEREAS by an Act of Parliament passed in the Twenty-ninth Year of the Reign of His late Majesty King George the Second, intituled, An Act for the better Relief and Employment of the Poor in the Hundreds of *Colneis* and *Carlford*, in the County of *Suffolk*, it was enacted, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty six, all and every Person and Persons who should then be, and from time to time should thereafter become seised in his, her, or their own Right, of Lands or Tenements rated to the Poor's Rates in their respective Parishes within the Hundreds of Colneis and Carlford, in the County of Suffolk, at the Value of Thirty Pounds per Annum, and also all Rectors and Vicars Preamble.

Vicars for the time being of the several Rectories and Vicarages within the said Hundreds, and also all and every Person and Persons who then, and from time to time hereafter, should be rated to the Poor's Rates, in One or more Parish or Parishes within the said Hundreds, for Lands, Tenements, Hereditaments, or Tythes occupied and enjoyed by him, her, or them, at the Value of Sixty Pounds per Annum, were incorporated by the Name of The Guardians of the Poor within the Hundreds of *Colneis* and *Carlford*, in the County of *Suffolk*; and several Powers and Authorities were granted, and several Provisions were made, in the said Act, for the better Government and Regulation of the Poor within the said Hundreds of Colneis and Carlford; which said Act hath been found defective in several Matters, and, by reason of such Defects, the said Guardians have been put to considerable unnecessary Expences, and other Inconveniencies have ensued: For Remedy whereof, and to render the said Act more effectual, may it please Your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Apprentice already bound, or at any Time hereafter to be bound, as any Person in pursuance of the said Act, shall (except with the Consent of the Directors and acting Guardians present at a Weekly Meeting to be held in pursuance of the said Act) be hereafter assigned or turned over to any other Person; but with such Consent any such Apprentice shall and may be assigned and turned over to any other Person whatsoever; any thing contained in the said Act to the contrary thereof notwithstanding.

Apprentices to be turned over with Consent of Directors, &c. to any other Master.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Directors and acting Guardians by the said Act directed to be chosen, by and with the Consent of any Two Justices of the Peace for the said County of Suffolk, to bind any poor Children who shall or may be under the Government or Management of the said Guardians, at any Time before such Children, being Males, shall attain the Age of Eighteen Years, and being Females, the Age of Sixteen Years, to be Apprentices for the Term of Seven Years, to the Governor or Steward directed to be appointed by the said Act for the time being; and on the Death, Resignation, or Removal of such Governor or Steward, such Apprentices, so bound to the Governor or Steward,

Directors and acting Guardians, with Consent of Justices, may bind Apprentices to the Governor, &c.

shall

shall belong or appertain to the succeeding Governor or Steward, without any formal Assignment being made to bind or such Apprentices; and so from time to time to the Governor or Steward for the time being, until the Expiration of the said Term of Seven Years, for which such Children shall have been respectively bound, and such Children shall respectively serve the said Governor or Steward for the time being as Apprentices until the End of the said Term; and shall during the said Term be considered as Apprentices to the said Governor or Steward for the time being, to all Intents and Purposes, in the same Manner as if they had been originally bound to every such Governor or Steward respectively; and such Children, so to be bound Apprentices to the said Governor or Steward, shall be provided for and maintained by the said Guardians, during such their respective Apprenticeships, in the same Manner as other poor Children are to be provided for and maintained by virtue of the said Act; and all Profits, Benefits, and Advantages arising from such Apprentices, so bound to the said Governor or Steward, shall be accounted for to the said Guardians, and shall be had, received, and taken by them, and be applied for the Purposes of the said Act.

Apprentices may let out to the Poor to work.

And be it enacted by the Authority aforesaid, That the said Directors and acting Guardians may, on Application made by any Farmer or other Persons, let out such a Number of any of the poor Persons, who shall or may be maintained in the House or Houses for the Poor built in pursuance of the said Act, as shall be so required, in Harvest, Hop-gathering, or other Work, suited to the Strength and Ability of such poor Persons, on a Contract for their Labour and Maintenance, and for such Wages as shall be agreed for between the said Directors and acting Guardians and the Person or Persons hiring such poor Persons; which Wages shall be paid to the Treasurer of the said Guardians, and given to or by him accounted for, and applied for the Purposes of the said Act.

