

ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

CAP. LXXVI.

An Act for the Amendment and better Administration of the Laws relating to the Poor in *England* and *Wales*. [14th *August* 1834.]

WHEREAS it is expedient to alter and amend the Laws relating to the Relief of poor Persons in *England* and *Wales*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, His Heirs and Successors, by Warrant under the Royal Sign Manual, to appoint Three fit Persons to be Commissioners to carry this Act into execution, and also from Time to Time, at pleasure, to remove any of the Commissioners for the Time being, and upon every or any Vacancy in the said Number of Commissioners, either by Removal or by Death or otherwise, to appoint some other fit Person to the said Office; and until such Appointment it shall be lawful for the surviving or continuing Commissioners or Commissioner to act as if no such Vacancy had occurred.

Appointment and Removal of Commissioners.

II. And be it further enacted, That the said Commissioners shall be styled "The Poor Law Commissioners for *England* and *Wales*;" and the said Commissioners, or any Two of them, may sit, from Time to Time as they deem expedient, as a Board of Commissioners for carrying this Act into execution; and the said Commissioners acting as such Board shall be and are hereby empowered, by Summons under their Hands and Seal, to require the Attendance of all such Persons as they may think fit to call before them upon any Question or Matter connected

Style of Commissioners;

who may sit as a Board, with Power to summon and examine Witnesses and call for Pro-

duction of Papers, on Oath;

connected with or relating to the Administration of the Laws for the Relief of the Poor, and also to make any Inquiries and require any Answer or Returns as to any such Question or Matter, and also to administer Oaths, and examine all such Persons upon Oath, and to require and enforce the Production upon Oath of Books, Contracts, Agreements, Accounts, and Writings, or Copies thereof respectively, in anywise relating to any such Question or Matter; or, in lieu of requiring such Oath as aforesaid, the said Commissioners may, if they think fit, require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, that no such Person shall be required, in obedience to any such Summons, to go or travel more than Ten Miles from the Place of his Abode: Provided also, that nothing herein contained shall extend or be deemed to extend to authorize or empower the said Commissioners to act as a Court of Record, or to require the Production of the Title, or of any Papers or Writings relating to the Title of any Lands, Tenements, or Hereditaments not being the Property of any Parish or Union.

or to substitute a Declaration for an Oath;

but not to inquire into any Title.

To have a Common Seal.

III. And be it further enacted, That the said Commissioners shall cause to be made a Seal of the said Board, and shall cause to be sealed or stamped therewith all Rules, Orders, and Regulations made by the said Commissioners in pursuance of this Act; and all such Rules, Orders, and Regulations, or Copies thereof, purporting to be sealed or stamped with the Seal of the said Board, shall be received as Evidence of the same respectively, without any further Proof thereof; and no such Rule, Order, or Regulation, or Copy thereof, shall be valid, or have any Force or Effect, unless the same shall be so sealed or stamped as aforesaid.

Rules, &c. purporting to be sealed with such Seal to be received as Evidence.

Commissioners to record their Proceedings.

IV. And be it further enacted, That the said Commissioners shall make a Record of their Proceedings, in which shall be entered in Writing a Reference to every Letter received, from whence, its Date, the Date of its Reception, and the Subject to which it relates, and a Minute of every Letter written or Order given by the said Commissioners, whether in answer to such Letters received or otherwise, with the Date of the same, and a Minute of the Opinion of each of the Members of the Board of Commissioners, in case they should finally differ in Opinion upon any Order to be given or other Proceeding of the Board; and such Record shall be submitted to One of His Majesty's Principal Secretaries of State once in every Year, or as often as he shall require the same.

Commissioners to make a general Report to the Secretary of State yearly;

V. And be it further enacted, That the said Commissioners shall, once in every Year, submit to One of the Principal Secretaries of State a general Report of their Proceedings; and every such general Report shall be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by such Principal Secretary of State, if Parliament be then sitting, or if Parliament be not sitting then within Six Weeks after the next Meeting thereof.

and to report Proceedings to Secretary

VI. And be it further enacted, That the said Commissioners shall from Time to Time, at such Times as any One of His Majesty's Principal

Principal Secretaries of State shall direct, give to the Principal Secretary of State requiring the same such Information respecting their Proceedings, or any Part thereof, as the said Principal Secretary of State shall require. of State when required.

VII. And be it further enacted, That the said Commissioners shall and they are hereby empowered from Time to Time to appoint such Persons as they may think fit to be Assistant Commissioners for carrying this Act into execution, at such Places and in such Manner as the said Commissioners may direct, and to remove such Assistant Commissioners, or any of them, at their Discretion, and on every or any Vacancy in the said Office of Assistant Commissioner, by Removal or by Death or otherwise, to appoint, if they see fit, some other Person to the said Office: Provided always, that it shall not be lawful for the said Commissioners to appoint more than Nine such Assistant Commissioners to act at any one Time, unless the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall consent to the Appointment of a greater Number. Power to appoint Assistant Commissioners; and to remove same. Not more than Nine to be appointed, without Consent of Treasury.

VIII. And be it further enacted, That no Commissioner or Assistant Commissioner appointed as aforesaid shall during his Continuance in such Appointment be capable of being elected or sitting as a Member of the House of Commons. Commissioners not to sit in Parliament.

IX. And be it further enacted, That the said Commissioners may and they are hereby empowered from Time to Time to appoint a Secretary, Assistant Secretary or Secretaries, and all such Clerks, Messengers, and Officers as they shall deem necessary, and from Time to Time, at the Discretion of the said Commissioners, to remove such Secretary, Assistant Secretary or Secretaries, Clerks, Messengers, and Officers, or any of them, and to appoint others in their Stead: Provided always, that the Amount of the Salaries of such Secretary, Assistant Secretary or Secretaries, Clerks, Messengers, and Officers shall from Time to Time be regulated by the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them. Commissioners to appoint Secretary, Assistant Secretary or Secretaries, Clerks, and other Officers.

X. And be it further enacted, That no Commissioner to be appointed by His Majesty, nor any Assistant Commissioner, Secretary, or other Officer or Person to be appointed by the said Commissioners, under and by virtue of the Provisions of this Act, shall continue to hold his respective Office or exercise any of the Powers given by this Act for a longer Period than Five Years next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament; and from and after the Expiration of the said Period of Five Years, and of the then next Session of Parliament, so much of this Act as enables His Majesty to appoint any Commissioner or Commissioners shall cease to operate or have any Effect whatever. Appointment of Commissioners, &c. limited to Five Years.

XI. And be it further enacted, That every Commissioner and Assistant Commissioner to be appointed from Time to Time as aforesaid shall, before he shall enter upon the Execution of his Office, take Commissioners and Assistant Commissioners to take Oath.

take the following Oath before One of the Judges of His Majesty's Courts of King's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; (that is to say,)

Form of Oath.

'I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute and fulfil all the Powers and Duties of a Commissioner [*or* Assistant Commissioner, *as the Case may be*,] under an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*].'

Notification of Appointment of Commsioners to be sent to Clerks of the Peace, and published.

And the Appointment of every such Commissioner and Assistant Commissioner, together with the Time when and the Judge or Baron before whom he shall have taken the Oath aforesaid, shall be forthwith published in the *London Gazette*; and a Notification of such Appointment and of the taking of such Oath shall from Time to Time be sent, under the Hands and Seal of the said Commissioners, to the Clerk of the Peace of every County in *England* and *Wales*, who shall and is hereby required as soon as conveniently may be to cause the same to be advertized once in some Newspaper published or circulated in such County; and such Notification as aforesaid shall be kept and preserved by such Clerk of the Peace with the Records of such County.

Commissioners may delegate Powers to Assistant Commissioners, and revoke them.

XII. And be it further enacted, That it shall be lawful for the said Commissioners to delegate to their Assistant Commissioners, or to any of them, such of the Powers and Authorities hereby given to the said Commissioners (except the Powers to make General Rules) as the said Commissioners shall think fit; and the Powers and Authorities so delegated, and the Delegation thereof, shall be notified in such Manner, and such Powers and Authorities shall be exercised at such Places, for such Periods, and under such Circumstances, and subject to such Regulations as the said Commissioners shall direct; and the said Commissioners may at any Time revoke, recall, alter, or vary all or any of the Powers and Authorities which shall be so delegated as aforesaid, and, notwithstanding the Delegation thereof, may act as if no such Delegation had been made; and the said

Assistant Commissioners may summon Persons and examine them upon Oath; or a Declaration may be substituted for an Oath.

Assistant Commissioners may and are hereby empowered to summon before them such Persons as they may think necessary for the Purpose of being examined upon Oath (which Oath such Assistant Commissioners are hereby empowered to administer) upon any Question or Matter relating to the Poor or their Relief, or for the Purpose of producing and verifying upon Oath any Books, Contracts, Agreements, Accounts, and Writings, or Copies of the same, in anywise relating to such Question or Matter, and not relating to or involving any Question of Title to any Lands, Tenements, or Hereditaments not being the Property of any Parish or Union, as such Assistant Commissioners may think fit, but so that no such Person shall be required, in obedience to any such Summons, to go or travel more than Ten Miles from the Place of his Abode; provided nevertheless, that in lieu of requiring such Oath as aforesaid the said Assistant Commissioners may, if they think fit, require such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined; and all Summonses

monses and Orders made by any such Assistant Commissioner in pursuance or exercise of such delegated Powers and Authorities shall be obeyed, performed, and carried into effect by all Persons as if such Summons or Order had been the Summons or Order of the said Commissioners, and the Breach, Nonobservance, or Nonperformance thereof shall be punishable in like Manner.

Persons giving false Evidence guilty of Perjury; refusing to attend, &c. guilty of Misdemeanor.

XIII. And be it further enacted, That if any Person, upon any Examination under the Authority of this Act, shall wilfully and corruptly give false Evidence, he shall be deemed guilty of Perjury, and if any Person shall make or subscribe a false Declaration, he shall, on being convicted thereof, suffer the Pains and Penalties of Perjury, and if any Person shall wilfully refuse to attend in obedience to any Summons of any Commissioner or Assistant Commissioner, or to give Evidence, or shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, and Writings, or Copies of the same, which may be so required to be produced before the said Commissioners or Assistant Commissioners, every Person so offending shall be deemed guilty of a Misdemeanor.

Reasonable Expences of Witnesses to be paid, and by whom.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners, in any Case where they see fit, to order and allow such Expences of Witnesses, and of or attending the Production of any Books, Contracts, Agreements, Accounts, or Writings, or Copies thereof, to or before the said Commissioners or Assistant Commissioners, as such Commissioners may deem reasonable, to be paid as follows; that is to say, out of the Poor Rates of the respective Parish or Union which in the Opinion of the said Commissioners shall be interested or concerned in such Attendance or Production respectively in all Cases in which such Witnesses shall not go or travel more than Ten Miles from the respective Parish or Union which shall be interested or concerned as aforesaid, and in all other Cases the Expences so ordered or allowed shall be deemed as Part of the incidental Expences attending the Execution of this Act, and be paid accordingly.

Administration of Relief to the Poor to be under Control of the Commissioners; who are to make Rules and Regulations for the Management of the Poor, and Administration of the Laws for their Relief, &c.

XV. And be it further enacted, That from and after the passing of this Act the Administration of Relief to the Poor throughout *England* and *Wales*, according to the existing Laws, or such Laws as shall be in force at the Time being, shall be subject to the Direction and Control of the said Commissioners; and for executing the Powers given to them by this Act the said Commissioners shall and are hereby authorized and required, from Time to Time as they shall see Occasion, to make and issue all such Rules, Orders, and Regulations for the Management of the Poor, for the Government of Workhouses and the Education of the Children therein, and for the Management of Parish poor Children under the Provisions of an Act made and passed in the Seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Regulation of Parish poor Children of the several Parishes therein mentioned within the Bills of Mortality*, and the superintending, inspecting, and regulating of the Houses wherein such poor Children are kept and maintained, and for the apprenticing the Children of poor Persons, and for the Guidance

and Control of all Guardians, Vestries, and Parish Officers, so far as relates to the Management or Relief of the Poor, and the keeping, examining, auditing, and allowing of Accounts, and making and entering into Contracts in all Matters relating to such Management or Relief, or to any Expenditure for the Relief of the Poor, and for carrying this Act into execution in all other respects, as they shall think proper; and the said Commissioners may, at their Discretion, from Time to Time suspend, alter, or rescind such Rules, Orders, and Regulations, or any of them: Provided always, that nothing in this Act contained shall be construed as enabling the said Commissioners or any of them to interfere in any individual Case for the Purpose of ordering Relief.

Commissioners may suspend or alter Rules, &c.

General Rules to be submitted to Secretary of State 40 Days before coming into operation.

If disallowed by King in Council during the 40 Days, not to come into operation.

If disallowed afterwards.

XVI. And be it further enacted, That no General Rule of the said Commissioners shall operate or take effect until the Expiration of Forty Days after the same, or a Copy thereof, shall have been sent, signed and sealed by the said Commissioners, to One of His Majesty's Principal Secretaries of State; and if at any Time after any such General Rule shall have been so sent to such Principal Secretary of State His Majesty, with the Advice of His Privy Council, shall disallow the same or any Part thereof, such General Rule, or the Part thereof so disallowed, shall not come into operation, if such Disallowance be notified to the said Commissioners at any Time during the said Period of Forty Days, but if such Disallowance be made at any Time after that Period, such Disallowance shall, by One of His Majesty's Principal Secretaries of State, be notified to the said Commissioners, and from and after such Disallowance shall have been so notified then such General Rule, so far as the same shall have been so disallowed, shall cease to operate, subject however and without Prejudice to all Acts and Transactions under or in virtue of the same previously to such Disallowance having been so notified.

General Rules to be laid before Parliament.

XVII. And be it further enacted, That all General Rules for the Time being in force at the Commencement of every Session of Parliament, and which shall not previously have been submitted to Parliament, shall from Time to Time, within One Week after the Commencement of every such Session, be laid by One of His Majesty's Principal Secretaries of State before both Houses of Parliament.

Rules, Orders, &c. to be sent to Overseers, &c. before they shall come into operation.

Publicity to be given to Rules, &c. in manner directed by Commissioners.

XVIII. And be it further enacted, That a written or printed Copy of every Rule, Order, or Regulation of the said Commissioners shall, before the same shall come into operation in any Parish or Union, be sent by the said Commissioners, by the Post, or in such Manner as the Commissioners shall think fit, sealed or stamped with their Seal, addressed to the Overseers of such Parish, the Guardians of such Union or their Clerk, and to the Clerk to the Justices of the Petty Sessions held for the Division in which such Parish or Union shall be situate; and such Overseers, Guardians, or their Clerk, and Clerks to the Justices aforesaid, are hereby required to keep and preserve, notify and give Publicity to, such Rules, Orders, and Regulations, in such Manner as the said Commissioners shall direct, and also to allow every Owner of Property or his Agent, or any Rate-payer, in every such Parish or Union, to inspect the same at all reasonable Times, free of any

Charge for such Inspection, and to furnish Copies of the same, being paid for such Copies at and after the Rate of Three-pence for every Folio of Seventy-two Words, and to allow Copies or Extracts thereof to be taken on being paid for so doing after the Rate of Three Halfpence for every Folio of Seventy-two Words; and in case any such Overseer, Guardian, Clerk, or Clerk to the Justices, to whom such Rules, Orders, or Regulations, or Copies thereof, shall be sent as aforesaid, shall neglect to keep and preserve, notify and give Publicity to the same in the Mode prescribed or directed by the said Commissioners, or shall refuse such Inspection, or to furnish or allow such Copies thereof to be taken as aforesaid, every Person so offending shall for every such Offence be subject and liable to a Penalty not exceeding the Sum of Ten Pounds nor less than Forty Shillings, to be recoverable in the same Manner as any Penalties are by this Act directed to be recovered: Provided also, that if any such Rule shall after the same shall have come into operation be disallowed in manner herein-before mentioned, or revoked by the said Commissioners, then and in every such Case the said Commissioners shall send, by the Post, or in such Manner as they shall think fit, to every Parish or Union affected by the said Rule, Notice of such Disallowance or Revocation; such Notice of Disallowance or Revocation to be addressed, kept, preserved, notified, and publicly inspected, and Copies thereof furnished or allowed to be taken, in such and the same Manner and subject to the same Penalties as are herein-before mentioned respecting the Rules, Orders, and Regulations of the said Commissioners.

