



ANNO QUADRAGESIMO SECUNDO

GEORGI III. REGIS.

Cap. 57.

An Act for altering and enlarging the Powers of an Act, made in the Tenth Year of the Reign of Her late Majesty Queen *Anne*, intituled, *An Act for erecting a Workhouse in the City and County of the City of Norwich, for the better Employment and maintaining the Poor there*, so far as the same relates to the erecting a new Workhouse within the said City and County, for the better Maintenance of the Poor thereof. [24th May 1802.]

WHEREAS by an Act made in the Tenth Year of the Reign of Her late Majesty Queen *Anne*, intituled, *An Act for erecting a Workhouse in the City and County of the City of Norwich, for the better Employment and maintaining the Poor there*, certain Persons therein mentioned, and their Successors, were incorporated by the Name of *The Governor, Deputy Governor, Assistants, and Guardians of the Poor in the City and County of Norwich, and Liberties of the same*: And whereas the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, [Loc. & Per.] 10 Y have

have proceeded in the Execution of the said recited Act, and have found the several Powers and Provisions contained therein insufficient for the several Purposes thereby intended; but if such Powers and Provisions were altered and enlarged, and a new Workhouse erected, the Poor of the said City and County might be better employed and more comfortably maintained and supported, and at less Expence than they are at present: 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 the said recited Act, made in the Tenth Year of the Reign of Her late Majesty Queen *Anne*, and all the Clauses, Powers, Exemptions, Penalties, Forfeitures, Rules, Remedies, Directions, Provisoos, Articles, Matters, and Things whatsoever therein contained, (except such Parts thereof as are hereby varied, altered, or repealed), and also this present Act, shall be and the same is and are hereby declared to be in full Force and Effect for the Purposes of carrying the said recited Act and this Act into Execution.

Governor, etc.
may contract
for Lands and
Buildings.

II. And be it further enacted, That it shall and may be lawful to and for the said Governor, Deputy Governor, Assistants, and Guardians of the Poor in the said City and County of *Norwich*, and Liberties of the same, at any Court or Assembly at which Twenty-one Guardians at the least shall be present, and they are hereby empowered and required, as soon as conveniently may be after the passing of this Act, to rent or hire, for any Life or Lives, or for any Term or Number of Years, any Lands or Tenements from any Person or Persons who shall be able and willing to let the same, or to contract or agree for the absolute Purchase in Fee Simple of any Lands and Tenements within the said City and County thereof, (provided that such Lands so rented, hired, or purchased, do not exceed Ten Acres in the Whole), with any Body Politick, Corporate, or Collegiate, or Person or Persons whomsoever who shall be willing to sell the same; for the Purpose of making, erecting, and maintaining a Workhouse, and other Works and Conveniencies thereto, for the Reception and Maintenance of the Poor in the said City and County, and other Buildings to be erected, maintained, and supported by virtue of this Act; and it shall and may be lawful to and for the said Governor, Deputy Governor, Assistants, and Guardians of the Poor in the City and County of *Norwich*, and Liberties of the same, to hold such Lands and Premises so purchased without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain.

Bodies Politick, etc. empowered to sell.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunaticks and Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, or Femes Covert, who are or shall be seised in their own Right, and all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in such Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Corporation to be purchased for

for any of the Purposes of this Act, to treat, contract, and agree with the said Corporation for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Corporation, for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their said several and respective *Cestuique* Trusts, and all Persons whosoever claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

IV. And be it further enacted, That if there shall be any Money to be paid for any Lands, Tenements, or Hereditaments, purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other *Cestuique* Trust, or to any Person whose Lands, Tenements, or Hereditaments, are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Corporation, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order, made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase and Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made;

Application
of Compensation
when
amounting to
200^l.

the

the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where Compensation shall be less than 200*l.* and exceed 20*l.*

V. Provided always, and be it enacted, That if there shall be any Money to be paid for any Lands, Tenements, or Hereditaments, purchased for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, which shall be less than the Sum of Two hundred Pounds, and which shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Corporation, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

Application where the Money is less than 20*l.*

VI. Provided also, and be it enacted, That where such Money so to be paid as aforesaid, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Corporation, or any Twenty-one or more of them, shall think fit; or in case of Infancy or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

On Payment of Purchase Money, Premises to be conveyed.

VII. And be it further enacted, That upon Payment of the Money so contracted or agreed for the Purchase of such Lands, Tenements, or Hereditaments, by the said Corporation, to the Party or Persons respectively entitled to such Monies, or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in Manner herein-before directed, and upon the Conveyance in Manner herein-after directed,

directed, made of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively for whose Use the same was paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Governor, Deputy Governor, Assistants, and Guardians, for the Use and Purposes of this Act. Premises vested in the said Corporation.

VIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Governor, Deputy Governor, Assistants, and Guardians, and their Successors, shall be made in the Form or to the Effect following; (*videlicet*),

Form of } I A. B. of
 Conveyance } of
 Deputy Governor, Assistants, and Guardians of the Poor in the City and County of *Norwich*, and Liberties of the same, acting by virtue of an Act of Parliament, made in the Forty-second Year of the Reign of King *George* the Third, intituled, [*here insert the Title of this Act*] do hereby grant and release to the said Governor, Deputy Governor, Assistants, and Guardians, and their Successors, all [*here describe the Premises to be conveyed*] and all my Right, Title, and Interest to and in the same, and every Part thereof, to hold to the said Governor, Deputy Governor, Assistants, and Guardians, and their Successors for ever. In Witness whereof I have hereunto set my Hand and Seal, this Day in the Year of our Lord

And every such Sale, Conveyance, and Assurance so made, shall be good, valid, and effectual, to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

IX. And be it further enacted, That the said Governor, Deputy Governor, Assistants, and Guardians, shall and may and they are hereby required, as soon as conveniently may be, after they shall have hired or so purchased any Lands or Tenements as aforesaid, to build, make, and erect, or cause to be built, made, and erected, in a plain and durable Manner, the several Buildings following; (that is to say), a convenient Building, or Part of a Building, to serve as an Hospital for the Reception of aged and infirm Persons; One other convenient Building, or Part of a Building, for the Reception of such Children as are not able to work; One other convenient Building, or Part of a Building, for the Reception and Employment of such poor Persons as are able to work; One other convenient Building, or Part of a Building, to be made use of as an Infirmary for the Reception of the Sick; and One other convenient and separate Building, or Part of a Building, for the Reception of Lunatics; and also such other Buildings, Works, and Conveniencies, as the said Governor, Deputy Governor, Assistants, and Guardians, shall find necessary for the Purposes of this Act; and the said Governor, Deputy Governor, Assistants, and Guardians, shall and they are hereby required to keep the Buildings to be built, made, erected, or purchased, or hired, by virtue of this Act, in good and sufficient Repair, and from Time to Time to alter and enlarge the same, or any of them, in such Manner as they shall think necessary and convenient; and that all the Expences of purchasing such Lands and Tenements, and of building, making, and erecting

Governor, etc. to erect or provide necessary Buildings.

[*Loc. & Per.*] 10 Z

erecting such Buildings, Works, and other Conveniencies, shall be defrayed out of the Money to be borrowed by virtue of this Act; and that after such Buildings, Works, and other Conveniencies shall be so built, made, or erected, and completed, all the Expences of repairing, altering, and enlarging, and keeping the same in Repair, and of hiring any Lands, Tenements, or Hereditaments, for the Purposes of this Act shall be defrayed out of the Monies to be from Time to Time raised for the Relief and Maintenance of the Poor within the said City and County, by virtue of any Law or Statute in force and effect.

Governor, etc.
to furnish the
Houses, etc.
when finished.

X. And be it further enacted, That the said Governor, Deputy Governor, Assistants, and Guardians, shall and may, as soon as conveniently can be, next after the finishing or fitting up of such Building or Buildings, provide and furnish the same with all necessary Furniture, Household Goods, and Utensils, and also all such Materials as shall be deemed necessary for the Employment of the Poor, to be received into such Building or Buildings, the Costs and Charges of which shall be paid and discharged out of the Monies to be raised for the Relief and Maintenance of the Poor within the said City and County, by virtue of any Law or Statute in force and effect, or out of the Monies to be borrowed by virtue of this Act.

Corporation
may contract.

XI. And be it further enacted, That it shall and may be lawful to and for the said Governor, Deputy Governor, Assistants, and Guardians, to enter into any Contract or Contracts for building, making, erecting, maintaining, and repairing, such Building or Buildings, and other Works and Conveniencies, or any of them, or for furnishing Materials, or any other Matters or necessary Things whatsoever, or for any Purpose or Purposes in Execution of this Act; but before any such Contract or Contracts shall be entered into, Fourteen Days Notice at the least shall be given, in some One of the publick Newspapers printed and circulated in the said City of *Norwich*, expressing the Purpose or Purposes of such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered to the said Governor, Deputy Governor, Assistants, and Guardians, at a certain Time and Place in such Notice to mentioned; and the said Governor, Deputy Governor, Assistants, and Guardians, shall and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract.

Contracts not
to be for more
than Five
Years.

XII. And be it further enacted, That no such Contract or Contracts shall be deemed good or valid, if the same shall have been made for a longer Space or Term than Five Years from the Time of entering into such Contract or Contracts.