Directors and acting Guardians may make By laws, Rules, &c.

And be it further enacted by the Authority aforesaid, That the said Directors and acting Guardians of the Poor, by the said Act directed to be chosen for the time being, shall have, and they are hereby declared to have, full Power and Authority to make from time to time such By-laws, Rules, Orders, and Constitutions, as well for the better governing the said Corporation, as for the better governing, employing, and supporting the

said

said poor Persons maintained by the said Guardians, and for the better carrying on any Trade that shall be set on Foot for the Employment of the said Poor, and for other the Ends and Purposes of the said former Act and this present Act; and from time to time to repeal, alter, or amend any such By-laws, Rules, Orders, or Constitutions concerning the said poor Persons, as have already been made either by the said Guardians, or by the said Directors and acting Guardians, or shall at any Time hereafter be made by the said Directors and acting Guardians, as to them the said Directors and acting Guardians shall seem meet; so as such By-laws, Rules, Orders, and Constitutions are not repugnant to the Laws of the Land.

Number to be present.

Provided always, That not less than Nine of the said Directors and acting Guardians (whereof Three at the least to be Directors) shall be present at every Meeting for such Purpose, and the major Part of them then present (of which major Part Three at the least to be Directors) shall give their Assent to such By-laws, Rules, Orders, or Constitutions, and to any such Repeal, Alterations, or Amendments.

Four General Quarterly Meetings to be held.

And be it further enacted, That Four General Quarterly Meetings shall be held by the said Directors and acting Guardians in each Year, on the several Days, and at the respective Places, appointed by the said Act for holding the Four General Quarterly Meetings directed by the said Act; and at every such General Meeting of the said Directors and acting Guardians, to be held on the Wednesday in Easter Week, the then Directors and acting Guardians shall by Ballot fill up any Vacancies that may have happened in the Twenty four Directors, by Death, Removal, or Refusal of acting; and shall by Ballot proceed to choose Thirty six of the Guardians, Twelve of which at least shall not have been acting Guardians the preceding Year, to be acting Guardians together with the said Twenty four Directors for the following Year; that is to say, until the next Wednesday in Easter Week which shall be in the ensuing Year; and at the said General Meeting in Easter Week the Directors and acting Guardians then present shall examine and audit the Treasurer's Accounts, and then shall by Ballot re-elect the same or any other Person to be Treasurer for the following Year, and so from Year to Year on every succeeding Wednesday in Easter Week for ever.

Provided

Vacancies may be filled up at any General Quarterly Meeting.

Provided also, and be it further enacted, That at any other of the said General Quarterly Meetings, the Directors and acting Guardians present at such Meetings shall and may fill up any Vacancies that may have happened within the Year in the Twenty four Directors and Thirty six acting Guardians, by Death or otherwise, by way of Ballot as aforesaid.

Number to be present at the Quarterly Meetings.

Provided always, and be it enacted by the Authority aforesaid, That at all the said Four General Quarterly Meetings by this Act directed to be held, not less than Nine of the said Directors and acting Guardians together (whereof Three at the least shall be Directors) shall be present; and that the major Part so assembled (of which major Part Three at the least shall be Directors) shall give their Assent to every Order made at such Meeting.

Directors and acting Guardians to be appointed for each Quarter to provide for Poor.

And be it further enacted by the Authority aforesaid, That the said Directors and acting Guardians shall, at the said General Meeting to be had on the Wednesday in Easter Week, appoint Fifteen Directors and acting Guardians (whereof Six at the least to be Directors for each Quarter of the succeeding Year) to inspect, direct, manage, and provide for the said poor People in the House or Houses entered in pursuance of the said Act; and for that Purpose, the said Fifteen Directors and acting Guardians, or any Three or more of them (whereof One to be a Director) shall, in the respective Quarters of the Year for which they shall be appointed as aforesaid, meet at the said House or Houses built for the Reception of the Poor aforesaid every Monday Morning, or oftener if it shall be necessary, together with the Clerk of the said Guardians for the time being; 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 in such House or Houses, and for carrying into Execution such Rules, Orders, and Constitutions, and such Powers and Authorities, as shall be from time to time made and granted by the said Directors and acting Guardians.

Directors and acting Guardians by Agreement may divide into Committees to act monthly.