Penalty on Overseer, &c. neglecting to give Publicity, &c.

Disallowance of Rule to be notified in like Manner.

XIX. And be it further enacted, That no Rules, Orders, or Regulations of the said Commissioners, nor any Bye Laws at present in force or to be hereafter made, shall oblige any Inmate of any Workhouse to attend any Religious Service which may be celebrated in a Mode contrary to the Religious Principles of such Inmate, nor shall authorize the Education of any Child in such Workhouse in any Religious Creed other than that professed by the Parents or surviving Parent of such Child, and to which such Parents or Parent shall object, or, in the Case of an Orphan, to which the Godfather or Godmother of such Orphan shall so object: Provided also, that it shall and may be lawful for any licensed Minister of the Religious Persuasion of any Inmate of such Workhouse, at all Times in the Day, on the Request of such Inmate, to visit such Workhouse for the Purpose of affording Religious Assistance to such Inmate, and also for the Purpose of instructing his Child or Children in the Principles of their Religion.

No Inmate of a Workhouse obliged to attend any Religious Service contrary to his Religious Principles, &c.

XX. And be it further enacted, That no Order or Regulation made by any Assistant Commissioner shall be in force unless and until the same shall have been adopted by the said Commissioners, and sealed or stamped with their Seal, and thereupon every such Order or Regulation shall be considered as made by the said Commissioners; and that no Rule, Order, or Regulation of the said Commissioners, except Orders made in answer to the Statements and Reports hereinafter authorized to be made by Overseers or Guardians to the said Commissioners, shall be in force until the Expiration of Fourteen Days after a written or printed Copy of the same shall have been sent

Orders or Regulations of Assistant Commissioners to be approved and sealed by Commissioners.

sent by the said Commissioners, sealed or stamped, and addressed as lastly herein-before is mentioned.

Powers of 22 G. 3. c. 83. 59 G. 3. c. 12. and of all other Acts relating to Workhouses, and to borrowing Money, to be exercised under Control of Commissioners, and be subject to their Orders.

XXI. And be it further enacted, That, except where otherwise provided by this Act, all the Powers and Authorities given in and by a certain Act of Parliament passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, and in and by a certain other Act passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act to amend the Laws for the Relief of the Poor*, and all Acts for amending such Acts respectively, and also all the Powers and Authorities given by every other Act of Parliament, general as well as local, for or relating to the building, altering, or enlarging of Poorhouses and Workhouses, and to the acquiring, purchasing, hiring, holding, selling, exchanging, and disposing thereof, or of Land whereon the same may have been or may hereafter be erected, and of preparing such Houses for the Reception of poor Persons, and the dieting, clothing, employing, and governing of such Poor, and the raising or borrowing of Money for any of the Purposes aforesaid, and for repaying the same, and all Powers of regulating and conducting all other Workhouses whatsoever, and of governing, providing for, and employing the Poor therein, and all Powers auxiliary to any of the Powers aforesaid, or in any way relating to the Relief of the Poor, shall in future be exercised by the Persons authorized by Law to exercise the same, under the Control, and subject to the Rules, Orders, and Regulations of the said Commissioners; and the said Commissioners and Assistant Commissioners respectively, and every of them, shall be entitled to attend at every parochial and other local Board and Vestry, and take part in the Discussions, but not to vote at such Board or Vestry: Provided always, that nothing herein contained shall be construed to give the said Commissioners or Assistant Commissioners any Power to order the building, purchasing, hiring, altering, or enlarging of any Workhouse, or the purchasing or hiring of any Land at the Charge or for the Use of any Parish or Union, save and except so far as such Powers are expressly given by this Act.

Commissioners, &c. to be entitled to attend local Boards and Vestry; but not to order the building or hiring of Workhouses, except under Limitations.

No Additions or Alterations to be made to the Rules contained in the Schedule to 22 G. 3. c. 83. or in any other Act until confirmed by Commissioners.

XXII. And whereas by the said Act made and passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third it is (among other Things) enacted, that the Rules, Orders, and Regulations specified and contained in the Schedule thereunto annexed should be duly observed and enforced at every Poorhouse or Workhouse to be provided by virtue of the said Act, with such Additions as should be made by the Justices of the Peace of the Limit wherein such House or Houses should be situate, at some Special Session, provided that such Additions should not be contradictory to the Rules, Orders, and Regulations established by that Act, and provided that the same should not be repealed by the Justices at their Quarter Sessions of the Peace; and it is expedient that such Additions, or other Rules, Orders, or Regulations, under that or any local or other Act, should not in future be made without the Sanction of the said Commissioners; be it therefore enacted, That no Additions or Alterations shall hereafter be made to or in the Rules, Orders, and Regulations contained in the Schedule

Schedule to the said recited Act, and no Rules, Orders, and Regulations shall hereafter be made under the Authority of the said recited Act, or of any Act made for altering, amending, or extending the same, or any local or other Act, relating to Poorhouses, Workhouses, or the Relief of the Poor, until the same shall have been submitted to and approved and confirmed by the said Commissioners; and that the same, when so confirmed, shall be legally valid and binding upon all Persons; and no Justice or Justices shall have Power to repeal the same.

Commissioners empowered to order Workhouses to be built, hired, altered, or enlarged, with Consent, &c.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time when they may see fit, by any Writing under their Hands and Seal, by and with the Consent in Writing of a Majority of the Guardians of any Union, or with the Consent of a Majority of the Rate-payers and Owners of Property entitled to vote in manner herein-after prescribed, in any Parish, such last-mentioned Majority to be ascertained in manner provided in and by this Act, to order and direct the Overseers or Guardians of any Parish or Union not having a Workhouse or Workhouses to build a Workhouse or Workhouses, and to purchase or hire Land for the Purpose of building the same thereon, or to purchase or hire a Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses; and, with the like Consent, to order and direct the Overseers or Guardians of any Parish or Union having a Workhouse or Workhouses, or any Buildings capable of being converted into a Workhouse or Workhouses, to enlarge or alter the same in such Manner as the said Commissioners shall deem most proper for carrying the Provisions of this Act into execution, or to build, hire, or purchase any additional Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses, or to purchase or hire any Land for building such additional Workhouse or Workhouses thereon, of such Size and Description, and according to such Plan, and in such Manner as the said Commissioners shall deem most proper for carrying the Provisions of this Act into execution; and the Overseers and Guardians to whom any such Order shall be directed are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money as may be necessary for the Purposes specified in such Order, by such Powers, Ways, and Means as are now by Law given to or vested in Churchwardens and Overseers or Guardians of the Poor for purchasing or hiring Land, or for building, hiring, and maintaining Workhouses for the Use of the Poor, in their respective Parishes or Unions, or to borrow Money for such Purposes under the Provisions of this or any other Act or Acts.

Sums to be raised for Purposes of building Workhouses to be charged on Poor Rates; not to exceed One Year's

XXIV. And be it further enacted, That for the better and more effectually securing the Repayment of any Sum or Sums of Money which may be borrowed for the Purposes aforesaid, with Interest, it shall be lawful for the said Overseers or Guardians to charge the future Poor Rates of such Parish or Union with the Amount of such Sum or Sums of Money: Provided always, that the Principal Sum or Sums to be raised for such Purposes, whether raised within the Year or borrowed, shall in no Case exceed the average annual Amount of

Amount of Poor Rates.

the Rates raised for the Relief of the Poor in such Parish or Union for Three Years ending at the *Easter* next preceding the raising of such Money; and that any Loan or Money borrowed for any of the Purposes aforesaid shall be repaid by annual Instalments of not less than One Tenth of the Sum borrowed, with Interest on the same, in any One Year.

Power to order Workhouses to be altered or enlarged, without Consent, &c.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, without requiring any such Consent as aforesaid, by any Writing under the Hands and Seal of the said Commissioners, to order and direct the Overseers or Guardians of any Parish or Union having a Workhouse or Workhouses, or any Building capable of being converted into a Workhouse or Workhouses, to enlarge or alter the same, according to such Plan and in such Manner as the said Commissioners shall deem most proper for carrying the Provisions of this Act into execution; and the Overseers or Guardians to whom any such Order shall be directed are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money as may be necessary for the Purposes specified in such Order, by such Powers, Ways, and Means as are now by Law given to or vested in Churchwardens and Overseers or Guardians of the Poor for altering, enlarging, and maintaining Workhouses for the Use of the Poor in their respective Parishes or Unions: Provided always, that the Principal Sum or Sums to be raised for such Purposes, and charged upon any Parish, shall not exceed in the whole the Sum of Fifty Pounds, nor in any such Case exceed One Tenth of the average annual Amount of the Rates raised for the Relief of the Poor in such Parish for the Three Years ending at the *Easter* next preceding the raising of such Money.

Sums to be raised for such Purposes not to exceed One Tenth of One Year's Rates, or 50*l*.

Parishes may be united by Commissioners.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners, by Order under their Hands and Seal, to declare so many Parishes as they may think fit to be united for the Administration of the Laws for the Relief of the Poor, and such Parishes shall thereupon be deemed a Union for such Purpose, and thereupon the Workhouse or Workhouses of such Parishes shall be for their common Use; and the said Commissioners may issue such Rules, Orders, and Regulations as they shall deem expedient for the Classification of such of the Poor of such united Parishes in such Workhouse or Workhouses as may be relieved in any such Workhouse, and such Poor may be received, maintained, and employed in any such Workhouse or Workhouses as if the same belonged exclusively to the Parish to which such Poor shall be chargeable; but, notwithstanding such Union and Classification, each of the said Parishes shall be separately chargeable with and liable to defray the Expence of its own Poor, whether relieved in or out of any such Workhouse.

Each Parish chargeable for its own Poor.

Justices may order out-door Relief to aged and infirm Persons wholly unable to work.

XXVII. And be it further enacted, That in any Union which may be formed under this Act it shall be lawful for any Two of His Majesty's Justices of the Peace usually acting for the District wherein such Union may be situated, at their just and proper Discretion, to direct by Order under their Hands and Seals, that Relief shall be given to any adult Person who shall from Old Age or Infirmity of

Body be wholly unable to work, without requiring that such Person shall reside in any Workhouse: Provided always, that One of such Justices shall certify in such Order of his own Knowledge, that such Person is wholly unable to work, as aforesaid; and provided further, that such Person shall be lawfully entitled to relief in such Union, and shall desire to receive the same out of a Workhouse.

When a Union of Parishes shall be proposed, Commissioners to inquire the Expence of Poor belonging to each Parish for Three Years preceding.

XXVIII. And be it further enacted, That when any Union of Parishes for the Administration of the Laws for the Relief of the Poor shall be proposed to be made or shall be made under the Provisions of this Act, it shall be lawful for the said Commissioners, and they are hereby required, from Time to Time, by such Means and in such Manner as they may think fit, to inquire into and ascertain the Expence incurred by each Parish proposed to form Part of such Union for the Relief of the Poor belonging to such Parish, whether such Relief shall have been given in or out of any Workhouse, for the Three Years ending on the Twenty-fifth Day of *March* next preceding such Inquiry, and thereupon the said Commissioners shall proceed to calculate and ascertain the annual average Expence of each Parish for that Period; and the several Parishes included or proposed to be included in such Union shall from the Time of effecting the same contribute and be assessed to a common Fund for purchasing, building, hiring, or providing, altering or enlarging any Workhouse or other Place for the Reception and Relief of the Poor of such Parishes, or for the Purchase or renting of any Lands or Tenements, under and by virtue of the Provisions of this Act, of or for such Union, and for the future upholding and maintaining of such Workhouses or Places aforesaid, and the Payment or Allowance of the Officers of such Union, and the providing of Utensils and Materials for setting the Poor on work therein, and for any other Expence to be incurred for the common Use or Benefit or on the common Account of such Parishes, in the like Proportions as on the said annual Average of the said Three Years such Relief had cost each such Parish separately, until such Average shall be varied or altered as herein-after provided: Provided always, and the said Commissioners are hereby authorized, if they shall so think fit, but not otherwise, from Time to Time, either upon the Application of the Guardians of such Union or of the Overseers of any Parish forming Part of the same, or without such Application, to cause a like Inquiry and Calculation to be made and Average ascertained for the Three Years ending on the Twenty-fifth Day of *March* next preceding such Inquiry; and from and after the ascertaining of any such Average, or of any succeeding Average, the respective Parishes of such Union shall contribute and be assessed to the common Fund thereof, for the Purposes aforesaid, in the Proportions which the Expence of such Parishes shall be found to have borne to each other during such Period upon the Average which shall have been so last ascertained, until a like Inquiry shall be again made, and a new Average and Proportion ascertained for the future Assessment of such Parishes.

Power for taking future Averages.

The like Provision in Unions effected under Local Acts of

XXIX. And whereas in divers Unions formed under the said recited Act made and passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better*

Incorporation. 22 G.3. c.83.

better Relief and Employment of the Poor, or under Local Acts of Incorporation, the whole of the Expence, as well of upholding the united Workhouses therein as of maintaining and relieving the Poor of the respective Parishes of such Unions, is assessed upon such Parishes in the respective Proportions fixed at the Period when such Unions were formed, and in others a Part of such Expences is so levied, and a Part subjected to Variations at stated Periods: And whereas some of the Parishes of such Unions have contributed and still continue to contribute, as their fixed Proportion of the general Fund, a Sum much larger and others a Sum much less than the actual Expence incurred for the Relief of the Poor belonging to them respectively; for Remedy thereof be it enacted, That it shall be lawful for the said Commissioners, as soon as conveniently may be after the passing of this Act, to cause an Inquiry to be made and an Account rendered, as far as it may be practicable to render the same, by the Visitors, Directors, Acting Guardians, or other Officers of such Parishes or Unions respectively, of the Expence incurred for the Relief of the Poor belonging to each Parish within any such Union, whether such Poor shall have been relieved in or out of such Parish respectively, or in or out of any united Workhouse, and whether such Expence has been paid by the general Fund of such Union or the parochial Funds of any of the Parishes thereof, or by any private Rate, or general Subscription in lieu of a Rate among the Rate-payers of any such Parish, and whether passed through the Books or paid under the Control of the Managers or Officers of such Union, or not, for the Period of Three Years ending on the Twenty-fifth Day of *March* One thousand eight hundred and thirty-four, including therein a due Proportion of the Expence of maintaining the united Workhouses and Establishment of such Union, calculated according to the actual Expence otherwise incurred for the Relief of the Poor belonging to each such Parish; and the average annual Amount of such Expence shall be deemed and taken to have been the annual Expence incurred by such Parish on account of its Poor, notwithstanding such Parish may have contributed a greater or smaller Sum than such annual Average to the general Funds of the Union during such Period; and such annual Average, so ascertained as aforesaid, shall, if the said Commissioners shall see fit, and to such Extent only as they may direct, be deemed and taken as the fixed Proportion to be contributed and paid by each such Parish respectively towards a common Fund for the future hiring, maintaining, and upholding, repairing, altering, or enlarging of any Workhouse, and the renting of any Land used by such Union at the passing of this Act, and for the purchasing, building, hiring, maintaining, upholding, repairing, altering, or enlarging of any new Workhouse or Workhouses, or other Place for the Reception and Relief of the Poor belonging to the Parishes of such Union, and for the renting or Purchase of any Lands or Tenements under or by virtue of the Provisions of this Act, and the Payment or Allowance of any Officers of such Union, and the providing of Utensils or Materials for setting the Poor on work therein, and for any other Expence to be in future incurred for the common Use or Benefit of such Parishes, and in addition to the Cost or Proportion of Cost of the Poor of such Parishes who shall be maintained or relieved in or out of any Workhouse of such Union, for which each such Parish shall in future be charged

charged separately; any Provision or Enactment in the said recited Act or in any such Local Acts to the contrary notwithstanding: Provided always, and the said Commissioners are hereby authorized, if they see fit, but not otherwise, upon the Application of the Guardians of any such last-mentioned Union, or of the Overseers of any Parish forming Part of the same, or without such Application, from Time to Time to cause an Inquiry and Calculation to be made, and Average ascertained, for the Three Years ending on the Twenty-fifth Day of *March* next preceding such Inquiry, of the Expence incurred by each such Parish, as well in respect of its Contribution to such common Fund as of the Cost or Proportion of Cost of its Poor which shall have been maintained or relieved in or out of any Workhouse of such Union during such Period of Three Years; and from and after the ascertaining of such Average or of any succeeding Average the respective Parishes of such Union shall contribute and be assessed to the common Fund thereof, for the Purposes of which such common Fund is herein-before declared to be applicable, in the Proportions which the Expence of such Parishes shall be found to have borne to each other during such Period, upon the Average which shall have been so last ascertained, until a like Inquiry shall be again made, and a new Average and Proportion ascertained for the future Assessment of such Parishes to such common Fund: Provided always, that nothing herein contained shall extend to any Parishes already formed or hereafter to be formed into a Union for the Purposes of Settlement or rating, or where the annual Assessment is directed to be indifferently proportioned between the several Parishes composing such Union.

