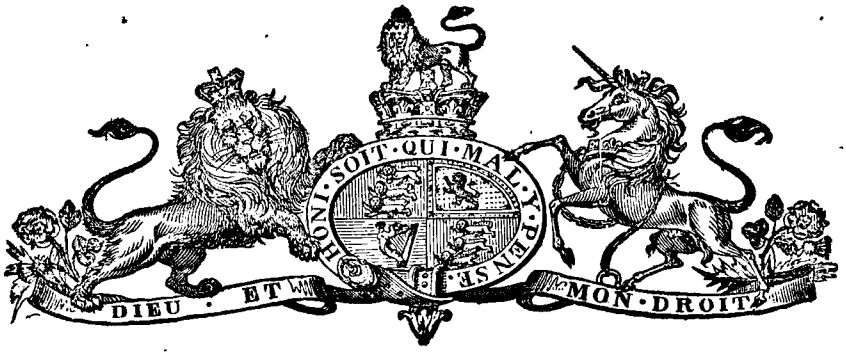


ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. CV.

An Act to continue an Act of the Fourteenth Year 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. [8th *August* 1851.]

WHEREAS by an Act passed in the Fourteenth Year of Her Majesty, Chapter One hundred and one, certain Provisions made by the several Acts therein mentioned, for charging upon the Common Fund of the Union the Costs of the Relief and the Expenses of the Burial of certain poor Persons therein described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of *September* in the Year One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament, and were made to apply to certain Incorporated Hundreds therein mentioned; and it is expedient that all the several Provisions aforesaid should be continued for a limited Time, and that certain Amendments should be made in the Laws relating to the Relief of the Poor: Be it therefore enacted by the Queen's most 13 & 14 Vict. c. 101.

Excellent

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Provisions of 13 & 14 Vict. c. 101. continued for a limited Time.

I. All the said several temporary Provisions in the said Acts above referred to shall continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-two, and to the End of the then next Session of Parliament.

The new Board of Guardians to be constituted from and after the 15th April in each Year.

II. The Guardians elected for the several Parishes in any Union formed or to be formed under the Act of the Fifth Year of King *William* the Fourth, Chapter Seventy-six, or for the several Wards in any Parish divided into Wards, shall continue to act as such until the Fifteenth Day of *April* inclusive in each Year, notwithstanding their Successors may have been elected previously to that Day; and from and after the said Fifteenth Day of *April* every Guardian newly elected for any such Parish or Ward shall act as such Guardian for the ensuing Year.

Penalties for Malpractices at the Election of Guardians.

III. If any Person, pending or after the Election of any Guardian or Guardians, shall wilfully, fraudulently, and with Intent to affect the Result of such Election, commit any of the Acts following; that is to say, fabricate in whole or in part, alter, deface, destroy, abstract, or purloin any Nomination or Voting Paper used therein; or personate any Person entitled to vote at such Election; or falsely assume to act in the Name or on the Behalf of any Person so entitled to vote; or interrupt the Distribution or Collection of the Voting Papers; or distribute or collect the same under a false Pretence of being lawfully authorized to do so; every such Person so offending shall for every such Offence be liable, upon Conviction thereof before any Two Justices, to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Three Months, with or without Hard Labour.

Guardians empowered to subscribe to Hospital or Infirmary, with the Consent of the Poor Law Board.

IV. Whereas Doubts have been entertained with regard to the legal Authority of Guardians to subscribe towards the Funds of any Hospital or Infirmary: Be it enacted, That the Guardians of any Union or Parish may, with the Consent of the Poor Law Board, pay out of the Common Fund of such Union, or, in the Case of a Parish, out of the Funds in the Hands of such Guardians, any Sum of Money as an annual Subscription towards the Support and Maintenance of any public Hospital or Infirmary for the Reception of sick, diseased, disabled, or wounded Persons, or of Persons suffering from any permanent or natural Infirmity.

V. The

Power to Guardians to reimburse for Damage to the Property of their Officers in certain Cases.

V. The Guardians may, where they think fit, pay to or reimburse any of their Officers the Expense necessarily incurred in repairing or restoring Property belonging to such Officer which may have been unlawfully, wilfully, and maliciously damaged, injured, or destroyed by any Person applying or having applied for Relief, and such Costs and Expenses incurred in the Prosecution of the Offender as may not be allowed by the Court before which the Prosecution or Trial shall take place.

