3RD SCH. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
14 & 15 Geo. 5. c. 30.	The Unemployment Insurance (No. 2) Act, 1924.	In section three the words "and (iv)," and the words "(iv) that he is "genuinely seeking "work but unable to "obtain suitable em- "ployment," and in subsection (2) of section seven, the words "a re- "commendation" and the words "or recom- "mendation" and the words from "any ques- "tion" to the end of the section.
17 & 18 Geo. 5. c. 30.	The Unemployment Insurance Act, 1927.	Paragraph (*b*) of subsection (2) of section four, in subsection (2) of section fourteen the words from "and (*c*) "that" to "during that "period," the words "and (*c*)" and the words from "In the "case of any person "formerly," to the end of subsection (2), and paragraphs 2, 3, 4 and 5 of the Third Schedule.

CHAPTER 17.

An Act to consolidate the enactments relating to the relief of the poor in England and Wales. [20th March 1930.]

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, as follows:—

PART I.

CENTRAL AND LOCAL ADMINISTRATION.

Central Authority.

Authority and control of the Minister of Health.

1.—(1) The Minister of Health (hereinafter in this Act referred to as the Minister) is, subject to the provisions of this Act, charged with the direction and control of all matters relating to the administration of relief to the poor throughout England and Wales, according to the law in force for the time being:

Provided that nothing in this Act shall be construed as enabling the Minister to interfere in any individual case for the purpose of ordering relief.

(2) Except where otherwise provided by this Act, all powers given by this Act, and all powers given by every other Act, whether public general or local, relating to—

(*a*) the building, altering or enlarging of workhouses;

(*b*) the acquisition and disposal of workhouses and the sites thereof;

(*c*) the preparation of houses for the reception of poor persons, and the dieting, clothing, employment and government of such persons;

and all other powers of regulating and conducting workhouses and of the government, care, and employment of poor persons therein, and all powers auxiliary to any of the powers aforesaid or in any way relating to the relief of the poor, shall be exercised by the persons authorised by law to exercise the powers, under the control and subject to the rules, orders and regulations of the Minister.

Local Authorities.

Administration of poor law by councils of

2. The law relating to the relief of the poor shall be administered locally by the councils of counties and county boroughs, and in the administration thereof a member of

PART I. —*cont.*

a county council or county borough council or of a committee or sub-committee of such a council shall not, save as otherwise expressly provided by this Act or by any rules, orders or regulations of the Minister made thereunder, be capable of acting by virtue of his office except at a meeting of the council, committee or sub-committee.

Counties and county boroughs.

Power to combine councils for special purposes.

3.—(1) Where any two or more councils, whether councils of counties or county boroughs, consider that it is expedient that the areas of the councils should be combined for any purpose connected with the administration of their functions under this Act and make application to the Minister for the purpose, the Minister may make an order for combining the areas of the councils for the purposes named therein.

(2) Where it appears to the Minister that the combination of the areas of any two or more councils, whether councils of counties or county boroughs, for any purposes connected with the administration of their functions under this Act would tend to diminish expense or would otherwise be of public or local advantage, the Minister may make an order for combining the areas of the councils for the purposes named therein:

Provided that an order shall not be made under this subsection except after a local inquiry, unless all the councils whose areas are to be so combined consent.

(3) An order under this section may establish for the purposes of the order a joint committee of the councils and may constitute the joint committee a body corporate with perpetual succession and a common seal and with power to hold land for the purposes of their functions without licence in mortmain.

(4) Any such order shall define the functions of the joint committee and regulate the election, meetings and business of the joint committee, the mode of defraying the expenses of the joint committee, and any other matter or thing which it appears necessary or proper to regulate for the better carrying into effect of the order, and may provide for making applicable, subject to the necessary modifications, to the joint committee any of the provisions of Parts I, VII or VIII of the Local Government Act, 1929 (including any of the provisions of the said Part I repealed by this Act).

19 Geo. 5. c. 17.

PART I. —*cont.*

(5) A council included in such a combination as aforesaid shall, save as otherwise provided by the order effecting the combination, cease to exercise any functions vested by the order in the joint committee.

(6) An order under this section may contain such incidental, consequential or supplemental provisions as may appear necessary or proper for the purposes of the order, and every such order may be altered or revoked by an order made in like manner and subject to the like provisions as the original order.

(7) Every order made under this section shall, as soon as may be after it is made, be laid on the Table of both Houses of Parliament, and if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat after the order has been laid before it, praying that the order may be annulled, the order shall be annulled, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of a new order.

Local Administration.

Public assistance committee.

4.—(1) The public assistance committee of the council of every county and county borough shall be constituted in such manner as may be provided by the administrative scheme for the county or county borough, and if the scheme so provides—

(*a*) any other committee of the council, or the members for the time being of any other such committee, may act as the public assistance committee; and

(*b*) there may be included in the public assistance committee, or among any members of another committee acting as such, persons who are not members of the council, some of whom shall be women,

so, however, that of the whole number of members of the public assistance committee or committee or body acting as such, two-thirds at least shall be members of the council.

PART I. —*cont.*

(2) All matters relating to the exercise by the council of any county or county borough of their functions under this Act, except the power of raising a rate or borrowing money, shall stand referred to the public assistance committee of the council, and the council before exercising any such functions shall, unless in their opinion the matter is urgent, receive and consider the report of the public assistance committee with respect to the matter in question.

(3) The council may, if the scheme so provides, delegate to the public assistance committee, with or without any restrictions or conditions as they think fit, any of the functions of the council under this Act except the power of raising a rate or borrowing money.

(4) Any of the functions of the public assistance committee may, if the scheme so provides, be discharged on behalf of, and subject to the general direction and control of, that committee by any of the other committees of the council.

(5) Subsections (2), (3) and (4) of this section shall not extend to the county of London.

Guardians committees and sub-committees in counties.

5.—(1) Every county shall be divided into such areas as may be provided by the administrative scheme for the county so, however, that every such area shall consist of one or more county districts:

Provided that, where a county district is not wholly comprised within one county, the portion of the district situate within any county shall, for the purposes of this section, be treated as if it were a separate district.

(2) For every such area there shall be a local sub-committee of the public assistance committee (to be called the guardians committee of the area); and every guardians committee shall be constituted in such manner as may be provided by the scheme for the county and shall consist of not more than thirty-six nor less than twelve members, who shall be—

(*a*) members for the time being of the council of the county district or of every county district comprised in the area, as the case may be, nominated by the council thereof:

PART I. —*cont.*

(*b*) members for the time being of the county council representing electoral divisions wholly or partly comprised in the area :

(*c*) persons (not being elected members of the county council and including women as well as men) appointed by the county council, so, however, that the number of persons so appointed shall not exceed one-third of the total number of members of the committee.

(3) Every guardians committee or a sub-committee thereof shall, subject to such general or special restrictions or conditions as the county council may from time to time impose, discharge, in accordance with the provisions of the scheme, such of the functions of the council under this Act as relate to the following matters—

(*a*) the consideration and examination of applications for relief :

(*b*) the determination of the nature and amount of the relief, if any, to be given to such applicants :

(*c*) the determination of the amount, if any, to be paid by any recipient of relief, or the persons liable for his maintenance, towards reimbursing the council the amount expended by them on his relief :

(*d*) the visiting, inspection or management, if the public assistance committee so request, of any poor law institutions in the area for which the guardians committee is appointed :

so, however, that the functions to be delegated under this subsection shall not include the appointment or dismissal of any officer.

(4) In appointing persons other than elected members of the county council to be members of any guardians committee, a county council shall have regard to the desirability of including persons who were members of poor law authorities immediately before the commencement of this Act and other persons of experience in the matters to be dealt with by the committee.

PART I. —*cont.*

(5) Consultation between the public assistance committee and the guardians committee of any area upon business relating specially to that area shall be effected in such manner as the scheme may provide, and in particular every guardians committee shall, in accordance with the provisions of the scheme, have power to nominate their chairman or other representative to be present at any meeting of the public assistance committee at which business specially relating to the area of the guardians committee is to be transacted. Any person so nominated shall be entitled to take part in the proceedings at any such meeting, so far as they relate specially to the area of the guardians committee by whom he was nominated, but not to vote.

(6) A guardians committee shall sit at such place as may be determined by the scheme, and any local authority (including any local authority not concerned with the relief of the poor) shall allow a guardians committee or any sub-committee thereof to use free of charge for the purposes of their meetings, at any time when not required for the use of the local authority, any premises belonging to the authority.

(7) Upon representations made by the council of any county that special circumstances exist in that county, or in any part thereof, the Minister may, if he thinks fit, direct that the provisions of this section shall not apply as respects that county or part.

(8) This section shall not extend to the county of London.

Sub-committees of public assistance committees in county boroughs.

6.—(1) Where the administrative scheme for any county borough provides for the appointment of sub-committees of the public assistance committee consisting wholly or partly of members of that committee, a majority of the members of every such sub-committee shall be members of the council of the county borough, and if the scheme provides for the appointment as members of any such sub-committee of persons who are not members of the council, women as well as men shall be included, and regard shall be had to the desirability of including persons who were members of poor law authorities immediately before the commencement of this Act and other persons of experience in the matters delegated or referred to the sub-committee.

PART I. —*cont.*

(2) The functions of any such sub-committee shall be such as may be determined by the scheme.

Disqualification for membership of committees and sub-committees.

7. A person shall be disqualified for being a member of a committee or sub-committee thereof, constituted under an administrative scheme, who would be disqualified for becoming or being a member of the council by which the committee is appointed, and a person who acts as a member of such a committee or sub-committee when disqualified shall be liable to the like penalties as if he had acted as a member of the council.

Consultation as to provision of hospital accommodation.

8. The council of every county and county borough shall, when making provision for hospital accommodation in discharge of their functions under this Act, consult with such committee or other body as they consider to represent both the governing bodies and the medical and surgical staffs of the voluntary hospitals providing services in or for the benefit of the county or county borough as to the accommodation to be provided and as to the purposes for which it is to be used.

Central Authority's Inspectors.

Appointment, functions and salaries of inspectors.

9.—(1) The Minister shall, subject to the consent of the Treasury as to number, by order appoint inspectors for the purpose of assisting in the execution of this Act, and may assign to the inspectors such duties as the Minister may think fit, and the Minister may remove any such inspector.

(2) An inspector appointed under this Act shall be entitled to visit and inspect every workhouse or place wherein any poor person in receipt of relief is lodged, and to attend any meeting of a county or county borough council or committee or sub-committee held for the relief of the poor, and to take part in the proceedings, but not to vote at the meeting.

(3) There shall be paid to every such inspector such salary as the Treasury may determine.

Local Authorities' Officers.

Appointment, functions and salaries of officers.

10.—(1) The Minister may, by order, direct the council of any county or county borough or any two or more such councils whose areas he may by the order declare to be united for the purpose only of appointing

PART I. —*cont.*

and paying officers, to appoint such paid officers, with such qualifications as the Minister thinks necessary, for superintending or assisting in the administration of the relief of the poor in the county or county borough or united areas, and for otherwise carrying the provisions of this Act into execution.

(2) The salaries of such officers shall be paid by the council of the county or county borough or by the councils of the united areas, as the case may be, in the manner and proportions fixed by the Minister.

(3) The Minister may define the duties to be performed by officers concerned with the relief of the poor, and the limits within which such officers are to act in the performance of their duties, and direct the mode of appointment and determine the continuance in office or dismissal of such officers, and the amount and nature of the security to be given by such of them as the Minister thinks ought to give security, and may, if he thinks fit, regulate the amount of their salaries and the time and mode of payment thereof.

Power of Minister to appoint officers in default of appointment by councils.

11.—(1) If the council of any county or county borough fail for a period of twenty-eight days after receipt of a requisition from the Minister in that behalf to appoint, either originally or on a vacancy, any officer whom they are lawfully required to appoint under this Act, the Minister may, at any time after the expiration of that period, by order, appoint a fit person to be that officer, and determine the salary or remuneration to be paid to him by the council.

(2) The person so appointed shall be entitled to recover the salary or remuneration so determined from the council of the county or county borough, and shall have all the powers, rights and privileges, and shall discharge all the same duties and incur the same responsibilities, as if the appointment had been duly made by the council.

(3) In its application to the county of London, this section shall extend to officers whom the London County Council are by law authorised to appoint under this Act as well as to those whom they are lawfully required to appoint thereunder, and shall have effect as if for the reference in subsection (1) thereof to a period

PART I. —*cont.*

of twenty-eight days there were substituted a reference to a period of fourteen days.

Disqualification for office.

12. No person who has been convicted of felony, fraud or perjury shall be eligible to hold any office under the council of any county or county borough, being an office to which appointments are made under this Act.

Power of Minister to remove or suspend officers.

13.—(1) The Minister may, by order, either upon or without any suggestion or complaint in that behalf from the council of a county or county borough, remove or suspend any paid officer of the council, appointed under this Act, whom he considers unfit for or incompetent to discharge his duties, or who at any time refuses or wilfully neglects to obey and carry into effect any rules, orders, and regulations made by the Minister, and may require the council to appoint a fit and proper person in his place.

(2) Any person so removed or suspended shall not be competent to be appointed to or to fill any paid office connected with the relief of the poor in any county or county borough except with the consent of the Minister.

(3) An order made by the Minister under subsection (1) of this section, in which the Minister declares that the urgency of the case requires that the order shall take effect within a period of fourteen days, shall come into force at such time as the Minister by the order directs, notwithstanding that fourteen days have not expired since a copy of the order has been sent by the Minister as required by this Act.

PART II.

RELIEF OF THE POOR.

Duties of Family and Local Authority respectively.

Duty of family to relieve and maintain poor persons.

14.—(1) It shall be the duty of the father, grandfather, mother, grandmother, husband or child, of a poor, old, blind, lame or impotent person, or other poor person not able to work, if possessed of sufficient means, to relieve and maintain that person.

(2) The mother of an illegitimate child, so long as she is unmarried or a widow, shall be bound to maintain the child as part of her family until the child attains the age of sixteen:

PART II. —*cont.*

19 & 20 Geo. 5. c. 36.

Provided that, as respects any female child who before the passing of the Age of Marriage Act, 1929, married under the age of sixteen, this subsection shall not apply after the marriage.

(3) A man who marries a woman having a child (whether legitimate or illegitimate) at the time of the marriage shall be liable to maintain the child as part of his family, and shall be chargeable with all relief granted to or on account of the child until the child attains the age of sixteen, or until the death of the mother of the child, and the child shall, for the purposes of this Act, be deemed to be part of the husband's family accordingly.

(4) A married woman having separate property shall be subject—

(*a*) to all such liability for the maintenance of her husband, children and grandchildren as her husband is by law subject to for the maintenance of herself, her children and grandchildren;

(*b*) to the same liability for the maintenance of her parent or parents as an unmarried woman:

Provided that nothing in this subsection shall relieve her husband from any liability imposed on him by law to maintain her children and grandchildren.

Duty of local authority with respect to poor persons.

15.—(1) It shall be the duty of the council of every county and county borough—

(*a*) to set to work all such persons, whether married or unmarried, as have no means to maintain themselves, and use no ordinary and daily trade of life to get their living by;

(*b*) to provide such relief as may be necessary for the lame, impotent, old, blind and such other persons as are poor and not able to work;

(*c*) to set to work or put out as apprentices all children whose parents are not, in the opinion of the council, able to keep and maintain their children; and

(*d*) to do and execute all other things concerning the matters aforesaid as to the council may seem convenient.

(2) Subject to the provisions of this Act as to orders of removal, the duties of the council of a county

PART II. —*cont.*

or county borough under this section shall apply to all persons within their county or county borough.

General Provisions as to Relief.

Relief not to be given save in accordance with council's orders.

16.—(1) Save in accordance with the provisions of this Act relating to cases of sudden or urgent necessity and subject to any rules, orders or regulations made by the Minister under this Act, it shall not be lawful for any relieving officer or any other person concerned with the relief of the poor to give any relief under this Act to any poor person except such as may be ordered by the council of the county or county borough.

(2) Except as in this Act expressly provided, it shall not be lawful for a justice of the peace to order relief to any person.

Relief in sudden or urgent necessity.

17.—(1) Every relieving officer, in cases of sudden or urgent necessity, shall give such relief otherwise than in money as may be requisite, whether or not the applicant for relief is settled in the county or county borough for which the relieving officer acts, and notwithstanding that the relief may not have been ordered by the council of the county or county borough.

(2) Where any case of sudden and dangerous illness requires medical relief, any justice of the peace may, by order in writing under his hand and seal, require the relieving officer to give such relief, whether or not the person requiring the relief is settled in the county or county borough for which the relieving officer acts and notwithstanding that the relief may not have been ordered by the council of the county or county borough; and if a relieving officer disobeys any such order he shall, on summary conviction, be liable to a fine not exceeding five pounds.