Corporation
may com-
pound with
Persons for
Breach of
Contracts.

XIII. And be it further enacted, That it shall and may be lawful to and for the said Governor, Deputy Governor, Assistants, and Guardians, from Time to Time and at all Times hereafter, to compound and agree with any Person or Persons on account of any Breach or Non-performance of such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance

formance of such Contract or Contracts, and all Costs, Charges, and Expences, which shall be occasioned thereby.

XIV. And be it further enacted, That every such Contract or Contracts shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts shall be entered in a Book or Books to be kept by the said Governor, Deputy Governor, Assistants, and Guardians.

Contracts to specify the Works to be done.

XV. And be it further enacted, That it shall and may be lawful for the said Governor, Deputy Governor, Assistants, and Guardians, at any Court or Assembly at which Twenty-one Guardians at the least shall be present, to borrow and take up at any Time or Times, for the several Purposes of this Act, at legal Interest, such Interest to be paid at the End of every Six Calendar Months, any Sum or Sums of Money, not exceeding Thirty thousand Pounds in the Whole, and to mortgage and assign over, by Writing under the Common Seal of the said Corporation, all and every the Buildings, Lands, and Premises of the said Corporation, and all or any Part of the Poor Rates to be collected within the said City and County, by virtue of any Law or Statute now in being, as a Security for the Repayment of the Principal and Interest of the Money so to be borrowed, (the Charges of all such Mortgages and Assignments to be paid out of the Monies arising by virtue of this Act); and all such Mortgages and Assignments shall be regularly numbered according to their respective Dates, having a separate Number for every Sum of One hundred Pounds thereby secured, and Copies thereof so numbered shall be entered in a Book or Books to be kept for that Purpose by the Clerk of the said Corporation; and all and every Person and Persons to whom any such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, is and are hereby empowered from Time to Time, by Writing under his, her, or their Hand and Seal, or Hands and Seals, in the Presence of One or more credible Witness or Witnesses, to assign or transfer his, her, or their Right, to the Principal and Interest Money thereby secured, or any Part thereof, so that no such Transfer of a less Sum than One hundred Pounds be made; and all such Transfers shall, within One Calendar Month after the Date thereof, be produced to the Clerk of the said Corporation, who is hereby required to make or cause to be made an Entry of such Transfers, containing the Dates, Names of the Parties and Witnesses, and the Sums of Money therein mentioned to be assigned or transferred, in the said Book or Books wherein the original Mortgages or Assignments are entered; and for every such Entry, the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and which said Book or Books shall and may at all reasonable Times be inspected and perused by any Creditor or Creditors of the said Corporation by virtue of this Act, without Fee or Reward; and after such Entry made as aforesaid, such Transfer shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors and Administrators, to the Benefit thereof and Payment thereon; and such Person or Persons to whom such Transfer or Transfers shall be made, may in like Manner transfer again, and so *toties quoties*; and it shall not be in the

Governors, etc. may borrow any Sum not exceeding 30,000*l.*

the Power of any Person who shall have made such Transfer, to make void, release, or discharge the same, or any Monies due thereon; and that all and every Person and Persons, to whom any such Mortgages, Assignments, or Transfers shall be made, shall be in Proportion to the Sum or Sums thereby secured, Creditors on the said Buildings, Lands, and Rates, equally One with another, and shall have no Preference in respect to the Priority of advancing such Money,

XVI. And be it further enacted, That every such Mortgage or Assignment shall be in the Words or to the Effect following :

Form of
Assignment.

‘ BY virtue of an Act of Parliament, passed in the Forty-second Year
‘ of the Reign of King *George* the Third, intituled [*set forth the*
‘ *Title of this Act*], we, the Governor, Deputy Governor, Assistants,
‘ and Guardians of the Poor, in the City and County of *Norwich*, and
‘ Liberties of the same, in pursuance of the said Act, in Consideration
‘ of the Sum of advanced and lent by *A. B.* of
‘ upon the Credit and for the Purposes of this Act, do grant, bargain,
‘ sell, and demise unto the said *A. B.* his Executors, Administrators, and
‘ Assigns, such Proportion of the Buildings, Lands, and Tenements, be-
‘ longing to us as Governor, Deputy Governor, Assistants, and Guard-
‘ ians as aforesaid, and of the Monies to be raised for the Relief and
‘ Maintenance of the Poor of the said City and County, by any Law or
‘ Statute in force and effect, 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 charged upon the Credit of such Buildings,
‘ Lands, and Tenements, and Monies as aforesaid, 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 and
‘ Year aforesaid.’

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 thereto, according to the true Intent and Meaning of this Act.

XVII. And be it further enacted, That every such Transfer may be made in the Form or to the Effect following; that is to say,

Form of
Transfer.