Provided also, 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, may and are hereby authorized, by Agreement amongst themselves, to divide themselves into Committees of Five to act for each Month in each Quarter; but so as not to preclude any

of

of such Fifteen from being present or voting at any such Weekly or other Meeting aforesaid; and if there shall not be present at any Meeting so appointed to be held, Three Directors and acting Guardians together (One whereof shall be a Director) every Director, who, by any such Agreement as aforesaid, ought to have attended, and shall be absent, shall, for every such Offence forfeit the Sum of Twenty Shillings; and every Guardian, who, by any such Agreement as aforesaid, ought to have attended, and shall be absent, shall for every such Offence forfeit the Sum of Ten Shillings, to be levied by Distress and Sale of the Goods and Chattles of such Director or acting Guardian, by Warrant under the Hand and Seal of any One Justice of the Peace for the said County of Suffolk; and such Forfeiture shall be paid to the Treasurer of the said Guardians, and added by him to the Common Stock for the Use of the said Poor.

Penalty on Non-attendance.

Accounts to be settled;

And be it further enacted by the Authority aforesaid, That at the said Four General Quarterly Meetings, the said Fifteen Directors and acting Guardians for the preceding Quarter respectively shall settle their Accounts, and from time to time shall cause the same to be delivered by the Treasurer or Clerk to the said Guardians for the time being, or other Officer, to the Clerk of the Peace, or his Deputy, at the next Quarter Sessions to be held for the said County of Suffolk at Ipswich or Woodbridge; and the said Clerk of the Peace, or his Deputy, shall lay the same before the Justices of the Peace at such Sessions, to be by the said Justices examined, audited, and finally passed, for which a Fee of Ten Shillings and Six Pence, and no more, shall be paid to the Clerk of the Peace, or his Deputy, and no other Fee or Reward shall be paid to, or be had, received, or taken by, the Clerk of the Peace, or his Deputy, or any other Person or Persons, under any Pretext whatsoever.

and laid before Justices at Quarter Sessions.

Churchwardens, &c. may raise Money by Taxation on the Inhabitants, &c.

And be it further enacted by the Authority aforesaid, That at the said Four General Quarterly Meetings, the said Directors and acting Guardians shall and may, and they are hereby impowered to assess such Sum and Sums of Money, not exceeding the respective Rates mentioned in the said Act, upon the several Parishes and Places within the said Hundreds, as they the said Directors and acting Guardians shall judge necessary for paying the Interest due on the Money borrowed by virtue of the said Act, and for defraying the Expences of

the current Quarter, and for and towards paying off and discharging the Principal Money so borrowed; and such Assessments being delivered to the Clerk of the Peace, or his Deputy, at the next General Quarter Sessions to be held at Ipswich or Woodbridge, and being allowed by the Justices of the Peace at such Sessions assembled (for which Delivery and Allowance no Fee or Reward whatsoever shall be had, received, or taken, by any Person or Persons whomsoever) the said Directors and acting Guardians for the time being, or any Three or more of them (whereof One to be a Director) shall be and they are hereby impowered to issue Warrants, under the Seal of the said Corporation, to the Churchwardens or Overseers of the Poor in all or every of the several Parishes and Places within the said Hundreds, requiring such Churchwardens or Overseers to pay at some particular Time and Place, to be specified in the said Warrants, the Sums so assessed upon the said several Parishes and Places respectively, to the Treasurer of the said Guardians for the time being, whose Receipt for the same shall be a legal Discharge to such respective Churchwardens and Overseers of the Poor: And for raising the Sums so assessed by the said Directors and acting Guardians, such respective Churchwardens and Overseers of the Poor shall from time to time, and they are hereby required, with as much Equality and Indifference as is possible, to raise by Taxation of every Inhabitant, Parson, Vicar, and others, and of every Occupier of Lands, Houses, Tythes Impropriate, Propriations of Tythes, Coal Mines, or saleable Underwoods in their respective Parishes and Places, so much Money as shall be assessed upon such respective Parishes and Places by such Directors and acting Guardians, in such and the like Manner as Money for the Relief of the Poor is by the Laws now in being to be raised; with such and the like Remedy to Persons aggrieved, by way of Appeal, as is given concerning Rates or Assessments made for the Relief of the Poor by the Laws now in being; for all which Sums of Money so assessed and received by the Churchwardens and Overseers of the Poor, in case of any Deficiency, the Parishioners and Inhabitants of the said respective Parishes 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, is hereby directed to be made by the Directors and acting Guardians assembled at any General Quarterly Meeting; and such Taxes and Assessments,

Churchwardens, &c. may raise Money by Taxation on the Inhabitants, &c.

and also such Re-assessments, shall be levied and recovered in such and the like Manner as Money assessed for the Relief of the Poor is, by the Laws now in being, to be levied and recovered.

