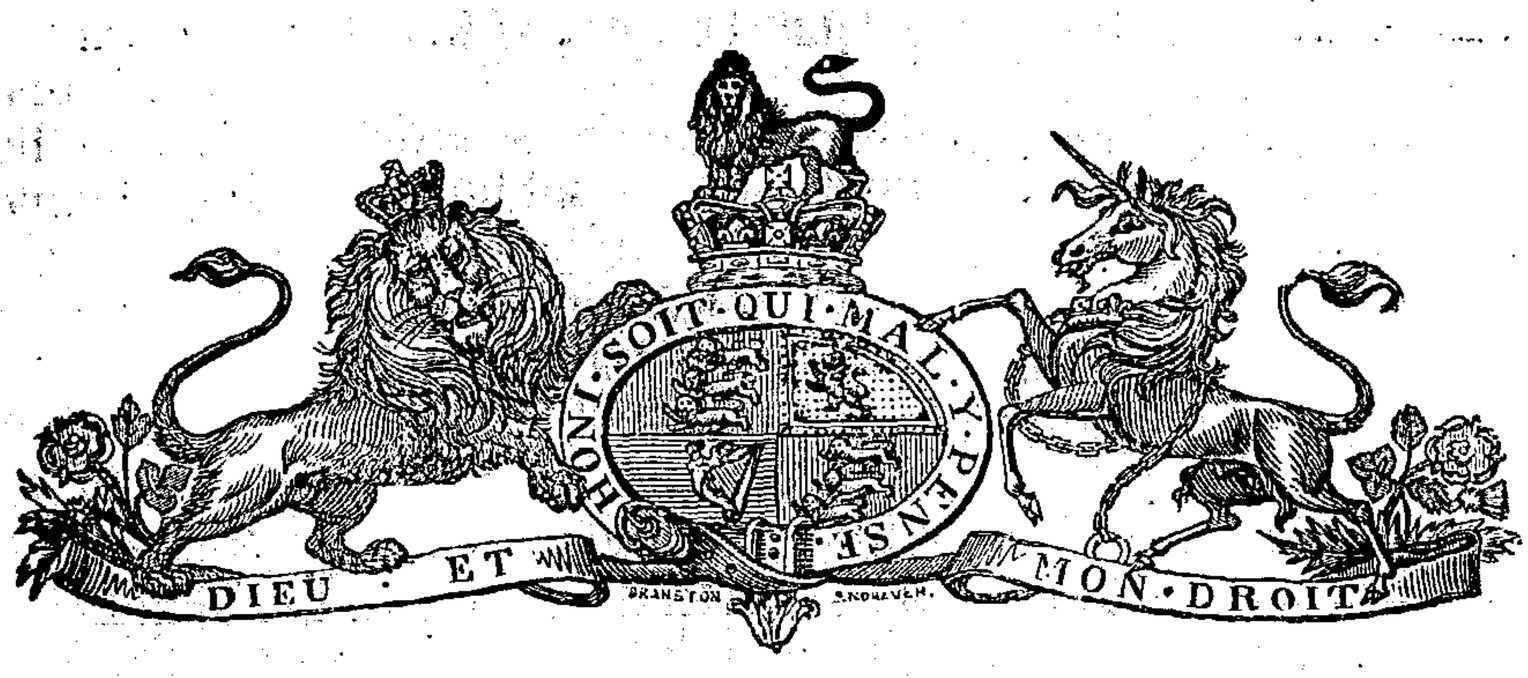


ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

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Person duly appointed by the Poor Law Commissioners, shall be empowered (unless he shall previously resign or be removed) to hold his Office, and exercise the Powers thereof, until the Thirty-first Day of *July* in the Year One thousand eight hundred and forty-seven, and thenceforth until the End of the then next Session of Parliament; and until the Expiration of the said Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove any of the said Commissioners for the Time being, and upon every or any Vacancy in the Number of Commissioners, either by Removal or by Death or otherwise, to appoint by Warrant under the Royal Sign Manual some other fit Person to the said Office, and until such Appointment it shall be lawful for the surviving or continuing Commissioner or Commissioners to act as if no such Vacancy had occurred.

Not more than Nine Assistant Commissioners to act in England.