(3) The council of any county or county borough may pay for any medical or other assistance which may be rendered to any poor person on the happening of any accident or sudden illness although no order has been given for the relief by them or any of their officers.

Relief to wife or child treated as relief to husband or parent.

18. All relief given to or on account of a wife shall be considered as given to her husband, and all relief given to or on account of any child under the age of sixteen, not being blind or deaf and dumb, shall be considered as given to the father of the child, or to the husband of the mother, or, if the mother of the child

is unmarried or a widow, to the mother of the child, as the case may be: PART II. —*cont.*

Provided that—

(*a*) nothing in this section shall discharge the father, grandfather, mother or grandmother of any child from liability to relieve and maintain the child in pursuance of the provisions of this Act; and

(*b*) where the husband of a woman is beyond the seas, or in legal custody, or in confinement in a licensed house or asylum as a lunatic or idiot, or is living apart from her, all relief given to her or to her child shall, notwithstanding her coverture, be considered as given to her in the same manner and subject to the same conditions as if she were a widow, without prejudice, however, to the liability of her husband in respect of the relief.

Power to obtain maintenance orders.

19.—(1) Where a married woman requires relief without her husband, or, being a lunatic, is removed to any institution for lunatics, the council of the county or county borough to which she becomes chargeable may complain to a petty sessional court having jurisdiction in the county or county borough, and upon any such complaint the court may make an order upon the husband to pay such sum, weekly or otherwise, towards the cost of the relief of his wife, as, having regard to all the circumstances of the case, appears to them to be proper, and shall by the order determine how and to whom the payments shall from time to time be made.

(2) The council of any county or county borough shall be entitled, on complaint to a petty sessional court having jurisdiction in the county or county borough, to obtain orders of maintenance upon the relations liable under this Act to maintain any person whose relief would be chargeable to them in such manner and according to such rate as the court may order.

Reimbursement of relief out of property of person relieved.

20.—(1) Where any person in receipt of relief has in his possession or belonging to him any money or valuable security for money, the council of the county or county borough to which he is chargeable may take and appropriate, or recover as a debt, so much of the money or the produce of the security as will reimburse

PART II.—*cont.*

the council for the amount expended in the relief of that person during the period of twelve months before the taking and appropriation, or the institution of the proceedings for the recovery thereof, as the case may be.

(2) In the event of the death of any person in receipt of relief having in his possession or belonging to him any money or property, the council of the county or county borough in which he dies may reimburse themselves therefrom the expenses incurred in and about his burial, and in and about his maintenance at any time during the twelve months before his death.

(3) Every person who applies for relief having at the time of application in his possession and under his immediate control any money or other property of which, on inquiry made by the council of the county or county borough or by their officers, he does not make correct and complete disclosure, shall be taken to be an idle and disorderly person within the meaning of the Vagrancy Act, 1824.

5 Geo. 4. c. 83.

Workhouses.

Power to require provision of workhouse accommodation.

21.—(1) The Minister may, with the consent in writing of the council of any county or county borough, order the council to provide workhouse accommodation or additional workhouse accommodation of such size and description and in accordance with such plans and in such manner as the Minister may deem most proper for carrying this Act into effect.

(2) For the purposes aforesaid, the order may authorise the council either to acquire land by purchase or hire, and erect buildings thereon, or to acquire by purchase or hire, any workhouse, or other building capable of being converted into a workhouse, and to enlarge or alter it.

Power to order workhouses to be altered, &c.

22.—(1) The Minister may, without any such consent as is mentioned in the last preceding section, order the council of any county or county borough to enlarge or alter a workhouse, or a building belonging to them capable of being converted into a workhouse, according to such plans and in such manner as the Minister considers most proper for carrying the provisions of this Act into execution, or to provide proper drainage, ventilation, fixtures, furniture, surgical and medical appliances and other conveniences at any workhouse.

PART II. —*cont.*

(2) Where the council of any county or county borough consider it expedient to make any enlargement, alteration or improvement of any of their workhouses, or the premises, drainage or other appurtenances belonging thereto, at a cost not exceeding five hundred pounds, and the Minister gives his consent, they shall not require any order of the Minister to enable them to execute the work.

Power to regulate workhouses

23.—(1) The Minister may make rules, orders and regulations for the government of workhouses and the preservation of order therein, for the classification of persons to be relieved in the several workhouses of the same county or county borough, and for the nature and amount of the relief to be given to, and the labour to be exacted from, the persons relieved in workhouses.

(2) Subject to such rules, orders and regulations as aforesaid, the council of any county or county borough may prescribe a task of work to be done by any person relieved in a workhouse in return for the food and lodging afforded to him:

Provided that, save as otherwise expressly provided by this Act, no person shall, by reason only of his failure to perform a task of work, be detained in a workhouse later than the expiration of four hours after the hour of breakfast on the day following that of his admission into the workhouse.

Visitation of workhouses.

24. If the council of any county or county borough do not appoint a visiting committee for the purpose of visiting any of their workhouses, or if three months have elapsed during which a visiting committee have not visited a workhouse, the Minister shall appoint a visitor, not being a member of the council, at a salary to be fixed by him and paid by the council:

Provided that the appointment of any such paid visitor shall cease at the expiration of three months next after the appointment of a visiting committee by the council, subject nevertheless to his re-appointment in the event of any repetition of such failure of the council or visiting committee as aforesaid.

Power of justices to inspect workhouses.

25.—(1) Any justice of the peace having jurisdiction in the place where a workhouse is situate may visit and inspect the workhouse, at such times as he may think proper, for the purpose of ascertaining whether the rules, orders and regulations made by the Minister and

PART II. —*cont.*

applicable to the workhouse are duly observed and obeyed therein, and may examine into the state and condition of the inmates of the workhouse, and their food, clothing and bedding, and the state and condition of the workhouse.

(2) If in the opinion of the justice the rules, orders or regulations, or any of them, have not been duly observed and obeyed in the workhouse, it shall be lawful for him to summon the person offending to appear before a court of summary jurisdiction to answer any complaint touching the non-observance, and the offender shall be liable on summary conviction to a fine not exceeding five pounds.

Reception of children, &c. brought to workhouses under 8 Edw. 7. c. 67.

26. The council of every county and county borough shall provide for the reception of children and young persons brought to a workhouse in pursuance of the Children Act, 1908, and, where the place to which under that Act a child or young person is authorised to be taken is a workhouse, the master shall receive the child or young person into the workhouse if there is suitable accommodation therein, and any expenses incurred in respect of the child or young person shall be paid by the council of the county or county borough.

Workhouse registers.

27.—(1) The master of every workhouse, or such other officer as the Minister may direct, shall register in a book to be provided by the council of the county or county borough and kept specially for that purpose, the name of every person in receipt of relief in the workhouse, together with such particulars respecting the family and settlement of every such person, and his and their relief and employment as the Minister may direct.

(2) The said book shall be in such form as the Minister may appoint.

Husbands and wives in workhouses.

28.—(1) Where a husband and wife, both being above the age of sixty years, are received into a workhouse, they shall not whilst in the workhouse be compelled to live apart from one another.

(2) Where a husband and wife are admitted into a workhouse, and either of them is infirm, sick or disabled by any injury, or above the age of sixty years, the council of the county or county borough may permit them to live together, but any such case shall be reported forthwith to the Minister.

PART II. —*cont.*

Limitation on powers of officers to punish.

29.—(1) No master of a workhouse or other person concerned in the administration of relief, shall punish with corporal punishment any adult person under his care or charge for any offence or misbehaviour whatsoever, or confine any such person for any offence or misbehaviour for more than twenty-four hours, or such further time as may be necessary in order to have him brought before a justice of the peace.

(2) No master of a workhouse shall, on any pretence, chain or confine by chains or manacles any poor person of sane mind.

Intoxicating liquors not to be introduced into workhouses without masters' orders.

30.—(1) If any person introduces, or attempts to introduce, into any workhouse any intoxicating liquor without the order in writing of the master of the workhouse, it shall be lawful for the master of the workhouse, or any officer acting under his direction, to cause that person to be apprehended and brought before a justice of the peace, and the offender shall be liable on summary conviction to a fine not exceeding ten pounds.

(2) For the purposes of this section a court of summary jurisdiction may consist of a single justice of the peace, but in that case the fine imposed shall not exceed twenty shillings.

Conduct of masters and officers of workhouses.

31.—(1) If the master of a workhouse orders any intoxicating liquor to be introduced into the workhouse, except for the domestic use of himself or of any officer of the workhouse or their respective families, or except by and under the written authority of the medical officer of the workhouse, or of a justice visiting it, or of the county or county borough council, or in conformity with any rules, orders or regulations made by the Minister, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(2) If the master or any other officer of a workhouse—

(*a*) introduces into the workhouse or sells, uses, lends, or gives away therein, or knowingly permits, or suffers to be introduced, sold, used, lent or given away therein, any intoxicating liquor, contrary to the rules, orders and regulations made by the Minister; or

(*b*) punishes with any corporal punishment any adult person in the workhouse; or

PART II. —*cont.*

(*c*) confines any such person for any offence or misbehaviour for more than twenty-four hours, or such further time as may be necessary in order to have him brought before a justice of the peace; or

(*d*) in any way abuses or ill-treats, or is guilty of any other misbehaviour or otherwise misconducts himself towards, or with respect to, any inmate of the workhouse,

he shall, for every such offence, be liable on summary conviction to a fine not exceeding twenty pounds.

(3) Proceedings under this section shall not be instituted except on the information of the council of the county or county borough or of an inmate of the workhouse.

Posting up of copies of two preceding sections.

32. It shall be the duty of the master of a workhouse to keep posted up in a conspicuous place in the workhouse one or more copies of the two last preceding sections, and if he fails to do so he shall be liable on summary conviction to a fine not exceeding ten pounds.

Detention in workhouse for limited periods.

33. The council of any county or county borough may direct that any inmate, or any class of inmates, shall be detained in a workhouse, after giving notice to quit, for times not exceeding the limited periods hereinafter mentioned; that is to say,

(*a*) if the inmate has not previously discharged himself from the workhouse within one month before giving the notice, twenty-four hours;

(*b*) if he has discharged himself once or oftener within that month, forty-eight hours;

(*c*) if he has discharged himself more than twice within two months before giving the notice, seventy-two hours;

(*d*) if he has, in the opinion of the council, discharged himself frequently without sufficient reason, one hundred and sixty-eight hours;

and every such inmate shall be detained in the workhouse for the time specified accordingly:

Provided that—

(i) the council may from time to time alter or rescind any such direction, and they or the visiting committee (whose direction shall be entered in the visitors' book), may exempt,

PART II. —*cont.*

either wholly or partially, any inmate from the operation of this section;

(ii) the master or other person having charge of a workhouse may, if the visiting committee are not in attendance, discharge any person to whom this section applies before the expiration of any such period as aforesaid if any circumstances in his opinion so require, and shall report the facts of the case to the council at their next meeting;

(iii) a direction requiring a longer notice than seventy-two hours to be given must be entered in the minutes, and must specify the name of the person to whom it applies;

(iv) this section shall not apply to casual poor persons.

Detention of inmate suffering from disease, &c.

34. If an inmate of a workhouse is suffering from delirium tremens or from bodily disease of an infectious or contagious character, and the medical officer of the workhouse upon examination reports in writing that the inmate is not in a proper state to leave the workhouse without danger to himself or others, the council of the county or county borough may direct the master to detain him therein, or, if the council are not sitting, the master may, until the next meeting of the council, detain him therein, and the inmate shall not be discharged from the workhouse until the medical officer certifies in writing that discharge may take place:

Provided that nothing in this section shall prevent the removal of any inmate after his parent or next-of-kin has given to the council such an undertaking as they consider satisfactory to provide for the removal, charge and maintenance of the inmate with due care and attention while the malady continues.

Boarding Houses.

Regulation of boarding contracts.

35.—(1) The Minister may make orders for regulating the mode in which a contract for the lodging, boarding, or maintenance of any poor person may be entered into by a county or county borough council with the proprietor, manager, or superintendent of any house or establishment, and the terms and duration of any such contract, and if, after the making of any such order, any contract is entered into with any such

PART II. —*cont.*

proprietor, manager or superintendent, or any person acting on his behalf, which is not in accordance with the order, the contract shall be voidable, or if the Minister so directs the contract shall be void.

(2) All payments made under or in pursuance of any contract not entered into in conformity with such order as aforesaid at any time after the Minister has declared it to be void, and has given notice of such declaration to the county or county borough council, shall be disallowed in their accounts, or the accounts of any of their officers concerned with the relief of the poor by whom payments have been made or charged.

Rules for boarding-houses.

36.—(1) The Minister may make rules, orders and regulations for the management and government of any house or establishment wherein any poor person is lodged, boarded, or maintained, for hire or remuneration, under contract with any county or county borough council, in like manner and to the same extent as he is empowered to do in the case of a workhouse, and the Minister may by any such order prohibit the reception or retention of any poor person, or any class of poor persons, in the house or establishment.

(2) The Minister may direct any such rules, orders and regulations to any person being or acting as the proprietor, manager, or superintendent, or as an officer, in any such house or establishment, and they shall come into operation as soon after they are made as may be fixed thereby, and shall be binding upon the person named therein, and, if the Minister so directs, upon every person who afterwards succeeds him in the same capacity.

(3) Nothing in this section shall extend to any institution for lunatics, nor to any hospital, infirmary, school, or other institution supported by public subscriptions and maintained for purposes of charity only.

Removal of officers of boarding-houses.

37.—(1) The Minister may, by order, remove from office any officer of any such house or establishment whom he considers unfit or incompetent to discharge the duties of his office, or who at any time refuses or wilfully neglects to obey and carry into effect any of the rules, orders or regulations issued by the Minister for the regulation of the house or establishment or of the officers or inmates thereof.

PART II. —*cont.*

(2) Upon such removal the officer shall forthwith cease to act in his office, and shall not be entitled to any salary, wages or other remuneration in respect of any period after his removal.

Inspection and visitation of boarding-houses.

38.—(1) The Minister may appoint a person, either temporarily or permanently, to visit and inspect any such house or establishment and the persons received and maintained therein, and to make a report to him upon any inspection.

(2) There shall be paid to such visitors by the several councils, whether councils of counties or county boroughs, by whom persons have been sent to the house or establishment and are at the time of the inspection maintained therein, such remuneration as the Minister may, by order, direct.

(3) Any justice of the peace having jurisdiction in the place in which any such house or establishment is situated may visit, inspect and examine the house or establishment at such times as he may think proper for the like purpose, and with the same power, as a justice has, by virtue of this Act, in respect of a workhouse.

Special Institutions.

Blind or deaf and dumb persons.

39. The council of any county or county borough may provide for the reception, maintenance and instruction of any adult person in receipt of relief, being blind or deaf and dumb, in any institution established for the reception of persons suffering from such infirmities, and may pay the charges incurred in the conveyance of any such person to and from the institution as well as the expenses incurred in his maintenance, support and instruction therein.

Idiots, &c.

40. The council of any county or county borough may, with the consent of the Minister, send any idiot in receipt of relief to an establishment for the reception and relief of idiots whether maintained at the cost of the rates or by voluntary subscription, and may, with the like consent, send any person in receipt of relief, being an idiot or an imbecile or insane person, who may lawfully be detained in a workhouse, to a workhouse of another county or county borough with the consent of the council of that county or county borough, and pay the cost of the maintenance, clothing and lodging of that person in the

PART II. —*cont.*

establishment or workhouse, as well as the cost of his conveyance thereto or his removal therefrom, and the expenses of his burial, when necessary.

Casual Poor Persons.

Provision of casual wards.

41. The council of every county and county borough shall provide within their county or county borough such casual wards, with such fittings and furniture, as the Minister, having regard to the number of casual poor persons likely to require relief therein, considers necessary.

Diet and discipline of casual poor.

42. Every casual poor person 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 Minister may prescribe, and the work so prescribed shall be in substitution for any task of work prescribed under the provisions of this Act other than those of this section.

Power to search casual poor.

43. Upon application for relief by any person representing himself to be a casual poor person, the master or other officer of the workhouse, or the relieving officer to whom the application is made, may cause him to be searched, and may take from him any money which is found upon him, and shall deliver it to the county or county borough council to be applied towards the payment of their expenses under this Act.

Discharge of casual poor.

44.—(1) A casual poor person shall not be entitled to discharge himself from a casual ward before the hour of nine o'clock in the morning of the second day following his admission, nor before he has performed the work prescribed for him in accordance with this Act.

(2) Where a casual poor person has been admitted on more than one occasion during one month into any casual ward of the same county or county borough, he shall not be entitled to discharge himself before the hour of nine o'clock in the morning of the fourth day after his admission, and he may at any time during that interval be removed by any officer of the county or county borough council concerned with the relief of the poor, or by a police constable, to a workhouse of the county or county borough, and be required to remain in the workhouse for the remainder of the period of his detention.