Certain poor Children of a Union or Parish may, with Consent of Poor Law Board, be sent to a Workhouse, &c. belonging to another Union or Parish (within 20 Miles) where there is adequate Accommodation.

VI. Where in any Union or Parish there shall be a Workhouse or Building having adequate Provision for the Reception, Maintenance, and Education of poor Children, and there shall be more Accommodation therein at any Time than the Guardians of such Union or Parish shall require for the poor Children of their own Union or Parish, such Guardians may, with the Consent of the Poor Law Board, contract with the Guardians of any other Union or Parish, any Part of which is not more than Twenty Miles from such Workhouse or other Building, for the Reception, Maintenance, and Instruction therein of any poor Children under the Age of Sixteen Years chargeable to such other Union or Parish, or to any Parish in such other Union, being Orphans or deserted by their Parents, or whose Parents or surviving Parent shall consent; and such last-mentioned Children while at such Workhouse or other Building shall be maintained and instructed in the same Manner in all respects as the Children of the Union or Parish to which such Workhouse or other Building shall belong, and shall be subject to the Control and Management of the Guardians of such Union or Parish, or their Officers, in like Manner as if such Children were chargeable to such Union or Parish: Provided always, that the abiding of any such Child in any such Workhouse or Building shall in all other respects be attended with the same legal Consequences as if such Workhouse or Building had been situated within the Union or Parish from which such Child shall have been sent.

Proviso.

Form of Security.

VII. Every Security for Money borrowed under the Authority of any Order of the Poor Law Commissioners or the Poor Law Board may be made according to the Form set forth in the Schedule hereunto annexed, or as near thereto as the Circumstances of the Case will admit.

Payments under suspended Orders of Removal.

VIII. Where the Execution of any Order of Justices for the Removal of a Pauper shall have been or shall be suspended, the Overseers of the Parish to which the Removal is thereby ordered to be made may from Time to Time during the Continuance of the Suspension, if they think fit, pay to the Overseers of the Parish obtaining such Order the Costs

Costs and Expenses incurred in the Maintenance and Relief of the poor Person mentioned in such Order, either directly or through the Guardians of the Union comprising either or both of such Parishes, and shall have Credit for every such Payment in the Charges allowed by any Order of Justices subsequently made.

What Justices shall have Jurisdiction to hear and determine Complaints as to Non-payment of Money to the Treasurer of the Union.

IX. Where the Overseer or any other Officer of any Parish, or any Officer of a Union, shall neglect to pay in due Course of Law Money lawfully payable by him as such Overseer or Officer to the Treasurer of such Union or Parish, residing or having his Place of Business in a County, District, or Place different from that in which such Overseer or Officer shall reside at the Time of any such Default, and by reason of such Neglect such Overseer or Officer shall be liable to be summoned before a Justice or Justices, any Justice or Justices of either County, District, or Place shall have Jurisdiction to hear and determine the Complaint.

Notice of Appeal, &c. may be sent by Post.

X. It shall be lawful and sufficient to send any Notice of Appeal against an Order of Removal, or Statement of Grounds of Appeal against such Order, by Post or otherwise, in like Manner as a Copy of an Order of Removal and Statement of Grounds of Removal may now be sent by Law.

Explanation of the Terms "Officer" and "Justices" in 9 & 10 Vict. c. 66. s. 6., and Provision for the Application of the Penalty.

XI. And whereas by the Statute of the Tenth Year of Her Majesty, Chapter Sixty-six, Section Six, any Officer of a Parish or Union wrongfully causing or procuring any poor Person to be removed or conveyed or to depart from a Parish under the Circumstances therein described is rendered punishable upon Conviction before Two Justices: And whereas it is expedient to remove Doubts which have arisen thereon: Be it enacted, That the Term "Officer" shall include any Overseer, and that the Term "Justices" shall apply to the Justices of the County or other Jurisdiction in which the Parish may be situated from or to which such poor Person shall be removed; and that the Penalty imposed by the Act shall be paid to the Overseers of the Parish to which the poor Person shall become chargeable in consequence of such unlawful Removal, Conveyance, or Departure, to be applied in aid of the Poor Rate of such last-mentioned Parish.

