shall for every such Offence be liable to a Penalty of not less than Five Pounds and not exceeding Ten Pounds.

Penalties how recoverable.

VIII. And be it enacted, That all Penalties imposed by this Act may be recovered in a summary Manner before Two Justices of the Peace, or in *Scotland* before the Sheriff, having Jurisdiction in the County or Place where the Offence is committed, in the Manner prescribed by the Law in that Behalf; and it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct that any Penalty imposed for neglecting to send or cause to be sent Notice of any Accident as required by this Act shall be paid to or among any of the Family or Relatives of any Person or Persons killed by such Accident as he may think fit; and, save as aforesaid, all Penalties imposed by this Act shall, when recovered in *England*, be paid to the Treasurer of the County, Riding, Division, or Place for which the Justices before whom the Penalty is recovered shall have acted, and where recovered in *Scotland* be paid to the Treasurer or Collector of the Funds for the Poor of the Parish in which the Offence has been committed, for the Benefit of the Poor of such Parish.

Interpretation of Terms.

IX. And be it enacted, That in the Construction of this Act, unless such Construction be repugnant to or inconsistent with the Context, Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females; and the Term "Owner" of a Coal Mine or Colliery shall mean the immediate Proprietor, Lessee, or Occupier thereof; and the Term "Agent" of a Mine shall mean any Person having on behalf of the Owner of any Mine the Care or Direction thereof.

Act not to extend to Ireland.

X. And be it enacted, That this Act shall not extend to *Ireland*.

Act may be amended, &c.

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 And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.

Continuance of this Act.

XII. And be it enacted, That this Act shall continue until the Expiration of Five Years after the passing of this Act, and thenceforth until the End of the then next Session of Parliament.

CAP. CI.

An Act to continue Two Acts passed in the Twelfth and Thirteenth Years of the Reign of Her Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor.

[14th *August* 1850.]

'WHEREAS by an Act passed in the Twelfth Year of the Reign of Her present Majesty, intituled *An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions*, certain Provisions were made whereby the Costs of the Relief and the Expenses of the Burial of certain poor Persons therein described were made chargeable upon the Common Fund of the Union until the Thirtieth Day of *September* in the Year One thousand eight hundred and forty-nine: And whereas by an Act passed in the last Session of Parliament such Provisions were continued in full Force until the Thirtieth Day of *September* in the Year One thousand eight hundred and fifty, and to the End of the then next Session of Parliament; and by the said last-mentioned Act other Provisions for charging upon the Common Fund of the Union the Cost of removing and maintaining certain lunatic Paupers were made to continue in force for the like Period; and it is expedient that all the several Provisions aforesaid should be continued for a limited Time:' 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 all the said several temporary Provisions in

11 & 12 Vict. c. 110.

12 & 13 Vict. c. 103.

Certain Provisions of 11 & 12 Vict. c. 110. and of 12 & 13 Vict. c. 103. continued for a limited Time.

in the said recited Acts above referred to shall continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament, and shall apply, and shall be held to have applied, to the Incorporated Hundred of *Forehoe*, to the Incorporated Hundreds of *East* and *West Flegg* and of *Tunstead* and *Happing*, in the County of *Norfolk*, and to the Incorporated Hundred of *Mutford* and *Lothingland* in the County of *Suffolk*, in like Manner and to the same Extent as to the Unions in the said Acts referred to.

Burials of poor Persons dying in Workhouses.

II. And be it enacted, That it shall be lawful for the Guardians of any Union to contribute out of the Common Fund, or for the Guardians of any Parish to contribute out of the Poor Rates of such Parish, such Sum of Money as the Poor Law Board shall approve, towards the Enlargement of any Churchyard or consecrated public Burial Ground in the Parish wherein the Workhouse shall be situated, or in any other Parish of the Union, or towards the obtaining of any such consecrated public Burial Ground, and where any such Burial Ground shall be enlarged or obtained with the Aid of such Contribution, it shall be lawful for them to bury therein the dead Body of any poor Person dying in such Workhouse: Provided always, that nothing in this Act contained shall discharge or vary the Obligation now imposed by Law upon the Guardians to bury the dead Body of such poor Person elsewhere, in case the deceased Person, or the Husband, or Wife, or next of Kin of such deceased Person, shall have so requested: Provided also, that in all Cases of Burial under the Direction of the Guardians as aforesaid the Fee or Fees payable by the Custom of the Place where the Burial may be, or under the Provisions of any Act of Parliament, shall be paid by the said Guardians for the Burial of each such Body to the Person or Persons who by such Custom or under such Act shall be entitled to receive such Fee or Fees, and charged by them in like Manner as the Relief to the Deceased when living was last chargeable.

Contribution to enlarge or obtain Burial Grounds.

Purchase of Site for District Schools.

