

ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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CAP. CX.

An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions.

[4th *September* 1848.]

WHEREAS by an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales, Provision is made for the Formation of Unions for the Relief of the Poor and for the Charge for the Relief of the Poor belonging to the several Parishes comprised therein; and it is expedient to alter the Mode in which the Relief of certain poor Persons is now chargeable: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the Thirtieth Day of *September* next until the Thirtieth Day of *September* in the Year One thousand eight hundred and forty-nine, the Cost of the Relief to be given to any poor Person chargeable or becoming chargeable in any Union formed or to be formed under the Provisions of the said Act, being a destitute Wayfarer or Wanderer or Foundling, as well as the Cost of the Burial of the Body of any such Person dying within such Union, shall be chargeable to the Common Fund of such Union.

4 & 5 W. 4. c. 76.

Costs for Relief of wandering Poor, &c. to be charged to the Common Fund of Unions.

II. And be it enacted, That where any poor Person having a fixed Place of Abode in a Parish in any such Union shall hereafter, by reason of Accident, bodily Casualty, or sudden Illness occurring to him while in some other Parish, in which he has no legal Settlement, require Relief, the Cost of all the Relief given by lawful Authority in that Behalf, as well medical as otherwise, shall, if the poor Person be at the Time in receipt of Relief, be paid or reimbursed in like Manner and by the same Union or Parish as any other

Poor Persons having a fixed Place of Abode meeting with Accidents, &c. in some other Parish where they have no legal

Settlement, to be relieved by the Parishes of their Abode or previous Chargeability.

other Relief shall be then payable, but if he be not then in receipt of Relief, it shall be paid or reimbursed, as the Case may require, by the Parish in which such poor Person shall then have his Place of Abode, unless by reason of any Provision of the Law he would, if otherwise chargeable, have been chargeable to the Common Fund of such Union, in which Case the Payment or Reimbursement shall be made by the Guardians of the Union comprising such Parish, and shall be charged to the Common Fund of the Union; and it shall be lawful for the Guardians of any Union, if they think proper, to pay for any medical or other Assistance which shall be rendered to any poor Person on the happening of any Accident, bodily Casualty, or sudden Illness, although no Order shall have been given for the same by them or any of their Officers, or by the Overseers, and to charge the same to some one Parish in the Union, or to the Common Fund of the Union, according as such Parish or Union would have been liable for the ordinary Relief of such poor Person; provided that nothing herein contained shall exempt the Guardians of the Union or Parish, or their Officers, or the Overseers of the Parish in which such poor Person shall require Relief by reason of such Accident, bodily Casualty, or sudden Illness, from their Liability to supply the requisite Relief to such poor Person whilst in such Union or Parish.

Paupers rendered irremovable by the 9 & 10 Vict. c. 66. rendered chargeable to the Common Fund of the Union.

III. And be it enacted, That after the Thirtieth Day of *September* next until the Thirtieth Day of *September* in the Year One thousand eight hundred and forty-nine all the Costs incurred in the Relief, as well medical as otherwise, of any poor Person, who, not being settled in the Parish where he resides, shall, by reason of some Provision of the Act passed in the Tenth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to the Removal of the Poor*, be or become exempted from the Liability to be removed from the Parish where he resides, shall, where the said Parish shall be comprised in any such Union as aforesaid, be charged to the Common Fund of such Union, so long as such Person shall continue to be so exempted; and the Expenses of the Burial of any such Person so exempted at the Time of his Death shall, if legally payable by the Guardians of the Union, likewise be charged to the said Common Fund.

Questions arising as to Cost of Relief, &c. may be referred to and decided by the Poor Law Board;

whose Orders shall not be removable after a certain Time, nor be quashed for Want of Form.

IV. And be it enacted, That where in any such Union a Question shall arise between any Parishes therein, or between the Guardians and any Parish or Parishes therein, with reference to the charging of the Cost of his Relief, as to whether any Pauper be so exempted as aforesaid, the Parties may jointly submit such Question to the Commissioners for administering the Laws for the Relief of the Poor in *England*, who may thereupon, if they think proper, entertain such Question, and by an Order under their Seal determine the same; but no such Order shall be liable to be removed, by Writ of Certiorari or otherwise, into the Court of Queen's Bench, after the Expiration of the Term next ensuing the Time when the Copy thereof shall have been sent to the Guardians, nor shall the same be quashed for any Defect of Form therein; and every such Order not rescinded or quashed shall be in all Courts and for all Purposes final and conclusive between the Guardians and every Parish in the Union interested in the Matter.

Guardians may assist in the Emigra-

V. And be it enacted, That the Guardians of any Union or Parish may, with the Order of the said Commissioners and in conformity with

with such Regulations as they shall make, procure or assist in procuring the Emigration of any poor Person rendered irremovable by virtue of the Provisions of the said last-mentioned Act, and chargeable or who would, if relieved, be chargeable upon the Common Fund of such Union, or in the Case of any Parish not comprised in a Union who may, though not settled therein, be irremovable as aforesaid therefrom, and such Guardians shall in the Case of a Union charge the Costs and Expenses incurred in such Emigration upon the Common Fund, and in the Case of a Parish not in a Union upon the Monies in their Hands for the Relief of the Poor.

tion of certain Poor, and charge the Cost upon the Common Fund of the Union, or Parish in case of not being in Union.