Power for taking future Averages.

XXX. And for facilitating the Inquiries directed by this Act, be it enacted, That unless and until they shall be proved to the Satisfaction of the said Commissioners to be incorrect, the Returns made to Parliament of the Sums expended for the Relief of the Poor of any Parish for the last Three Years previous to the passing of this Act shall be deemed to be the actual Expence incurred by each such Parish respectively during that Period for the Purposes aforesaid, and on account of the Poor belonging to such Parish respectively, and shall be taken as the Ground on which such Averages shall be calculated and ascertained.

Parliamentary Returns to be Evidence of actual Expence of Poor to each Parish.

XXXI. And be it further enacted, That from and after the passing of this Act so much of the said recited Act made and passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, as provides that no Parish, Township, Hamlet, or Place which shall be situate more than Ten Miles from any Poorhouse or Workhouse to be provided under the Authority of that Act shall be permitted to be united for the Purposes therein mentioned with the Parishes, Townships, Hamlets, and Places which shall establish such Poorhouse or Workhouse as therein mentioned, and as limits the Class or Description of Persons who shall be sent to such Poorhouse or Workhouse; and so much of a certain Act made and passed in the Fifty-sixth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to repeal certain Provisions in Local Acts for the Maintenance and Management of the Poor*, as

Repeal of 22 G. 3. c. 83. s. 5., and 56 G. 3. c. 129. Part of s. 1. restraining Parishes from contributing to Workhouse at a greater Distance than 10 Miles; and of 22 G. 3. c. 83. s. 29. limiting Class of Persons to be sent to Workhouses.

repeals all Enactments and Provisions contained in any Act or Acts of Parliament since the Commencement of the Reign of His late Majesty King *George* the First, whereby any Parish, Township, or Hamlet at a greater Distance than Ten Miles from any House of Industry or Workhouse shall thereafter be empowered or authorized to become Contributors to or to take the Benefit of such House of Industry or Workhouse; shall be and the same is hereby repealed.

Power to dissolve, add to, or take from any Union;

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time, as they may see fit, by Order under their Hands and Seal, to declare any Union, whether formed before or after the passing of this Act, (except when united for the Purposes of Settlement or rating,) to be dissolved, or any Parish or Parishes, specifying the same, to be separated from or added to any such Union, and, as the Case may be, such Union shall thereupon be dissolved, or such Parish or Parishes shall thereupon be separated from or added to such Union accordingly; and the said Commissioners shall in every such Case frame and make such Rules, Orders, and Regulations as they may think fit for adapting the Constitution, Management, and Board of Guardians of every such Union, from or to which there shall be such Separation or Addition as aforesaid, to the altered State of the same, and every such Union shall after any such Alteration be constituted, managed, and governed as if the same had been originally formed in such altered State; and in case any Union shall be wholly or partially dissolved as aforesaid, then the Parishes constituting, or, in case of a partial Dissolution, separated from any such Union, shall thenceforth be subject to be re-united, or united with other Parishes or Unions, or otherwise dealt with according to the Provisions of this Act as the said Commissioners shall think fit: Provided always, that in every such Case the said Commissioners shall and they are hereby required to ascertain the proportionate Value to every Parish of such Union of the Workhouses or other Property held or enjoyed by such Union for the Use of the Poor or Benefit of the Rate-payers therein, and also the proportionate Amount chargeable on every Parish in respect of all the Liabilities of such Union existing at the Time of such Dissolution or Alteration of the same, and the said Commissioners shall thereupon fix the Amount to be received, or paid or secured to be paid, by every Parish affected by such Alteration; and the Sum to be received, if any, by such Parish, shall be paid, or, as the said Commissioners shall direct, be secured to be paid, to the Overseers or Guardians of the same, for the Benefit of such Parish, and in diminution of the Rates thereof and of the Expence attending such Alteration; and the Sum to be so paid or secured to be paid by every such Parish shall be raised, under the Direction of the said Commissioners, by the Overseers or Guardians of such Parish, or charged on the Poor Rates of such Parish, as the said Commissioners may see fit, and shall be paid or secured for the Use and Benefit of the Union from which the same Parish shall have been so separated, or of the Persons or Parishes otherwise entitled thereto, as the Case may be: Provided always, that no such Dissolution or Alteration of the Parishes constituting any such Union, nor any Addition thereto as aforesaid, shall in any Manner prejudice, vary, or affect the Rights or Interests of Third Persons, unless such

and thereupon to make such Rules as may be adapted to its altered State.

Rights and Interests of Parishes, and Claims on them, to be ascertained and secured.

Dissolution or Alteration not to affect Rights of Third Parties,

Third Persons, by themselves or their Agents, shall consent in Writing to such Dissolution or proposed Alteration or Addition; and that no such Dissolution, Alteration, or Addition shall take place or be made unless a Majority of not less than Two Thirds of the Guardians of such Union shall also concur therein; and in every such Case, when the said Majority of the Guardians of such Union shall so concur in such proposed Alteration, the Terms on which such Concurrence shall have been given, if approved by the said Commissioners, shall be binding and conclusive on the several Parishes of such Union.

nor take place without the Consent of Guardians of Parish.

XXXIII. And be it further enacted, That in any Union already formed or which may hereafter be formed in pursuance of or under the Provisions of this Act it shall and may be lawful for the Guardians elected by the Parishes forming such Union, by any Writing under the Hands of all such Guardians, to agree, subject to the Approbation of the said Commissioners, for or on behalf of the respective Parishes forming such Union, that for the Purposes of Settlement such Parishes shall be considered as One Parish; and in such Case such Agreement, having been first signed by the said Guardians, shall be signed and sealed by the said Commissioners, and One Part thereof shall be deposited with the said Commissioners, and a Counterpart or Counterparts thereof, signed by the said Guardians, and signed and sealed by the said Commissioners, deposited with the Clerk of the Peace of the County, Riding, Division, District, or Liberty in which the Parishes of such Union shall be respectively situate; and the said Clerk of the Peace shall and is hereby required, upon the Receipt of such Agreement, or Counterpart or Counterparts thereof, to file the same with the Records of such County, Riding, Division, District, or Liberty; and from and after the depositing of the same as aforesaid the said Agreement shall for ever thereafter be binding on each of such Parishes, and shall not be revoked or annulled; and the Settlement of a poor Person in any one of the Parishes of such Union shall be considered, as between such Parishes, a Settlement in such Union, and the Expence of maintaining, supporting, and relieving every such poor Person, and all other Expences of maintaining, supporting, and relieving the Poor to which any one of such Parishes shall be liable after the depositing of such Agreement, Part or Counterpart as aforesaid, or of ascertaining, litigating, or adjudging the Settlement of any poor Person in any of such Parishes, shall form Part of the general Expences and be paid out of the common Funds of such Union: Provided always, that wherever such Agreement is entered into as aforesaid the Rate or Proportion of Contribution to such common Funds to be thereafter paid by each of the Parishes of such Union shall be ascertained and fixed in like Manner as in and by this Act is provided for in Cases where any Union of Parishes is made or proposed to be made under the Provisions thereof, and shall not be subject to further Variation.

United Parishes may be One Parish for Purposes of Settlement.

XXXIV. And be it further enacted, That where the Parishes of any Union shall be situate within the same County, Riding, Division, District, or Liberty, under the Jurisdiction of the same Justices of the Peace, it shall and may be lawful for the Guardians elected by the Parishes forming such Union, by any Writing under the Hands of all

Union may be One Parish for Purpose of rating, with Consent of Guardians

all such Guardians, to agree, with the Approbation of the said Commissioners, for or on behalf of the respective Parishes for which they shall so act as Guardians, that, for the Purposes of raising in common the necessary Funds for the Relief of the Poor of such Union, such Parishes shall be considered One Parish; and in such Case such Agreement, having been first signed by the said Guardians, shall be signed and sealed by the said Commissioners, and One Part thereof deposited with the said Commissioners, and a Counterpart or Counterparts thereof, signed by the said Guardians, and signed and sealed by the said Commissioners, deposited with the Clerk of the Peace of the County, Riding, Division, District, or Liberty, Counties, District or Districts, in which the said Parishes of such Union shall be situate; and the said Clerk or Clerks of the Peace shall and is and are hereby required, upon the Receipt of such Agreement, Part or Counterpart, to file the same with the Records of such County, Riding, Division, District, or Liberty, or Counties, District or Districts, and from and after the depositing and filing of such last-mentioned Agreement or Counterpart the same shall be for ever binding upon such Parishes, and shall not be revoked or annulled.

Agreement or Counterpart for such rating to be deposited with Clerk of the Peace.

Guardians to ascertain and assess Value of Property.

XXXV. And be it further enacted, That from and after such depositing and filing of the said Agreement, Part or Counterpart, the said Guardians shall, under such Regulations as the said Commissioners shall in that respect prescribe, proceed to ascertain and assess the Value of the Property in the several Parishes of such Union rateable to the Relief of the Poor, and to cause to be made such Surveys and Valuations of the said Property, or any Part thereof, as may be necessary, from Time to Time, to make a fair and just Assessment upon the said united Parishes in respect of such Property so rateable as aforesaid; and all Rates grounded on every such Valuation or Assessment shall be made, allowed, published, and recovered in such and the same Manner as Rates for the Relief of the Poor are now by Law made, allowed, published, and recovered; and the Rate-payers shall have the like Power of Appeal against such last-mentioned Rates as any Persons now have against Rates made for the Relief of the Poor.

Rates grounded on such Assessment to be allowed as Poor Rates.

In such Cases all Expenditure for the Poor to be in common.

XXXVI. And be it further enacted, That from and after any such common Rate shall have come into operation the Proportions of Contribution fixed at the Period of uniting such Parishes, or existing at the Time of such last-mentioned Agreement for a common Rate, shall wholly cease; and all Expenditure in respect of the Poor of such Union, or chargeable in any way on the Poor Rates of the respective Parishes thereof, shall be deemed and be the common Expenditure of such Union, and be chargeable upon and paid out of the common or general Fund to be raised upon such Parishes under such common Rate, according to the Valuation or Assessment of the rateable Property in such Parishes so ascertained, confirmed, and allowed by the said Justices from Time to Time in manner herein-before provided: Provided always, that the Expence of every such Valuation shall at all Times be a Charge on the common Rate of such Parishes: Provided always, that in case any Parish of any Union, at the Period of entering into such Agreement for the Purposes of Settlement or a common Rate, shall not be represented by a Guardian elected solely by such Parish, such Parish shall not be bound by any such Agreement, unless a Majority

Expence of Valuation.

Proviso for Consent of Parishes not represented by Guardian.

Majority of the Owners of Property and Rate-payers in such Parish, entitled to vote in the Manner provided by this Act, shall, by their Votes in Writing, testify their Assent to such Agreement in such Form as the said Commissioners shall prescribe; and in case such Assent shall not be so given, such Parish shall be wholly omitted from such Agreement, and be liable to pay such Proportion only of the common Assessment as it was bound to pay upon the forming of the Union of such Parishes.

No Union to be so formed without Consent of Commissioners.

XXXVII. And be it further enacted, That from and after the passing of this Act no Union or Incorporation of Parishes shall be formed under the Provisions of the said Act made and passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, without the previous Consent of the said Commissioners, testified under their Hands and Seal.

Constitution and Election of Board of Guardians for Unions.

XXXVIII. And be it further enacted, That where any Parishes shall be united by Order or with the Concurrence of the said Commissioners for the Administration of the Laws for the Relief of the Poor, a Board of Guardians of the Poor for such Union shall be constituted and chosen, and the Workhouse or Workhouses of such Union shall be governed, and the Relief of the Poor in such Union shall be administered, by such Board of Guardians; and the said Guardians shall be elected by the Rate-payers, and by such Owners of Property in the Parishes forming such Union as shall in manner herein-after mentioned require to have their Names entered as entitled to vote as Owners in the Books of such Parishes respectively; and the said Commissioners shall determine the Number and prescribe the Duties of the Guardians to be elected in each Union, and also fix a Qualification without which no Person shall be eligible as such Guardian, such Qualification to consist in being rated to the Poor Rate of some Parish or Parishes in such Union, but not so as to require a Qualification exceeding the annual Rental of Forty Pounds, and shall also determine the Number of Guardians which shall be elected for any One or more of such Parishes, having due Regard to the Circumstances of each such Parish: Provided always, that One or more Guardians shall be elected for each Parish included in such Union; and such Guardians, when so elected, shall continue in Office until the Twenty-fifth Day of *March* next following their Appointment or until others are appointed in their Stead, and on such Twenty-fifth Day of *March*, or if that Day should fall on a *Sunday* or *Good Friday* then on the Day next following, or within Fourteen Days next after the said Twenty-fifth Day of *March* in every Year, such Guardians shall go out of Office, and the Guardians for the ensuing Year shall be chosen; and in the event of any Vacancy occurring in such Board by the Death, Removal or Resignation, or Refusal or Disqualification to act of any elected Guardian between the Periods of such first and the next and any subsequent annual Election, or in case the full Number of Guardians shall not be duly elected at such subsequent Election of Guardians for the Time being, the other or remaining Members of the said Board shall continue to act until the next Election, or until the Completion of the said Board, as if no such Vacancy had occurred, and as if the Number

of such Board were complete; and every Justice of the Peace residing in any such Parish, and acting for the County, Riding, or Division in which the same may be situated, shall be an *ex officio* Guardian of such united or common Workhouses, and shall, until such Board of Guardians shall be duly elected and constituted as aforesaid, and also, in case of any Irregularity or Delay in any subsequent Election of Guardians, receive and carry into effect the Rules, Orders, and Regulations of the said Commissioners; and after such Board shall be elected and constituted as aforesaid every such Justice shall *ex officio* be and be entitled, if he think fit, to act as a Member of such Board, in addition to and in like Manner as such elected Guardians: Provided always, that, except where otherwise ordered by the said Commissioners, and also except for the Purpose of consenting to the Dissolution or Alteration of any Union or any Addition thereto, or to the Formation of any Union for the Purposes of Settlement or rating, no *ex officio* or other Guardian of any such Board as aforesaid shall have Power to act in virtue of such Office except as a Member and at a Meeting of such Board; and no Act of any such Meeting shall be valid unless Three Members shall be present and concur therein: Provided also, that nothing herein contained shall prevent such Owners and Rate-payers from re-electing the same Persons or any or either of them to be Guardians for the Year next ensuing, nor from electing as a Guardian any Person who may already have been chosen as a Guardian of any other Parish.

No Guardian to have Power except at a local Board, unless otherwise directed by the Commissioners.

Guardians may be re-elected.

The like for single Parishes.