II. And whereas by the said first-recited Act it is provided, that it shall not be lawful for the Poor Law Commissioners to appoint more than Nine Assistant Commissioners to act at any One Time, unless the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, for the Time being, or any Three or more of them, shall consent to the Appointment of a greater Number; be it enacted and provided, That after the Thirty-first Day of *December* in the Year One thousand eight hundred and forty-two it shall not be lawful in any Case for the Poor Law Commissioners to appoint or continue in Office more than Nine Assistant Commissioners to act in *England* and *Wales*: Provided always, that after the passing of this Act, whenever it may seem fitting to the said Commissioners, or whenever they may be thereunto required by Her Majesty's Principal Secretary of State for the Home Department, the said Commissioners, with the Consent of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, or any Three of them, shall appoint some Person, being a Doctor in Medicine, a Barrister at Law, a Member of the Royal College of Surgeons of *London* or *Dublin*, an Architect or Surveyor, and not being One of the Assistant Commissioners as aforesaid, or some Two or more of such Persons, to act either in *England* or *Ireland* as an Assistant Commissioner or Assistant Commissioners, for the Purpose of conducting any special Inquiry, for a Period not exceeding Thirty Days; and the said Commissioners shall delegate to every Person so appointed for the Purpose of conducting such Inquiry all such of the Powers of the said Commissioners as they may deem necessary or expedient, for summoning Witnesses and conducting such Inquiry; and every such Appointment shall be subject to the Approval of One of Her Majesty's Principal Secretaries of State; and every Person so appointed as aforesaid to conduct any special Inquiry shall, before he enter on the Execution of his Duties, take the following Oath before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Exchequer in *England* or *Ireland*, as the Case may be:

Professional Persons, not being Assistant Commissioners, may be appointed to make special Inquiries.

Such Persons, previously to acting, to take the following Oath.

'I *A. B.* do swear, That I will faithfully and honestly, according to 'the best of my Skill and Judgment, inquire into all Matters and 'Things which I may be lawfully directed to examine into, and will 'truly and impartially report thereon.'

And

And it shall not be necessary to notify the Appointment of any such Person, or the taking of the Oath aforesaid, otherwise than by publishing a Notification of the same in the *London Gazette*, and by signifying the same, under the Seal of the said Commissioners, to the Clerk of the Peace of the County or Counties within which the Inquiry in question is to be made: Provided always, that if any Person be charged with any Misconduct in any Matter relating to the Administration of the Laws for the Relief of the Poor, and if any such special Inquiry as aforesaid be directed to be made into such Charge, the Person bringing such Charge shall be entitled to make the same at such Inquiry by his Counsel or Attorney, and the Person charged with such Misconduct shall be entitled to make his Defence at such Inquiry by his Counsel or Attorney; but nothing herein contained shall release any Person charged with any Misconduct, or bringing any Charge of Misconduct, from the Liability to be himself examined at any such Inquiry in respect of the Matter of such Charge, in the same Manner and subject to the same Penalties as under the said firstly-recited Act.

In special Inquiries on Charges of Misconduct, the Persons may be heard by Counsel.

III. And be it enacted, That whenever any general Rule of the said Commissioners shall be in force, it shall not be lawful for the said Commissioners to issue any particular Rule, Order, or Regulation, addressed to any single Parish or Union, by which such general Rule or any Part thereof would be rescinded or suspended, unless One of Her Majesty's Principal Secretaries of State have first signified to the said Commissioners his Approval of such particular Rule in Writing.

General Rules not to be altered by particular Rules, without the Consent of Secretary of State.

IV. And be it enacted, That every Order of the said Commissioners suspending or dismissing any paid Officer from the Exercise of his Office, in which the said Commissioners shall declare that the Urgency of the Case requires that such Order should take effect within the Period of Fourteen Days, shall come into force at such Time as the said Commissioners shall in such Order direct, notwithstanding that Fourteen Days shall not have expired since a written or printed Copy of the same shall have been sent by the said Commissioners, as required by the first-recited Act.

Time of Operation of certain Rules and Orders in Cases of Urgency.

V. And be it enacted, That it shall be lawful for the Guardians of any Parish or Union, subject always to the Powers of the Poor Law Commissioners, to prescribe a Task of Work to be done by any Person relieved in any Workhouse, in return for the Food and Lodging afforded to such Person; but it shall not be lawful to detain any Person against his Will for the Performance of such Task of Work for any Time exceeding Four Hours from the Hour of Breakfast in the Morning succeeding the Admission of such Person into the Workhouse; and if any such Person, while in such Workhouse, refuse or neglect to perform such Task of Work suited to his Age, Strength, and Capacity, or wilfully destroy or injure his own Clothes, or damage any of the Property of the Board of Guardians, he shall be deemed an idle and disorderly Person within the Meaning of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of* Great Britain *called* England.