7 & 8 Vict. c. 101.

III. And be it enacted, That, in addition to the Principal Sum or Sums of Money which the Board of Management of a School District formed under the Authority of the Act of the Eighth Year of the Reign of Her Majesty, intituled *An Act for the further Amendment of the Laws relating to the Poor in* England, are empowered to raise or borrow for the Purpose of providing a Building for the School of such District, such Board may, whenever any Part of such District is situated within the Metropolitan Police District, with the Consent and Order of the Poor Law Board, also raise or borrow and charge the future Poor Rates of the Unions and Parishes respectively combined in such District with such further or other Sum or Sums of Money as may be or may have been necessary for the Purchase of any Land, or Interest in Land, required for the Site of such School, or required for the training of the Children maintained thereat, or for the Site of any Addition to such School.

4 & 5 W. 4. c. 76. s. 62.

12 & 13 Vict. c. 103. s. 20.

Emigration of Orphans and deserted Children.

IV. 'And whereas Authority is given by the Act of the Fifth Year 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, for defraying, out of the Poor Rates of any Parish, 'the Expenses of the Emigration of poor Persons having Settlements in such Parish; and 'by the before-mentioned Act of the last Session the Guardians of any Union or separate 'Parish for which a Board of Guardians is or shall be established may, to a limited Extent, 'exercise the same Authority in and about the Emigration of poor Persons having Settle'ments in such Parish, or in any Parish of such Union respectively: And whereas poor 'Orphans and deserted Children having no Settlements, or whose Settlements are unknown, 'are frequently chargeable to Parishes, and it is expedient to furnish Means for the Pur'pose of facilitating the Emigration of such poor Orphans and deserted Children so being 'chargeable:' Be it therefore enacted, That it shall be lawful for the Guardians of any Union or Parish, in like Manner and subject to the same Regulations, Limitations, and Restrictions as are contained in the said last-mentioned Act, but with the Consent in Writing of the Guardian or the Majority of the Guardians of the Parish of the Chargeability in place of the Parish of the Settlement, transmitted as therein specified, to expend Money in and about the Emigration of any poor Orphan or deserted Child under the Age of Sixteen Years having no Settlement, or the Place of whose Settlement shall not be known, who may be chargeable to some Parish in their Union or to their Parish respectively, and such Guardians shall charge the Expense so incurred to the same Parish to which such Orphan

or

or deserted Child was chargeable at the Time of the Emigration; and where any such Orphan or deserted Child shall be chargeable to the Common Fund of any Union, the Guardians of such Union shall have the same Powers (subject to the same Conditions) to procure or assist in procuring the Emigration of any such last-mentioned Orphan or deserted Child as they have with regard to poor Persons rendered irremoveable by virtue of an Act of the Tenth Year of Her Majesty, intituled *An Act to amend the Laws relating to the Removal of the Poor:* Provided always, that no Emigration of any such Orphan or deserted Child, under any of the above-mentioned Powers, shall take place until such Orphan or deserted Child shall have consented thereto before the Justices assembled in Petty Sessions holden in or near to the Union or Parish the Guardians whereof propose to procure such Emigration, and a Certificate of such Consent under the Hands of Two of the Justices present thereat shall have been transmitted to the Poor Law Board.

11 & 12 Vict. c. 110. s. 5.

9 & 10 Vict. c. 66.

V. And be it enacted, That where any married Woman being lunatic shall be duly removed to any Asylum, licensed House, or registered Hospital under any of the Statutes in such Behalf, any Two Justices having Jurisdiction in the Place wherein the Husband of such Lunatic shall dwell, upon Application by or on behalf of the Guardians of the Union or of the Parish having a separate Board of Guardians, or the Overseers of the Parish, to which Union or Parish respectively such Lunatic shall be or become chargeable, may summon such Husband to appear before them to show Cause why an Order should not be made upon him to maintain or contribute towards the Maintenance of his Wife in such Asylum, licensed House, or registered Hospital; and upon his Appearance, or in the event of his not appearing upon Proof of due Service of such Summons upon him, such Justices may (if they think fit) make an Order upon him to pay such Sum, weekly or otherwise, for or towards the Cost of the Maintenance of such Lunatic, as after Consideration of all the Circumstances of the Case shall appear to them to be proper, and determine in such Order how and to whom the Payments shall from Time to Time be made, which Order shall, if the Payments required by it to be made be in arrear, be enforced in the Manner prescribed by the Statute passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace within* England *and* Wales *with respect to summary Convictions and Orders*, for the enforcing of Orders of Justices requiring the Payment of a Sum of Money.

An Order for paying the whole or Part of the Cost of Maintenance of a lunatic married Woman maintained in any Lunatic Asylum, licensed House, or registered Hospital, and chargeable to any Union or Parish, may be made upon her Husband.