(3) In computing the number of days during which a casual poor person may be detained under this section, Sunday shall not be included.

Outdoor Relief.

PART II. —*cont.*

Power of Minister to regulate outdoor relief.

45.—(1) The Minister may declare, by such rules, orders or regulations as he may think fit, to what extent and for what period the relief to be given to able-bodied persons or to their families, in any particular county or county borough or in any part thereof, may be administered out of the workhouse, either in money or by the provision of food or clothing, or partly in one way and partly in the other, and in what proportions, to what persons or class of persons, at what times and places, on what conditions, and in what manner such outdoor relief may be afforded.

(2) Subject as hereinafter in this section provided, all relief which is given by any person having the control or distribution of the funds for the relief of the poor, contrary to such rules, orders or regulations, shall be unlawful and shall be disallowed in the accounts of the person giving the relief.

(3) If the council of any county or county borough to whom any such rules, orders or regulations are addressed, upon consideration of the special circumstances of their county or county borough, or of any person or class of persons therein, are of opinion that the application and enforcement of the rules, orders or regulations, or of any part thereof, at the time or in the manner prescribed by the Minister, would be inexpedient, it shall be lawful for the council to delay the operation of the rules, orders or regulations, or of any part thereof, for any period not exceeding thirty days, to be reckoned from the day of the receipt of the rules, orders or regulations, and the council shall, twenty days at least before the expiration of that period, make a report of the special circumstances to the Minister.

(4) All relief given by the council before an answer to the report has been returned by the Minister, if otherwise lawful, shall not be deemed unlawful although given contrary to the rules, orders or regulations, or any of them, but if the Minister disapproves of the delay, or thinks that for the future the rules, orders or regulations ought to come into operation notwithstanding the special circumstances alleged by the council, he may, by a peremptory order (which may notwithstanding anything in this Act come into operation immediately),

PART II. —*cont.*

direct that from a day to be fixed thereby the rules, orders and regulations, or such parts thereof as he may think expedient and proper, shall with or without modifications be enforced and observed by the council, and if any allowance is made or relief given by the council after the day so fixed contrary to any such last-mentioned order, the amount of the relief or allowance so given shall be disallowed in the accounts of the person giving it.

(5) If the council of any county or county borough to whom any such rules, orders or regulations are addressed depart from them, or any of them, in any particular instance of emergency, and within fifteen days report the departure and the grounds thereof to the Minister, and the Minister approves of the departure, or if the relief so given has been given in food, temporary lodging, or medicine and has been so reported as aforesaid, the relief granted by the council, if otherwise lawful, shall not be unlawful or subject to be disallowed.

Power of justices to order outdoor relief to aged and infirm.

46. It shall be lawful for any court of summary jurisdiction having jurisdiction in a county or county borough by order to direct that relief shall be given to any adult person, who from old age or infirmity of body is wholly unable to work, without requiring him to reside in a workhouse, if the person is lawfully entitled to relief in the county or county borough and desires to receive relief out of a workhouse:

Provided that such an order shall not be made unless one of the justices constituting the court can certify that to his own knowledge the person is wholly unable to work as aforesaid and so certifies in the order.

Register of persons in receipt of outdoor relief.

47.—(1) The council of every county and county borough shall cause to be registered in a book to be provided by them and kept specially for that purpose, the name of every person in receipt of outdoor relief in the county or county borough, together with such particulars respecting the family and settlement of every such person and his and their relief and employment as the Minister may direct.

(2) The said book shall be in such form as the Minister may appoint.

PART II. —*cont.*

Outdoor relief to members of friendly societies, &c.

48.—(1) In granting outdoor relief to a member of a friendly society, the council of a county or county borough shall not take into consideration any sum received from the friendly society as sick pay except so far as it exceeds five shillings a week: subject as aforesaid in estimating the amount of relief to be granted to any such member it shall be at the discretion of the council whether they will or will not take into consideration the amount received by him from the friendly society.

(2) In granting outdoor relief to a person in receipt of or entitled to receive any benefit under the National Health Insurance Acts, 1924 to 1928, the council of a county or county borough shall not take into consideration any such benefit, except so far as it exceeds seven shillings and sixpence a week.

Relief by Way of Loan.

Grant of relief by way of loan.

49. Any relief, or the cost thereof, given to or on account of any person above the age of twenty-one, or to his wife, or to any member of his family under the age of sixteen, which the Minister by any rule, order or regulation directs to be given or considered as given by way of loan, shall be considered a loan to that person, whether or not any receipt for, or engagement to repay, the relief or the cost thereof, or any part thereof, has been given by the person to or on account of whom the relief was given.

Recovery of relief by way of loan.

50.—(1) Any relief granted by way of loan to any person may be recovered in the county court or other court for the recovery of small debts, on the plaint of the council of the county or county borough.

(2) Where any relief has been given by way of loan, or where any relief or the cost thereof is treated as a loan in accordance with the provisions of this Act or any rules, orders or regulations made thereunder, any justice of the peace may, upon the application of the council of the county or county borough providing the relief, and upon proof that the relief was given to or on account of any person, and that the sum due or any part thereof remains unpaid, issue a summons to that person requiring him and his employer to appear before a court of summary jurisdiction, at a time and place to be named in the summons, to show cause why any wages due to

PART II. —*cont.*

him, or which may from time to time become due to him, from his employer should not be paid over, in whole or in part, to the council.

(3) If no sufficient cause is shown to the contrary, or if the person does not appear on the return of the summons, the court shall, by order, direct the employer for the time being from whom any wages are due or may from time to time become due or payable to that person to pay out of the wages to the council, either in one sum or by such weekly or other instalments as the court may think fit, having regard to the circumstances of the person and his family, the amount of the relief, or so much thereof as may from time to time be due or unpaid.

(4) The payment to, and receipt of, the council of the county or county borough shall be a good discharge to the employer for so much of the wages as are paid by virtue of any such order.

(5) If any employer refuses or neglects to pay to the council of a county or county borough producing any such order the money thereby directed to be paid according to the terms of the order, and at the periods thereby fixed, the money shall from time to time be recoverable from him summarily as a civil debt.

Recovery of relief by way of loan out of annuity or benefit.

51.—(1) Where any person in receipt of relief which has been declared by the council of any county or county borough or by their relieving officer to be by way of loan, is entitled whether as a member of a friendly society or otherwise to any annuity or periodical payment, the trustee or other person bound to make the payment may, except as hereinafter in this section provided, from time to time pay to the council out of the instalments that have become due, the cost incurred in the relief of that person since the last instalment, and the payment shall be a good discharge to the trustee or other person for the money so paid.

(2) Where the expenses of any such relief have been incurred in respect of a lunatic who is a member of a friendly society, and is as such entitled to receive any payment, the council of the county or county borough may, except as hereinafter in this section provided, recover, as a debt, from him, or in case of his death, from his executors, administrators or assigns, the sum so

PART II. —*cont.*

expended by them, and the managing body of the society, if before the money is paid over notice is served on them by the clerk to the council, shall pay the sum to the council, and shall thereupon be discharged from any further liability in respect thereof.

(3) Where the person entitled to receive such payment is entitled thereto as a member of a friendly society, then—

(*a*) if he has a wife or other relation dependent upon him for maintenance, the foregoing provisions of this section shall not apply, but the money to which he is so entitled shall, subject to any deductions for keeping up his membership required by the rules of the society, be paid or applied by the managing body of the society to or for the maintenance of his wife or relation;

(*b*) if he has no wife or relation dependent upon him, a claim shall not be made under the foregoing provisions of this section unless the council or the relieving officer have, within thirty days of declaring the relief to be by way of loan, sent notice in writing thereof to the secretary or trustees of the society.

For the purposes of this section the expression "society" includes a branch of a society.

(4) Where any trustee or other person declines to make any payment in accordance with this section, the council of the county or county borough may apply to a petty sessional court, and the court may, if satisfied that it is right in all the circumstances to do so, make an order upon him to pay to the council the required amounts—

(*a*) immediately so far as they are then due; and

(*b*) from time to time thereafter as the liability in respect of the relief arises.

(5) This section shall not have effect in respect of any relief granted contrary to the rules, orders and regulations made under this Act.

(6) Nothing in this section shall affect section seventeen of the National Health Insurance Act, 1924. 14 & 15 Geo. 5. c. 38.

PART II. —*cont.*

Control of local authority over deserted children, orphans, &c.

Powers of Parental Control.

52.—(1) Where a child is maintained by the council of any county or county borough and—

(*a*) the child has been deserted by his parent; or

(*b*) the council are of opinion that by reason of mental deficiency, or of vicious habits or mode of life, a parent of the child is unfit to have the control of the child; or

(*c*) a parent of the child is unable to perform his or her parental duties by reason of being under sentence of penal servitude or of being detained under the Inebriates Act, 1898; or

61 & 62 Vict. c. 60.

(*d*) a parent of the child has been sentenced to imprisonment in respect of any offence against any of his or her children; or

(*e*) a parent of the child is permanently bedridden or disabled and is an inmate of a workhouse, and consents to the resolution hereinafter mentioned; or

(*f*) both the parents are dead, or in the case of an illegitimate child, the mother is dead;

the council may at any time resolve that in respect of the child all the rights and powers of such parent as aforesaid, or if both parents are dead, of the parents, shall, subject as in this section mentioned, vest in the council until the child reaches the age of eighteen years, and upon the council so resolving, those rights and powers shall so vest accordingly and shall continue so vested whether the child does or does not continue to be maintained by the council:

Provided that the council may rescind the resolution if they think that it will be for the benefit of the child that it should be rescinded, or may permit the child to be, either permanently or temporarily, under the control of the parent, or of any other relation or of any friend, or of any society or institution for the care of children.

(2) A court of summary jurisdiction, if satisfied on complaint made by a parent, or if there is no parent by the guardian, of a child that there was no ground for the resolution, or that it is for the benefit of the child that the child should be either permanently or temporarily

under the control of his parent or guardian, or that the resolution of the council should be determined, may make an order accordingly, and the council shall comply with the order, and if the order determines the resolution it shall be thereby determined as from the date of the order, and the council shall cease to have the rights and powers of the parent as respects the child.

(3) For the purposes of this section a child shall be deemed to be maintained by the council of a county or county borough if the child is wholly or partly maintained by them in a workhouse or in any separate school, separate infirmary, sick asylum, hospital for infectious disease, institution for the deaf, dumb, blind or idiots, or any certified school, or is boarded out by the council, whether within or without the limits of the county or county borough.

(4) Nothing in this section shall relieve any person from any liability to contribute to the maintenance of a child, but the fact of such contribution being made shall not deprive the council of the county or county borough of any of the powers and rights conferred on them by this section.

(5) Nothing in this section shall authorise the council of a county or county borough to cause a child to be educated in any religious creed other than that in which the child would have been educated but for any resolution of the council under this section, nor affect any provisions of this Act respecting the religious education of a child maintained by any such council, or respecting the right of any minister of the same religious persuasion as the child to visit and instruct the child.

(6) If any person—

(*a*) knowingly assists, directly or indirectly, a child who has, in pursuance of this section, been placed under the control of the council of a county or county borough to leave, without the consent of the council, the place where the child is under that control; or

(*b*) knowingly induces, directly or indirectly, any such child to leave that place; or

(*c*) knowingly harbours or conceals a child who has so left that place, or prevents him from returning to that place,

he shall be liable on summary conviction to a fine not exceeding twenty pounds.

PART II. —*cont.*

(7) In the case of any child who is deemed to be maintained by the council of any county or county borough and who is with their consent adopted by any person, the council shall, during a period of three years from the date of the adoption, cause the child to be visited at least twice in each year by some competent person appointed by them for the purpose, who shall report to them on each visit, and the council may, if they think fit, at any time during the said period revoke their consent to the adoption, and thereupon the child shall be forthwith returned to them by the person having the custody of the child:

Provided that this subsection shall not apply when the adoption is effected under the Adoption of Children Act, 1926.

16 & 17 Geo. 5. c. 29.

Schools.

Separate schools.

53.—(1) The Minister may direct the council of any county or county borough to purchase, hire or build, and to equip, buildings of such size and description and according to such plans, and in such manner, as the Minister may deem most proper, for the purpose of being used or rendered suitable as separate schools for the relief and management of the children to be received therein.

(2) The Minister may issue rules, orders and regulations for the government of any separate school and the inmates thereof as if the school were a workhouse.

(3) It shall be lawful at all times for any of His Majesty's Inspectors of Schools to visit any separate school, and to examine into the proficiency of the scholars therein.

(4) The council of a county or county borough shall have such powers for the relief and management of the children within any separate school as the Minister may direct.

(5) The council of a county or county borough shall, in the case of children in a separate school suffering from disease, have the like powers of detention as are by this Act conferred on them in the case of inmates of workhouses.

Certification of schools supported by subscriptions.

54.—(1) The Minister may, if he thinks fit, upon the application in writing of the managers of any school supported wholly or partially by voluntary subscriptions, appoint a person to examine into the condition of the

school and to report to him thereon, and, if satisfied with the report, may certify that the school is fitted for the reception of such children or persons as may be sent there by a county or county borough council in pursuance of this Act.

(2) If at any time the Minister is dissatisfied with the condition or management of a certified school, he may, by notice addressed to the managers, declare that the certificate is withdrawn from such day, not less than two months after the date of the notice, as may be specified therein.

(3) For the purposes of this section, the expression "school" includes any institution established for the instruction of idiots or of blind, deaf, dumb, lame or deformed persons, but does not include any certified reformatory school.

Power to send children to certified schools.

55. Subject to the provisions of this Act as to blind children and deaf and dumb children, the council of any county or county borough may send any poor child to any certified school, if the managers of the school are willing to receive the child, and may pay the reasonable expenses incurred in the maintenance, clothing and education of the child whilst in the school, to an amount not exceeding such rate of payment as may be sanctioned by the Minister, and in the conveyance of the child to and from the school, and, in the case of death, the expenses of burial:

Provided that—

(*a*) except in the case of an orphan or a child deserted by his parents or surviving parent, a child shall not be sent to a certified school without the consent of his parents or surviving parent so, however, that in the case of an illegitimate child the consent of the mother, if she has the care, custody or possession of the child, shall be sufficient;

(*b*) nothing in this Act shall enable a county or county borough council to keep any child in a certified school against the will of the child if above the age of fourteen, or, whatever may be the age of the child, against the will of the parents or surviving parent of the child;

PART II. —*cont.*

(*c*) no child shall be sent to a certified school which is conducted on the principles of a religious denomination to which the child does not belong.

Power to remove children from certified schools.

56.—(1) If the Minister is of opinion that any person is aggrieved by any child being sent to or kept at a certified school, he may order the child to be removed, and the county or county borough council shall forthwith cause the child to be removed from the school, and every engagement previously entered into for the payment of the charges for the child shall thereupon become void for the future.

(2) The council of a county or county borough may at any time, at their discretion, and shall, if so required by the managers of the school or upon the withdrawal of the certificate, cause any child to be removed from a certified school and brought back to the county or county borough.

Inspection of certified schools.

57.—(1) Every certified school shall be open to the visitation and inspection of any inspector appointed by the Minister, who shall be empowered to make any examination into the state and management of the school which he thinks requisite and as to the condition and treatment of the children therein, and shall report thereon to the Minister.

(2) A county or county borough council by whom any child may have been sent to a certified school may from time to time appoint any person to visit and inspect the school, and the school shall at all reasonable times be open to such visitation and inspection.

Power to send deaf and dumb and blind children to special schools.

58. The council of any county or county borough may, with the approval of the Minister, send any poor deaf and dumb or blind child who is—

(*a*) an idiot or imbecile; or

(*b*) resident in a workhouse or in an institution to which he has been sent by a county or county borough council from a workhouse; or

(*c*) boarded out by a county or county borough council,

to any school fitted for the reception of such children, whether or not the school is a certified school, but save

as aforesaid it shall not be lawful for the council of any county or county borough in the discharge of their functions under this Act to send any deaf and dumb or blind child to any school.

Apprentices and Servants.

Power of councils to bind children apprentices.

59.—(1) Subject to the enactments relating to the employment of children, the council of any county or county borough may bind any child whose parents are not, in the opinion of the council, able to maintain the child, to be an apprentice until the child attains the age of twenty-one years, or, being a female, marries under that age.

(2) The binding shall be as effectual for all purposes as if the child were of full age and by indenture of covenant bound himself.

Register of apprentices.

60.—(1) The council of every county and county borough shall provide a register in the form set out in the First Schedule to this Act and shall cause to be entered therein the name of every child who is bound by the council as an apprentice, or who having been so bound is assigned to some other person, and such other particulars as are required by the said form.

(2) Any person may, at all reasonable hours, inspect any such register, and may take a copy of any entry therein, in the case of any justice of the peace without fee, and in the case of any other person upon payment of a fee of sixpence.

(3) Where it is proved to the satisfaction of any court that an indenture is lost or has been destroyed, an entry in any such register shall be accepted by the court as sufficient evidence of the facts therein specified.