VI. And be it enacted, That the Cost of all the Relief which under the Provisions of this Act shall be chargeble to the Common Fund of any Union shall be charged to the Common Fund of such Union, in the same Manner as Union Expenses are directed to be charged by the herein first-recited Act.

Mode of charging the Relief herein provided for.

VII. And be it enacted, That the Guardians of any Union may, on the Application of the major Part of the Overseers of any Parish comprised in it, or of any Person assessed to the Poor Rate in any such Parish, cause a Valuation to be made at any Time of any Property alleged to be rateable to the Relief of the Poor, being a Part only of the rateable Property of such Parish, and may charge the Expenses of such Valuation to the Overseers of such Parish, or to such Person so applying as aforesaid.

Guardians may cause a Valuation to be made at any Time of Property alleged to be rateable.

VIII. And be it enacted, That the Guardians of any Union shall be entitled to obtain Orders of Maintenance upon the Relations liable under any Statute now in force to maintain any poor Person whose Relief would be chargeable to the Common Fund of the Union, in like Manner as the Churchwardens and Overseers of any Parish can now obtain the same, and may expend in respect of such Person, out of such Fund, any Money for any Purpose which the Overseers of the Parish to which such Person, if chargeable, would have belonged might have done; and all Relief to be granted by the Guardians to any Pauper upon Loan, and which shall be chargeable to the Common Fund of the Union, or to any Parish therein, may be recoverable in the County Court or other Court for the Recovery of Small Debts for the District wherein the Union or the major Part thereof shall be comprised, on the Plaint of the said Guardians, who may apply and be heard in such Court by any Officer appointed by them for such Purpose, in manner prescribed by the Statutes enabling them to appoint Officers to act for them: Provided nevertheless, that the Remedy already provided by Law for the Recovery of the Relief granted on Loan, shall be in force and applicable to the Relief so chargeable to the Common Fund as aforesaid.

Guardians may obtain Orders of Maintenance, and charge Expenses in like Manner as Churchwardens, &c. can. Relief advanced by way of Loan may be recovered in County Court, &c.

IX. And be it enacted, That if any Person herein-before made chargeable upon the Common Fund of the Union shall be convicted before any Justice of any Offence committed in any Workhouse while maintained therein, or of deserting or running away from any Workhouse, and carrying away Clothes or other Property therefrom, and be liable to be committed to any Gaol or House of Correction, the Justice before whom such Person shall be convicted may commit such Person to the Gaol or House of Correction of the County or Place containing the Parish in which such Person, if chargeable to the

Persons being chargeable upon the Common Fund of a Union, and being convicted of any Offence, may be com-

mitted by a Justice to the Common Gaol, &c. the Expenses of which shall be charged upon the County, &c.

the Common Fund by reason of being exempt from Removal under the Statute herein-before mentioned, shall have been residing, when admitted into the Workhouse, or to that of the County or Place comprising the major Part of such Union, in the Case of any other Person herein rendered chargeable on the said Common Fund, notwithstanding such Workhouse may not be situated in such County or Place, or that such Justice may not be a Justice of such County or Place; and the Charges of the Conveyance of such Person to such Gaol or House of Correction, and all other Charges consequent upon such Committal, shall be borne by such County or Place in like Manner as the Charges of Persons committed in the ordinary Mode to the Gaol thereof shall be borne.

Poor Persons may be searched on Admission to Workhouse.

X. And be it enacted, That upon Application for Relief by Admission to the Workhouse of any such Union as aforesaid or otherwise by any poor Person professing to be a destitute Wanderer or Wayfarer, the Master, Porter, or other Officer of such Workhouse, or the Relieving Officer of such Union or Overseer of any Parish to whom such Application for Relief shall be made, may search such Person, or cause him to be searched, and may take from such Person any Money which shall be found upon him, and shall deliver the same to the Guardians, to be by them applied in aid of the Common Fund of the Union; and every Person who shall apply for Relief at any Workhouse, or to any Relieving Officer or Overseer, having at the Time of such Application in his Possession and under his immediate Control any Money or other Property, of which, on Inquiry made by the Guardians or their Officers, or by Overseers, he shall not make correct and complete Disclosure, shall be taken to be an idle and disorderly Person within the Meaning of the Act of the Fifth Year of the Reign of His late Majesty King *George* the Fourth for the Punishment of idle and disorderly Persons and Rogues and Vagabonds in *England*, and shall be punishable and dealt with in all respects and with the like Proceedings as idle and disorderly Persons under the said Act.

Persons in possession of Means applying for Relief, punishable as idle and disorderly Persons.

Certificate of Chargeability in Form prescribed in Schedule to 7 & 8 Vict. c. 101. deemed sufficient Evidence.

XI. And be it enacted, That in any Court and before any Justice or Justices, and for all Purposes, a Certificate of the Chargeability of any Person named therein in the Form prescribed in the Schedule marked C. to the Act of the Eighth Year of the Reign of Her present Majesty for the Amendment of the Laws for Relief of the Poor in *England*, and purporting to have been executed in the Manner prescribed by that Act, shall be received within the Space of Twenty-one Days from the Date thereof as sufficient Evidence of the Chargeability of the Person named therein unless the contrary be otherwise shown.

Interpretation of Act.

XII. And be it enacted, That the several Words used in this Act shall be construed in the Manner prescribed by the said first herein-recited Act, and the Statutes explaining and extending it.

Act may be amended, &c.

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

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