XXXIX. And be it further enacted, That if the said Commissioners shall, by any Order under their Hands and Seal, direct that the Administration of the Laws for the Relief of the Poor of any single Parish should be governed and administered by a Board of Guardians, then such Board shall be elected and constituted, and authorized and entitled to act, for such single Parish, in like Manner in all respects as is herein-before enacted and provided in respect to a Board of Guardians for united Parishes; and every Justice of the Peace resident therein, and acting for the County, Riding, or Division in which the same is situated, shall be and may act as an *ex officio* Member of such Board.

At Elections of Guardians Votes to be taken in Writing, and Owners as well as Occupiers to vote.

XL. And be it enacted, That in all Cases of the Election of Guardians under this Act, or wherever the Consent of the Owners of Property or Rate-payers in any Parish or Union shall be required for any of the Purposes of this Act, except when otherwise expressly provided for in this Act, the Votes of such Owners and Rate-payers shall be given or taken in Writing, collected, and returned, in such Manner as the said Commissioners shall direct; and in every such Case the Owner, as well as the Rate-payer, in respect of any Property in such Parish or Union, shall be entitled to vote, and the Owner shall have the same Number and Proportion of Votes respectively as is provided for Inhabitants and other Persons in and by an Act made and passed in the Fifty-eighth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for the Regulation of Parish Vestries*, and in and by an Act to amend the same, made and passed in the Fifty-ninth Year of His said late Majesty; and the Rate-payers under Two hundred Pounds shall each have a single Vote; and the

58 G. 3. c. 69.

Scale of Voting.

Rate-payers rated at Two hundred Pounds or more, but under Four hundred Pounds, shall each have Two Votes, and the Rate-payers rated at Four hundred Pounds or more, shall each have Three Votes; and the Majority of the Votes of such Owners and Rate-payers which shall be actually collected and returned shall in every such Case be binding on such Parish; and for the Purpose of ascertaining the Number of Votes to which each such Owner shall be entitled, the aggregate Amount of the Assessment for the Time being of any Property belonging to such Owner in such Parish, or on any Person or Persons in respect of the same, to the Poor Rate, shall be deemed to be and be taken as the annual Value of such Property to such Owner; and where any such Owner shall be the *bonâ fide* Occupier of any such Property, he shall be entitled to vote as well in respect of his Occupation as of his being such Owner: Provided always, that it shall be lawful for any Owner from Time to Time, by Writing under his Hand, to appoint any Person to vote as his Proxy; and every such Appointment shall remain in force until revoked or recalled by such Owner; but no Owner shall be entitled to vote, either in Person or Proxy, unless he shall, previous to the Day on which he shall claim to vote, have given a Statement in Writing of his Name and Address, and the Description of the Property in the Parish as Owner whereof, or Proxy for the Owner whereof, he claims to vote, and if such Proxy, the original or an attested Copy of the Writing appointing him such Proxy, to the Overseers of such Parish; and the said Overseers are hereby required to enter in the Rate Books of such Parish, or in some other Book to be from Time to Time provided for that Purpose, the Names and Addresses of the Owners and Proxies who shall send such Statements, and the Assessment of the Rate for the Relief of the Poor of the Property in respect whereof they respectively claim to vote: Provided also, that every Person who shall not vote, or who shall not comply with the Directions to be made by the said Commissioners for the giving, taking, or returning of Votes, shall be omitted in the Calculation of Votes, and considered as having had no Vote on the Question whereon he might have voted: Provided also, that no Person shall be deemed a Rate-payer, or be entitled to vote, or do any other Act, Matter, or Thing as such, under the Provisions of this Act, unless he shall have been rated to the Relief of the Poor for the whole Year immediately preceding his so voting or otherwise acting as such Rate-payer, and shall have paid the Parochial Rates and Assessments made and assessed upon him for the Period of One whole Year, as well as those due from him at the Time of so voting or acting, except such as shall have been made or become due within the Six Months immediately preceding such voting or acting: Provided always, that in Cases of Property belonging to any Corporation Aggregate, or to any Joint Stock or other Company, no Member of such Corporation, or Proprietor of or interested in such Joint Stock or other Company, shall be entitled to vote as such Owner in respect thereof; but any Officer of such Corporation, Joint Stock, or other Company, whose Name shall be entered by the Direction of the governing Body of such Corporation or Company in the Books of the Parish, in the Manner herein-before directed with respect to the Owner of Property, shall be entitled to vote in respect of such Property in the same Manner as if he were the Owner thereof.

Votes may be given by Proxy.

No Rate-payer to vote unless rated One Year.

XLI. And

Elections of Guardians, Visitors, and other Officers under the Act 22 G. 3. c. 83. or any Local Act to be made according to the Provisions of this Act.

XLI. And be it further enacted, That all Elections of Guardians, Visitors, and other Officers, for the Execution of any of the Powers or Purposes of the said recited Act made and passed in the Twenty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, or of any Local Act of Parliament relating to Poorhouses, Workhouses, or the Relief of the Poor, or any Act to alter or amend the same respectively, shall hereafter, so far as the said Commissioners shall direct, be made and conducted according to the Provisions of this Act: Provided always, that it shall be lawful for the said Commissioners, if they shall so think fit, from Time to Time, with the Consent of the Majority of the Owners of Property and Rate-payers of any Parish, or of any Union now existing or to be formed under the Provisions of this Act, to alter the Period for which the Guardians to be appointed under the Provisions of this Act for such Parish or Union, or any of them, would under the Provisions of this Act hold Office, for such other Period or Periods as to the said Commissioners, with such Consent as aforesaid, shall seem expedient, and also to make such Alterations in the Number, Mode of Appointment, Removal, and Period of Service of the Guardians, or any of them, of any Parish, or of any Union now existing or to be formed under the Provisions of this Act, as to the said Commissioners, with such Consent as aforesaid, shall seem expedient.

Commissioners may make Rules, &c. for present or future Workhouses, and vary Bye Laws already in force or to be made hereafter.

XLII. And be it further enacted, That the said Commissioners may and are hereby authorized, by Writing under their Hands and Seal, to make Rules, Orders, and Regulations, to be observed and enforced at every Workhouse already established by virtue of the said recited Act made and passed in the Twenty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, or any General or Local Act of Parliament, or hereafter to be established by virtue of such Acts or of any of them, or of this or any other Act of Parliament relating to the Relief of the Poor, for the Government thereof, and the Nature and Amount of the Relief to be given to and the Labour to be exacted from the Persons relieved, and the Preservation therein of good Order, and from Time to Time to suspend, alter, vary, amend, or rescind the same, and make any new or other Rules, Orders, and Regulations, to be observed and enforced as aforesaid, as they from Time to Time shall think fit, and to alter, at their Discretion, any of the Rules, Orders, and Regulations contained in the Schedule to the said recited Act, and also to alter or rescind any Rules, Orders, and Regulations heretofore made in pursuance of the said recited Act, or any Local Act of Parliament relating to Workhouses or the Relief of the Poor; and that all Rules, Orders, and Regulations to be from Time to Time made by the said Commissioners under the Authority of this Act shall be valid and binding, and shall be obeyed and observed as if the same were specifically made by and embodied in this Act; subject, nevertheless, to the said Power of the said Commissioners from Time to Time to rescind, amend, suspend, or alter the same: Provided always, that if any such Rule, Order, or Regulation shall be, at the Time of issuing the same, directed to and affect more than One Union, the same shall

Rules, &c. affecting more than One Union to be

be

be considered as a General Rule, and subject and liable to all the Provisions in this Act contained respecting General Rules. deemed General Rules.

XLIII. And be it further enacted, That where any Rules, Orders, or Regulations, or any Bye Laws, shall be made or directed by the said Commissioners to be observed or enforced in any Workhouse, it shall and may be lawful for any Justice of the Peace acting in and for the County, Place, or Jurisdiction in which such Workhouse shall be situate, to visit, inspect, and examine such Workhouse at such Times as he shall think proper, for the Purpose of ascertaining whether such Rules, Orders, Regulations, or Bye Laws are or have been duly observed and obeyed in such Workhouse, as well as for such other Purposes as Justices are now authorized to visit Workhouses under and by virtue of a certain Act made and passed in the Thirtieth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to empower Justices and other Persons to visit Parish Workhouses or Poorhouses, and examine and certify the State and Condition of the Poor therein to the Quarter Sessions;* and if in the Opinion of such Justice such Rules, Orders, Regulations, or Bye Laws, or any of them, have not been duly observed and obeyed in such Workhouse, it shall be lawful for such Justice to summon the Party offending in such respect to appear before any Two Justices of the Peace to answer any Complaint touching the Nonobservance of such Rules, Orders, Regulations, and Bye Laws, or any of them, and upon Conviction before such Two Justices of the Party so offending such Party shall forfeit and be liable to such Penalties and Punishments as are herein-after prescribed and provided against Parties wilfully neglecting or disobeying the Rules, Orders, or Regulations of the said Commissioners: Provided always, that where no such Rules, Orders, Regulations, or Bye Laws shall have been directed by the said Commissioners to be enforced and observed in the Workhouse of any Parish, nothing in this Act contained shall be construed to restrain or prevent any Justice of the Peace, Physician, Surgeon, or Apothecary, or the Officiating Clergyman of any Parish, from visiting such Workhouse, and examining and certifying the State and Condition of the same and of the Poor therein, in such Manner as they or any of them are authorized to do in and by the said last-recited Act.

Justices empowered to see Bye Laws enforced, and to visit Workhouses, pursuant to 30 G. 3. c. 49.

The Power given to Justices, &c. to visit Workhouses reserved where Commissioners Rules, &c. are not in force.

XLIV. Whereas the Jurisdiction of certain Cities, Boroughs, and Corporate Towns is not always co-extensive with the Parish in which it exists; be it therefore enacted, That every House or Building which shall be erected, purchased, or hired as and for a Workhouse, together with all Premises and Appurtenances thereto belonging, and the Land or Lands occupied therewith, shall be deemed and held to be within and subject to the local Jurisdiction of such incorporated City, Borough, or Town to which they may respectively belong, though the same may be situated in such Part of the respective Parishes as may not be within the chartered Boundaries thereof.

Buildings taken for Workhouses to be within the Jurisdiction of the Place to which they belong, though situated without.

XLV. And be it further enacted, That nothing in this Act contained shall authorize the Detention in any Workhouse of any dangerous Lunatic, insane Person, or Idiot, for any longer Period than Fourteen Days; and every Person wilfully detaining in any Workhouse any

No Lunatic, insane Person, or dangerous Idiot, to be detained in a

Workhouse more than 14 Days.

any such Lunatic, insane Person, or Idiot, for more than Fourteen Days, shall be deemed guilty of a Misdemeanor: Provided always, that nothing herein contained shall extend to any Place duly licensed for the Reception of Lunatics and other insane Persons, or to any Workhouse being also a County Lunatic Asylum.

Commissioners may direct Overseers and Guardians to appoint paid Officers for Parishes or Unions;

XLVI. And be it further enacted, That it shall be lawful for the said Commissioners, as and when they shall see fit, by Order under their Hands and Seal, to direct the Overseers or Guardians of any Parish or Union, or of so many Parishes or Unions as the said Commissioners may in such Order specify and declare to be united for the Purpose only of appointing and paying Officers, to appoint such paid Officers with such Qualifications as the said Commissioners shall think necessary for superintending or assisting in the Administration of the Relief and Employment of the Poor, and for the examining and auditing, allowing or disallowing of Accounts in such Parish or Union, or united Parishes, and otherwise carrying the Provisions of this Act into execution; and the said Commissioners may and they are hereby empowered to define and specify and direct the Execution of the respective Duties of such Officers, and the Places or Limits within which the same shall be performed, and direct the Mode of the 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 the said Officers as the said Commissioners shall think ought to give Security, and, when the said Commissioners may see Occasion, to regulate the Amount of Salaries payable to such Officers respectively, and the Time and Mode of Payment thereof, and the Proportions in which such respective Parishes or Unions shall contribute to such Payment; and such Salaries shall be chargeable upon and payable out of the Poor Rates of such Parish or Union, or respective Parishes, in the Manner and Proportions fixed by the said Commissioners, and shall be recoverable against the Overseers or Guardians of such Parish or Union, or Parishes, by all such Ways and Means as the Salaries of Assistant Overseers or other paid Officers of any Parish or Union are recoverable by Law; and all such Payments shall be valid, and shall be allowed in the Accounts of the Overseers or Guardians paying the same.

and fix their Duties, and the Mode of Appointment and Dismissal, and the Security;

and regulate their Salaries.

Overseers, &c. to pass Accounts quarterly.

XLVII. And be it further enacted, That every Overseer, Treasurer, or other Person having the Collection, Receipt, or Distribution of the Monies assessed for the Relief of the Poor in any Parish or Union, or holding or accountable for any Balance or Sum of Money, or any Books, Deeds, Papers, Goods, or Chattels relating to the Relief of the Poor, or the Collection or Distribution of the Poor Rate of any Parish or Union, shall once in every Quarter, in addition to the annual Account now by Law required, and where the Rules, Orders, and Regulations of the said Commissioners shall have come in force, then as often as the said Rules, Orders, and Regulations shall direct, but not less than once in every Quarter, make and render to the Guardians, Auditors, or such other Persons as by virtue of any Statute or Custom, or of the said Rules, Orders, or Regulations, may be appointed to examine, audit, allow,

allow, or disallow such Accounts, or in default of any such Guardian, Auditor, or other Person being so appointed as aforesaid, then to the Justices of the Peace at their Petty Sessions for the Division in which such Parish or Union shall be situate, a full and distinct Account in Writing of all Monies, Matters, and Things committed to their Charge, or received, held, or expended by them on behalf of any such Parish or Union, and if thereunto required by the Justices, Guardians, Auditors, or other Persons authorized in that Behalf, shall verify on Oath the Truth of all such Accounts and Statements from Time to Time respectively, or subscribe a Declaration to the Truth thereof, in manner and under the Penalties in this Act provided for Parties giving false Evidence or refusing to give Evidence under the Provisions of this Act; and all Balances due from any Guardian, Treasurer, Overseer or Assistant Overseer, or other Person having the Control and Distribution of the Poor Rate, or accountable for such Balances, may be recovered in the same Manner as any Penalties and Forfeitures are recoverable under this Act: Provided nevertheless, that no such Proceeding shall exonerate or discharge the Liability of the Surety of any such Treasurer, Overseer, Assistant Overseer, or other Person as aforesaid.

Recovery of Balances.

Surety not to be discharged.

XLVIII. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered, as and when they shall think proper, by Order under their Hands and Seal, either upon or without any Suggestion or Complaint in that Behalf from the Overseers or Guardians of any Parish or Union, to remove any Master of any Workhouse, or Assistant Overseer, or other paid Officer of any Parish or Union whom they shall deem unfit for or incompetent to discharge the Duties of any such Office, or who shall at any Time refuse or wilfully neglect to obey and carry into effect any of the Rules, Orders, Regulations, or Bye Laws of the said Commissioners, whether such Union shall have been made or such Officer appointed before or after the passing of this Act, and to require from Time to Time the Persons competent in that Behalf to appoint a fit and proper Person in his Room; and that any Person so removed shall not be competent to be appointed to or to fill any paid Office connected with the Relief of the Poor in any such Parish or Union, except with the Consent of the said Commissioners under their Hands and Seal: Provided always, that no Person shall be eligible to hold any Parish Office, or have the Management of the Poor in any way whatever, who shall have been convicted of Felony, Fraud, or Perjury.

Masters of Workhouses and Parish Officers to be under Order of Board, and removable by them.

XLIX. And be it further enacted, That any Contract which shall be entered into by or on behalf of any Parish or Union, for or relating to the Maintenance, Clothing, Lodging, Employment, or Relief of the Poor, or for any other Purpose relating to or connected with the general Management of the Poor, which shall not be made and entered into in conformity with the Rules, Orders, or Regulations of the said Commissioners in that Behalf in force at the Time of making and entering into the same, or otherwise sanctioned by them, shall be voidable, and, if the said Commissioners shall so direct, shall be null and void; and all Payments made under or in pursuance of any Contract not made and entered into in conformity

Contracts not to be valid unless conformable to the Rules of Commissioners.

formity with such Rules, Orders, or Regulations, at any Period after the said Commissioners shall have declared the same to be null and void as aforesaid, shall be disallowed in passing the Accounts of the Overseer, Guardian, or other Officer by whom such Payments shall have been made.