(4) This section shall apply to any persons (not being county or county borough councils) on whom powers of binding parish apprentices are conferred by any Act of Parliament, whether public general or local or personal, in like manner as it applies to a county or county borough council.

Duties of masters of apprentices.

61.—(1) The Minister may, by order, prescribe the duties to be performed by the masters to whom poor children may be apprenticed, and the terms and conditions to be inserted in the indentures by which children may be bound as apprentices.

PART II. —*cont.*

(2) Every master of such an apprentice who wilfully refuses or neglects to perform any of the terms or conditions so inserted in any such indenture shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) Subject to any such order as aforesaid, the provisions contained in the Second Schedule to this Act shall apply in the case of apprentices upon the binding of whom no sum, or no larger sum than five pounds, is paid.

(4) Nothing in this Act shall directly or indirectly affect the provisions of any Act relating to apprentices to the sea service.

Restrictions on discharge and transfer of apprentices.

62.—(1) It shall not be lawful for the master of an apprentice bound by the council of any county or county borough to assign him to any other person or to discharge him from his service, without the consent in writing of two justices having jurisdiction in the place where the master resides.

(2) If any such master assigns any such apprentice to any other person, or discharges him from his service without such consent as aforesaid, he shall be liable on summary conviction to a fine not exceeding ten pounds.

Change of residence of master.

63.—(1) If any person to whom a child has been bound apprentice by the council of any county or county borough removes his residence or place of business out of the county or county borough, or removes it forty miles from the parish wherein it was situated when the child was bound, he shall, at least fourteen days before the removal, give notice in writing thereof to the council of the county or county borough wherein the apprentice is then resident.

(2) The county or county borough council and the master of the apprentice shall cause the apprentice to appear before two justices of the peace having jurisdiction in the place where he is serving, who may make an order, either for the continuance or discharge of the apprenticeship or for the binding or assigning of the apprentice to some other person, as they think fit, and may also require the master to pay the amount of the premium received with the apprentice, or such portion

PART II. —*cont.*

of it as they think fit, for the expense of binding or assigning the apprentice to some other person.

(3) If any master removes as aforesaid and takes an apprentice to any other place without such an order as aforesaid, or wilfully abandons and leaves an apprentice without giving such notice as aforesaid, he shall be liable on summary conviction to a fine not exceeding ten pounds:

Provided that proceedings for such an offence shall not be instituted after the expiration of three months from the commission of the offence.

Appeals to quarter sessions as to apprentices.

64. If any person is aggrieved by any matter or thing done, or omitted to be done, by the council of any county or county borough or by any justices of the peace, or by any other person whomsoever, under and by virtue of the provisions of this Part of this Act relating to apprentices, he may appeal to the next court of quarter sessions.

Register of young persons taken as servants.

65.—(1) The council of every county and county borough shall provide and keep a register in the form set out in the Third Schedule to this Act, and shall cause to be entered therein the name of every young person under the age of sixteen hired or taken as a servant from any of their workhouses, together with the several other particulars specified in the form.

(2) Every such entry shall be signed by the presiding chairman at an ordinary meeting of the council.

Visitation of apprentices and servants.

66.—(1) Where any young person under the age of sixteen has been bound as an apprentice by the council of any county or county borough or has gone into service from a workhouse, then, so long as the apprentice or servant is under the age of sixteen and continues in the same service and resides in the county or county borough or within five miles thereof, the council shall cause him to be visited at least twice a year, and a report to be furnished as to whether there is reason to believe that he is not supplied with the necessary food, or is subjected to cruel or illegal treatment in any respect.

(2) Where any young person under the age of sixteen has been bound as an apprentice by the council of any county or county borough or has gone into service

PART II. —*cont.*

from a workhouse, and the residence of the master or employer is more than five miles from any part of the county or county borough, written notice of the apprenticeship or service, specifying the name and age of the apprentice or servant, and the name, description and residence of the master or employer, shall be forthwith sent by the council to the council of the county or county borough in which the master or employer resides, and thereupon it shall become the duty of the last-mentioned council to cause the particulars contained in the notice to be registered in a book to be provided by them for the purpose, together with the name of the county or county borough from which the notice has been received, and they shall cause the young person to be visited as frequently, and in the same manner in all respects, as if he had been bound as an apprentice by themselves or had gone into service from one of their own workhouses.

(3) The council of any county or county borough may appoint an officer or other person to visit and report upon the condition, treatment and conduct of any young person under the age of sixteen who has gone into service from a workhouse or separate school.

Miscellaneous forms of Relief.

Power to subscribe to hospitals, &c.

67. The council of any county or county borough may, with the consent of the Minister, contribute by way of an annual subscription towards the support and maintenance of—

(*a*) any public hospital or infirmary for the reception of sick or infirm persons; or

(*b*) any institution for blind or deaf and dumb persons or for persons suffering from any permanent or natural infirmity; or any association for aiding such persons; or

(*c*) any association for providing nurses or for aiding boys and girls in service; or

(*d*) any society for the prevention of cruelty to children; or

(*e*) any other institution which appears to the council with the approval of the Minister to be calculated to render useful aid in the administration of the relief of the poor:

PART II. —*cont.*

Provided that nothing in this section shall authorise any subscription to any institution unless the Minister is satisfied that the persons receiving relief from the council have, or could have, assistance therein in case of necessity.

Power to assist emigration.

68. The council of any county or county borough may, with the consent of the Minister and in compliance with such rules, orders, and regulations as he may prescribe, procure or assist in procuring the emigration of—

(*a*) any orphan or deserted child under the age of sixteen who is chargeable to the county or county borough;

(*b*) any other poor person who is chargeable, or would if relieved be chargeable, to the county or county borough;

(*c*) any poor person having a settlement in the county or county borough:

Provided that a council shall not procure the emigration of an orphan or deserted child unless the child has given its consent before a petty sessional court held in or near the county or county borough and a certificate of the consent under the hands of two of the justices present has been transmitted to the Minister.

Power to assist boys entering naval service.

69. If any boy not an apprentice in the merchant service who, or whose parent, is in receipt of relief, is desirous of serving in the naval service of the Crown, the council of the county or county borough may enable him to be sent for approval by the competent authority, and may pay such sum, if any, as may be required by the regulations of the service for providing outfit or otherwise, and such expenses as may be necessary to be incurred for the conveyance of the boy in charge of a proper person to and from the port or place in the United Kingdom at which he may be required to attend for examination, and, if accepted, for entry into the service.

Power to employ poor persons in cultivation of land.

70. The council of any county or county borough may employ and set to work in the cultivation of land acquired by them for the purpose such persons as the council are by this Act required to set to work, and may pay to the persons so employed by them who are not in receipt of other relief reasonable wages for their work,

PART II. —*cont.*

and the persons so employed shall have the like remedies for the recovery of their wages as other agricultural labourers.

Provisions as to Religious Creed.

Separate creed register.

71.—(1) The officer for the time being acting as the master or superintendent of a workhouse, or separate school, shall keep a register of the religious creed of the inmates of the workhouse or school, and shall, upon the admission of any person to the workhouse or school, make due inquiry into his religious creed and enter it in the register.

(2) The said register shall be kept separate from all other registers and in such form and with such particulars as may be prescribed by the Minister.

(3) In regard to any child under the age of twelve years in a workhouse or separate school, the master or superintendent shall enter in the creed register, as the religious creed of the child, the religious creed of the father, or, if the creed of the father cannot by reasonable inquiry be ascertained, the creed of the mother unless her creed cannot by reasonable inquiry be ascertained.

The creed of an illegitimate child under the said age shall be deemed to be that of his mother, when that can be ascertained.

(4) If any question arises as to the correctness of any entry in the register, the Minister may inquire into the circumstances of the case and determine the question and direct the entry to remain or to be amended.

(5) Every minister of any religious denomination officiating in the church, chapel or other registered place of religious worship of that denomination nearest to any workhouse or separate school, or any ratepayer in the county or county borough, shall be allowed to inspect the creed register between the hours of ten o'clock in the morning and four o'clock in the afternoon on any day except Sunday.

Provisions as to religious services and instruction.

72.—(1) No inmate of a workhouse or separate school shall be obliged to attend any religious service which may be celebrated in a mode contrary to his religious principles.

(2) On the request of an inmate, any licensed minister of his religious denomination may, at all times

PART II. —*cont.*

in the day, visit a workhouse or separate school for the purpose of affording the inmate religious assistance, or for the purpose of instructing any child of the inmate in the principles of the child's religion.

(3) Any minister of any religious denomination officiating in the church, chapel or other religious place of worship of that denomination nearest to any workhouse or separate school may, in accordance with regulations to be approved or ordered by the Minister, visit and instruct any inmate of the workhouse or school entered in the creed register as belonging to the same religious creed as the minister, unless the inmate, being above the age of fourteen, and after having been visited at least once by a minister of that denomination, objects to being instructed by him.

(4) Every inmate of a workhouse for whom a religious service according to his own creed is not provided in the workhouse, may, subject to regulations to be approved or ordered by the Minister, be permitted to attend at such times as the Minister may allow some place of worship of the inmate's own denomination, if there is any such place of worship within a convenient distance of the workhouse:

Provided that the county or county borough council may, on the ground that such permission has been abused or on some other special ground, refuse permission to any particular inmate, and shall in any such case cause an entry of the refusal, and the grounds thereof, to be made in their minutes.

Religious instruction of children.

73.—(1) Where a child who is an inmate of a workhouse or a separate school is regularly visited by a minister of his own religion for the purpose of religious instruction, then, if the parents or surviving parent of the child, or, in the case of an orphan or deserted child, if such minister as aforesaid, makes a request in writing to that effect, the child shall not be instructed in any other religious creed or be required or permitted to attend the services of any other religious creed than that entered in the creed register, except where the child is over the age of twelve years and desires to receive instruction in some other creed or to attend the services of some other religious creed and is considered by the Minister to be competent to exercise his own judgment on the subject.

PART II. —*cont.*

(2) A child who, being an inmate of a workhouse or separate school, is not so regularly visited as aforesaid shall not be instructed in any religious creed (not being that professed by his parents or surviving parent) to which his parents or surviving parent object, or, in the case of an orphan or deserted child, to which his next-of-kin object.

Transfer of child to certified school of appropriate religion.

74.—(1) If, in the case of any child relieved in a workhouse or in a separate school, being a child not belonging to the established church, the parent, step-parent, nearest adult relation, or next-of-kin of the child, or, if there is no such person as aforesaid, the god-parent of the child, makes application to the Minister in that behalf, the Minister may, if he thinks fit, order that the child shall be sent to some certified school established for the reception, maintenance and education of children of the religion to which the child belongs.

(2) Upon such an order being made, the council of the county or county borough to which the child is chargeable shall cause the child to be conveyed to the school accordingly, and pay the costs and charges of the maintenance, lodging, clothing and education of the child therein.

(3) In the case of a deserted child or an orphan on behalf of whom no relation, next-of-kin, step-parent, or god-parent makes application, the Minister may exercise the power conferred upon him by this section upon being satisfied that there is reasonable ground for so doing.

Burial.

Burial of poor persons.

75.—(1) The council of any county or county borough may bury the body of any poor person which may be within the county or county borough, and may pay the costs of the burial of any poor person dying outside the county or county borough, who was at the time of his death in receipt of relief from them.

(2) Every body directed by the council of a county or county borough to be buried shall be buried either—

(*a*) in the burial ground of the parish in which the death occurred; or

(*b*) if the death did not take place in a workhouse or separate school and the deceased, at the time of his death, resided in a parish within the county or county borough, in the burial ground of that parish; or

(*c*) if the death took place in a workhouse and the deceased, before his removal thereto, resided in a parish within the county or county borough, in the burial ground of that parish; or

(*d*) if the death took place in a separate school, in the burial ground of the parish from which the deceased was sent to the school, or, if he was sent to the school from a workhouse, in the burial ground of the parish from which he was sent to the workhouse; or

(*e*) where in pursuance of the powers conferred by section six of the Burial Act, 1857, or by section seventy-seven of this Act the council have acquired a right to bury in any burial ground, in that burial ground, unless the deceased in his lifetime or the wife, husband, or next-of-kin of the deceased has expressed a desire to the contrary: 20 & 21 Vict. c. 81.

Provided that—

(i) if the burial ground mentioned in paragraph (*a*), (*b*), (*c*) or (*d*) of this subsection has been closed and no other burial ground provided in its place, or if in consequence of the crowded state of such burial ground as aforesaid, the county or county borough council are of opinion that burial therein would be improper, it shall be lawful for the council to bury the body in the burial ground of some neighbouring parish;

(ii) if the deceased in his lifetime, or the wife, husband, or next-of-kin of the deceased, has expressed a desire to that effect, then, subject to the provisions of the last foregoing paragraph of this proviso, the burial shall take place in the burial ground of the parish in which the deceased resided at the time of his death, or, if the death occurred in a workhouse or separate school, in the burial ground of the

PART II. —*cont.*

parish in which the council are empowered under paragraph (*c*) or (*d*) of this subsection to bury him;

(iii) where the deceased in his lifetime, or the wife, husband or next-of-kin of the deceased, has expressed a desire that the burial shall take place in any particular burial ground (whether or not any such burial ground as is hereinbefore in this section mentioned), nothing in this section shall prevent the council from burying the body in that burial ground.

(3) In all cases of burial by or under the direction of a county or county borough council, the proper burial fees shall be paid by the council to the person entitled to receive them; and for the purpose of determining the amount of such fees, the death of any person buried in accordance with the provisions of paragraph (*c*) or (*d*) of the last foregoing subsection shall be deemed to have taken place in the parish in which his body is buried.

Recovery of expenses of burials.

76. The cost of burying any person by or under the direction of the council of a county or county borough shall be recoverable in like manner and from the same persons as the cost of any relief (if given to him when living) would have been recoverable.

Power of councils to acquire right to bury in certain burial grounds.

77.—(1) The council of any county or county borough may contribute such sum of money as the Minister may approve towards the provision or enlargement of any burial ground in the county or county borough, or the burial ground of the parish in which any workhouse of the council is situated, and, where a burial ground is provided or enlarged with the aid of such a contribution, it shall be lawful for the council to bury therein the dead body of any person dying in any of their workhouses.

(2) The council of any county or county borough may enter into agreements with the proprietors (whether a company, burial board, local authority, committee or other body of persons) of any burial ground for the burial of the bodies of any poor persons which the council may undertake to bury, or towards the burial whereof they may render

assistance, and, where such an agreement is made, the burial in that burial ground of any body under the directions of the council or with their aid shall be lawful:

Provided that no such agreement shall be valid unless made in such form and with such stipulations as the Minister may approve.

Prohibition on officers receiving remuneration in respect of burials.

78. No officer concerned with the relief of the poor shall receive any money for the burial of the body of any poor person or act as undertaker for reward in the burial of any such body, or receive any money from any dissecting school or school of anatomy or hospital, or from any person to whom any such body may be delivered, or derive any personal emolument whatever for, or in respect of, the burial or disposal of any such body, and if any officer contravenes any of the provisions of this section he shall be liable on summary conviction to a fine not exceeding five pounds.

Relief of Persons belonging to another County or County Borough.

Sudden or urgent necessity of persons belonging to another county or county borough.

79. If any relieving officer refuses or neglects to give relief in any case of sudden or urgent necessity to any person not settled or usually residing in the county or county borough for which the relieving officer acts, any justice of the peace may, by order in writing under his hand and seal, require the relieving officer to give such temporary relief, otherwise than in money, as the case may require, notwithstanding that the relief may not have been ordered by the council of the county or county borough; and if a relieving officer disobeys any such order he shall on summary conviction be liable to a fine not exceeding five pounds.

Liability for relief in case of accident or illness.

80. Where any person having a fixed place of abode in a county or county borough requires relief by reason of accident or sudden illness occurring to him while in some other county or county borough, not being his county or county borough of settlement,

PART II. —*cont.*

the cost of all relief lawfully given to him, medical or otherwise, shall—

(*a*) if he is then in receipt of relief be paid or reimbursed in like manner and by the same council as that other relief; but

(*b*) if he is not then in receipt of relief, be paid or reimbursed by the council of the county or county borough in which he has his place of abode.

Relief to widows in certain cases.

81. In the case of a widow who has a legitimate child dependent on her for support, and no illegitimate child born after the commencement of her widowhood, and who at the time of her husband's death was resident with him in some place other than her county or county borough of settlement, the council of her county or county borough of settlement may grant relief to her although she is not residing in that county or county borough:

Provided that the council of the county or county borough in which the widow may be resident or may require relief shall be liable to relieve her in the same manner as any other person requiring relief in that county or county borough.

Reception in workhouses of persons belonging to another county or county borough.