Guardians, &c. may set occasional Poor to work.

Penalty for not doing Work.

5 G. 4. c. 83. s. 3.

VI. And

Guardians to have the like Powers as Overseers with regard to Lunatics.

9 G. 4. c. 40.

VI. And be it enacted, That every Board of Guardians appointed under the Provisions of the said first-recited Act, or acting under the Regulations of the said Commissioners for the Relief of the Poor, and the Relieving Officers of such Guardians, shall have the like Powers as Overseers have with respect to Insane Persons under the Provisions of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to amend the Laws for the Erection and Regulation of County Lunatic Asylums, and more effectually to provide for the Care and Maintenance of Pauper and Criminal Lunatics in* England, or of any Act or Acts passed to amend the same; and every such Board of Guardians shall from Time to Time pay or cause to be duly paid to the Treasurer, Managers, or Keepers of any County Lunatic Asylum, Public Hospital, or licensed House respectively, all Costs lawfully due in respect of any poor Person maintained in such County Lunatic Asylum, Public Hospital, or licensed House, and if such Costs shall not be duly paid by such Board of Guardians or Overseers of the Parish to which such poor Person may have been chargeable according to the Provisions of the said recited Acts, then and in such Case it shall be lawful for any Two Justices to proceed to the Recovery of the said Costs, by making and enforcing an Order for the same on the Overseers of the aforesaid Parish, according to the Provisions of the said recited Acts; and it shall be lawful for any such Board of Guardians to contract with any Person duly licensed to practise as a Medical Man to certify as to the State and Condition of Insane Persons under the Provisions of the last-recited Act; and whenever any Insane Person is relieved by any such Board of Guardians or any of their Officers, the Relieving Officer within whose District the Parish is situate to which such Person may be chargeable, or in which such Person may be found destitute, shall give the like Information to some Justice of the Peace acting for the Division of the County within which such Parish is situated as is required by the said Act of the Reign of King *George* the Fourth of Overseers, and subject to the like Penalties for Neglect; and the Clerk to every such Board of Guardians shall on the Fifteenth Day of *August* in every Year, or as soon after as may be, make out and sign Two true and faithful Lists of all Insane Persons chargeable to the Parish or Union in the Form in the Schedule hereunto annexed, and shall on or before the First Day of *September* next succeeding transmit One Copy of such List to the Clerk of the Peace acting in and for the County within which the Parish to which each such Insane Person is chargeable is situated, or to his Deputy, to be by him laid before the Justices acting for such County at their next General Quarter Sessions, and the other Copy of such List to the said Commissioners; and from and after the passing of this Act the Overseers of any such Parish, or of any Parish within any such Union, shall not be required to make the annual Return required of them by the said Act of the Reign of King *George* the Fourth.

Where Parish more than Four Miles from Place of Meeting of

VII. And be it enacted, That whenever the whole of any Parish or Parishes is situated at a greater Distance than Four Miles from the Place of Meeting of the Board of Guardians of the Union of which such Parish or Parishes may form Part, it shall be lawful for the Commissioners, on the Application of the Board of Guardians, to

form such Parish or Parishes into a District, and to direct the said Guardians from Time to Time to appoint a Committee of their Members to receive Applications of poor Persons requiring Relief in such District, to examine into the Cases of such poor Persons, and to report to the said Guardians thereon.

Guardians it may be formed into a District for Purposes of Relief.

VIII. And be it enacted, That in case any Question shall arise as to the Right of any Person to act as an elective Guardian it shall be lawful for the Commissioners, if they shall see fit, to inquire into the Circumstances of the Case, and to issue such Order or Orders therein, under their Hands and Seal, as they may deem requisite for determining the Question; and no such Order shall be liable to be removed by Writ of Certiorari into the Court of Queen's Bench unless the Application for such Writ shall be made during the Term next after the issuing of such Order.

Determination of Disputes as to the Election, &c. of Guardians.