‘ I *A. B.* of in Consideration of the Sum of
‘ paid to me by *C. D.* of do hereby transfer a certain
‘ Mortgage or Assignment [*or a Part thereof, as the Case may be*], made
‘ by the Governor, Deputy Governor, Assistants, and Guardians of the
‘ Poor in the City and County of *Norwich*, and Liberties of the same,
‘ to bearing Date the Day of
‘ for securing the Sum of and all Interest now due
‘ and to become due thereon, and all my Right and Property therein, to
‘ the said *C. D.* Executors, Administrators, and Assigns. Dated this
‘ Day of in the Year .’

How Money
borrowed is
to be paid off.

XVIII. And whereas it is intended that all the said Mortgages and Assignments for the Payment of any Principal Money, shall be discharged within the Space of Thirty Years from the Time of passing this Act, and
without

without any Partiality or Preference; be it therefore enacted, That the Principal and Interest of the Money so borrowed shall be paid out of the Monies to be raised for the Relief and Maintenance of the Poor in the said City and County, by any Law or Statute in Force and Effect; and in case the said Governor, Deputy Governor, Assistants, and Guardians, shall at any of their Courts or Assemblies to be held after the completing of the said new Workhouse, at which Twenty-one of the said Guardians, at the least shall be present, come to a Resolution that the said Corporation will be able to and shall discharge a certain Sum or Sums of the Money borrowed upon Mortgage as aforesaid, in the Course of the next Six Months, that then, at the next succeeding Court or Assembly, the said Governor, Deputy Governor, Assistants, and Guardians, shall and will, and they are hereby required to cause all the Numbers of the said Mortgages respectively, to be inclosed together in a proper and convenient Box, and that the Clerk of the said Corporation, or some other proper Person, shall, at such Court or Assembly, fairly and impartially draw out so many of the said Numbers as shall amount to the Sum or Sums of Money which the said Corporation shall, at their aforesaid previous Court or Assembly, have resolved to pay off and discharge; and the several Numbers so drawn shall be then paid off and discharged: Provided always, that a Sum not less than One thousand Pounds, Part of the Money so borrowed, shall be paid off in each and every Year, until the Whole of the said Principal Money so borrowed, and all Interest thereon, be fully paid and discharged.

XIX. And be it further enacted, That after any of the Numbers of the said Mortgages shall be so drawn, and in consequence thereof the Money due thereon, or some Part thereof, be liable to be discharged as aforesaid, that the said Governor, Deputy Governor, Assistants, and Guardians, shall cause Notice in Writing, signed by the Clerk of the said Corporation, to be given to the Person or Persons entitled to receive such Monies, or left at his, her, or their usual Place or Places of Abode, signifying the Intention of the said Corporation to pay off such Sum or Sums of Money due to him, her, or them, as aforesaid; and that if such Person or Persons shall neglect or refuse to attend himself, herself, or themselves, or some Person properly authorized on his, her, or their Behalf, on the Day and at the Place fixed and appointed in and by such Notice, to receive the Principal Sum or Sums then to be discharged, and shall not then deliver up the Security or Mortgage for the said Money or Assignment thereof, or give or execute a full and satisfactory Discharge for the same, or for such Part of the Money borrowed then to be paid off, that then and in such Case all Interest thereon shall cease from the Day which was specified and mentioned in such Notice, as the Day on which the said Principal Sum or Sums of Money would be so paid off and discharged.

Notice shall be given of paying in the Money, &c.

XX. And be it further enacted, That Three Calendar Months, and no less Time, shall be and be deemed to be sufficient Notice for the paying off and discharging any of the said Mortgages and Assignments, or any Part of the Money due thereon.

Three Calendar Months Notice to be given.

XXI. And be it further enacted, That the Charges and Expences of procuring and passing this Act, together with Interest for the Money advanced

Expences of this Act to be first paid.

[Loc. & Per.]

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vanced

vanced for that Purpose, shall be paid and discharged out of the First Monies to be raised or borrowed by virtue of this Act.

Plaintiffs not
to recover af-
ter Tender of
Amends.

XXII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, for any Thing done in pursuance of the said recited Act or of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or to the Clerk or Clerks of such Body or Bodies Politick, Corporate, or Collegiate, Twenty-eight 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 any such Action, if Tender of sufficient Amends hath 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, after such Action shall have been brought, 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 made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions.

XXIII. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of the said recited Act or of this Act, after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County of the City of *Norwich*, and not elsewhere; and if any such Action or Suit shall be brought before Twenty-eight Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs 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 Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same, as any Defendant hath for Costs of Suit in other Cases by Law.

Publick Act.

XXIV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons without being specially pleaded.

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