82.—(1) The council of a county or county borough to which a workhouse belongs may, with the consent of the Minister, receive, lodge and maintain in the workhouse, any poor person belonging to any other county or county borough upon such terms as may be agreed between the councils concerned.

(2) Any such person so received in a workhouse shall, while therein, be treated in all respects in like manner, and be subject to the same regulations and liabilities, as the other persons therein, and shall be deemed to be chargeable in the first instance to the receiving county or county borough; but his residence in that workhouse shall, in all other respects, be attended with the same legal consequences as if the workhouse were situated within the county or county borough from which he was received.

Reception of children belonging to another

83.—(1) Where in a building belonging to the council of any county or county borough adequate provision is made for the reception, maintenance and

PART II. —*cont.* county or county borough.

education of poor children, and there is more accommodation therein at any time than the council require for the poor children under their care, they may, with the consent of the Minister, contract with the council of any other county or county borough for the reception and maintenance therein and for the instruction of any children under the age of sixteen years chargeable to the other county or county borough, being orphans or children deserted by their parents, or children whose parents or surviving parent consent.

(2) The children received under any such contract as aforesaid shall, while at the building, be maintained and instructed in the same manner in all respects as the children of the county or county borough to which the building belongs, and shall be subject to the control and management of the council of that county or county borough and their officers in like manner as if they were chargeable to that county or county borough:

Provided that the residence of any such child in any such building shall in all other respects be attended with the same legal consequences as if the building were situated within the county or county borough from which the child was received.



PART III.

SETTLEMENT, IRREMOVABILITY AND REMOVAL.

Settlement.

Settlement.

84.—(1) A person shall be deemed to be settled in the county or county borough in which he was born until it is shown that he has derived or acquired a settlement elsewhere, or is presumed to be settled elsewhere, and the county or county borough in which a person is last settled shall be deemed to be his county or county borough of settlement.

(2) Subject to the provisions of this Part of this Act, a person may, in manner hereinafter provided—

(*a*) derive a settlement in a county or county borough from a parent or from a husband;

PART III. —*cont.*

(*b*) acquire a settlement in a county or county borough by

(i) residence,

(ii) apprenticeship,

(iii) estate,

(iv) renting a tenement, or

(v) the payment of rates or taxes;

(*c*) be presumed to be settled in a county or county borough by reason of an estoppel.

Derivative settlement.

85.—(1) Until a person acquires a settlement of his own or derives a settlement from a husband, that person—

(*a*) if a legitimate child, shall take and follow, up to the age of sixteen, the settlement of his father, or, if and so long as his father has no settlement, the settlement which his mother had immediately before her marriage to his father, but if after the death of the father the mother acquires a settlement (not being a derivative settlement) shall take and follow, up to the age of sixteen, that settlement;

(*b*) if an illegitimate child, shall take and follow, up to the age of sixteen, the settlement of his mother;

and shall in either case retain the settlement which, under the foregoing provisions of this section, he had at the age of sixteen.

(2) Subject to the provisions of the next succeeding section as to a married woman deserted by her husband, a married woman shall take and follow the settlement of her husband, and shall retain the settlement which she thus had at the date of his death or of the dissolution of the marriage until she acquires or derives another settlement:

Provided that, if her husband has no settlement, she shall not by reason of her marriage cease to retain the settlement which she had immediately before her marriage to him.

(3) If any person, whether legitimate or illegitimate, who has attained the age of sixteen has not acquired a

settlement nor derived one from a husband, and it cannot be shown what settlement has been derived from a parent without inquiring into the derivative settlement of that parent, that person shall be deemed to be settled in the county or county borough in which he was born. PART III. —*cont.*

Acquisition of settlement by residence.

86.—(1) Where a person has resided for the term of three years in a county or county borough in such manner and in such circumstances in each of those years as would, in accordance with the provisions contained in this Act, render him irremovable, he shall be deemed to be settled in that county or county borough.

(2) A married woman deserted by her husband may acquire for herself a settlement by residence.

Acquisition of settlement by apprenticeship.

87. If any person is bound an apprentice by a duly stamped deed, writing or contract, and in pursuance thereof resides for forty days in any county or county borough, he shall be deemed to have acquired a settlement therein:

Provided that—

(*a*) no settlement shall be acquired by being apprenticed to the sea service or sea fishing service; and

(*b*) where a person bound as an apprentice by the council of a county or county borough or by a board of guardians has been assigned to a person other than the person to whom he was originally bound, no settlement by virtue of service of apprenticeship after the assignment shall be acquired unless the assignment was legally made in accordance with the provisions contained in this Act.

Acquisition of settlement by estate.

88.—(1) A person who, having an estate in any county or county borough, resides in the county or county borough for forty days shall be deemed to have acquired a settlement therein, but shall not retain the settlement so acquired if he ceases to reside within ten miles of the county or county borough:

Provided that, if he purchased the estate and has not paid as consideration therefor at least thirty pounds, he shall not be deemed to have acquired a settlement in the county or county borough unless he has resided

PART III. —*cont.*

on the estate for forty days, and shall not retain the settlement so acquired if he ceases to reside on the estate.

(2) Where a person having acquired a settlement under this section ceases by reason of non-residence to retain such settlement, any question as to his settlement shall be determined as if he had never acquired a settlement under this section.

(3) For the purposes of this section, the expression "estate" means such an estate or interest as would immediately before the passing of the Poor Law Act, 1927, have been sufficient to support a claim to a settlement by estate.

Acquisition of settlement by renting a tenement.

89. If any person—

(*a*) rents, and by virtue of the renting occupies for a whole year, a tenement in any county or county borough consisting of a separate and distinct dwelling-house or building, or of land, or of both, at a rent of not less than ten pounds; and

(*b*) himself pays the rent or at least ten pounds thereof; and

(*c*) is assessed to and pays the general rate in respect of that tenement for one year; and

(*d*) resides in the county or county borough for forty days,

he shall thereby acquire a settlement in the county or county borough.

Acquisition of settlement by paying rates or taxes.

90. If any person—

(*a*) is charged with and pays—

(i) the public taxes or local rates in respect of any tenement of the yearly value of ten pounds at least, being his own property; or

(ii) the local rates in respect of any tenement consisting of a separate and distinct dwelling-house or building, or of land, or of both, rented by him at a rent of not less than ten pounds a year for one whole year; and

PART III. —*cont.*

(*b*) resides in the county or county borough in which the tenement is situated for forty days after such payment as aforesaid,

he shall thereby acquire a settlement in that county or county borough:

Provided that in the case of a tenement so rented no settlement shall be acquired under this section unless the tenement is occupied for a whole year by virtue of the renting, and rent to the amount of ten pounds is actually paid for a year of the tenancy.

Presumptive settlement by estoppel.

91. Where an order has been made adjudging any person to be settled in a county or county borough named therein and ordering him to be removed thereto, then—

(*a*) if the order has not been appealed against, or if any appeal against the order has been dismissed or abandoned; and

(*b*) if the person has been removed thereunder or has, after the service of the order, been relieved without actual removal by the council of the county or county borough to which he was ordered to be removed,

the order shall be conclusive evidence for all purposes that the person was at the date thereof settled in the county or county borough.

Restrictions on the acquisition of settlement in certain cases.

92.—(1) A person born in any poor law institution shall, so far as regards his settlement of birth, be deemed to have been born in the county or county borough in which his mother was residing before she last became chargeable as an inmate of the poor law institution.

(2) No person whose mother was at the time of his birth a prisoner in a prison, or a patient in a lying-in hospital, shall be deemed to be settled, by reason of his birth therein, in the county or county borough in which the prison or hospital is situated, and in the case of an illegitimate child born in a lying-in hospital, the county or county borough in which the mother was settled at the time of birth shall be deemed to be the child's settlement of birth.

(3) No person to whom any land hired, taken, or inclosed under or by virtue of the provisions of Part IV.

PART III. —*cont.* 17 & 18 Geo. 5. c. 14.

of this Act, or of Part V. of the Poor Law Act, 1927, or the corresponding enactment in any Act repealed by that Act has been let, shall acquire a settlement by reason of his renting and occupying, or by reason of his paying local rates in respect of, the land, either alone or with any other land or tenement.

(4) No toll keeper of any navigation, or person renting the tolls and residing in any toll house of the navigation, shall acquire any settlement by reason of renting and occupying a tenement or by reason of the payment of public taxes or local rates.

Irremovability.

Persons who may not be removed.

93.—(1) No person shall be removed, nor shall any order be made for the removal of any person, from any county or county borough in which he has resided for one year next before the application for the order:

Provided that any time during which he has been—

(*a*) serving in the naval, military or air service of the Crown as a seaman, marine, soldier or airman; or

(*b*) resident as an in-pensioner in Greenwich or Chelsea Hospital; or

(*c*) confined in an institution for lunatics; or

(*d*) resident as a patient in a hospital; or

(*e*) detained in an institution or resident in an approved home under the Mental Deficiency Act, 1913; or

3 & 4 Geo. 5. c. 28.

(*f*) resident in a workhouse of, or otherwise in receipt of poor relief from, the council of a county or county borough or a board of guardians; or

(*g*) wholly or in part maintained by any rate or subscription raised in a parish in which he does not reside, not being a bonâ fide charitable gift; or

(*h*) a prisoner in a prison; or

(*i*) detained in a certified reformatory or industrial school; or

PART III. —*cont.*

(*j*) detained in a retreat under the Habitual Drunkards Act, 1879, or detained in or absent under licence from a State inebriate reformatory or a certified inebriate reformatory under the Inebriates Act, 1898; 42 & 43 Vict. c. 19.

shall not be regarded as interrupting his residence in the county or county borough, but shall for all purposes be excluded in the computation of time hereinbefore mentioned.

(2) Whenever any person has a wife or children whose settlement is in the same county or county borough as his or her own, the wife and children shall be removable from any county or county borough from which he or she would be removable notwithstanding anything contained in the foregoing provisions of this section, and shall not be removable from any county or county borough from which he or she would be irremovable by reason of any of the said provisions:

Provided that, if a married woman deserted by her husband resides in any county or county borough for one year after such desertion in such a manner as would, if she were a widow, render her exempt from removal, she shall not be liable to be removed from the county or county borough unless her husband returns to cohabit with her.

(3) No woman residing in a county or county borough with her husband at the time of his death shall be removed, nor shall any order be made for her removal, from the county or county borough for one year next after his death, if she so long continues a widow.

(4) No child under the age of sixteen residing in a county or county borough with his father, mother, stepfather, stepmother or reputed father shall be removed, nor shall any order be made for the removal of the child, from the county or county borough in any case where the father, mother, stepfather, stepmother or reputed father may not lawfully be removed therefrom.

(5) Where a child under the age of sixteen residing with his surviving parent is left an orphan, and the parent at the time of death was irremovable by reason of residence, the orphan, if not otherwise irremovable, shall be exempt from removal in like manner and to

PART III. —*cont.*

the same extent as if he had then acquired for himself an exemption from removal by residence.

(6) Nothing in this Act shall affect any exemption from removal to which by the common law the owner of an estate and the husband and wife of such an owner are entitled, or affect any rule of common law against the separation from his mother of a child under the age of seven.

(7) Where a person is irremovable from any county or county borough, and the place wherein that exemption has been wholly or partly acquired is transferred to another county or county borough, he shall so long as he continues to reside in such other county or county borough be irremovable therefrom.

Removal.

Persons who may be removed.

94. A person who is in receipt of relief, unless rendered irremovable by virtue of the foregoing provisions of this Act, may be removed in manner hereinafter provided to his county or county borough of settlement.

Removal order.

95. Upon complaint made by the council of any county or county borough that a person has become chargeable to the county or county borough, two justices of the peace having jurisdiction in any part of the county or county borough, if satisfied of the truth of the complaint and that the person is not settled within or irremovable from the county or county borough, may order him to be removed to his county or county borough of settlement:

Provided that—

(*a*) no order shall be made for the removal of any person becoming chargeable in respect of relief made necessary by sickness or accident, unless the justices making the order state therein that they are satisfied that the sickness or accident will produce permanent disability; and

(*b*) a removal order in respect of a settlement alleged to have been acquired by residence shall not be made upon the evidence of the person to be removed without such corroboration as the justices think sufficient.

PART III. —*cont.*

Notice to be given and documents to be served before removal under removal order.

96.—(1) No person shall be removed under a removal order until twenty-one days have elapsed after written notice of his being chargeable, accompanied by a copy of the order and by a written statement setting forth the grounds of removal (including particulars of the settlement relied upon in support thereof), has been served by the removing council upon the council against whom the order is made.

(2) The clerk to the justices making a removal order shall keep the depositions upon which the order was made, and shall within seven days furnish a copy thereof to the council against whom the order was made, if they apply for a copy and pay for it at the rate of twopence per folio of seventy-two words; and if such an application is made within the period of twenty-one days mentioned in the last foregoing subsection, no person named in the order shall be removed until the expiration of fourteen days from the sending of the copy of the depositions.

(3) If notice of appeal against a removal order is received by the removing council within the period of twenty-one days mentioned in subsection (1) of this section, or if a copy of the depositions is applied for within that period, before the expiration of the fourteen days mentioned in subsection (2) of this section, no person named in the order shall be removed until the appeal has been finally disposed of or the time for prosecuting the appeal has expired.

(4) Notwithstanding anything in this section, if the council against whom a removal order is made consent in writing to submit to the order and to receive any person named therein, that person may be removed forthwith.

Appeals.

97.—(1) Any person who thinks himself aggrieved by a removal order may appeal against the order to the next practicable court of quarter sessions having jurisdiction in the county or place for which the justices who made the order act:

Provided that—

(*a*) no appeal against a removal order shall be allowed unless notice of appeal is given within twenty-one days after the notice of chargeability and statement of grounds of

PART III. —*cont.*

removal has been sent as hereinbefore provided, or, if within those twenty-one days a copy of the depositions has been applied for, within fourteen days after the sending of a copy thereof; and

(*b*) if it appears to the court of quarter sessions that the notice of appeal, though given within the time specified in the last preceding proviso, was not given to the respondent a reasonable time before the hearing of the appeal, the court shall adjourn the appeal until the next sessions.

(2) The appellant shall with the notice of appeal, or fourteen days at least before the first day of the sessions at which the appeal is intended to be tried, serve upon the respondent a written statement of the grounds of appeal, and shall not be heard in support of the appeal unless such a statement has been so served.

(3) No omission or delay in furnishing a copy of the depositions upon which a removal order was made shall afford any ground of appeal against the order, and upon the hearing of an appeal against an order the order shall not be quashed or set aside, either wholly or in part, on the ground that such depositions do not furnish sufficient evidence to support, or that any matter contained therein or omitted therefrom raises an objection to, the order or grounds of removal.

(4) On the hearing of an appeal against a removal order it shall not be lawful for the respondent or appellant to go into or give evidence of any other grounds of removal or of appeal respectively than those set out in the order or in the statements of grounds of removal and grounds of appeal respectively.

Execution of removal order.

98.—(1) The council of any county or county borough from which a person is ordered to be removed under the provisions of this Part of this Act may employ any proper person to remove and deliver him to the council of the county or county borough to which he is ordered to be removed, and the delivery of any such person at any workhouse of the last mentioned council or, if any particular workhouse has been designated for the purpose by them at that workhouse, to any officer of the workhouse, shall be deemed a delivery to the council.

PART III. —*cont.*

(2) If any officer of a workhouse refuses to receive any person so delivered in accordance with the terms of a removal order and of this Part of this Act, he shall be liable on summary conviction to a fine not exceeding five pounds.

Suspension of removal order in case of sickness.

99.—(1) If it appears to the justices making a removal order that any person named therein is unable to travel by reason of sickness or other infirmity, or that it would be dangerous for him to do so, they shall by an endorsement on the order signed by them suspend the execution of the order until satisfied that it may safely be executed without danger to that person.

(2) The suspension of a removal order under this section shall operate also as a suspension for the same period of the order, so far as it relates to every other person named therein who was of the same household or family as the sick or infirm person at the time of the making of the order.

(3) No act done by any person continuing to reside in a county or county borough under the suspension of a removal order shall be of any effect for the purpose of giving him a settlement therein or a status of irremovability therefrom.

(4) The suspension of a removal order shall not affect the time within which notice of appeal against the order has to be given.

(5) No expenses of relief shall be recoverable under a suspended removal order unless notice of the order, with a copy thereof, has been served within ten days upon the county or county borough council against whom it is made; but subject as aforesaid,—

(*a*) the removing council may at the end of every quarter send to the council against whom the order is made an account of the cost incurred in the relief of any person named in the order, and may recover the amount reasonably expended by them (or so much thereof as may remain unpaid) in any county court the district whereof is wholly or partly comprised in their county or county borough;

(*b*) if the removal order is subsequently executed, or the person named in the order dies before the execution thereof, the justices who made the

PART III. —*cont.*

order or any two justices having the same jurisdiction may, upon complaint, order the expenses proved to have been incurred by the suspension of the order (or so much thereof as may remain unpaid) to be paid by the council against whom the removal order was made.