Power to refer, by mutual Consent, Questions of Settlement, Removal, or Charge-

XII. The Guardians of any Two Unions or Parishes, or the Guardians of a Union and the Guardians of a Parish, or the Guardians of a Union or Parish and the Overseers of any Parish, or the Overseers of any Two Parishes, between whom any Question affecting the Settlement, Removal, or Chargeability of any poor Person shall arise, may, if they think fit so to do, by Agreement in Writing

Writing, executed in respect of any Guardians by sealing with their Common Seal, and in respect of Overseers by the Signatures of a Majority of them, submit such Question to the Poor Law Board for their Decision; and the said Board may, if they see fit, entertain such Question, and by an Order under their Seal determine the same; and every such Order shall be in all Courts and for all Purposes final and conclusive, between the Parties submitting such Question, as to the Question therein determined.

Power to Poor Law Board.

XIII. And whereas by the Statute of the Tenth Year of Her Majesty, Chapter Sixty-six, Section Seven, it is enacted, that the Delivery of any Pauper under any Warrant of Removal directed to the Overseers of any Parish at the Workhouse of such Parish, or of any Union to which such Parish belongs, to any Officer of such Workhouse, shall be deemed a Delivery of such Pauper to the Overseers of such Parish: Be it enacted, That the Delivery of a written Statement of the Charges for the Maintenance of any Pauper delivered under any Order or Warrant of Removal directed to the Overseers of any Parish, at the Workhouse of such Parish, or of any Union to which such Parish belongs, to any Officer of such Workhouse, at the Time of the Delivery of such Pauper, shall be deemed a Delivery of such Statement to the Overseers of such Parish, and shall be deemed a sufficient Demand thereof in any Proceedings for the Recovery of such Charges.

As to Delivery of Statement of Charges for Maintenance of Paupers.

XIV. The Poor Law Board may, if they see fit, upon the Application or with the Consent of the Acting Members of the Board of Management, at any Time, by an Order under their Seal, dissolve any Combination of Unions or Parishes, or Unions and Parishes, formed under the Act of the Eighth Year of Her Majesty, Chapter One hundred and one, into Districts for the Purpose of providing and managing Asylums for the temporary Relief and setting to work therein of destitute houseless Poor, and, prior to issuing any such Order of Dissolution, may empower, by their Order, the Board of Management of such District to pay and apply any Funds in their Possession in discharge of any Liabilities then outstanding against such Board, and to sell and dispose of any Land, Buildings, or other Property belonging to them, and to apply the Produce of the same to the like Purpose; and any Surplus that may remain after satisfying all Liabilities shall be returned to the several Unions and Parishes in proportion to their original Contributions.

Poor Law Board empowered to dissolve any Asylum District.

Provision for its Property.

XV. The Conveyance of such Property by the Acting Members of the said Board of Management of any such District, when approved

How Conveyance may be executed.

approved and sealed by the Poor Law Board, shall be deemed valid, notwithstanding any Defect which may exist in the Number required to constitute such Board of Management.

The Limit of the Expense to be incurred in School Districts within the Metropolitan Police District extended from One Fifth to One Third.

XVI. And whereas Provision is made in the said last-mentioned Act for the Combination of Unions and Parishes into School Districts, and Authority is given to the District Board, subject to the Order of the Poor Law Board, to borrow or raise such Sum or Sums of Money as may be necessary for the Purpose of purchasing any Site, or purchasing, hiring, or building, and of fitting up and furnishing, a Building, or Buildings for such School; and it is further provided that the Principal Sum or Sums to be raised for the Purpose of providing such Building or Buildings, and charged on any Union or Parish not included in a Union, shall in no Case exceed One Fifth of the average annual Amount of the aggregate Expenditure relating to the Relief of the Poor within any Union, or of the like Expenditure within any such Parish, for Three Years ending the Twenty-fifth Day of *March* next preceding the raising of the Money: And whereas by the Act of the Fourteenth Year of Her Majesty, Chapter One hundred and one, Section Three, with reference to School Districts situated within the Metropolitan Police District, the Cost of the Site of any such School may be borrowed over and above the Amount so limited as aforesaid: And whereas it is expedient with respect to such last-mentioned School Districts that the Limit of Expenditure fixed by the said Act of the Eighth Year of Her Majesty should be enlarged: Be it therefore enacted, That in respect of any School District situated within the said Metropolitan Police District such Limit shall be enlarged from One Fifth to One Third.