11 & 12 Vict. c. 43.

VI. And be it enacted, That no Master of a Workhouse nor any Relieving Officer shall be henceforth qualified to be appointed to the Office of Overseer of the Poor, Constable, or any other Parochial or Township Office, so long as he shall continue to be such Master of a Workhouse or Relieving Officer, except where the Poor Law Board shall authorize any Relieving Officer to hold a paid Office in a Parish: Provided always, that no Rate or Assessment made nor any other Act or Thing done by any such Person as such Parochial or Township Officer, nor the Service of any Notice, Demand, Order, or Process upon him as such, shall, if in other respects legal and sufficient, be deemed invalid by reason only of such Disqualification as aforesaid.

Master of a Workhouse and Relieving Officer not to be appointed to any Parochial Office.

VII. 'And whereas by the Act of the Seventh Year of His late Majesty King *William* 'the Fourth, intituled *An Act to regulate Parochial Assessments*, it is provided, that the 'Justices acting in and for every Petty Sessions Division shall hold Special Sessions for 'hearing Appeals against the Rates of the several Parishes within their respective Divisions, 'and shall cause public Notice of the Time and Place of the holding of such Special 'Sessions to be given in each Parish, but no Provision is made for the Payment of the 'Costs incurred in preparing and giving of such Notice:' Be it therefore enacted, That such Fee or Remuneration as shall have been or shall hereafter be settled by the Justices of the Peace at their respective General Quarter Sessions, according to the Statute in that Behalf, to be paid to the Clerks to Justices of the Peace for the preparing and giving of a Notice of a Special Sessions for this Purpose, or in default thereof of a Notice of any Special Sessions, shall be paid by the Overseers of each Parish comprised within the Division for which the Special Sessions are to be held, and be charged by them upon the Poor Rate.

The Fee for giving Notices of Special Sessions under the Act 6 & 7 W. 4. c. 96. s. 6. to be paid by the Overseers out of the Poor Rate.

Persons committed to Prison for Offences against 55 G. 3. c. 137. s. 2. and 7 & 8 Vict. c. 101. ss. 57. 58. may be kept to hard Labour.

VIII. 'And whereas by an Act passed in the Fifty-fifth Year of the Reign of 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 herein mentioned, relating to the Poor,* and by an Act passed in 'the Eighth Year of Her present Majesty, intituled *An Act for the further Amendment 'of the Laws relating to the Poor in* England, Power is given to punish by Imprisonment 'any Person or Persons deserting, absconding, or running away from any Workhouse or 'Workhouses, and carrying away with him, her, or them any Clothes, Linen, or other 'Goods in the said Act of the Fifty-fifth Year of the Reign of King *George* the Third 'enumerated and described:' Be it enacted, That in the Case of every such Offence it shall be lawful for the convicting Justice or Justices, if he or they shall so think fit, to order and adjudge that the Person or Persons convicted shall, during the Period of Imprisonment by Law authorized, be kept to hard Labour.

Assaults upon Workhouse Officers or Relieving Officers in the Discharge of their Duty.

IX. And be it enacted, That where any Person shall be charged with and convicted of any Assault upon any Officer of a Workhouse or Relieving Officer in the due Execution of his Duty, or upon any Person acting in aid of such Officer, the Court may sentence the Offender to the same Punishment as is provided by Law for an Assault upon a Peace Officer or Revenue Officer in the due Execution of his Duty, and shall have the same Power as in case of such last-mentioned Assault to order Payment of the Costs and Expenses of the Prosecution.

Providing for Expense of collecting Rates. 12 & 13 Vict. c. 65.

X. 'And whereas by an Act passed in the last Session of Parliament, intituled *An Act 'to provide a more convenient Mode of levying and collecting County Rates, County Police 'Rates, and District Police Rates in Parishes situated partly within and partly without the 'Limits of Boroughs which are not liable to such Rates,* Provision is made to enable the 'Overseers or other Persons charged with the Collection of the Poor Rate, in Cases where 'any Parish or Place shall be partly within and partly without a Borough, to assess and 'levy upon the Inhabitants and Occupiers of all Messuages, Lands, and Tenements liable 'to the Poor Rates in that Part of the Parish or Place which is within the Borough the 'Amount of Money which they shall be required to raise as a Contribution towards a District, 'Borough, or other Rate upon a Warrant from the Mayor, Justice, Constable, or other 'Officer, as therein mentioned: And whereas some Difficulty has arisen in certain Parishes 'as to the Payment of the Expenses of collecting the Rates upon such Assessments, and 'enforcing of the Payment thereof:' Be it therefore enacted, That the Overseers of any such Parish may employ for the Collection of such Rate as aforesaid, or of any Gaol Rate assessed upon any such Part thereof, the Collector of the Poor Rates in the said Parish, or some other Person to be appointed with the like Authority and subject to the same Regulations as regards his Term of Office, his Remuneration, the Security to be given for the Discharge of his Duties, and his Liability to account to the Auditor and other Persons, as such Collector of Poor Rates is or shall be subject to, and to pay such Remuneration out of the Sum raised by the Rate assessed upon such Part as aforesaid; and that the Collector of Poor Rates, or other Person as aforesaid, shall, for the Purpose of collecting the Rate so assessed upon such Part, have all the Powers, Privileges, Protections, and Incidents which belong to the Overseers in the Collection of the Poor Rate, and the like Remedy for the Recovery of the Costs of Proceedings to enforce the Payment of the Rate aforesaid, as in the Case of a Poor Rate; and the said Overseers, in estimating the Amount of their Assessment for such Rate upon any Part of a Parish divided as aforesaid, may include such a Sum as will provide for the Payment of the Costs of the Assessment and Collection, and a reasonable Sum in respect of the Rates which may be excused or become irrecoverable.