IX. And be it enacted, That if any Person put in Nomination for the Office of Guardian tender to the Officer conducting the Election of Guardians his Refusal in Writing to serve such Office, the Election of Guardians, so far as regards such Person, shall be no further proceeded with.

Resignation of Candidates.

X. And be it enacted, That in every Case in which no Person shall be elected for the Office of Guardian in any Parish at any annual Election of Guardians, the Persons elected for the previous Year may continue to act as Guardians until the next annual Election.

Continuance of Guardians in Office.

XI. And be it declared and enacted, That the said Commissioners may accept the Resignation of any Person elected as a Guardian tendered for any Cause which the Commissioners may deem reasonable; and in every Case of Omission to elect, or of Vacancy in any Board of Guardians, by Death, Resignation, or Disqualification, the said Commissioners shall be and shall be deemed to have been empowered to order a new Election for the Completion of such Board.

Commissioners may accept Resignation of any Guardian, and may order new Election.

XII. And be it declared and enacted, That in case the full Number of Guardians shall not be or shall not have been elected at any Election of Guardians, or in case of any Vacancy in any Board of Guardians by the Death, Removal, Resignation, Refusal, or Disqualification to act of any elected Guardian, the other or remaining Members of the said Board, being not less than Three, shall be and be deemed to have been competent to act until the next Election, or until the Completion of the said Board, as if the Number of such Board were complete, and that no Acts or Proceedings shall be liable to be questioned on account of any Failure to elect any Guardian or Guardians, or on account of any Vacancy as aforesaid.

In case of Vacancy, remaining Guardians to act.

XIII. And be it declared and enacted, That no Defect in the Qualification or Election of any Person acting as a Guardian at a Board of Guardians, the Majority of Persons assembled at which shall be entitled to act as Guardians, shall be deemed to vitiate or make void any Proceedings of such Board in which he may have taken Part.

De facto Guardians.

Paid Officers and others incapable of serving as Guardians.

XIV. And be it enacted, That no Person, during the Time for which he may serve or hold the Office of Assistant Overseer of any Parish, nor any paid Officer engaged in the Administration of the Laws for Relief of the Poor, nor any Person who, having been a paid Officer, shall have been dismissed within Five Years previously from such Office, under the Provisions of the said first-recited Act, shall be capable of serving as a Guardian; and no Person receiving any fixed Salary or Emolument from the Poor Rates in any Parish or Union shall be capable of serving as a Guardian in such Parish or Union.

Ex officio Guardians not incompetent to act as Justices.

XV. And whereas Doubts have been entertained whether Justices of the Peace who are *ex officio* Members of Boards of Guardians of Parishes or Unions under the Provisions of the first-recited Act can lawfully act as Justices of the Peace in Cases in which the Guardians of such Parishes or Unions are Complainants, or are otherwise interested or concerned, and it is expedient that such Doubts should be removed; be it therefore enacted, That no Justice of the Peace shall be disabled from acting as such Justice at any Petty or Special or General or Quarter Sessions in any Matter merely on the Ground that such Justice of the Peace is an *ex officio* Member of any Board of Guardians complaining, interested, or concerned in such Matter, or has acted as such at any Meeting of such Board of Guardians.

Corporate Powers of Board of Guardians.

XVI. And be it enacted, That it shall be lawful for every Board of Guardians constituted under the said first-recited Act to accept, take, and hold, on behalf of the Union or Parish respectively for which they may act, any Lands, Buildings, Goods, Effects, or other Property as a Corporation, and in all Cases to sue and be sued in their Corporate Name.

Mode of Application to Justices, &c. by Boards of Guardians.

XVII. And be it enacted, That wherever a Board of Guardians is empowered to make any Order, or to prefer any Complaint, Claim, or Application, before Justices, or otherwise, if any such Board resolve to make such Order, or to prefer such Complaint, Claim, or Application, a Copy of the Minute of such Resolution, signed by the presiding Chairman of such Board, and sealed with their Seal, and countersigned by their Clerk or Person acting as their Clerk, shall be deemed and taken to be sufficient Proof of the making of such Order, or of the preferring of such Complaint, Claim, Application, or otherwise, as the Case may be; and that whenever, either for the Purpose of making an Order for the Removal of a Pauper, or on the Trial of an Appeal against such Order, or for any other Purpose, it shall be necessary to prove to what Parish a Pauper has become chargeable, (if in such Parish the Laws for the Relief of the Poor shall be administered by a Board of Guardians or a District Board,) a Certificate of such Pauper having so become chargeable, signed, sealed, and countersigned as aforesaid, shall be sufficient Proof to what Parish and at what Time such Pauper became and was chargeable, unless the contrary shall be proved by other legal Evidence; and that in all Cases in which the Guardians of any Parish or Union are or may hereafter be empowered to make any Application or Complaint, or to take any Proceedings before any Justices at Petty or Special or General or Quarter Sessions, it shall be lawful for any Officer of such

Guardians may authorize their Officers to take legal Proceedings.