Repeal of 45 G. 3. c. 54. as to Contracts.

L. And be it further enacted, That from and after the passing of this Act a certain Act made and passed in the Forty-fifth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to amend an Act made in the Ninth Year of King* George *the First, for amending the Laws relating to the Settlement, Employment, and Relief of the Poor, so far as the same respects Contracts to be entered into for the Maintenance and Employment of the Poor*, shall be and the same is hereby repealed: Provided always, that nothing in this Act contained shall extend or be construed to extend to affect or make void any Bond or other Security which shall have been entered into or given before the passing of this Act, under or in pursuance of the Provisions of the said Act hereby repealed.

The Penalty imposed by 55 G. 3. c. 137. on Persons having the Management of the Poor being concerned in any Contract extended to Persons appointed under this Act.

LI. And be it further enacted, That so much of a certain Act made and passed in the Fifty-fifth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to prevent poor Persons in Workhouses from embezzling certain Property provided for their Use; to alter and amend so much of an Act of the Thirty-sixth Year of His present Majesty as restrains Justices of the Peace from ordering Relief to poor Persons in certain Cases for a longer Period than One Month at a Time; and for other Purposes therein mentioned, relating to the Poor*, as inflicts a Penalty on Persons having the Management of the Poor if concerned in providing or in any Contract for the Supply of any Goods, Materials, or Provisions for the Use of any Workhouse or Workhouses, or otherwise for the Support or Maintenance of the Poor for their own Profit, and all Remedies for the Recovery of such Penalties, shall apply and the same are hereby extended and made applicable to every Commissioner, Assistant Commissioner, Guardian, Treasurer, Master of a Workhouse, or other Officer to be appointed under the Provisions of this Act.

Commissioners to regulate the Relief to able-bodied Paupers and their Families out of the Workhouse.

LII. And whereas a Practice has obtained of giving Relief to Persons or their Families who, at the Time of applying for or receiving such Relief, were wholly or partially in the Employment of Individuals, and the Relief of the able-bodied and their Families is in many Places administered in Modes productive of Evil in other respects: And whereas Difficulty may arise in case any immediate and universal Remedy is attempted to be applied in the Matters aforesaid; be it further enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners, by such Rules, Orders, or Regulations as they may think fit, to declare to what Extent and for what Period the Relief to be given to able-bodied Persons or to their Families in any particular Parish or Union may be administered out of the Workhouse of such Parish or Union, by Payments in Money, or with Food or Clothing in Kind, or partly in

Kind and partly in Money, and in what Proportions, to what Persons or Class of Persons, at what Times and Places, on what Conditions, and in what Manner such Out-door Relief may be afforded; and all Relief which shall be given by any Overseer, Guardian, or other Person having the Control or Distribution of the Funds of such Parish or Union, contrary to such Orders or Regulations, shall be and the same is hereby declared to be unlawful, and shall be disallowed in the Accounts of the Person giving the same, subject to the Exceptions herein-after mentioned: Provided always, that in case the Overseers or Guardians of any Parish or Union to which such Orders or Regulations shall be addressed or directed shall, upon Consideration of the special Circumstances of such Parish or Union, or of any Person or Class of Persons therein, be of Opinion that the Application and enforcing of such Orders or Regulations, or of any Part thereof, at the Time or in the Manner prescribed by the said Commissioners, would be inexpedient, it shall be lawful for such Overseers or Guardians to delay the Operation of such Orders or Regulations, or of any Part thereof, for any Period not exceeding the Space of Thirty Days, to be reckoned from the Day of the Receipt of such Orders or Regulations; and such Overseers or Guardians shall, Twenty Days at the least before the Expiration of such Thirty Days, make a Statement and Report of such special Circumstances to the said Commissioners; and all Relief which shall be given by such Overseers or Guardians, before an Answer to such Report shall have been returned by the said Commissioners, if otherwise lawful, shall not be deemed unlawful although the same shall have been given contrary to such Orders or Regulations, or any of them; but in case the said Commissioners shall disapprove of such Delay, or think that for the future such Orders or Regulations ought to come into operation, notwithstanding the special Circumstances alleged by such Overseer or Guardian, it shall be lawful for the said Commissioners, by a peremptory Order, to direct that from and after a Day to be fixed thereby such Orders and Regulations, or such Parts or Modifications thereof as they may think expedient and proper, shall be enforced and observed by such Overseers and Guardians; and if any Allowance be made or Relief given by such Overseers or Guardians after the said last-mentioned Period, contrary to any such last-mentioned Order, the Amount of the Relief or Allowance so given shall be disallowed in the Accounts of the Party giving the same: Provided also, that a quarterly Report of all such Cases as shall occur in any Quarter shall, at the End of every such Quarter, be laid by the said Commissioners before One of His Majesty's Principal Secretaries of State: Provided also, that in case the Overseers or Guardians of any Parish or Union in which such Orders or Regulations shall be in force shall depart from them or any of them in any particular Instance or Instances of Emergency, and shall within Fifteen Days after every such Departure report the same and the Grounds thereof to the said Commissioners, and the said Commissioners shall approve of such Departure, or if the Relief so given shall have been given in Food, temporary Lodging, or Medicine, and shall have been so reported as aforesaid, then and in either of such Cases the Relief granted by such Overseers or Guardians, if otherwise lawful, shall not be unlawful or subject to be disallowed.

Relief contrary to their Regulations to be disallowed:

But Overseers may delay the Operation of such Regulations under special Circumstances, and make Report thereof to Commissioners.

If Commissioners disapprove of Delay, they may fix a Day from which all such Relief shall be disallowed.

Cases of Emergency.

Repeal of 36 G.3. c.23. 55 G.3. c.137. s. 3 & 4, and 59 G.3. c.12. s. 2 & 5.

LIII. And be it further enacted, That an Act passed in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend so much of an Act made in the Ninth Year of the Reign of King* George *the First, intituled 'An Act for amending the Laws relating to the Settlement, Employment, and Relief of the Poor,' as prevents the distributing occasional Relief to poor Persons in their own Houses, under certain Circumstances and in certain Cases;* and so much of an Act made and passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to prevent poor Persons in Workhouses from embezzling certain Property provided for their Use, to alter and amend so much of an Act of the Thirty-sixth Year of His present Majesty as restrains Justices of the Peace from ordering Relief to poor Persons in certain Cases for a longer Period than One Month at a Time, and for other Purposes therein mentioned relating to the Poor,* as extends the Period for which occasional Relief may be ordered by any Justice or Justices to poor Persons at their own Homes; and so much of the said Act made and passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor,* as empowers any Justice or Justices to order Relief in certain Cases for a limited Time, or in Cases of urgent Necessity, or in Cases where Parishes are under the Management of Guardians, Governors, or Directors appointed by Special or Local Acts, or in Cases where Parishes have not a Select Vestry, shall be and the same are hereby repealed.

No Relief to be in future given, except by Board of Guardians, &c.

1 & 2 W. 4. c. 60.

LIV. And be it further enacted, That from and after the passing of this Act the ordering, giving, and directing of all Relief to the Poor of any Parish which, according to the Provisions of any of the said recited Acts, or of an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act for the better regulating of Vestries, and for the Appointment of Auditors of Accounts in certain Parishes in* England *and* Wales, or of this Act, or of any Local Acts, shall be under the Government and Control of any Guardians of the Poor, or of any Select Vestry, and whether forming Part of any Union or Incorporation or not, (but subject in all Cases to, and saving and excepting the Powers of, the said Commissioners appointed under this Act,) shall appertain and belong exclusively to such Guardians of the Poor or Select Vestry, according to the respective Provisions of the Acts under which such Guardians or Select Vestry may have been or shall be appointed; and it shall not be lawful for any Overseer of the Poor to give any further or other Relief or Allowance from the Poor Rate than such as shall be ordered by such Guardians or Select Vestry, except in Cases of sudden and urgent Necessity, in which Cases he is hereby required to give such temporary Relief as each Case shall require, in Articles of absolute Necessity, but not in Money, and whether the Applicant for Relief be settled in the Parish where he shall apply for Relief or not: Provided always, that in Case such Overseer shall refuse or neglect to give such necessary Relief in any such Case of Necessity to poor Persons not settled nor usually residing in the Parish to which such Overseer belongs, it shall and may be lawful for any Justice of the Peace to order the said Overseer, by Writing under his Hand and Seal, to give such tem-

porary Relief in Articles of absolute Necessity, as the Case shall require, but not in Money; and in case such Overseer shall disobey such Order, he shall, on Conviction before Two Justices, forfeit any Sum not exceeding Five Pounds which such Justices shall order: Provided always, that any Justice of the Peace shall be empowered to give a similar Order for Medical Relief (only) to any Parishioner, as well as Out-Parishioner, where any Case of sudden and dangerous Illness may require it; and any Overseer shall be liable to the same Penalties as aforesaid for disobeying such Order; but it shall not be lawful for any Justice or Justices to order Relief to any Person or Persons from the Poor Rates of any such Parish, except as hereinbefore provided.

Any Justice may give Order for Medical Relief in dangerous Illness.

LV. And be it enacted, That from and after the passing of this Act the Master of every Workhouse, or such other paid Officer of the Parish or Union as the said Commissioners may direct, shall, on such Day and in such Form as the said Commissioners shall appoint, take an Account of, and register in a Book to be provided at the Expence of the Parish or Union to which such Workhouse shall belong, and to be kept specially for that Purpose, the Name of every poor Person who shall on such Days be in the Receipt of Relief at or in such Workhouse, together with such Particulars respecting the Families and Settlement of every such poor Person, and his and their Relief and Employment, as the said Commissioners shall think fit; and in like Manner, on such Day as the said Commissioners shall appoint, the Overseer of the Poor of every such Parish shall register in a Book, to be provided and kept as aforesaid, the Name of every poor Person then in the Receipt of Relief in such Parish out of the Workhouse, together with such Particulars respecting the Family and Settlement of every such poor Person, and his and their Relief and Employments, as the said Commissioners shall think fit; and after such Account shall have been so taken and registered as aforesaid a similar Register and Account shall be kept by the like Persons respectively of all Persons who shall receive Relief at or in or out of a Workhouse, when and as often as such Relief shall be granted.

Masters of Workhouses and Overseers to keep Registers.

LVI. And be it further enacted, That from and after the passing of this Act all Relief given to or on account of the Wife, or to or on account of any Child or Children under the Age of Sixteen, not being blind or deaf and dumb, shall be considered as given to the Husband of such Wife, or to the Father of such Child or Children, as the Case may be, and any Relief given to or on account of any Child or Children under the Age of Sixteen of any Widow, shall be considered as given to such Widow: Provided always, that nothing herein contained shall discharge the Father and Grandfather, Mother and Grandmother, of any poor Child, from their Liability to relieve and maintain such poor Child in pursuance of the Provisions of a certain Act of Parliament passed in the Forty-third Year of the Reign of Her late Majesty Queen *Elizabeth*, intituled *An Act for the Relief of the Poor*.

Poor Persons liable for Relief to Wife or Children.

43 Eliz. c. 2.

LVII. And be it further enacted, That every Man who from and after the passing of this Act shall marry a Woman having a Child or Children

Husband liable to maintain

Children of Wife born before Marriage.

Children at the Time of such Marriage, whether such Child or Children be legitimate or illegitimate, shall be liable to maintain such Child or Children as a Part of his Family, and shall be chargeable with all Relief, or the Cost Price thereof, granted to or on account of such Child or Children until such Child or Children shall respectively attain the Age of Sixteen, or until the Death of the Mother of such Child or Children; and such Child or Children shall, for the Purposes of this Act, be deemed a Part of such Husband's Family accordingly.

Such Relief as Commissioners may direct to be considered as Loan.

LVIII. And be it further enacted, That from and after the passing of this Act any Relief, or the Cost Price thereof, which shall be given to or on account of any poor Person above the Age of Twenty-one, or to his Wife, or any Part of his Family under the Age of Sixteen, and which the said Commissioners shall by any Rule, Order, or Regulation declare or direct to be given or considered as given by Way of Loan, and whether any Receipt for such Relief, or Engagement to repay the same, or the Cost Price thereof, or any Part thereof, shall have been given or not by the Person to or on account of whom the same shall have been so given, shall be considered and the same is hereby declared to be a Loan to such poor Person.

Power to Justices to attach Wages in Hands of Master or Employer.

LIX. And be it further enacted, That in all Cases where any Relief shall have been given by Way of Loan, or where any Relief, or the Cost Price thereof, shall be treated as a Loan, under the Rules, Orders, and Regulations of the said Commissioners, or the Provisions of this Act, it shall be lawful for any Justice, upon the Application of the Overseers or Guardians of the Parish or Union providing such Relief, and upon Proof of the same having been given to or on account of any such Person, his Wife or Family as aforesaid, and of the same, or any Part thereof, still remaining due, to issue a Summons, requiring such Person, as well as the Master or Employer of such Person, or some Person on his Behalf, to appear before any Two Justices, at a Time and Place to be named in such Summons, to show Cause why any Wages due, or which may from Time to Time become due, from such Master or Employer, should not be paid over, in whole or in part, to such Overseers or Guardians, and if no sufficient Cause be shown to the contrary, or if such Person, or some one on his Behalf, shall not appear on the Return of such Summons, then the said Justices shall, by Order under their Hands, direct the Master or Employer for the Time being from whom any Wages shall be due or from Time to Time become due or payable to such poor Person, to pay, either in one Sum or by such weekly or other Instalments as the said Justices shall in their Discretion think fit, taking into consideration the Circumstances of such poor Person and his Family, out of such Wages, to such Overseers or Guardians, the Amount of such Relief, or so much thereof as shall from Time to Time be due or unpaid; and the Payment to and Receipt of any such Overseer or Guardian shall be a good Discharge to such Master or Employer for so much of any such Wages as shall be so paid by virtue of any such Order; and if any such Master or Employer shall refuse or neglect to pay to the Overseer or Guardian producing any such Order the Money thereby directed to be paid, according to the Terms of such Order, and at the Periods thereby fixed

Mode of Proceeding against Masters for Recovery thereof.

fixed for such Payment, the same may be levied and recovered, and the Payment thereof from Time to Time enforced against such Master or Employer, in such and the like Manner as Penalties and Forfeitures are recoverable under this Act.

Repeal of so much of 43 G. 3. c. 47. as requires Relief to be given to Wives and Families of Substitutes, hired Men, or Volunteers of Militia.

LX. And be it further enacted, That from and after the passing of this Act so much of an Act passed in the Forty-third Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for consolidating and amending the several Laws for providing Relief for the Families of Militiamen in* England *when called out into actual Service*, as directs Overseers of the Poor, by Order of some One Justice of the Peace, to pay to the Family of any Person serving or enrolled as a ballotted Man, Substitute, hired Man, or Volunteer in the Militia of *England*, a weekly Allowance, or as authorizes any Justice or Justices to order such Allowance to be paid under the Rules and Conditions in the said recited Act provided, or as in any way discharges such ballotted Man, Substitute, hired Man, or Volunteer from the Liability to maintain or repay the Costs of Maintenance of his Family or any Part thereof, or as prevents such Families or any Part thereof from being removable to their Place of legal Settlement, or sent to any Workhouse, by reason of their receiving any Allowance or being chargeable, shall be and the same is hereby repealed.

Justices to certify that Rules of Commissioners have been complied with in binding poor Children Apprentices.

