CHAP. 108.

An Act to regulate and control the Discharge of Paupers from Workhouses and Wards provided for the Casual Poor. A.D. 1871.

[21st August 1871.]

WHEREAS doubts are entertained as to the length of time for which paupers may be lawfully required to remain in workhouses after giving notice of their intention to discharge themselves therefrom; and it is expedient that such doubts should be removed, and that further provision should be made for regulating and controlling the discharge of paupers from workhouses and wards provided for wayfarers and wanderers, for dealing with disorderly paupers in the workhouse, and for the suppression of vagrancy:

Be it enacted by the Queen'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, as follows:

Short title.

1. This Act may be cited as "The Pauper Inmates Discharge and Regulation Act, 1871."

Extent of Act.

2. This Act shall not apply to Scotland or Ireland.

Interpretation.

3. In this Act, unless the context otherwise requires, words have the same meaning as in the Poor Law Amendment Act, 1834, and the Metropolitan Poor Act, 1867, and the several Acts amending and extending those Acts respectively:

The term "casual ward" means any ward or wards, building or premises, set apart or provided for the reception and relief of destitute wayfarers and wanderers:

The term "casual pauper" means any destitute wayfarer or wanderer applying for or receiving relief:

The term "union" includes any parish under a separate board of guardians:

The term "Poor Law Board" in this Act shall be construed to apply to the Local Government Board as and when the same is established.

A.D. 1871.

Certain paupers may be detained in the workhouse for limited periods.

4. The guardians of any union may direct that any pauper inmate of the workhouse, or the paupers of any class therein, shall be detained in the workhouse, after giving notice to quit the same, for times not exceeding the limited periods herein-after mentioned; that is to say,

1. If the pauper has not previously discharged himself from the workhouse within one month before giving the notice, twenty-four hours:
2. If he has discharged himself once or oftener within such month, forty-eight hours:
3. If he has discharged himself more than twice within two months before giving the notice, seventy-two hours:

And every such pauper shall be detained in the workhouse for the time specified accordingly.

Provisoes.

Provided as follows:—

(1.) That the guardians may from time to time alter or rescind such direction; and they, or, in the interval between their meetings, the visiting committee whose direction shall be entered in the visitors book, may exempt, either wholly or partially, any pauper from the operation of this section:

(2.) That the master or other person having charge of the workhouse may, if the board of guardians be not sitting or the visiting committee be not in attendance, discharge any pauper to whom this section shall apply before the expiration of any such period as aforesaid if any circumstances shall in his opinion require this to be done, and shall report the facts of the case to the board of guardians at their next meeting:

(3.) That this section shall not apply to casual paupers.

Discharge of and detention of casual paupers.

5. A casual pauper shall not be entitled to discharge himself from a casual ward before eleven o'clock in the morning on the day following his admission, nor before he has performed the work prescribed for him, as herein-after mentioned; and where a casual pauper has been admitted on more than two occasions during one month into any casual ward of the same union, he shall not be entitled to discharge himself before nine o'clock in the morning of the third day after his admission, and he may at any time during that interval be removed by any officer of the guardians, or by a police constable, to the workhouse of the union, and be required to remain in such workhouse for the remainder of the period of his detention.

Provisoes (metropolis).

Provided, with respect to the metropolis, as follows:

(1.) That in determining the number of admissions of a casual pauper every casual ward in the metropolis shall be deemed to be a casual ward of the same union:

(2.) That the expression "workhouse of the union" in this section shall include any workhouse and any asylum provided under the Metropolitan Poor Act, 1867, for the reception and setting to work of the casual poor, to which the casual poor of the union can be sent.

Diet and discipline of casual paupers.

6. Every casual pauper shall, subject to the provisions of this Act, be admitted, dieted, and set to work and discharged in such manner and shall be subject to such regulations as the Poor Law Board shall prescribe, and the work so prescribed shall supersede any task of work prescribed under section five of the fifth and sixth Victoria, chapter fifty-seven.