Construction of Act.

XI. And be it enacted, That the several Words used in this Act shall be construed in the Manner prescribed by the said recited Act of the Fifth Year of the Reign of His late Majesty King *William* the Fourth, and the Statutes explaining and extending it; and that all the Provisions of the said last-mentioned Act and of the said Statutes not repealed shall extend

extend to this Act, except where any such Provision would be inconsistent with anything herein contained.

Act to extend only to England and Wales.

XII. And be it enacted, That this Act shall extend only to *England* and *Wales*.

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 present Session of Parliament.

CAP. CII.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise a summary Jurisdiction in *Ireland*. [14th *August* 1850.]

'WHEREAS it is expedient to consolidate and amend the Acts by which Justices of the Peace are empowered to adjudicate in a summary Way as to certain Offences and other Matters in *Ireland*:' 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 from and after the Commencement of this Act it shall be lawful for any Justice or Justices sitting in Petty Sessions (or for any Two Justices acting out of Petty Sessions, in any Cases of Offences where the Defendant shall be unable to procure Bail for his Appearance at Petty Sessions,) within his or their Jurisdiction, to hear and determine, either on the Oath of One or more credible Witnesses, or on the Confession of the Defendant, all Complaints relating to the Offences or other Matters herein-after mentioned, and to award such Fine, Imprisonment, Compensation, Expenses, and Sums, or to make such other Order relating to each Offence or other Matter as the Defendant shall be liable to under the Provisions of this Act.

Justices may decide all Cases under this Act on Evidence of Witnesses or Confession.

Justices may fix Time for and Manner of Payment of Fine, &c. awarded.

In Cases of Offences Justices may order either the Fine or the Imprisonment;

or may order Imprisonment in default of Distress, according to Scale.

Scale of Imprisonment.

II. And be it enacted, That it shall be lawful for the Justice or Justices, if he or they shall think fit, to order that any Fine, Compensation, or other Sum awarded under the Provisions of this Act shall be paid either forthwith or at such Time or Times as he or they shall direct, and where such Sum shall not be a Fine for an Offence, that same shall be paid either in One Sum or by Instalments; and it shall also be lawful for the Justice or Justices, if he or they shall think fit, in every Case where any Person shall be convicted before him or them of any of the Offences herein-after mentioned, as to which it is not herein-after provided that Imprisonment shall only be in default of Payment of the Sum ordered or of Distress for the same, to award, in addition to any Compensation which may be ordered, either the Fine or the Imprisonment specified in each Case; and it shall also be lawful for the Justice or Justices, if he or they shall think fit, in any such Cases of Offences, where any such Fine or Compensation, or both Fine and Compensation, shall be awarded, either to order in the first instance, or afterwards to direct by the Warrant of Distress, that in default of Distress for the same the Person against whom such Order shall be made shall be imprisoned for any Term not exceeding One Week where the Sum to be paid shall not exceed Five Shillings, and not exceeding Two Weeks where such Sum shall exceed Five Shillings and shall not exceed Ten Shillings, and not exceeding One Month where such Sum shall exceed Ten Shillings and shall not exceed Forty Shillings, and not exceeding Two Months where such Sum shall exceed Forty Shillings and shall not exceed Five Pounds, and not exceeding Four Months where the Sum to be paid shall exceed Five Pounds and shall not exceed Ten Pounds, and not exceeding Six Months in any other Case, such Imprisonment to be determinable in each of such Cases upon Payment of the Sum ordered, and any Costs of the Distress when a Distress shall be made; and it shall also be lawful for the Justice or Justices, in every Case where Imprisonment for an Offence shall be ordered, to direct that it shall be either with or without hard Labour, according as he or they shall think fit.

Imprisonment may be with or without hard Labour.

III. And