LXI. And be it further enacted, That from and after the Period at which any Rule, Order, or Regulation of the said Commissioners shall come into Operation for the binding of poor Children Apprentices, in addition to such Assent or Consent, Order or Allowance of Justices, as are now required by Law, such Justices or any One Justice are and is hereby authorized and required to examine and ascertain whether the Rules, Orders, or Regulations of the said Commissioners then in force for the binding of poor Children Apprentices have been complied with, and to certify the same at the Foot of every such Contract or Indenture, and of the Counterpart thereof, in such Form and Manner as the said Commissioners by such Rules, Orders, or Regulations may direct, and until so certified no such Contract or Indenture of Apprenticeship shall be valid: Provided nevertheless, that nothing in this Act, or in any Rule, Order, or Regulation of the said Commissioners, shall affect the Jurisdiction of any Justices of the Peace over any Master or Apprentice during the Period of Apprenticeship.

Justices Power reserved as between Master and Apprentice.

Power to Owners and Rate-payers to raise Money on Security of Rates for Purposes of Emigration.

LXII. And be it further enacted, That it shall and may be lawful for the Rate-payers in any Parish, and such of the Owners of Property therein as shall, in manner herein-before mentioned, have required their Names to be entered in the Rate Books of such Parishes respectively as entitled to vote as Owners, assembled at a Meeting to be duly convened and held for the Purpose, after public Notice of the Time and Place of holding such Meeting, and the Purpose for which the same is intended to be held, shall have been given in like Manner as Notices of Vestry Meetings are published and given, to direct that such Sum or Sums of Money, not exceeding Half the average yearly Rate for the Three preceding Years, as the said Owners and Rate-payers so assembled at such Meeting may think

proper, shall be raised or borrowed as a Fund, or in aid of any Fund or Contribution for defraying the Expences of the Emigration of poor Persons having Settlements in such Parish, and willing to emigrate, to be paid out of or charged upon the Rates raised or to be raised for the Relief of the Poor in such Parish, and to be applied under and according to such Rules, Orders, and Regulations as the said Commissioners shall in that Behalf direct: Provided always, that no such Direction for raising Money for such Purpose as aforesaid shall have any Force or Effect unless and until confirmed by the said Commissioners, and that the Time to be limited for the Repayment of any Sum so charged on such Rates as aforesaid shall in no Case exceed the Period of Five Years from the Time of borrowing the same: Provided also, that all Sums of Money so raised as last herein-before mentioned, and advanced by way of Loan, for the Purposes of Emigration, or such Proportion thereof as the said Commissioners shall by any Rule, Order, or Regulation from Time to Time direct, shall be recoverable against any such Person, being above the Age of Twenty-one Years, who or whose Family, or any Part thereof, having consented to emigrate, shall refuse to emigrate after such Expences shall have been so incurred, or having emigrated shall return, in such and the like Manner as is herein-before provided with respect to Relief, or the Cost Price of Relief, given or considered to be given by way of Loan to any Person, his Wife or Family.

Overseers may apply to Commissioners of Exchequer Bills under Act 57 G. 3. c. 34. for Advance of Money.

LXIII. And be it further enacted, That where it shall be lawful, under the Provisions of any of the herein-recited Acts, or of any Local Act, or of this Act, to raise or borrow any Sum or Sums of Money for the Purpose of purchasing, building, altering, or enlarging any Workhouse or Workhouses in any Parish or Union, or for purchasing Land whereon to build the same, or for defraying the Expences of the Emigration of poor Persons having Settlements in any Parish, and being willing to emigrate, it shall be lawful for the Overseers or Guardians of such Parish or Union, with the Consent of the said Commissioners, to be testified under their Hands and Seal, to make Application for an Advance of any Sum necessary for any such Purposes to the Commissioners appointed under an Act made and passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned,* and of any Act or Acts passed for amending or continuing the same; and the said Exchequer Bill Loan Commissioners are hereby empowered to make such Advances, upon any such Application as aforesaid, upon the Security of the Rates for the Relief of the Poor in such Parish or Union, and without requiring any further or other Security than a Charge on such Rates.

Repeal of Settlement by Hiring and Service.

LXIV. And be it further enacted, That from and after the passing of this Act no Settlement shall be acquired by Hiring and Service, or by Residence under the same, or by serving an Office.

LXV. And

No Settlement incomplete under Hiring and Service to be completed.

LXV. And be it further enacted, That no Person under any Contract of Hiring and Service not completed at the Time of the passing of this Act shall acquire, or be deemed or adjudged to have acquired, any Settlement by reason of such Hiring and Service, or of any Residence under the same.

No Settlement acquired without paying Poor Rate;

LXVI. And be it further enacted, That from and after the passing of this Act no Settlement shall be acquired or completed by occupying a Tenement, unless the Person occupying the same shall have been assessed to the Poor Rate, and shall have paid the same, in respect of such Tenement, for One Year.

nor by being apprenticed in the Sea Service;

LXVII. And be it further enacted, That from and after the passing of this Act no Settlement shall be acquired by being apprenticed in the Sea Service, or to a Householder exercising the Trade of the Seas as a Fisherman or otherwise, nor by any Person now being such an Apprentice in respect of such Apprenticeship.

nor by Possession longer than the Person shall inhabit within 10 Miles thereof.

LXVIII. And be it further enacted, That no Person shall be deemed, adjudged, or taken to retain any Settlement, gained by virtue of any Possession of any Estate or Interest in any Parish, for any longer or further Time than such Person shall inhabit within Ten Miles thereof; and in case such Person shall cease to inhabit within such Distance, and thereafter become chargeable, such Person shall be liable to be removed to the Parish wherein previously to such Inhabitancy he may have been legally settled, or in case he may have subsequently to such Inhabitancy gained a legal Settlement in some other Parish, then to such other Parish.

Repeal of Acts relating to Liability and Punishment of putative Father, and Punishment of Mother of illegitimate Children.

LXIX. And be it further enacted, That from and after the passing of this Act so much of any Act or Acts of Parliament as enables any single Woman to charge any Person with having gotten her with any Child of which she shall then be pregnant, or as renders any Person so charged liable to be apprehended or committed, or required to give Security, on any such Charge, or as enables the Mother of any Bastard Child or Children to charge or affiliate any such Child or Children on any Person as the reputed or putative Father thereof, or as enables any Overseer or Guardian to charge or make Complaint against any Person as such reputed or putative Father, and to require him to be charged with or contribute to the Expences attending the Birth, Sustentation, or Maintenance of any such Child or Children, or to be imprisoned or otherwise punished for not contributing thereto, or as in any way renders such reputed or putative Father liable to Punishment or Contribution as such, or as enables Churchwardens and Overseers, by the Order of any Two Justices of the Peace, confirmed by the Sessions, to take, seize, and dispose of the Goods and Chattels, or to receive the annual Rents or Profits of the Lands of any putative Father of Bastard Children, and so much of any such Act or Acts as renders an unmarried Woman with Child liable as such to be summoned, examined, or removed, or as renders the Mother of any Bastard liable as such to be imprisoned or otherwise punished, shall, so far as respects any Child which shall be likely to be born or shall be born a Bastard

a Bastard after the passing of this Act, or the Mother or putative Father of such Child, be and the same is hereby repealed.

Securities and Recognizances for Indemnity of Parishes against Children likely to be born Bastards to be null and void.

LXX. And be it further enacted, That every Security given or Recognizance entered into by any Person or Persons, or his or their Surety, before the passing of this Act, to indemnify any Parish or Place as to any Child or Children likely to be born a Bastard or Bastards, whereof any single Woman shall be pregnant at the Time of the passing of this Act, or to abide and perform such Order or Orders as might have been made touching such Child or Children, pursuant to an Act made and passed in the Eighteenth Year of the Reign of Her said late Majesty Queen *Elizabeth*, concerning Bastards begotten and born out of lawful Matrimony, shall be and the same are hereby declared null and void; and every Person who shall at the Time of the passing this Act be in Custody upon the Commitment of any Justice or Justices for not having given such Security or entered into such Recognizance shall be discharged (upon the Application of such Person) by any One of the Visiting Justices of the Gaol in which such Person shall be in Custody under any such Commitment.

Persons in Custody for not giving Indemnity to be discharged.

Mother of illegitimate Children bound to maintain the same.

LXXI. And be it further enacted, That every Child which shall be born a Bastard after the passing of this Act shall have and follow the Settlement of the Mother of such Child until such Child shall attain the Age of Sixteen, or shall acquire a Settlement in its own Right, and such Mother, so long as she shall be unmarried or a Widow, shall be bound to maintain such Child as a Part of her Family until such Child shall attain the Age of Sixteen; and all Relief granted to such Child while under the Age of Sixteen shall be considered as granted to such Mother: Provided always, that such Liability of such Mother as aforesaid shall cease on the Marriage of such Child, if a Female.

Court of Quarter Sessions, on Application of Overseers, &c. may make an Order on putative Father of Child for its support.

LXXII. And be it enacted, That when any Child shall hereafter be born a Bastard, and shall by reason of the Inability of the Mother of such Child to provide for its Maintenance become chargeable to any Parish, the Overseers or Guardians of such Parish, or the Guardians of any Union in which such Parish may be situate, may, if they think proper, after diligent Inquiry as to the Father of such Child, apply to the next General Quarter Sessions of the Peace within the Jurisdiction of which such Parish or Union shall be situate, after such Child shall have become chargeable, for an Order upon the Person whom they shall charge with being the putative Father of such Child to reimburse such Parish or Union for its Maintenance and Support; and the Court to which such Application shall be made shall proceed to hear Evidence thereon, and if it shall be satisfied, after hearing both Parties, that the Person so charged is really and in Truth the Father of such Child, it shall make such Order upon such Person in that respect as to such Court shall appear to be just and reasonable under all the Circumstances of the Case: Provided always, that no such Order shall be made unless the Evidence of the Mother of such Bastard Child shall be corroborated in some material Particular by other Testimony to the Satisfaction of such Court: Provided also, that such Order shall in no Case exceed the actual Expence incurred

or

or to be incurred for the Maintenance and Support of such Bastard Child while so chargeable, and shall continue in force only until such Child shall attain the Age of Seven Years, if he shall so long live: Provided also, that no Part of the Monies paid by such putative Father in pursuance of such Order shall at any Time be paid to the Mother of such Bastard Child, nor in any way be applied to the Maintenance and Support of such Mother.

Monies paid not applicable to Support of Mother.

LXXIII. And be it enacted, That no such Application shall be heard at such Sessions unless Fourteen Days Notice shall have been given under the Hands of such Overseers or Guardians to the Person intended to be charged with being the Father of such Child of such intended Application; and in case there shall not, previously to such Sessions, have been sufficient Time to give such Notice, the hearing of such Application shall be deferred to the next ensuing General Quarter Sessions: Provided always, that whenever such Application shall be heard, the Costs of the Maintenance of such Bastard Child shall, in case the Court shall think fit to make an Order thereon, be calculated from the Birth of such Bastard Child, if such Birth shall have taken place within Six Calendar Months previous to such Application being heard; but if such Birth shall have taken place more than Six Calendar Months previously to such Application being heard, then from the Day of the Commencement of Six Calendar Months next preceding the hearing of such Application: Provided also, that if upon the hearing of such Application the Court shall not think fit to make any Order thereon, it shall order and direct that the full Costs and Charges incurred by the Person so intended to be charged in resisting such Application shall be paid by such Overseers or Guardians.

No Application to be heard without Fourteen Days previous Notice.

If Application be heard, Costs may be calculated from Birth of Bastard Child, if within Six Months.

LXXIV. And be it enacted, That if such Person so intended to be charged shall not appear by himself or his Attorney at the Time when such Application shall come on to be heard before such Court, according to such Notice, such Court shall nevertheless proceed to hear the same, unless such Overseers or Guardians shall produce an Agreement under the Hand of such Person to abide by such Order as such Court shall make thereon without the hearing of Evidence by such Court: Provided always, that such Court may, notwithstanding such Agreement, require that Evidence shall be given in support of such Application, if it thinks fit, before such Order is made.

In the Event of Party charged not appearing, Court may nevertheless enter into the Case.

LXXV. And be it enacted, That whenever such Overseers or Guardians shall have determined to make such Application as aforesaid it shall be lawful for One Justice of the Peace, at the Request of such Overseers or Guardians, to summon the Person so intended to be charged with being the Father of such Bastard Child to appear before him; and if such Justice shall be satisfied that such Person has any Intention to abscond or keep out of the way, in order to avoid the Consequences of such Application, such Justice may require such Person to enter into a Recognizance to appear and answer thereto, and in case such Person shall refuse or neglect to enter into such Recognizance, may commit such Person to the Gaol or House of

Party summoned, if suspected of intending to abscond, may be required to enter into a Recognizance for his Appearance.

Correction of the County, Riding, or Division within which such Parish shall be situate, until he shall enter into such Recognizance, or until such Application shall be heard.

When Payments get into arrear, putative Father may be proceeded against by Distress or Attachment of Wages.

LXXVI. And be it enacted, That if at any Time after the Expiration of One Calendar Month after an Order shall have been made in pursuance of such Application it shall appear to One Justice, upon the Oath of any One of such Overseers or Guardians, that the Payments directed to be made by such Order have not been made according thereto and are in arrear, it shall be lawful for such Justice or any other Justice by Warrant under his Hand and Seal to cause such putative Father of such Bastard Child to be brought before Two Justices of the Peace; and in case such putative Father shall refuse or neglect to make Payment of such Sum of Money as shall appear to such Justices to be due from him under such Order, together with the Costs of Apprehension, it shall be lawful for such or any Two Justices to proceed to recover such Sum and Costs by Distress and Sale of the Goods and Chattels of such putative Father, or by attaching the Wages of such putative Father for the Recovery of such Sum and Costs, in the same Manner as Wages may be attached under the Provisions of this Act.

No Person employed in Administration of Poor Laws to furnish, for his own Profit, Goods or Provisions given in Parochial Relief.

LXXVII. And be it further enacted, That it shall not be lawful for any Person hereafter to be appointed in any Parish or Union to any Office concerned in the Administration of the Laws for the Relief of the Poor, or for any Person who after the Twenty-fifth Day of *March* One thousand eight hundred and thirty-five shall fill any such Office, to furnish or supply, for his own Profit or on his own Account, any Goods, Materials, or Provisions ordered to be given in Parochial Relief, or to furnish or supply any Goods, Materials, or Provisions for or in respect of the Money ordered to be given in Parochial Relief to any Person in such Parish or Union; and every Person holding such Office shall, on Conviction before any Two Justices of the Peace, be subject to a Penalty of Five Pounds for such Offence, one Half of which Penalty shall be paid to the Informer, and the other Half in aid of the Poor Rates of such Parish or Union.

Sums payable under 43 Eliz. c. 2. s. 7. by Relations of poor Persons, how recoverable.

LXXVIII. And be it further enacted, That all Sums of Money which shall be assessed by any Justices of the Peace on the Father, Grandfather, Mother, Grandmother, Child, or Children of any poor Person, for the Relief or Maintenance of such poor Person, under or by virtue of the Provisions of a certain Act passed in the Forty-third Year of the Reign of Her late Majesty Queen *Elizabeth*, intituled *An Act for the Relief of the Poor*, or of any Act to amend the same, or of this Act, and all Penalties and Forfeitures to which any Person so assessed by such Justices for such Relief or Maintenance shall be liable for any Default in paying the same by virtue of the Provisions of any of the said recited Acts or of this Act, shall be recoverable against every Person so assessed or charged in like Manner as Penalties and Forfeitures are recoverable under the Provisions of this Act.

LXXIX. And

No Person to be removed till after Notice of his being chargeable has been sent to the Parish to which Order of Removal is directed.

LXXIX. And be it further enacted, That from and after the First Day of *November* One thousand eight hundred and thirty-four no poor Person shall be removed or removable, under any Order of Removal from any Parish or Workhouse, by reason of his being chargeable to or relieved therein, until Twenty-one Days after a Notice in Writing of his being so chargeable or relieved, accompanied by a Copy or Counterpart of the Order of Removal of such Person, and by a Copy of the Examination upon which such Order was made, shall have been sent, by Post or otherwise, by the Overseers or Guardians of the Parish obtaining such Order, or any Three or more of such Guardians, to the Overseers of the Parish to whom such Order shall be directed: Provided always, that if such Overseers or Guardians as last aforesaid, or any Three or more of such Guardians, shall by Writing under their Hands agree to submit to such Order, and to receive such poor Person, it shall be lawful to remove such poor Person according to the Tenor of such Order, although the said Period of Twenty-one Days may not have elapsed: Provided also, that if Notice of Appeal against such Order of Removal shall be received by the Overseers or Guardians of the Parish from which such poor Person is directed in such Order to be removed within the said Period of Twenty-one Days, it shall not be lawful to remove such poor Person until after the Time for prosecuting such Appeal shall have expired, or, in case such Appeal shall be duly prosecuted, until after the final Determination of such Appeal.