(6) If the sum ordered to be paid by the council of any county or county borough under paragraph (*b*) of the last preceding subsection exceeds twenty pounds, the council may appeal against the order to the next court of quarter sessions in like manner as against a removal order; and on such an appeal the court may if they think fit reduce the sum ordered to be paid.

(7) Where a removal order has been suspended, the justices who made the order, or any two justices having the same jurisdiction, may, by endorsement signed by them, authorise the execution of the order.

(8) The provisions of this Part of this Act which relate to the sending and service of copies of orders of removal shall apply to such orders when suspended, and to orders consequent upon such suspension, and to demands for payment of expenses arising thereon.

Abandonment of removal order.

100.—(1) Where a removal order has been made and a copy thereof served as provided by this Part of this Act, the council obtaining the order may at any time abandon it by written notice served upon the council against whom the order was made, and thereupon the order and all proceedings consequent thereon shall become null and void.

(2) The council abandoning an order shall pay to the council against whom the order was made the costs which the latter council may have incurred by reason of the order and of all subsequent proceedings thereon, and such costs may be taxed by the proper officer of the court before whom any appeal against the order (if it had not been abandoned) might have been brought, and shall be recoverable summarily as a civil debt.

Prohibition of return after removal under order.

101. If any person removed under a removal order returns to and again becomes chargeable to the county or county borough from which he was removed within twelve months after his removal and without the

consent of the council of that county or county borough, he shall be deemed an idle and disorderly person within the meaning of section three of the Vagrancy Act, 1824.

Removal by consent.

102. The council of any county or county borough to which a person is chargeable may remove him without a removal order, if the council of the county or county borough to which he is removed are satisfied that he is settled within, and removable to, their county or county borough and consent under their common seal to receive him without such an order.

Special provisions as to removal of discharged prisoners, &c.

103.—(1) Where it appears to a justice of the peace having jurisdiction in the place where a prison is situate, or being a member of the visiting committee or board of visitors of the prison, by notice in writing given by the governor of the prison, that a person detained in the prison is about to be released therefrom, and that on release that person will, by reason of infirmity of mind or body, require immediate relief, the justice may make an order for the removal of that person, on his release, to any workhouse of the county or county borough within which he appears to the justice to be settled, or, if the justice cannot ascertain in what county or county borough he is settled, or if he has not a county or county borough of settlement in England or Wales, then to any workhouse of the county or county borough to which he is deemed to be prima facie chargeable for the purposes of this section, and for his reception in that workhouse.

(2) Such person as aforesaid shall, for the purposes of this section, be deemed to be prima facie chargeable to the county or county borough in which the ordinary residence of the person appears to the justice making the order to have been at the time when the offence for or in respect of which he is detained was alleged to have been committed, or, if the justice cannot ascertain that residence, or if that residence was not in England or Wales, then—

(*a*) to the county or county borough in which the offence was alleged to have been committed; or

(*b*) if the offence was alleged to have been committed out of the United Kingdom, to the county or county borough in which the court of summary jurisdiction by which the person was convicted or committed for trial, or ordered to be detained, sat.

PART III. —*cont.*

(3) The order of the justice shall be in such form as may be prescribed by the Secretary of State and shall authorise the conveyance of the person in respect of whom it is made to the workhouse named in the order, and shall be served and be enforceable in like manner as a removal order under this Part of this Act.

(4) Where it appears to the justice making the order that the person will on his release be too ill to be removed to any workhouse named in the order, he may suspend the operation of the order, and in that case the person on his release may be conveyed to and shall be received in any workhouse of the county or county borough in which the prison is situate, but the expenses of his maintenance in that workhouse shall be repaid by the council of the county or county borough named in the order.

(5) Where an order under this section has been made with respect to any person, a removal order under the foregoing provisions of this Part of this Act for his removal to the county or county borough within which he is actually settled may be obtained on the application of the council named in the order under this section, either before or after the execution of that order, and on the removal order being obtained the order under this section shall cease to have effect and the provisions of this section shall cease to apply, but all expenses incurred under this section or under any order made thereunder by the council named in that order shall be repaid to them by the council of the county or county borough within which the said person is actually settled.

(6) This section shall apply to persons detained in industrial and reformatory schools, subject to the following modifications :—

(*a*) for references to prisons and governors thereof there shall be substituted references to industrial and reformatory schools and superintendents thereof;

(*b*) for the reference to members of the visiting committee or board of visitors there shall be substituted a reference to managers;

(*c*) references to offences and to the time when and place where offences were committed shall include references to the circumstances in

consequence of which the order of detention was made and to the time when and place where those circumstances occurred.

(7) This section shall apply to persons detained in inebriate reformatories subject, in the case of certified inebriate reformatories, to the following modifications :—

(*a*) for references to prisons and governors thereof there shall be substituted references to inebriate reformatories and superintendents thereof;

(*b*) for references to members of the visiting committee or board of visitors there shall be substituted references to managers.

Supplementary.

Retrospective effect of provisions as to settlement and removability.

104. No person shall derive or acquire, or be deemed to have derived or acquired, a settlement or status of irremovability except in accordance with the provisions of this Part of this Act; and any question arising on or after the first day of October, nineteen hundred and twenty-seven, as to the settlement or removability of any person shall be determined as if those provisions had been in force at all material dates:

Provided that—

(*a*) where before the said date an application has been made to justices or to the Minister to determine any question in relation to the settlement or removal of any person, that question shall in all stages of the proceedings be determined as if the Poor Law Act, 1927, and this Act had not been passed; and

(*b*) where any such question has been determined before the said date, and an application to determine a question relating to the settlement or removal of the same person and dependent on the same facts is made after the said date by or against the council of any county or county borough not bound by the previous decision, the question on that application shall be determined as if the Poor Law Act, 1927, and this Act had not been passed.

Liability for relief pending de-

105.—(1) Where at the time of the grant of relief to any person that person's settlement is in question, the expenses of his relief pending the determination of the

PART III. —*cont.* termination of settlement.

settlement shall be chargeable to the council of the county or county borough which is finally determined or admitted to be his county or county borough of settlement:

Provided that—

(*a*) that council shall not be liable to repay the cost of relief granted before notice of the person having become chargeable was sent to them by the council which granted relief; and

(*b*) this section shall not apply where a removal order is refused on the ground that the person whose settlement was in question had acquired a status of irremovability in the county or county borough from which it was sought to remove him.

(2) Any sum which the council of any county or county borough are liable to pay under this section shall be recoverable summarily as a civil debt.

Facilities for obtaining evidence of settlement.

106.—(1) For better enabling the council of any county or county borough to obtain or appeal against removal orders, any officer or person having the custody of any books or other documents of or belonging to any parish in their county or county borough shall, if so ordered by the council, upon reasonable notice produce the books or documents to the council or to any person appointed by them, and shall allow copies or extracts to be taken therefrom for the use of the council without fee or reward.

(2) Any justice may examine any person (having a wife or child) who is in custody in a prison, or who is in the custody of any police officer by virtue of any warrant of commitment, touching the place of his last settlement, and the examination shall be signed by the justice taking it, and shall, so long as the person so examined continues a prisoner or in custody, be received in evidence as to his settlement for the purposes of any removal order.

(3) A council giving notice of appeal against a removal order, and any person authorised by them, shall, until the decision of the appeal, have access at all reasonable times to any person named in the order for the purpose of examining him as to his settlement, and, if it is necessary for the more effectual examination of any such person that he should be taken out of the county or county borough in which he is residing, the appellant council may remove him therefrom for such

time as may be necessary, defraying the expenses of his removal and of his maintenance whilst so removed. PART III. —*cont.*

107. Every notice, statement, demand or other document required to be given by the council of any county or county borough in respect of any removal order or any appeal against a removal order may be signed by the clerk to the council in their name, and shall be deemed to be duly served upon the council of the county or county borough to whom it is addressed, if it is delivered to the clerk to the council, or left at his office, or sent by post addressed to him at his office. Signature and service of notices, &c.

108. For the purposes of this Act, an order made before the commencement of this Act adjudging any person to be settled in a parish or ordering him to be removed thereto shall have effect as if for the parish named in the order there were substituted the county or county borough in which the parish is situated. Effect of former orders as to settlement or removal.

109. Nothing in this Act shall affect— Savings.

(*a*) the enactments relating to the removal of poor persons from or to England and Wales, to or from Scotland, Ireland, the Isle of Man, or the Channel Islands, or from or to the Scilly Islands; or

(*b*) the law relating to the expenses of pauper lunatics.

PART IV.

PROPERTY, EXPENDITURE AND ACCOUNTS.

Property.

110. For the purposes of their functions under this Act a council shall have power to acquire, dispose of, or otherwise deal with land— Acquisition of and dealings with land.

(*a*) in the case of a county council, in like manner as for the purposes of their other functions; and subsection (3) of section sixty-four and section sixty-five of the Local Government Act, 1888, shall apply accordingly; 51 & 52 Vict c. 41.

(*b*) in the case of a county borough council, in like manner as for the purposes of the Public Health Act, 1875; and sections one hundred and seventy-five to one hundred and seventy-eight of that Act shall apply accordingly. 38 & 39 Vict. c. 55.

PART IV. —*cont.*

Power of inclosing certain lands.

111.—(1) The council of any county or county borough may inclose from any waste or common land in or near their county or county borough, with the consent in writing of the lord of the manor and the majority in value of the persons having rights of common therein, signified under their hands and seals, and with the consent of the Minister, any part, not exceeding fifty acres, of that waste or common land for the purpose of cultivating and improving it for the use and benefit of the county or county borough and the poor persons therein, or otherwise for the purposes of the functions of the council under this Act.

(2) The council of any county or county borough may inclose from any forest or waste land belonging to the Crown in or near their county or county borough, with the consent of the Treasury and subject to the control of the Minister, any part, not exceeding fifty acres, of that forest or waste land, for the purpose of cultivating and improving it for the use and benefit of the county or county borough and the poor persons therein, or otherwise for the purposes of the functions of the council under this Act:

Provided that no inclosure of land in the New Forest shall be made under this subsection.

(3) An inclosure of common land purporting to be made under this section shall not be valid without the consent of the Minister of Agriculture and Fisheries.

Marking of goods, &c.

112.—(1) The council of every county and county borough shall cause all goods capable of being marked, and belonging to them for the purposes of their functions under this Act, to be marked, stamped, or branded with such mark as they think proper for identifying the council by whom the goods have been provided; so however that no such mark or stamp shall be placed on any article of wearing apparel so as to be publicly visible.

(2) Any such mark, stamp, or brand as aforesaid on any article (being duly authenticated) shall be taken to be sufficient evidence, without further proof, of the property of the council in the article.

Miscellaneous Powers of Expenditure.

PART IV. —*cont.*

Expenses of conveying persons chargeable.

113. The Minister may, by order, direct in what cases (other than those expressly authorised by this Act) and under what regulations the council of a county or county borough may pay the reasonable expenses incurred by them in conveying any person chargeable to their county or county borough from one place in England or Wales to another.

Conference expenses.

114. The Minister may by regulations authorise any county or county borough council, subject to compliance with the regulations, to pay the reasonable expenses of any of their members or of the clerk to the council incurred in attending any conference of members of such councils held for the purpose of discussing any matter which is connected with the duties which under this Act devolve on such councils, and any reasonable expenses incurred in purchasing reports of the proceedings of any such conference.

Expenses of preparing and collecting information.

115. The council of any county or county borough may pay the reasonable expenses incurred in the preparation and collection of information required of or by them respecting any matter which is by virtue of this Act under their management, supervision or control.

Reimbursement of damage to property of officers.

116. The council of any county or county borough may pay to or reimburse any of their officers concerned with the relief of the poor any expense necessarily incurred in repairing or restoring property belonging to the officer which may have been maliciously damaged or destroyed by any person applying or having applied for relief, and any costs and expenses incurred in the prosecution of the offender not allowed by the court.

Expenses and Borrowing.

Expenses of local authorities.

117. The expenses of the council of any county or county borough under this Act shall be defrayed—

(*a*) in the case of a county council, as expenses for general county purposes; and

PART IV. —*cont.*

(*b*) in the case of a county borough council, in like manner as general expenses in the execution of the Public Health Acts, 1875 to 1926.

Borrowing by local authorities.

118. The council of any county or county borough may borrow for the purposes of this Act—

2 & 3 Geo. 5. c. cv.

(*a*) in the case of the London County Council, under and in accordance with the London County Council (Finance Consolidation) Act, 1912, as amended by any subsequent enactment, and in the case of any other county council, under and in accordance with section sixty-nine of the Local Government Act, 1888, as amended by the Local Government Act, 1929; and

(*b*) in the case of the council of a county borough, as for the purposes of the Public Health Acts, 1875 to 1926.

Accounts and Audit.

Accounts and audit in the case of county boroughs.

119. Separate accounts shall be kept by the council of every county borough of their receipts and expenditure in respect of the functions discharged by the council under this Act, and those accounts shall be made up and audited in like manner and subject to the same provisions as in the case of a county council, and the enactments relating to the audit of the accounts of a county council and to all matters incidental thereto and consequential thereon, including penal provisions, shall apply in lieu of the provisions of the Municipal Corporations Act, 1882, relating to accounts and audit.

45 & 46 Vict. c. 50.

Right of auditor to inspect books.

120.—(1) A district auditor may at any time, when authorised or required by the Minister so to do, inspect the accounts and books of account of any county or county borough council or of any officer concerned with the relief of the poor who is liable to account to him.

(2) If any member of a county or county borough council or any officer refuses to allow any such auditor, when so authorised or required, to make the inspection or obstructs him in his inspection or conceals any such account or book for the purpose of preventing inspection thereof, he shall be liable, on summary conviction, to a fine not exceeding five pounds.

PART V.

PROVISIONS APPLICABLE ONLY TO THE COUNTY OF LONDON.

Extent and Application.

Application of Act to London.

121. This Part of this Act extends only to the county of London, and the provisions of this Act shall apply to the county of London subject to the provisions of this Part of this Act.

Local Administration.

Committees and sub-committees of London County Council.

122.—(1) Any of the functions of the London County Council under this Act, except the power of raising a rate or borrowing money, may be referred or delegated by the council to any committee thereof (including the public assistance committee) in such manner and to such extent, if any, as may be provided by the administrative scheme.

(2) There shall, if the administrative scheme so provides, be appointed in accordance with the provisions of the scheme—

(*a*) such sub-committees of the public assistance committee (in this section referred to as "local committees") consisting wholly or partly of members of that committee; and

(*b*) such sub-committees of local committees consisting wholly or partly of members of the local committees,

as may be provided by the scheme.

(3) The functions of local committees shall be such as may be provided by the scheme, and such functions, being functions which under the foregoing provisions of this Act are to be discharged by guardians committees or sub-committees thereof, as may be provided by the scheme, shall in accordance therewith be discharged by the sub-committees of local committees.

Asylums.

Provision of asylums.

123.—(1) For the purpose of the provision of asylums for the reception and relief of the sick, insane, or infirm, or any class or classes of poor persons in receipt of relief, the Minister may by order determine

PART V. —*cont.*

the number of asylums to be provided for the county of London and direct the London County Council to purchase, hire or build, and (in either case) to fit up buildings for asylums, of such nature and size, and according to such plans and in such manner as the Minister may think fit, and the council shall carry such directions into execution.

(2) The Minister may, by order, direct that any building for the time being used as a workhouse shall, with such alterations as the Minister may think fit, be used for an asylum.

(3) The London County Council shall in accordance with orders made by the Minister provide for every asylum all necessary fixtures, furniture and conveniences.

Admission to and government of asylums.

124.—(1) The mode of admission of persons into an asylum shall be such as the Minister may by order direct.

(2) The London County Council shall have the like powers for the relief, maintenance and management of the inmates of an asylum as they have as respects the inmates of a workhouse, and shall provide such medicines, appliances and requisites for the medical and surgical care and treatment of the inmates, and cause them to be used according to such rules, as the Minister may by order direct, and the provisions of this Act enabling the council of a county or county borough to receive in workhouses poor persons chargeable to some other county or to a county borough shall extend to the reception by the London County Council of such persons in asylums.

(3) The Minister may make rules, orders and regulations for the government of an asylum as if the asylum were a workhouse.

(4) Any person relieved in an asylum shall be liable to the same obligations in respect of the relief afforded to him as if it were afforded in a workhouse.

(5) The provisions of this Act relating to religious instruction shall apply in the case of an asylum.

Parishes in which asylums are to be deemed to be.

125. For the purposes of burial and other incidents, an asylum shall, in relation to every inmate thereof, be deemed to be in the parish from which the inmate was sent to the asylum.

PART V. —*cont.*

Use of asylums for training and instruction.

126.—(1) An asylum provided for the reception and relief of the sick or insane may be used for the training of nurses in such cases and in such manner and subject to such regulations as the Minister may by order direct.