Churchwardens, &c. to assist the Directors, &c.

And be it further enacted, That the Churchwardens, Overseers of the Poor, and Constables, and other Parish Officers for the time being, shall, from time to time, and at all Times hereafter, aid and assist the said Directors and acting Guardians to the best of their Power, and shall at all Times obey their Warrants and reasonable Orders relative to the Execution of the said former Act and of this present Act: And in case any Churchwarden or Overseer of the Poor, or Constable or other Officer, shall refuse or neglect to raise and levy the Sums so assessed upon his respective Parish or Place, or to pay at the Time and Place appointed the Money so collected and levied, or to obey any such Warrants or Orders, every such Churchwarden, Overseer, Constable, or Officer, so neglecting or refusing, shall be summoned, by Writing under the Hands of any Three Directors or acting Guardians, to appear at the next General Quarterly Meeting of the said Directors and acting Guardians to be holden as aforesaid; and if such Churchwarden, Overseer of the Poor, Constable, or other Officer, so summoned, shall neglect or refuse to appear at such General Quarterly Meeting, or, if appearing, he, or any of them, shall not sufficiently excuse or justify him or themselves, but shall, in the Judgement of the major Part of the said Directors and acting Guardians assembled at such General Quarterly Meeting, be adjudged guilty of disobeying any such Warrant or Warrants, Order or Orders; that then, and in every such Case, all and every Person and Persons so adjudged guilty as aforesaid, shall be subject to the like Forfeitures as such Officers are subject to by the said former Act for disobeying the Warrants or Orders of the said Guardians, to be recovered in like Manner, with such Remedy, by way of Appeal, to Persons aggrieved, as in such Case is given by the said Act.

Penalty on their Refusal or Neglect.

Penalty on Directors neglecting to hold Quarterly or Annual Meetings.

And be it further enacted by the Authority aforesaid, That if the said Directors and acting Guardians shall neglect or refuse to hold any such Quarterly or Annual Meeting or Meetings, every Director and acting Guardian failing in his Duty therein, shall, for every such Default, forfeit the Sum of Five Pounds, to be levied by Distress and Sale of the Goods and Chattles of such Director or acting Guardian, by Order of the next General Quarter Sessions for the said County of Suffolk,

to

to be held at Ipswich or Woodbridge, unless a sufficient Reason shall be given on the Behalf of such Director or acting Guardian, to be allowed by such Sessions: And if there shall not appear a sufficient Number of Directors and acting Guardians at any of such Quarterly or Annual Meetings, such necessary Rate shall be ordered to be made by any Two Justices of the said County; and in case no such Order is made within One Month from the Time when such Quarterly Meetings should have been held, the same Proportion shall be rated, assessed, and raised, in such respective Parishes and Places, by the respective Churchwardens and Overseers of the Poor for the ensuing Quarter, as was raised in the preceding Quarter; and shall be paid to the said Treasurer of the said Guardians in such Manner as is herein before mentioned with respect to the Taxing, Assessing, Collecting, Recovering, and Paying, of the Sums assessed by the said Directors and acting Guardians.

Apparel of the Poor to be the Property of the Corporation.

And be it further enacted and declared, That the Apparel with which any of the Poor (who shall be maintained by the said Guardians) shall be cloathed at the Expence of the said Guardians, shall be, remain, and continue, and be deemed and taken to be, the Property of the said Corporation: And in case any of the Poor maintained by the said Guardians shall purloin, sell, or pawn, any of the Materials or Implements of Work intrusted to them, and belonging to the said Corporation, or shall sell or pawn any of the Apparel with which they shall be cloathed at the Expence of the said Corporation, or in case any Person or Persons shall run away from such House or Houses with the Cloaths or Apparel provided by or belonging to the said Corporation, without the Leave of the major Part of the Directors and acting Guardians present at a Weekly Meeting to be held in pursuance of the said former Act, or of this present Act, upon Complaint being made thereof before any Justice of the Peace for the said County, by any of the said Guardians, or by the said Governor or Steward, such Justice of the Peace is hereby required to issue a Warrant for the apprehending any such Offender; and for his or her First Offence, to order the Person so apprehended, being convicted thereof before such Justice of the Peace, on the Oath of One or more credible Witness or Witnesses, or on his or her own Confession, to be sent to the House of Correction for the said County, and to be publickly whipped by the Keeper of the said House of Correction, or some

Punishment inflicted on the Poor for purloining Materials, or selling Cloaths.