Such Person may be removed if Order submitted to;

but not in case of Appeal.

In case of Appeal the Overseers to have Access to such poor Person touching his Settlement.

LXXX. And be it enacted, That the Overseers or Guardians of the Parish giving such Notice of Appeal, or their Attorney, or any other Person authorized by them, shall, until such Appeal shall have been heard and decided, at all proper Times have free Access to such poor Person for the Purpose of examining him touching his Settlement; and in case it shall be necessary for the more effectual Examination of such Person that he should be taken out of the removing Parish, such Overseers or Guardians shall be permitted to remove him therefrom for the Time which may be necessary for that Purpose: Provided always, that the Expence of such Removal, and of his Maintenance during the same, shall be defrayed by the appellant Parish.

Grounds of Appeal to be stated in Notice.

LXXXI. And be it further enacted, That after the First Day of *November* One thousand eight hundred and thirty-four, in every Case where Notice of Appeal against such Order shall be given, the Overseers or Guardians of the Parish appealing against such Order, or any Three or more of such Guardians, shall, with such Notice, or Fourteen Days at least before the first Day of the Sessions at which such Appeal is intended to be tried, send or deliver to the Overseers of the respondent Parish a Statement in Writing under their Hands of the Grounds of such Appeal; and it shall not be lawful for the Overseers of such appellant Parish to be heard in support of such Appeal unless such Notice and Statement shall have been so given as aforesaid: Provided always, that it shall not be lawful for the respondent or appellant Parish, on the hearing of any Appeal, to go into or give Evidence of any other Grounds of Removal, or of Appeal against any Order of Removal, than those set forth in such respective Order, Examination, or Statement as aforesaid.

LXXXII. And

Parish losing Appeal to pay such Costs as Court may direct.

LXXXII. And be it further enacted, That upon every such Appeal the Court before whom the same shall be brought shall and may, if they think fit, order and direct the Parish against which the same shall be decided to pay to the other such Costs and Charges as may to such Court appear just and reasonable, and shall certify the Amount thereof; and in case the Overseers of the Poor of the Parish liable to pay the same shall, upon Demand, and upon the Production of such Certificate, refuse or neglect to pay the same, the Amount thereof may be recovered from such Overseer in the same Manner as any Penalties or Forfeitures are by this Act recoverable.

Party making frivolous or vexatious Statement to pay Costs.

LXXXIII. And be it further enacted, That if either of the Parties shall have included in the Order or Statement sent as herein-before directed any Grounds of Removal or of Appeal which shall in the Opinion of the Justices determining the Appeal be frivolous and vexatious, such Party shall be liable, at the Discretion of the said Justices, to pay the Whole or any Part of the Costs incurred by the other Party in disputing any such Grounds, such Costs to be recovered in the Manner herein-before directed as to the other Costs incurred by reason of such Appeal.

Costs of Relief to be paid by Parish to which poor Persons belong.

LXXXIV. And be it further enacted, That the Parish to which any poor Person whose Settlement shall be in question at the Time of granting Relief shall be admitted or finally adjudged to belong shall be chargeable with and liable to pay the Cost and Expence of the Relief and Maintenance of such poor Person, and such Cost and Expence may be recovered against such Parish in the same Manner as any Penalties or Forfeitures are by this Act recoverable: Provided always, that such Parish, if not the Parish granting such Relief, shall pay to the Parish by which such Relief shall be granted the Cost and Expence of such Relief and Maintenance from such Time only as Notice of such poor Person having become chargeable shall have been sent by such relieving Parish to the Parish to which such poor Person shall be so admitted or finally adjudged to belong: Provided always, that no Charges or Expences of Relief or Maintenance shall be recoverable under a suspended Order of Removal unless Notice of such Order of Removal, with a Copy of the same, and of the Examination upon which such Order was made, shall have been given within Ten Days of such Order being made to the Overseers of the Poor of the Parish to whom such Order is directed.

Relief under suspended Order not to be recoverable unless Notice sent of such Order.

Power to call for and publish Accounts of Trust and Charity Estates.

LXXXV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time as they may think fit, to require from all Persons in whom any Freehold, Copyhold, or Leasehold Estate, or any other Property or Funds belonging to any Parish, and held in Trust for or applicable to the Relief of the Poor, or which may be applied in diminution of the Poor Rate of such Parish, shall be vested, or who shall be in the Receipt of the Rents, Profits, or Income of any such Estate, Property, or Funds, a true and detailed Account in Writing of the Place where such Estate may be situate, or in what Mode or on what Security such other Property or Funds may be invested, with such Details of the Rents, Profits, and Income thereof, and of the Appro-

priation of the same, and of all such other Particulars relating thereto, as the said Commissioners may direct and require; and such Statement or a true Copy thereof shall, under the Regulations of the said Commissioners, be open for the Inspection of the Owners of Property and Rate-payers in such Parish: Provided always, that nothing hereinbefore contained shall apply to any Funds raised from Time to Time by the voluntary Contributions of the Inhabitants of any Parish.

Advertisements, &c. not liable to Stamp Duty.

LXXXVI. And be it further enacted, That no Advertisement inserted by or under the Direction of the said Commissioners in the *London Gazette* or any Newspaper, for the Purpose of carrying into effect any Provisions of this Act, nor any Mortgage, Bond, Instrument, or any Assignment thereof, given by way of Security, in pursuance of the Rules, Orders, or Regulations of the said Commissioners, and conformable thereto, nor any Contract or Agreement, or Appointment of any Officer, 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, nor the Appointment of any paid Officer engaged in the Administration of the Laws for the Relief of the Poor, or in the Management or Collection of the Poor Rate, shall be charged or chargeable with any Stamp Duty whatever.

Bonds and Securities made pursuant to 22G.3.c.83., and Assignments thereof, exempted from Stamp Duty.

LXXXVII. And whereas by an Act passed in the Twenty-second Year of the Reign of King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, the Visitor and Guardian of the Poor of any Parish, Township, or Place which shall adopt the Provisions of the said recited Act are authorized thereby to borrow Money at Interest, for the Purposes mentioned in the said Act, and to secure such Money by a Charge upon the Poor's Rates of such Parish, Township, or Place, in Sums not exceeding Fifty Pounds each, in a certain Form contained in the Schedule to the said Act, or to that or to the like Effect, and which Security is directed and allowed to be assigned by Indorsement on the Back thereof in a certain Form also contained in the said Schedule, or to that or the like Effect: And whereas Doubts have arisen touching the Liability of such Securities as aforesaid, and the Assignments or Transfers thereof, to Stamp Duty, and it is expedient to remove the same; be it therefore enacted and declared, That no Bond or other Security at any Time heretofore or to be at any Time hereafter made or entered into in pursuance of the said recited Act, nor any Assignment or Transfer thereof, shall be charged or chargeable with, or be deemed to be or to have been subject or liable to, any Stamp Duty whatsoever; any thing in any Act contained to the contrary thereof notwithstanding.

Letters to and from Board of Commissioners to be free of Postage, if sent conformable hereto.

LXXXVIII. And be it further enacted, That the said Commissioners shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of this Act, free from the Duty of Postage, provided that such Letters and Packets as shall be sent to the said Commissioners be directed to the "Poor Law Commissioners" at their Office in *London*, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers, with the Words "Office of Poor Law Commissioners, pursuant to Act of Parliament

passed in the Fifth Year of the Reign of His Majesty King *William* the Fourth," printed on the same, and be signed on the Outside thereof, under such Words, with the Name of such Person as the said Commissioners, with the Consent of the Lords Commissioners of the Treasury, or any Three or more of them, shall authorize and appoint, in his own Handwriting, (such Name to be from Time to Time transmitted to the Secretaries of the General Post Office in *London* and *Dublin*,) and be sealed with the Seal of the said Commissioners, and under such other Regulations and Restrictions as the said Lords Commissioners, or any Three or more of them, shall think proper and direct; and the Person so to be authorized is hereby strictly forbidden so to subscribe or seal any Letter or Packet whatever, except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate solely and exclusively to the Execution of this Act; and if the Person so to be authorized, or any other Person, shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Enclosure, other than what shall relate to the Execution of this Act, every Person so offending shall forfeit and pay the Sum of One hundred Pounds, and be dismissed from his Office; one Moiety of the said Penalty to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same, to be sued for and recovered in any of His Majesty's Courts of Record at *Westminster* for Offences committed in *England*, and in any of His Majesty's Courts of Record in *Dublin* for Offences committed in *Ireland*, and before the Sheriff or Stewartry Court of the Shire or Stewartry within which the Party offending shall reside, or the Offence shall be committed, for Offences committed in *Scotland;* and if any Letter, Paper, or Writing, or other Enclosure, shall be sent under Cover to the said Commissioners, the same not relating solely and exclusively to the Execution of this Act, they are hereby strictly required and enjoined to transmit the same forthwith to the Secretary of the Post Office in *London*, with the Covers under which the same shall be sent, in order that the Contents thereof may be charged with the full Rates of Postage.

Letters sent under Cover not relating solely to the Business of the Act to be transmitted to Post Office to be charged.

Payments contrary to this Act to be disallowed.

LXXXIX. And be it further enacted, That all Payments, Charges, and Allowances made by any Overseer or Guardian, and charged upon the Rates for the Relief of the Poor, contrary to the Provisions of this Act, or at variance with any Rule, Order, or Regulation of the said Commissioners made under the Authority of this Act, shall be and the same are hereby declared to be illegal, any Law, Custom, or Usage to the contrary notwithstanding; and every Justice of the Peace is hereby required to disallow as illegal and unfounded all Payments, Charges, or Allowances contrary to the Provisions of this Act, or to any such Rule, Order, or Regulation of the said Commissioners, which shall be contained in any Account of any Overseer of the Poor or Guardian which shall be presented for the Purpose of being passed or allowed: Provided always, that no Allowance by any Justice shall exonerate or discharge such Overseer or Guardian from any Penalty or legal Proceeding to which he may have rendered himself liable by having acted contrary to the Rules, Orders, and Regulations of the said Commissioners, or to the Provisions of this Act.

XC. And

Service of Summons.

XC. And be it further enacted, That the leaving of any Summons authorized to be issued by any Commissioner, Assistant Commissioner, or Justice of the Peace, under this Act, at the usual or last known Place of Abode of the Party to whom such Summons shall be directed, shall in every Case be deemed good and sufficient Service of such Summons.

Repeal of so much of 6 G. 4. c. 80. as relates to Prohibition of Spirituous Liquors in Workhouses.

XCI. And be it further enacted, That so much of an Act made and passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal the Duties payable in respect of the Spirits distilled in* England, *and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof, and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the warehousing of such Spirits without Payment of Duty for Exportation*, as provides that if any Master or Officer of any Workhouse shall sell, use, lend, or give away, or knowingly permit or suffer any Spirits to be sold, used, lent, or given away, in any such Workhouse, or brought into the same, other than and except such Spirits as shall be prescribed or given by the Prescription and Direction of a Physician, Surgeon, or Apothecary, and to be supplied in pursuance of such Prescriptions from the Shop of some Apothecary, every such Master or such other Officer shall for every such Offence forfeit One hundred Pounds, and for the Second like Offence lose his Office; and so much of the said last-mentioned Act as provides that no Person shall carry or bring, or attempt to endeavour to carry or bring, any Spirits, except to be used in the way of Medicine, into any Workhouse, under the Pain of being imprisoned for every such Offence for any Time not exceeding Three Months; and also so much of the said last-mentioned Act as provides that every Master and chief Officer of every Workhouse shall procure One or more Copy or Copies of the Clauses in the said Act mentioned to be printed or fairly written and hung up in one of the most public Places in the Workhouse, and renew the same from Time to Time, so that it may be always kept fair and legible, on pain of forfeiting the Sum of Ten Pounds for every wilful Default; or as enables any Justice of the Peace to demand a Sight of such Copy so hung up in some public Place, to convict such Master or Officer of such Default; shall be and the same is hereby repealed.

Penalty on Persons introducing spirituous Liquors into Workhouses.

XCII. And be it further enacted, That if any Person shall carry, bring, or introduce, or attempt or endeavour to carry, bring, or introduce, into any Workhouse now or hereafter to be established, any spirituous or fermented Liquor without the Order in Writing of the Master of such Workhouse, it shall be lawful for the Master of such Workhouse, or any Officer of the same acting under his Direction, to apprehend or cause to be apprehended such Offender, and to carry him or her before a Justice of the Peace, who is hereby empowered to hear and determine such Offence in a summary Way; and upon Conviction thereof the Party so offending shall forfeit and pay any Sum of Money not exceeding Ten Pounds for every such Offence,

Offence, as such Justice may direct; and in default of Payment of the Penalty hereby imposed such Justice may and is hereby required to commit such Offender to the Common Gaol or House of Correction for the District in which such Workhouse shall be situate for any Space of Time not exceeding Two Calendar Months, unless such Penalty shall be sooner paid.

Penalty on Masters of Workhouses allowing Use of spirituous Liquors, or ill-treating poor Persons, or misconducting himself.

XCIII. And be it further enacted, That if any Master of a Workhouse shall order any spirituous or fermented Liquor to be carried, brought, or introduced into any Workhouse, except for the domestic Use of himself or of any Officer of the said Workhouse, or their respective Families, or except by and under the written Authority of the Surgeon of such Workhouse, or of any Justice visiting the same, or of the Guardians of such Workhouse, or in conformity with any Rules, Orders, or Regulations of the said Commissioners; or if any such Master or any other Officer of any Workhouse shall carry, bring, or introduce into such Workhouse, or sell, use, lend, or give away therein, or knowingly permit or suffer to be carried, brought, or introduced, or sold, used, lent, or given away therein, any spirituous or fermented Liquor, contrary to the Rules, Orders, and Regulations of the said Commissioners; or shall punish with any corporal Punishment any adult Person in such Workhouse, or confine any such Person for any Offence or Misbehaviour for any longer Space of Time than Twenty-four Hours, or such further Space of Time as may be necessary in order to have such Person carried before a Justice of the Peace; or shall in any way abuse or ill-treat, or be guilty of any other Misbehaviour, or otherwise misconduct himself towards or with respect to any poor Person in such Workhouse; every such Master or Officer of a Workhouse so offending shall for every such Offence, upon the Complaint of the Overseers or Guardians of the Parish or Union to which such Workhouse shall belong, or of any such poor Person, and upon Conviction of such Offence before any Two Justices, forfeit and pay such Sum of Money, not being more than Twenty Pounds, as such Justices may direct; and in default of Payment of the Penalty hereby imposed such Justices may and are hereby required to commit such Offender to the Common Gaol or House of Correction for the District in which such Workhouse shall be situate for any Space of Time not exceeding Six Calendar Months, unless such Penalty shall be sooner paid: Provided always, that if at the Time when any such Master or Officer of a Workhouse shall be so convicted of any such Offence there shall be due to him any Sum of Money or Salary in respect of his Employment as such Master or Officer of such Workhouse, or upon any Balance of Account from the Overseers or Guardians of the Parish or Union to which such Workhouse shall belong, it shall be lawful for such Justices, upon the Application of such Overseers or Guardians, by Order in Writing under their Hand to direct that such Sum of Money, Salary, or Balance, so far as the same shall extend, or a sufficient Part thereof, shall be retained and applied for the Use of such Parish or Union by such Overseers or Guardians, in Payment or part Payment of any such Penalty; and such Order shall be a good and valid Discharge to such Overseers or Guardians for so much Money as may by such Order be directed to be

Power for Justices to order Salaries, &c. to be stopped, and applied towards Payment of Penalties.

be so retained and applied against the Claim or Demand of the Master or other Officer of such Workhouse in respect of any such Sum of Money, Salary, or Balance.