Guardians empowered by any Board of such Guardians, by an Order in Writing, under the Hand of the presiding Chairman of such Board, and sealed with the Common Seal of such Guardians, to make such Application or Complaint, or to take such Proceedings on behalf of such Guardians, as effectually to all Intents and Purposes as if the same were made or taken by such Guardians, or any of them, in Person.

Construction. XVIII. And be it enacted, That the said Act of the Fifth Year of the Reign of His late Majesty, and the Act passed in the Sixth Year of the Reign of His said Majesty, intituled *An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations of Parishes in* England *and* Wales, and the Act passed in the Seventh Year of the Reign of His said Majesty, intituled *An Act to regulate Parochial Assessments*, and so much of an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, as relates to the Style of the Poor Law Commissioners, their Appointment, the Delegation of Powers to One of their Number, the Sittings of their Board, their Common Seal, and the Residence of One of their Number in *Ireland*, and all Acts to amend or extend any of the said Acts, or the said Provisions of the Act last recited, and the present Act, shall (except so far as the Provisions of any former Act shall be expressly altered or amended by the Provisions of any subsequent Act,) be construed as One Act; and that in each and every such Act (except the said Act for the more effectual Relief of the destitute Poor in *Ireland*) the Words "Auditor," "Guardian," "Justice or Justices of the Peace," "Oath," "Officer," "Overseer," "Owner," "Rack-rent," "Parish," "Person," "Poor," "Poor Laws," "Laws for Relief of the Poor," "Poor Rate," "General Quarter Sessions," "Union," "United Workhouse," "Vestry," "Workhouse," and Words importing the Singular Number or the Masculine Gender only, shall be interpreted as is provided in the first-recited Act; and that the Provisions of the said first-recited Act shall extend to every Rule, Order, or Regulation directed or authorized to be made by the said Commissioners under the Provisions of an Act passed in the Seventh Year of His said late Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England, or by an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to extend the Practice of Vaccination.*

4 & 5 W. 4. c. 76.
5 & 6 W. 4. c. 69.
6 & 7 W. 4 c. 96.
1 & 2 Vict. c. 56. ss. 118 to 122.
1 & 2 Vict. c. 25. s. 2.
7 W. 4. & 1 Vict. c. 50.
2 & 3 Vict. c. 84.
6 & 7 W. 4. c. 86. s. 10.
3 & 4 Vict. c. 29.

Act limited to England and Wales. XIX. And be it enacted, That, except so far as is herein-before expressly excepted, and so far as the Continuance in Office or Appointment of the said Commissioners, their Assistant Commissioners, Secretary, Assistant Secretaries, and other Officers and Persons appointed by them, and their Removal, no Part of this Act shall extend to *Ireland*.

Act may be amended this Session. XX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHE-

SCHEDULE.

FORM:—ANNUAL RETURN.

A TRUE LIST of all INSANE PERSONS, LUNATICS, and IDIOTS chargeable to the Parishes comprised within [such Part of] the Union [as is situate] in the County of ; specifying the Names, Sex, and Age of each, and whether dangerous or otherwise, and for what Length of Time they have been supposed to be of unsound Mind, and where confined, or how otherwise disposed of.

Name.	Age.	Sex.	Parish to which chargeable.	Where maintained.					Weekly Cost of Maintenance and Clothing.	Whether Lunatic or Idiot.	Dangerous to himself or others.	Of dirty Habits.	For what Length of Time supposed to be of unsound Mind.	Observations.
				In a County Asylum, and what Asylum, and when sent thither.	In a licensed House, and where and when sent thither.	In the Union Workhouse.	In Lodgings, or boarded out, and where.	Residing with Friends, and where.						

Signed by me, this 15th Day of August 18 ,

A. B.,

Clerk to the Board of Guardians of the said Union.

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