Person

Person appointed by such Keeper, as soon as conveniently may be, and then to be discharged from the said House of Correction; and, for the Second Offence, every such Offender shall be deemed and taken to be guilty of Felony, and being legally convicted thereof, shall suffer such Punishment as Persons convicted of Petit Larceny are liable to by the Laws now in being.

Guardians to apprehend idle Persons.

And be it enacted by the Authority aforesaid, That it shall and may be lawful for any of the said Guardians to apprehend, or cause to be apprehended, all Persons, being in any Parish or Place within the said Hundreds, who, not having wherewith to maintain themselves, live idle without Employment, and refuse to work for the usual and common Wages given to other Labourers in the like Work, in the Parishes or Places where they then are, and to convey, or cause to be conveyed, to some Justice of the Peace for the said County, the Person or Persons so apprehended; and such Person or Persons so apprehended shall be deemed Vagabonds, and shall be dealt with according to the Laws which shall be then in Force concerning Vagabonds and other idle and disorderly Persons.

Justices may proceed on Complaints of Directors or acting Guardians, or Governor.

And be it further enacted by the Authority aforesaid, That in all Cases where One or more Justice or Justices of the Peace is or are impowered, by the Laws now in being, to proceed on the Complaint of the Churchwardens and Overseers of the Poor of any Parish or Parishes, or of any of them, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby required to proceed on the Complaint of any of the said Directors or acting Guardians, or of the said Governor or Steward for the time being, in such and the like Manner, to all Intents and Purposes, as if such Complaint had been made by such Churchwardens and Overseers, or any of them.

Justices may direct Warrants to the Governor, who is to execute the same.

Provided also, and be it further enacted by the Authority aforesaid, That all Warrants to be issued by any Justice or Justices of the Peace, in pursuance of the said former Act, or of this present Act, or any ways respecting the Government and Management of the Poor within the said Hundreds of Colneis and Carlford, shall and may be directed by such Justice or Justices of the Peace either to the said Governor or Steward for the time being, or to the Constable or Constables, or other Peace Officer or Peace Officers of the Parish or Place where the same are respectively to be executed; and such Governor or Steward is hereby authorized and required to execute such Warrants so directed to him accordingly;

and all Persons are hereby required to be aiding and assisting to such Governor or Steward in the Execution of such Warrants, in the same Manner as if such Warrants had been executed by a Constable or other Peace Officer.

Directors, &c. invested with Powers, &c. of the former Act.

And be it further enacted by the Authority aforesaid, That all the several Powers, Authorities, and Privileges by the said former Act given or granted to the said Guardians, shall from henceforth be used, exercised, and enjoyed by the said Directors and acting Guardians only; and the same shall be no longer used, exercised, or enjoyed by the said Guardians in general; and the said Directors and acting Guardians are hereby invested with all such and the like Powers, Authorities, and Privileges, as are given or granted by the said former Act to the said Guardians in general; and shall and may use, exercise, and enjoy the same, for all the several Ends, Intents, and Purposes of the said former Act, in as full and ample a Manner as the said Guardians in general could or might have done if this Act had not been made.

Repeal of so much of former Act as is contrary to this Act.

And be it further enacted by the Authority aforesaid, That so much of the said former Act as is contrary to or inconsistent with the Directions and Provisions contained or made in this present Act, is hereby repealed; and that in all other Respects the Directions and Provisions contained in the said former Act shall be observed and pursued.

Charges of the Act to be paid by Treasurer.

And be it further enacted, That the Charges and Expences of this present Act shall be paid by the Treasurer of the said Guardians out of their common Stock, by Warrant or Order from the Weekly Committee.

Limitation of Actions.

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

General Issue.

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

Treble Costs.

Publick Act.

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

FINIS.