Masters to hang up Copies of Two preceding Clauses in Workhouse.

XCIV. And be it further enacted, That the Master of every Workhouse shall cause One or more Copy or Copies of the Two preceding Clauses to be printed or fairly written, and hung up in One of the most public Places of such Workhouse, and renew the same from Time to Time, so that it be always kept fair and legible, on pain of forfeiting the Sum of Ten Pounds for every wilful Default.

Penalties on Overseers and other Officers disobeying Guardians.

XCV. And be it further enacted, That in case any Overseer, Assistant Overseer, Master of a Workhouse, or other Officer of any Parish or Union, shall wilfully disobey the legal and reasonable Orders of such Justices and Guardians in carrying the Rules, Orders, and Regulations of the said Commissioners or Assistant Commissioners, or the Provisions of this Act, into execution, every such Offender shall, upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

No Overseer to be prosecuted for not executing illegal Orders of Justices.

XCVI. Provided always, and be it further enacted, That no Overseer shall from henceforth be liable to any Prosecution or Penalty for not carrying into Execution any illegal Order of such Justices or Guardians, any Law or Statute to the contrary notwithstanding.

Penalty on Overseers, &c. purloining, &c. Goods, &c. 20*l.* and Treble the Value of Goods purloined.

XCVII. And be it further enacted, That if any Overseer, Assistant Overseer, Master of a Workhouse, or other paid Officer, or any other Person employed by or under the Authority of the said Guardians, shall purloin, embezzle, or wilfully waste or misapply any of the Monies, Goods, or Chattels belonging to any Parish or Union, every such Offender shall, besides and in addition to such Pains and Penalties as such Person so offending shall, independently of this Act, be liable to, upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, and also Treble the Amount or Value of such Money, Goods, or Chattels so purloined, embezzled, wasted, or misapplied; and every Person so convicted shall be for ever thereafter incapable of serving any Office under the Provisions of this or any other Act in relation to the Relief of the Poor.

Penalty on Persons wilfully disobeying Rules, Orders, and Regulations.

XCVIII. And be it further enacted, That in case any Person shall wilfully neglect or disobey any of the Rules, Orders, or Regulations of the said Commissioners or Assistant Commissioners, or be guilty of any Contempt of the said Commissioners sitting as a Board, such Person shall, upon Conviction before any Two Justices, forfeit and pay for the First Offence any Sum not exceeding Five Pounds, for the Second Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds, and in the event of such Person being convicted a Third Time, such Third and every subsequent Offence shall be deemed a Misdemeanor, and such Offender shall be liable to be indicted for the same Offence, and shall on Conviction pay such Fine, not being less than Twenty Pounds, and suffer such Imprisonment,

with or without hard Labour, as may be awarded against him by the Court by or before which he shall be tried and convicted.

Forfeitures, Costs, and Charges may be levied by Distress and Sale.

XCIX. And be it further enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed for any Offence against the same shall, upon Proof and Conviction of the Offences respectively before any Two Justices, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justices are in every Case hereby fully authorized to administer,) or upon Order made as aforesaid, be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender or Person liable or ordered to pay the same respectively, by Warrant under the Hands of the Justices before whom the Party may have been convicted, or, on Proof of such Conviction, by a Warrant under the Hands of any Two Justices acting for the County, Riding, or Division (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices as aforesaid to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices as aforesaid, for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices as aforesaid are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices as aforesaid, as the Case may be, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Riding, or Place where the Offender shall be or reside, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Penalties and Forfeitures, when so levied, shall be paid to or for the Use of the Parish or Union where such Offence shall have been committed, to be applied in aid of the Poor Rate of such Parish or Union.

In what Manner to be applied.

Owners, Rate-payers, &c. may be competent Witnesses.

C. And be it further enacted, That no Owner of Property, Rate-payer, or Inhabitant of any Parish or Union shall be deemed an incompetent Witness in any Proceeding for the Recovery of any Penalty or Forfeiture inflicted or imposed for any Offence against this Act, notwithstanding such Penalty or Forfeiture, when recovered, shall be applicable in aid of the Poor Rate of such Parish or Union.

CI. And

Justices may proceed by Summons for the Recovery of Penalties.

CI. And be it further enacted, That in all Cases in which any Penalty or Forfeiture is recoverable before the Justices of the Peace under this Act it shall and may be lawful for any Commissioner or Assistant Commissioner, or any Justice, to whom Complaint in Writing shall be made of any such Offence, to summon the Party complained against to appear before any Two Justices, and on such Summons the said Two Justices may hear and determine the Matter of such Complaint, and on Proof of the Offence convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and proceed to recover the same.

Satisfaction recoverable for special Damage, but Distress not unlawful for Want of Form in the Proceedings.

Plaintiff not to recover for Irregularity, if Tender of Amends be made.

CII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall afterwards happen in making the Distress, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in any Action for any Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amends shall be made, by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action shall have been brought; and in case no such Tender shall have been made it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit, whereupon such Proceedings, or Orders and Judgment, shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal to the Quarter Sessions against Order of Justices within Four Calendar Months after Cause of Complaint, &c.

Fourteen Days Notice in Writing to be given, &c.

CIII. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order or Conviction of any Justice or Justices, where such Person or Persons shall be convicted in any Penalty or Penalties exceeding Five Pounds, or if any Person shall find himself aggrieved by any Order made under the Provisions of this Act on such Person as the putative Father of any Bastard Child, it shall be lawful for such Person or Persons to appeal to any General or Quarter Sessions of the Peace to be held in and for the County, Riding, or Division in which such Order shall have been made or Conviction taken place within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month next after such Cause of Complaint, then such Appeal shall be made to the next following Sessions, either of which Court of Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to them shall seem meet; which Order shall be final and conclusive to and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof,

and Recognizance to be entered into.

thereof, to the Respondent or Respondents, and within Five Days after such Notice shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions, or any Adjournment thereof; and such Justices, upon hearing and finally determining such Matter of Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

Limitation of Actions.

CIV. And be it further enacted, That no Action or Suit shall be commenced against any Commissioner, Assistant Commissioner, or any other Person for any thing done in pursuance of or under the Authority of this Act until Twenty-one Days Notice has been given thereof in Writing to the Party or Person against whom such Action is intended to be brought, nor after sufficient Satisfaction or Tender thereof shall have been made to the Party aggrieved, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become Nonsuit, or suffer a Discontinuance of such Action, or if, upon any Demurrer in such Action, Judgment shall be given for the Defendant therein, then and in any of the Cases aforesaid such Defendant shall have Costs, Charges, and Expences as between Attorney and Client, and shall have such Remedy for recovering the same as any Defendant may have for his or her Costs in any other Case by Law.

Defendant may plead the General Issue.

Costs.

Rules, &c. to be removable by Certiorari to Court of King's Bench.

Rules, &c. so removed to continue in force until declared illegal.

CV. And be it further enacted, That no Rule, Order, or Regulation of the said Commissioners or Assistant Commissioners, or any of them, shall be removed or removable by Writ of Certiorari into any Court of Record, except His Majesty's Court of King's Bench at *Westminster*; and that every Rule, Order, or Regulation which shall be removed by Writ of Certiorari into the said Court of King's Bench shall nevertheless, unless and until the same shall be declared illegal by that Court, continue in full force and virtue, and be obeyed, performed, and enforced, in such and the same Manner, and by such and the same Ways and Means, as if the same had not been so removed.

CVI. And

CVI. And be it further enacted, That no Application shall be made for any Writ of Certiorari for the Removal of any such Rule, Order, or Regulation, except to the Judges when sitting in the said Court, nor unless Notice in Writing shall have been left at the Office of the said Commissioners at least Ten Days previous to such Application being made, and in which Notice shall be set forth the Name and Description of the Party by or on behalf of whom and the Day on which it is intended to make such Application, together with a Statement of the Grounds thereof; and thereupon it shall be lawful for the said Commissioners to show Cause in the first instance against such Application, and the Court may, if it shall so think fit, forthwith proceed to hear and determine the same upon the Grounds set forth in such Notice.

Notice to be given to Commissioners of Application for Writ of Certiorari, &c.

Commissioners may show Cause.

CVII. And be it further enacted, That previous to any Writ of Certiorari being issued the Party or Parties applying for the same shall enter into a Recognizance, with sufficient Sureties, before One of His Majesty's Justices of the Court of King's Bench, or before a Justice of the Peace of the County or Place in which such Person shall reside, in the Sum of Fifty Pounds, with Condition to prosecute the same, at his or their Costs and Charges, with Effect, without any wilful or affected Delay, and in default thereof, or in the event of such Rule, Order, or Regulation being deemed legal, to pay the said Commissioners their full Costs, Charges, and Expences, to be taxed according to the Course of the said Court of King's Bench; and if the said Rule, Order, or Regulation, so removed by the said Writ of Certiorari into the said Court of King's Bench, shall be declared legal by the said Court, the Commissioners entitled to such Costs, within Ten Days after Demand made of the Person or Persons who ought to pay the said Costs, upon Oath made of the making such Demand and Refusal of Payment thereof, may recover the same in the same Manner as any Penalties and Forfeitures are recoverable under this Act.

Recognizances to be entered into.

If Rule be declared legal, Commissioners to be entitled to Costs.

CVIII. And be it further enacted, That if upon the Hearing of the Application the Court shall order a Writ of Certiorari to issue for bringing up any such Rule, Order, or Regulation, and the same, being brought into Court, shall be quashed as illegal, the said Commissioners shall forthwith notify the Judgment of the Court to all Unions, Parishes, or Places to which such Rule, Order, or Regulation shall have been directed, and the same shall from the Time of receiving such Notice respectively be deemed and taken to be null and void to all Intents and Purposes whatsoever: Provided that such Judgment shall not have the Effect of annulling any Contracts made in pursuance or upon the Authority of any such Rule, Order, or Regulation which at the Receipt of such Notice respectively shall have been executed by either of the contracting Parties: Provided also, that no Person shall be liable to be prosecuted, either by Indictment or by Civil Action, for or in respect of any Act done by him before the Receipt of such Notice, under the Authority and in pursuance of such Rule, Order, or Regulation.

If Rules are quashed, the same to be notified to Parishes to which such Rules have been directed.

Proviso for existing Contracts.

No Person to be answerable until Receipt of Notice.

CIX. And be it further enacted, That in the Construction of this Act the Word "Auditor" shall be construed to mean and include every Person, other than Justices of the Peace acting in

Interpretation Clause

virtue of their Office, appointed or empowered to audit, control, examine, allow, or disallow the Accounts of any Guardian, Overseer, or Vestrymen relating to the Receipt or Expenditure of the Poor Rate; the Words "General Rule" shall be construed to mean any Rule relating to the Management of the Poor or to the Execution of this Act which shall at the Time of issuing the same be addressed by the said Commissioners to more than One Union, or to more Parishes or Places than One not forming a Union, or not to be formed into or added to a Union under or by virtue of such Rule; the Word "Guardian" shall be construed to mean and include any Visitor, Governor, Director, Manager, Acting Guardian, Vestryman, or other Officer in a Parish or Union, appointed or entitled to act as a Manager of the Poor, and in the Distribution or ordering of the Relief to the Poor from the Poor Rate, under any General or Local Act of Parliament; the Words "Justice or Justices of the Peace" shall be construed to include Justices of the Peace of any County, Division of a County, Riding, Borough, Liberty, Division of a Liberty, Precinct, County of a City, County of a Town, Cinque Port, or Town Corporate, unless where otherwise provided by this Act; the Word "Oath" shall be construed to include the Affirmation of a Quaker, Separatist or Moravian; the Words "Orders and Regulations" shall be construed to mean and include any Rule, Order, Regulation, or Bye Law relating to the Management or Relief of the Poor, or the Execution of this Act, which at the Time of issuing the same shall be addressed, directed, or applied to any One Parish or Union, or to any Number of Parishes which have been or by virtue of any Order shall be constituted a Union or added to a Union; the Word "Officer" shall be construed to extend to any Clergyman, Schoolmaster, Person duly licensed to practise as a Medical Man, Vestry Clerk, Treasurer, Collector, Assistant Overseer, Governor, Master or Mistress of a Workhouse, or any other Person who shall be employed in any Parish or Union in carrying this Act or the Laws for the Relief of the Poor into execution, and whether performing One or more of the above-mentioned Functions; the Word "Overseer" shall be construed to mean and include Overseers of the Poor, Churchwardens, so far as they are authorized or required by Law to act in the Management or Relief of the Poor, or in the Collection or Distribution of the Poor Rate, Assistant Overseer, or any other subordinate Officer, whether paid or unpaid, in any Parish or Union, who shall be employed therein in carrying this Act or the Laws for the Relief of the Poor into execution; the Word "Owner" shall be construed to include any Person for the Time being in the actual Occupation of any Property rateable to the Relief of the Poor, and not let to him at Rack Rent, or any Person receiving the Rack Rent of any such Property, either on his own Account or as Mortgagee or other Incumbrancer in possession; and the Words "Rack Rent" shall be construed to mean any Rent which shall not be less than Two Thirds of the full improved net annual Value of any Property; the Word "Parish" shall be construed to include any Parish, City, Borough, Town, Township, Liberty, Precinct, Vill, Village, Hamlet, Tithing, Chapelry, or any other Place, or Division or District of a Place, maintaining its own Poor, whether parochial or extra-parochial; the Word "Person" shall be construed to include any Body Politic,

Corporate, or Collegiate, Aggregate or Sole, as well as any Individual; the Word "Poor" shall be construed to include any Pauper or poor or indigent Person applying for or receiving Relief from the Poor Rate in *England* or *Wales*, or chargeable thereto; the Words "Poor Law," or "Laws for the Relief of the Poor," shall be construed to include every Act of Parliament for the Time being in force for the Relief or Management of the Poor, or relating to the Execution of the same, or the Administration of such Relief; the Words "Poor Rate" shall be construed to include any Rate, Rate in Aid, Mulct, Cess, Assessment, Collection, Levy, Ley, Subscription, or Contribution raised, assessed, imposed, levied, collected, or disbursed for the Relief of the Poor in any Parish or Union; that the Words "General Quarter Sessions" shall extend to and be construed to include General or Quarter Sessions, or Adjournment thereof for any County, Division of a County, Riding, Borough, Liberty, Division of a Liberty, Precinct, County of a City, City, County of a Town, Cinque Port, or Town Corporate, unless where otherwise provided by this Act; the Word "Union" shall be construed to include any Number of Parishes united for any Purpose whatever under the Provisions of this Act, or incorporated under the said Act made and passed in the Twenty-second Year of His late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, 22 G. 3. c. 83. or incorporated for the Relief or Maintenance of the Poor under any Local Act; the Words "united Workhouse" shall be construed to mean and include any Workhouse of a Union; the Word "Vestry" shall be construed to mean any open, customary, or Select Vestry, or any Meeting of Inhabitants convened by any Notice such as would have been required for the assembling of a Meeting in Vestry, at which Meeting any Business relating to the Poor or the Poor Rate shall be transacted or taken into consideration, so far as such Business is concerned; the Word "Workhouse" shall be construed to include any House in which the Poor of any Parish or Union shall be lodged and maintained, or any House or Building purchased, erected, hired, or used at the Expence of the Poor Rate, by any Parish, Vestry, Guardian, or Overseer, for the Reception, Employment, Classification, or Relief of any poor Person therein at the Expence of such Parish; and wherever in this Act, in describing any Person or Party, Matter or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and shall be applied to several Persons or Parties as well as one Person or Party, and Females as well as Males, and several Matters or Things as well as one Matter or Thing, respectively, unless there be something in the Subject or Context repugnant to such Construction.

CX. And be it further enacted, That this Act may be altered, amended or repealed in this present Session of Parliament. Act may be amended this Session.

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