Casual paupers absconding, &c. to be deemed idle and disorderly persons under s. 3;

7. Any pauper who—

(1.) Absconds or escapes from or leaves any casual ward before he is entitled to discharge himself therefrom; or

(2.) Refuses to be removed to any workhouse or asylum under the provisions of this Act; or

(3.) Absconds or escapes from or leaves any workhouse or asylum during the period for which he may be detained therein; or

(4.) Refuses or neglects, whilst an inmate of any casual ward, workhouse, or asylum, to do the work or observe the regulations prescribed; or

(5.) Wilfully gives a false name or makes a false statement for the purpose of obtaining relief,

shall be deemed an idle and disorderly person within the meaning of section three of the fifth George the Fourth, chapter eighty-three.

and after first conviction, or destroying clothes, rogues and vagabonds, under s. 4 of 5 G. 4. c. 83.

And every pauper who—

(1.) Commits any of the offences before mentioned after having been previously convicted as an idle and disorderly person; or

(2.) Wilfully destroys or injures his own clothes or damages any of the property of the guardians,

shall be deemed a rogue and vagabond within the meaning of section four of the same Act.

Provided, that in the case of a pauper suffering from bodily disease of an infectious or contagious character absconding or escaping from or leaving any workhouse or asylum as aforesaid,

A.D. 1871.

the justice convicting him of the offence may suspend the execution of the warrant of commitment, and may order the pauper to be taken back to such workhouse or asylum, there to remain until he shall be cured or otherwise lawfully discharged therefrom, and when he shall be cured the warrant of commitment shall be put in execution by order of the said justice or some other justice having jurisdiction in the place; any officer of such workhouse or asylum, or any constable, may apprehend the pauper who may have so absconded or escaped from or left the same, and take him before a justice without having previously obtained a summons or warrant, and upon the order of the justice take him back to the workhouse or asylum:

And provided also, that where any casual pauper is taken before a justice charged with any offence under this Act the justice may, if he think fit, grant a certificate to the person who has preferred the charge for the amount of the expenses incurred by him in relation thereto, and such certificate shall have the same effect, and the amount mentioned therein shall be paid and recovered in like manner, as in the case of a certificate granted by justices in petty sessions under section fourteen of the Act of the eighteenth and nineteenth years of Victoria, chapter one hundred and twenty-six.

Workhouse officers may take disorderly pauper before justices, without warrant.

8. The master or porter of the workhouse or the officer having charge of the casual wards of any union may take before a justice having jurisdiction therein any inmate of the workhouse or casual wards who shall be charged with any disorderly conduct, offence, or misbehaviour therein, punishable upon summary conviction, without any summons or warrant, and may, if such inmate shall be committed by the justice to gaol and no constable shall be present to execute the warrant, convey him to such gaol unless a constable shall be found to whom he may deliver him to be conveyed, according to the exigency of the warrant; and for the purposes of this clause such master, porter, or officer shall have all the powers and authorities of a constable.

Guardians to provide proper casual wards.

9. The guardians of every union shall provide within their respective unions such casual wards, with such fittings and furniture as the Poor Law Board, in their judgment, regard being had to the number of casual paupers likely to require relief therein, shall consider necessary.

Provision as to asylums for the casual

10. Where any district hereafter formed by the Poor Law Board for the relief of the casual poor or any other class or classes under

section six of the Metropolitan Poor Act, 1867, is conterminous with any district previously formed under the same section for the relief of some other class or classes, the Poor Law Board may by order direct that the managers of any such last-mentioned district shall be the managers also of all or any of the districts conterminous with it which may be subsequently formed; and the expenses of providing any asylum for the reception and relief of the casual poor under section five of the Metropolitan Poor Act, 1867, and the maintenance of such poor therein, shall be repayable in like manner as expenses for the provision of wards for the same class of poor under section sixty-nine of the said Act.

poor in the metropolis.

11. The provisions contained in this Act with respect to the discharge and detention of paupers shall take effect and may be enforced notwithstanding the provision contained in section five of the fifth and sixth Victoria, chapter fifty-seven, limiting the time for which inmates of workhouses may be detained therein for the performance of a task of work.

This Act to take effect notwithstanding sect. 5. of the 5 & 6 Vict. c. 57.

LONDON: Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1871.