(2) An asylum provided for the reception of persons suffering from fever, smallpox or diphtheria may be used for purposes of medical instruction, subject to such regulations as the Minister may by order direct.

Medical Out-door Relief.

Dispensaries.

127. The Minister may, by order, direct the London County Council to provide one or more dispensaries, and for that purpose either—

(*a*) to purchase, hire or build, and to fit up and furnish, one or more buildings of such nature and size as the Minister may think fit; or

(*b*) to set apart, adapt, fit up and furnish a part of a workhouse;

(in either case) according to such plans, and in such manner, as the Minister may think fit.

Places for seeing sick poor, &c.

128.—(1) Where the London County Council in compliance with a requirement by the Minister provide a dispensary, they shall also provide, according to the directions of the Minister, proper places where the poor law medical officers may see such of the sick poor as attend there for advice.

(2) Where the London County Council provide a dispensary otherwise than in compliance with a requirement by the Minister, they shall, if required by the Minister so to do, provide a proper room at the dispensary where the poor law medical officers may see such of the sick poor as attend there for advice, and those medical officers shall personally, or by their authorised substitutes, attend at the dispensary during the times fixed for the purpose by the council with the approval of the Minister.

Appointment of dispensers, &c.

129.—(1) The London County Council shall appoint proper persons to be dispensers of medicine, and may appoint such other officers and servants for the purposes of the dispensaries as they think fit.

PART V. —*cont.*

(2) The duties, qualifications, number and salaries of the dispensers, officers and servants shall be such as the Minister may approve or by order direct.

(3) For giving effect to the provisions of this Part of this Act relating to medical outdoor relief, the Minister may vary, as he may think fit, medical districts, and the salaries of, and contracts with, district medical officers.

Provision and dispensing of medicines, &c.

130. Where the London County Council provide a dispensary they shall provide proper medicines, appliances and requisites for the care and surgical treatment of the sick poor relieved out of the workhouse, and the medicines, appliances and requisites shall be dispensed and furnished to such of the poor entitled to relief as require them, on the prescription or written direction of the district medical officer, subject to such regulations as the Minister may by order direct.

Arrangements with public general hospitals.

131. The London County Council may, with the consent of the Minister, enter into arrangements with any public general hospital or dispensary situated within the county for the reception and treatment in the hospital or dispensary of poor persons in receipt of relief, on terms to be arranged between the council, with the sanction of the Minister, and the authorities of the hospital or dispensary.

Casual Poor Persons.

Casual wards, &c.

132.—(1) The London County Council shall provide within the county such wards or other places for the reception and relief of casual poor persons as the Minister directs.

(2) The wards or places of reception provided under this section shall be open for the admission of casual poor persons who apply to be admitted during the hours between six o'clock in the evening and eight o'clock in the morning in the months between October and March inclusive, and during the hours between eight o'clock in the evening and eight o'clock in the morning in the months between April and September inclusive.

(3) The Minister shall cause the wards and other places of reception provided under this section to be inspected not less than once in every four months,

during the hours during which such wards and places are by this section required to be open for admission, and the results of the inspection shall be reported to the Minister. PART V. —*cont.*

(4) Any constable of the metropolitan police or of the police of the City of London may personally conduct any casual poor person, not charged with any offence, to any ward or other place of reception approved of by the Minister, and every such person shall, if there is room, be temporarily relieved therein.

Special Provisions with respect to the London County Council.

Variation of contracts with officers.

133. For the purpose of facilitating the appointment of resident workhouse medical officers, and for improving the classification and management of any classes of poor persons, the Minister may, by order, determine, or from time to time vary, as he thinks fit, any contract with any medical or other officer of the London County Council, being an officer concerned with the relief of the poor, and direct the council to pay to the officer affected thereby such compensation by way of increased salary, or of an annuity, or of a gross sum or otherwise, as the Minister may think fit.

Recoupment of money expended on parish workhouse.

134. Where the London County Council or a board of guardians have at any time, under the orders of the Minister, borrowed and expended money upon the improvement or enlargement of a workhouse or other property belonging to a parish comprised within the county of London, and the workhouse or property is afterwards sold or let, the council shall be entitled to receive out of the purchase money or rents such an amount as, in the opinion of the Minister, appears reasonable, and the money or rent so received shall be appropriated for the benefit of the county in such manner as the Minister by order directs.

Provision of training ships.

135. The London County Council may, with the consent of the Minister, purchase, hire, or otherwise acquire and fit up and furnish one or more ships to be used for the training of boys for the sea service, and every such ship shall be deemed to be a separate school.

PART VI.

GENERAL AND SUPPLEMENTARY.

Rules, Orders and Regulations.

Power of Minister to make rules, &c.

136.—(1) For executing the powers given to him by this Act the Minister shall make such rules, orders and regulations as he may think fit for—

(*a*) the management of the poor;

(*b*) the government of workhouses and the education of children therein;

(*c*) the apprenticing of children of poor persons;

(*d*) the guidance and control of the councils of counties and county boroughs and their officers so far as relates to the management or relief of the poor and, subject to the provisions of this Act, prescribing their duties;

(*e*) the making and entering into contracts in all matters relating to such management or relief, or to any expenditure for the relief of the poor;

(*f*) the keeping, examining, auditing and allowing of accounts; and

(*g*) any purposes for which rules, orders and regulations may be made under this Act;

and generally for carrying this Act into execution in all other respects.

(2) All rules, orders and regulations made by the Minister under this Act shall have effect as if enacted in this Act, subject however to the power of the Minister to suspend, alter or rescind any such rule, order or regulation.

(3) Save as otherwise expressly provided in this Act, every rule, order or regulation made by the Minister under this Act which affects more than one county or county borough shall be deemed a general rule, and every rule, order or regulation made to vary or rescind a general rule shall also be deemed a general rule, notwithstanding that it affects one county or county borough only.

PART VI. —*cont.*

(4) The Minister shall cause a copy of every general rule to be laid before both Houses of Parliament as soon as may be after its publication.

(5) His Majesty may, by Order in Council, disallow any such general rule, or any part thereof, and thereupon the rule, so far as it has been so disallowed, shall cease to have effect, but without prejudice to the validity of anything previously done thereunder.

Publication and date of operation of rules, &c.

137.—(1) A copy of every rule, order or regulation made by the Minister under this Act shall, before it comes into operation in any county or county borough, be sent by the Minister to the council of the county or county borough or to the clerk to the council, and no such rule, order or regulation (except as otherwise expressly provided by this Act) shall come into operation until the expiration of fourteen days after a copy thereof has been so sent:

Provided that every general rule made by the Minister under this Act shall be published in the London Gazette, and, when so published, shall take effect in like manner and have the same force and validity as if a copy thereof had on the date of publication been sent in manner hereinbefore provided.

(2) The council of a county or county borough, or the clerk to the council, shall preserve and publish all such rules, orders and regulations in such manner as the Minister directs, and shall allow any owner of property or his agent, and any ratepayer in the county or county borough to inspect them at all reasonable times, free of charge, and shall furnish copies thereof at the rate of threepence for every folio of seventy-two words, and shall allow copies thereof or extracts therefrom to be taken at the rate of three-halfpence for every such folio

(3) If any member of the council of a county or county borough, or the clerk to such a council, to whom such rules, orders or regulations, or copies thereof, are sent as aforesaid neglects to preserve or publish the same as directed by the Minister, or refuses to allow such inspection or to furnish or allow copies or extracts to be taken as aforesaid, he shall for every such offence be liable, on summary conviction, to a fine not exceeding ten pounds.

PART VI. —*cont.*

(4) If any general rule after it has come into operation is disallowed by Order in Council, or if any rule, order or regulation is revoked by the Minister, the Minister shall send to the council of every county or county borough affected by the rule, order or regulation, or to the clerk to the council, notice of the disallowance or revocation, and the provisions of this section as to the preservation, publication and inspection of rules, orders and regulations, and the furnishing and taking of copies and extracts, shall apply to such notice as aforesaid in like manner as they apply to the original rule, order or regulation.

Power to act on rules, &c. immediately.

138. Nothing in this Act shall be taken to invalidate any act or proceeding done or taken in conformity with any rule, order or regulation of the Minister by the person to whom it is addressed, although the period of fourteen days has not elapsed from the date when the copy of the rule, order or regulation was sent, or, in the case of a general rule, was published in the London Gazette.

Penalty on persons disobeying rules, &c.

139.—(1) If any person wilfully neglects or disobeys any rule, order or regulation made by the Minister under this Act, he shall be liable, on summary conviction, for the first offence to a fine not exceeding five pounds, and for a second offence to a fine not exceeding twenty pounds nor less than five pounds.

(2) In the event of a person having been convicted twice, every subsequent offence shall be deemed a misdemeanour, and he shall be liable on conviction on indictment to imprisonment for a term not exceeding two years and to a fine of not less than twenty pounds.

Invalidity of contracts not conformable to rules, &c.

140.—(1) Any contract entered into by or on behalf of any county or county borough council being a contract relating to the relief of the poor, or for any other purpose relating to or connected with the general management of the poor, which is not made and entered into in conformity with the rules, orders or regulations made by the Minister in force at the time the contract was entered into, or otherwise sanctioned by the Minister, shall be voidable, or, if the Minister so declares, shall be void.

(2) All payments made in pursuance of any contract after the Minister has declared the contract to be void,

shall be disallowed in the accounts of the county or county borough council or officer by whom the payments have been made.

PART VI. —*cont.*

Evidence of transmission of rules, &c.

141.—(1) It shall not be necessary in any civil or criminal proceeding to prove the sending of any rule, order or regulation in accordance with the provisions of this Act, except to the clerk to the council of the county or county borough within which the rule, order or regulation is intended to have effect.

(2) It shall in no case be necessary to prove such sending unless reasonable notice in writing is given, by the party requiring such proof to the party upon whom such proof would lie, that such proof will be required.

(3) Whenever it is proved to the satisfaction of a court that a rule, order or regulation was sent, and that the party who has given such notice as aforesaid was cognizant thereof, the court shall order the reasonable expenses of the witnesses called to prove the sending thereof to be paid by that party.

Certiorari.

142.—(1) No rule, order or regulation made by the Minister under this Act shall be removable by writ of certiorari into any court except the High Court.

(2) No such writ shall be granted unless the writ is applied for—

(*a*) in the case of a general rule, within twelve months after the date of the publication of the rule in the London Gazette; and

(*b*) in the case of any other rule, order or regulation, within twelve months after the date when copies have been sent in manner provided by this Act.

(3) If on a rule, order or regulation being removed into the High Court by writ of certiorari it is quashed as illegal, the Minister shall forthwith notify the judgment of the court to all county and county borough councils affected thereby, and the rule, order or regulation shall from the date of the receipt of the notice be void, without prejudice, however, to the validity or legality of anything previously done thereunder; but until the receipt of such notice a rule, order or regulation which has been removed into the High Court shall continue of full force and effect.

PART VI. —*cont.*

Foregoing provisions of Part VI. not to apply to orders under s. 3.

143. The foregoing provisions of this Part of this Act shall not apply to any order made under section three of this Act.

Offences and Penalties.

Penalties on members of councils and officers furnishing goods, &c. for relief of poor.

144.—(1) It shall not be lawful for any member or officer of a county or county borough council or other person concerned with the relief of the poor, in his own name or in the name of any other person, for his own profit, to supply any goods or materials for the use of any workhouse or otherwise for the purpose of the relief of the poor in any place for which he acts as such member, officer or otherwise, or to be concerned directly or indirectly in supplying any such goods or materials or in any contract relating thereto, and if any person supplies or is concerned in supplying any such goods or materials, or is concerned in any such contract in contravention of the provisions of this subsection, he shall be liable to forfeit the sum of one hundred pounds recoverable by action in the High Court to the person suing therefor.

(2) If any person holding an office concerned with the relief of the poor in any county or county borough, for his own profit or on his own account, supplies any goods or materials ordered to be given by way of relief to any person in the county or county borough, or for or in respect of money ordered to be so given, he shall for each offence be liable, on summary conviction, to a fine not exceeding five pounds.

Disobedience of officers.

145. If any officer of a county or county borough council, being an officer concerned with the relief of the poor, wilfully disobeys any legal and reasonable orders given for carrying into execution the rules, orders and regulations made by the Minister under this Act, or the provisions of this Act, he shall be liable, on summary conviction, to a fine not exceeding five pounds.

Stealing, &c. by officers of council's property.

146. If any officer of a county or county borough council, being an officer concerned with the relief of the poor, steals, embezzles, or wilfully wastes or misapplies any money or goods belonging to the council, he shall, in addition to any penalties to which he may be liable independently of this Act, be liable on summary conviction, to a fine not exceeding twenty pounds, and also to pay treble the amount or value of the money or goods.

PART VI. —*cont.*

Illegal or fraudulent payments by officers.

147. Any officer of a county or county borough council, being an officer concerned with the relief of the poor, who wilfully authorises or makes an illegal or fraudulent payment, or unlawfully makes any entry in his accounts for the purpose of defraying or making up to himself or any other person the whole or any part of any sum of money unlawfully expended by him, or disallowed or surcharged by a district auditor, shall be liable, on summary conviction, to a fine not exceeding twenty pounds, and also to pay treble the amount of the payment or of the sum so entered in his accounts.

Officers unlawfully procuring removals.

148.—(1) If any officer of a county or county borough council, being an officer concerned with the relief of the poor, with the intent to cause any person to become chargeable to any county or county borough to which that person was not then chargeable—

(*a*) conveys that person out of the county or county borough for or within which the officer acts, or causes or procures any such person to be so conveyed; or

(*b*) gives directly or indirectly any money, relief or assistance, or affords or procures to be afforded any facility, for such conveyance; or

(*c*) makes any offer or promise or uses any threat to induce any such person to depart from the county or county borough;

and in consequence of such conveyance or departure any person becomes chargeable to a county or county borough to which he was not then chargeable, the officer shall be liable, on summary conviction, to a fine not exceeding five pounds.

(2) Proceedings under this section may be taken before a court of summary jurisdiction having jurisdiction within the county or county borough either from which, or to which, the person was conveyed or departed.

Various offences relating to goods.

149.—(1) If any person—

(*a*) knowingly takes in pawn, buys, exchanges or receives any goods provided for the use of, or for the purpose of being worked up by, the poor in any workhouse, or given to any poor persons, or any goods or furniture of a workhouse; or

PART VI. —*cont.*

(*b*) causes to be obliterated or defaced any mark stamped, marked, or branded, in accordance with this Act or the Poor Law Act, 1927, or any enactment thereby repealed, on any goods belonging to the council of a county or county borough;

he shall for each offence be liable on summary conviction to a fine not exceeding five pounds, and for the purpose of this subsection the court may consist of a single justice, but in that case the fine imposed shall not exceed twenty shillings.

(2) If any person deserts or runs away from a workhouse or asylum and carries away with him any such goods as aforesaid, he shall on summary conviction be liable to imprisonment for a term not exceeding three months.

Obtaining relief by false statement.

150. If any person for the purpose of obtaining relief for himself or for any other person wilfully gives a false name, or makes or uses a false statement to the council of any county or county borough or any of their officers concerned with the relief of the poor, he shall be deemed an idle and disorderly person within the meaning of section three of the Vagrancy Act, 1824.

Absconding, &c.

151.—(1) If any poor person in receipt of relief—

(*a*) absconds or escapes from or leaves any casual ward before he is entitled to discharge himself therefrom; or

(*b*) refuses to be removed from a casual ward to any workhouse or asylum under the provisions of this Act; or

(*c*) absconds or escapes from or leaves any workhouse or asylum during the period for which he may be detained therein; or

(*d*) refuses or neglects, whilst an inmate of any casual ward, workhouse or asylum, to do the work or observe the regulations prescribed; or

(*e*) wilfully destroys or injures his own clothes or damages any of the property of the council of the county or county borough;

he shall be deemed an idle and disorderly person within the meaning of section three of the Vagrancy Act, 1824.

PART VI. —*cont.*

(2) If any poor person in receipt of relief commits any of the offences hereinbefore in this section mentioned after having been previously convicted as an idle and disorderly person, he shall be deemed a rogue and vagabond within the meaning of section four of the Vagrancy Act, 1824.

(3) Any officer of a workhouse or asylum, or any constable, may without warrant apprehend any such person who has absconded or escaped from or left the workhouse or asylum, and take him before a justice of the peace, and upon the order of the justice take him back to the workhouse or asylum.

(4) Where any casual poor person is taken before a justice of the peace and charged with any offence under this section, the justice may, if he thinks 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 a court of summary jurisdiction under section twenty-eight of the Summary Jurisdiction Act, 1879. 42 & 43 Vict. c. 49.

Offences by persons for whom task of work prescribed.

152. Where the council of any county or county borough prescribe a task of work to be performed by any person to whom, or to whose wife or to whose child under the age of sixteen, outdoor relief is granted by the council (being a task suited to the age, sex, strength and capacity of that person and being of a nature and description of which the Minister has previously approved) and that person refuses or wilfully neglects to perform the task, or wilfully damages any of the tools, materials or other property belonging to the council, he shall be deemed to be an idle and disorderly person within the meaning of section three of the Vagrancy Act, 1824.

Misbehaviour.

153.—(1) If any inmate of a workhouse or asylum is guilty of drunkenness or other misbehaviour, he shall, on summary conviction, be liable to be imprisoned in the case of a first offence for a term not exceeding twenty-one days, and in the case of a second or subsequent offence for a term not exceeding forty-two days.

(2) A court of summary jurisdiction for the purposes of this section may consist of a single justice, but

PART VI. —*cont.*

in that case the penalty imposed shall not exceed imprisonment for a term of fourteen days.

Assaults on officers.

154. Any person convicted of an assault upon an officer appointed under this Act in the execution of his duty, or upon any person acting in aid of such an officer, shall be liable, on conviction on indictment, to be imprisoned for any term not exceeding two years.

Legal Proceedings, &c.

Power of officers to take and conduct proceedings. 6 & 7 Vict. c. 73.

155. Notwithstanding anything contained in the Solicitors Act, 1843, any officer of a county or county borough council appointed under this Act may, if duly empowered by the council, make or resist any application, claim or complaint, or take and conduct any proceedings on behalf of the council, before any court of summary jurisdiction, although he is not a certificated solicitor.

Proceedings by district auditor.

156.—(1) Notwithstanding anything in the Summary Jurisdiction Acts, a district auditor may commence any proceedings before a court of summary jurisdiction to recover sums certified by a district auditor to be due, at any time before the expiration of nine months from the date of the disallowance or surcharge, or in the event of an appeal being made to the High Court or to the Minister, before the expiration of nine months from the determination of the appeal.

(2) Subject to the approval of the Minister, the council of a county or county borough shall pay the costs, so far as not recovered from any other source, of any legal proceedings taken by or under the direction of a district auditor for the protection of the rates or property of the county or county borough or any parish therein, or for the recovery of any sum certified by the auditor to be due.

Power of council to pay costs of certain proceedings.

157.—(1) The council of any county or county borough may pay the reasonable costs of the apprehension and prosecution of any person who is charged—

(*a*) with refusing or neglecting to maintain himself or his family, or with running away and leaving his family chargeable, or whereby his family has become chargeable; or

(*b*) with wilfully neglecting or disobeying the rules, orders and regulations of the Minister; or

(*c*) with any offence or misbehaviour in a workhouse or asylum; or

(*d*) with absconding or escaping from or leaving a workhouse or asylum; or

(*e*) with refusing or wilfully neglecting to perform a prescribed task of work; or

(*f*) with neglect or disobedience of the reasonable and lawful orders given for the purposes of the administration of the laws relating to the relief of the poor; or

(*g*) with obstructing or assaulting any officer engaged in the administration of the laws for the relief of the poor; or

(*h*) with fraudulently obtaining, stealing, embezzling, wasting, injuring, or wilfully misapplying any property applicable to or connected with the relief of the poor; or

(*i*) with any offence directly affecting the administration of the laws for the relief of the poor,

and the reasonable costs of apprehending and prosecuting any officer employed in the administration of the laws for the relief of the poor for any neglect or breach of any duty of his office, or for any maltreatment or abuse of any person.

(2) Subject to the approval of the Minister, every such council shall pay the costs (so far as not recovered from any other source) of all legal proceedings taken by any person whom the council have authorised or directed to institute legal proceedings.

Certificates of chargeability.

158. A certificate of chargeability, in such form as may be prescribed by order of the Minister or in a form to the like effect, may be issued by the council of any county or county borough, and every such certificate purporting to be signed by the clerk to the council shall, unless the contrary is shown, be sufficient evidence of the truth of all the statements contained therein, and shall, within the period of twenty-one days from the date of the certificate, be received in evidence accordingly by all courts of law and all justices and for all purposes without proof of the signature or of the official character of the person signing it.

PART VI. —*cont.*

Power to arrest inmates.

159. The master or porter of a workhouse, or the officer having charge of a casual ward, may arrest without warrant any inmate of the workhouse or ward charged with any offence therein punishable on summary conviction, and take him before a justice having jurisdiction in the place where the workhouse or ward is situated, and shall for the purposes of this section have all the powers and authority of a constable.

Inquiries and Disputes.

Power to hold inquiries.

160.—(1) The Minister may cause such inquiries to be held as he may consider necessary or desirable for the purposes of this Act.

(2) The Minister and any inspector appointed under this Act may by summons require any person to attend, at such time and place as is set forth in the summons, to give evidence or to produce any documents in his possession or power which relate to any matter in question at the inquiry, and shall have power to take evidence on oath, and for that purpose to administer oaths, or may, instead of administering an oath, require the person examined to make and subscribe a declaration of the truth of the matter respecting which he is examined:

Provided that—

(*a*) no person shall be required, in obedience to such a summons, to go more than ten miles from his place of abode; and

(*b*) nothing in this section shall empower the Minister or any inspector to require the production of the title, or of any instrument relating to the title, of any land or any interest therein not being the property of any county or county borough or of any parish.

(3) The Minister may, with the consent of the Treasury, appoint a person to act, for a period not exceeding thirty days, as an inspector for the purpose of conducting any special inquiry, and the Minister may delegate to any person so appointed such of his powers as he may deem necessary or expedient for summoning witnesses and conducting the inquiry.

(4) Every person who refuses or wilfully neglects to attend in obedience to any summons of the Minister

PART VI. —*cont.*

or of any inspector, or to give evidence, or who wilfully alters, suppresses, conceals, destroys or refuses to produce any books or other documents which he may be required to produce for the purposes of this Act shall be guilty of a misdemeanour.

(5) The Minister in any case where he thinks fit may order such expenses of a witness as he deems reasonable to be paid—

(*a*) where the witness attends in pursuance of a summons under this section and a county or county borough or any parish appears to the Minister to be interested, by the council of that county or county borough, or by the council of the county or county borough in which the parish is comprised, as the case may be; and

(*b*) in any other case, as part of the expenses of the Minister in the execution of this Act:

Provided that the Minister shall not order the expenses of a witness travelling more than ten miles from the county, county borough or parish, as the case may be, so interested to be paid by the council of any county or county borough.

(6) If a person is charged with any misconduct in any matter relating to the administration of the laws relating to the relief of the poor and a special inquiry into the charge is held, the person bringing the charge and the person charged shall be entitled to appear at the inquiry by counsel or solicitor, but this provision shall not be construed as affecting the powers of the person holding any inquiry under this Act (whether a special inquiry or not) to allow any person appearing at the inquiry to be represented by counsel or solicitor.

(7) Where the Minister causes an inquiry for the purposes of section three of this Act to be held, the costs incurred by him in relation to that inquiry (including such reasonable sum not exceeding five guineas a day as he may determine for the services of any inspector or officer engaged in the inquiry) shall be paid by such council or person as the Minister may direct, and the Minister may certify the amount of the costs so incurred, and any amount so certified and directed by him to be paid by any council or person shall be a debt due to the Crown from that council or person.

PART VI. —*cont.*

Power to refer to Minister disputes as to settlement, removal or chargeability.

161. County and county borough councils between whom any question affecting the settlement, removal or chargeability of any person arises, may by agreement under their common seals submit the question to the Minister for his decision, and the Minister may, if he sees fit, by order determine the question, and every such order shall in all courts and for all purposes be final and conclusive between the councils by whom the question was submitted.

Exemption from Stamp Duty.

Exemption from stamp duty.

162. No mortgage, bond, instrument or any assignment thereof, given by way of security in pursuance of the rules, orders or regulations made under this Act by the Minister, and conformable thereto, nor any contract or agreement made or entered into in pursuance of such rules, orders or regulations, and conformable thereto, nor any other instrument made in pursuance of this Act, shall be charged or chargeable with any stamp duty.

Supplementary.

Interpretation.

163.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Administrative scheme" means in relation to any county or county borough the administrative scheme for the time being in force under the Local Government Act, 1929, being the scheme of administrative arrangements for discharging the functions transferred under Part I of that Act to the council of the county or county borough;

"Burial ground" includes a churchyard and any public burial ground or cemetery;

"Casual poor person" means any destitute wayfarer or wanderer applying for or receiving relief;

"Casual ward" means any ward, building or premises set apart or provided for the reception and relief of casual poor persons;

"Certified school" means a school certified under this Act, the Poor Law Act, 1927, or any Act repealed by that Act;

PART VI. —*cont.*

"Clerk to the council" means the clerk of the county council, or the town clerk of the county borough, as the case may be; and includes, in relation to any purpose, such other officer, if any, as may for that purpose be appointed or designated by the council of the county or county borough;

"County" means an administrative county (including the administrative county of London) but does not include a county borough;

"Functions" includes powers and duties;

"Institution for lunatics" has the same meaning as in the Lunacy Acts, 1890 to 1922, that is to say, an asylum, hospital or licensed house under those Acts;

"Licensed minister" or "minister" includes every person in holy orders, and every person teaching or preaching in any congregation for religious worship whose place of meeting is certified and recorded according to law;

"Local Act" includes a personal Act and any provisional order confirmed by an Act and the Act confirming the order;

"Lying-in hospital" means a hospital, house or place which was licensed in accordance with the provisions of the Lying-in Hospitals Act, 1773, or which would but for the provisions of the Midwives and Maternity Homes Act, 1926, have been required to be so licensed; 13 Geo. 3. c. 82. 16 & 17 Geo. 5. c. 32.

"Officer" includes any clergyman, schoolmaster, duly qualified medical practitioner, treasurer, master or matron of a workhouse, or any other person who is for the time being employed in any county or county borough in carrying this Act into execution;

"Poor person" includes any poor or indigent person applying for or receiving relief;

"Workhouse" includes any house in which poor persons are lodged and maintained, or any house or building purchased, erected, hired or used by a county or county borough council for the reception, employment, classification or relief of poor persons.

PART VI. —*cont.*

(2) For the purposes of this Act, in its application to the county of London, the expression "asylum" includes any workhouse or other building, and any ship, vessel, hut, tent, or other temporary erection which may be used by the London County Council, with the approval of the Minister, for the reception of poor persons, or otherwise for the purposes of an asylum.

(3) References in this Act to rules, orders and regulations made by the Minister include references to rules, orders and regulations made by the Local Government Board and the predecessors of that Board.

Repeals.

164.—(1) The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

Provided that—

(*a*) nothing in this repeal shall affect any appointment, appeal, agreement, resolution, certificate, declaration, scale, rule, order, or regulation made, notice or relief given, or proceedings taken or instrument issued under any enactment hereby repealed, but any such appointment, appeal, agreement, resolution, certificate, declaration, scale, rule, order or regulation, notice, relief, proceedings or instrument shall have effect as if made, given, taken or issued under the corresponding provision of this Act and may be amended, varied, repealed, revoked, or enforced accordingly;

(*b*) any document referring to any Act or enactment so repealed shall be construed as referring to this Act or the corresponding enactment in this Act;

(*c*) nothing in this repeal shall affect any appointment of any officer made under or by virtue of any enactment so repealed, but any such officer shall continue in office and shall be deemed to have been appointed under this Act;

(*d*) nothing in this repeal shall affect the powers conferred by the Local Government Act, 1929, of altering or revoking any administrative scheme.

PART VI. —*cont.*

(2) Where at the commencement of this Act compensation is payable to any parish by virtue of any order made in respect of any workhouse formerly belonging to the parish which, by virtue of section twenty-six of the Poor Law Amendment Act, 1834, became a workhouse for the common use of the union in which the parish was comprised, the compensation shall continue to be payable, but shall be liable to variation by order of the Minister notwithstanding any such repeal as aforesaid. 4 & 5 Will. 4. c. 76.

(3) Any workhouse or other establishment provided under the Poor Law Act, 1927, or any enactment repealed by that Act shall for the purposes of this Act be treated as a workhouse or establishment provided under this Act.

(4) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals. 52 & 53 Vict. c. 63.

Short title, commencement, extent and saving.

165.—(1) This Act may be cited as the Poor Law Act, 1930.

(2) This Act shall come into operation on the first day of April, nineteen hundred and thirty.

(3) This Act shall not extend to Scotland or Northern Ireland.

(4) Nothing in this Act shall affect—

(*a*) the powers of councils of counties and county boroughs under the Poor Relief (Deserted Wives and Children) Act, 1718, if and so far as the powers of overseers under that Act were, by the Poor Law Amendment Act, 1834, made exercisable by boards of guardians; or 5 Geo. 1. c. 8.

(*b*) the operation of section twenty of the Local Government Act, 1929 (which relates to unions with appointed guardians) or of any order made under that section.

Section 60.

SCHEDULES.

FIRST SCHEDULE.

FORM OF REGISTER OF APPRENTICES.

Number.	Date of Indenture.	Name of Apprentice.	Sex.	Age.	Parents' Names.	Name of Persons to whom bound or assigned, as the case may be.	His or her Trade.	His or her Residence.	Term of the Apprenticeship or Assignment.	Apprentice or Assignment Fee.

SECOND SCHEDULE.

Section 61.

PROVISIONS AS TO APPRENTICES.

PART I.

Method of Assignment.

Subject to the consent of two justices being obtained as required by this Act, the master may by endorsement on the indenture of apprenticeship, or by other instrument in writing, assign the apprentice to any person who is willing to take him for the residue of the term of apprenticeship, and the person to whom the apprentice is to be assigned shall at the same time, by endorsement on the counterpart of the indenture or by writing under his hand referring to the indenture of apprenticeship and the endorsement and consent aforesaid, declare his acceptance of the apprentice, and acknowledge himself to be bound by the covenants in the indenture on the part of the master to be performed.

PART II.

Provisions as to Death of Master.

1. If the master dies during the term of the apprenticeship, the covenant inserted in the indenture of apprenticeship for the maintenance of the apprentice shall continue in force for three months after the death of the master and no longer, and during those three months the apprentice shall continue to live with and serve as an apprentice of the personal representatives of the master, or such other person as those personal representatives may appoint; and a provision to that effect shall be inserted in every indenture of apprenticeship, and if not inserted, the indenture shall have effect as if such provision were so inserted.

2.—(1) Within three months after the death of the master, a court of summary jurisdiction having jurisdiction in the place where the master died may, on the application of the surviving spouse, son, daughter, brother or sister of the master, or of his personal representatives, by endorsement on the indenture of apprenticeship, or by any other instrument in writing, order that the apprentice shall serve for the residue of the term of the apprenticeship as an apprentice of the person making the application, so, however, that such an order shall not be made unless that person lived with and formed part of the family of the master at the time of his death.

(2) The person obtaining such an order shall declare his acceptance of the apprentice by subscribing his name to the order, and from the making of the order the personal representatives and the estate of the deceased master shall be released and discharged from any covenant contained in the

2ND SCH. —*cont.*

indenture and on the part of the master to be performed, and the person obtaining the order shall be the master of the apprentice, subject to the provisions of the indenture and this Schedule, in like manner as the deceased master.

3. If no such application as aforesaid is made within the said three months after the death of the master, or if the court to whom any such application as aforesaid is made do not think fit that the apprenticeship should be continued, the apprenticeship and the covenants contained in the indenture of apprenticeship shall terminate in like manner as they would have done at the expiration of the term of apprenticeship.

4. The foregoing provisions of this Part of this Schedule apply—

(*a*) only where the apprentice was living with and as part of the family or in the actual employment of the master at the time of his death; and

(*b*) not only in the case of the death of the original master but also, in like manner, in the case of the death of any subsequent master during the continuance of the term of apprenticeship.

Section 65.

THIRD SCHEDULE.

FORM OF REGISTER OF SERVANTS.

Name of Child.	Age.	Date of hiring or taking as servant.	Name of Master or Mistress.	Trade or other description of Master or Mistress.	Residence of Master or Mistress.

FOURTH SCHEDULE.

Section 164.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
17 & 18 Geo. 5. c. 14.	The Poor Law Act, 1927.	The whole Act, except section eight, and except sections six, nine, ten, fourteen, fifteen, sixteen and twenty-seven, so far as those sections are applied by any other enactment, and except subsections (2) and (3) of section one hundred and fifty-four, and section one hundred and fifty-five, so far as they relate to the payment of costs, and except section two hundred and seven.
19 & 20 Geo. 5. c. 17.	The Local Government Act, 1929.	Section three, so far as it relates to functions discharged under this Act; sections six and seven; subsection (2) of section ten; section seventeen; paragraphs (*a*), (*b*), and (*c*) of section eighteen; and paragraph 21 of the Tenth Schedule, except as respects sub-paragraph (*b*) thereof.

CHAPTER 18.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty and one thousand nine hundred and thirty-one. [28th March 1930.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this