Provision for Disposal of School District Property.

XVII. The Board of Management of any School District may in like Manner, and subject to the like Order, Rules, and Regulations of the Poor Law Board, as in the Case of the Guardians of a Union, exchange, demise, sell, or otherwise dispose of any Land belonging to the said District, and apply the Rents or Produce of any such Exchange, Sale, or Disposition for the Benefit of the said District in such Manner as the said Poor Law Board shall direct.

Assaults upon Poor Law Officers in the Execution of their Duty.

XVIII. The Provision in the Act of the Fourteenth Year of Her Majesty, Chapter One hundred and one, Section Nine, relative to Assaults upon certain Poor Law Officers in the Execution of their Duties, or upon Persons acting in their Aid, shall extend to an Assault upon any Person included under the Word "Officer" in the said Act of the Fifth Year of King *William* the Fourth, Chapter Seventy-six, or upon any other Person acting in his Aid.

XVII. The

XIX. The several Words used in this Act shall be construed in the Manner prescribed by the Act of the Fifth Year of King *William* the Fourth, Chapter Seventy-six, and the Statutes explaining and extending it; and all the Provisions of the said last-mentioned Act and of the said Statutes not repealed shall extend to this Act, except where any Provision would be inconsistent with anything herein contained. Construction of Terms.

XX. This Act shall extend only to *England* and *Wales*. Extent of the Act.

SCHEDULE.

Form of Security to be given for Loan obtained under the Act of the Fifth Year of King William the Fourth, or any Act incorporated therewith.

This Deed, made the Day of in the Year One thousand eight hundred , witnesseth, That in consideration of the Sum of lent and advanced to the Guardians of the Poor of the Union in the County of *or* to the Guardians of the Poor of the Parish of in the County of , *or* to the Board of Management of the District School, *or* to the Overseers of the Poor of the Parish of in the County of , under the Provisions of the Act [*here state the Act authorizing the Loan*], and in pursuance of and upon the Authority of the Order of the Poor Law Board bearing Date the Day of , by [*here set out the Name and Description of the Public Board, Commissioners, or Company, or the Person lending the Money*], the Receipt of which Sum is testified by the Memorandum at the Foot hereof by our Treasurer, *or* (*in the Case of the Overseers*) by us, we, the said Guardians, *or* we, the said Board of Management, *or* we, the said Overseers, do hereby charge the future Poor Rates to be raised in the several Parishes comprised in the said Union, namely [*here set out the Names of the Parishes comprised in the Union*], *or* in the several Unions and Parishes comprised in the said District, namely [*here set out the Unions and Parishes combined in the District*], *or* in the said Parish, with the Repayment to the said of the said Sum of by [*here insert the Number of yearly Instalments by which the Loan is to*

to be repaid, not exceeding the Number limited by the Statute or Statutes under which it is advanced, but including those to which the Time of Repayment has been extended under any Statute in that Behalf] Instalments, on the Days in the Years following; that is to say, the Sum of on the Day of in the Year 18 , the Sum of on the Day of in the Year 18 , the Sum of on the Day of in the Year 18 , together with Interest at the Rate of Pounds per Centum per Annum, by yearly Payments on the Days aforesaid, *or* by half-yearly Payments on the Day of and on the Day of in every Year, upon the Principal for the Time being unpaid, according to the Terms of this Security: Provided that nothing herein contained shall prevent the said from receiving the Repayment of the whole or any Part of the aforesaid Sum at any Time before the Day of Payment of the last Instalment, if willing to do so.

In testimony whereof we, the Guardians aforesaid, *or* we, the said Board of Management, have hereunto affixed our Common Seal, *or* we, the said Overseers, have hereunto set our Hands and Seals.

(L.S.) (L.S.) (L.S.)

Received this Day of the above-mentioned Sum of from the said .

A.B., Treasurer of the Union, *or* Parish, *or* District Board.

C.D. and *E.F.*, Overseers of the Poor of the said Parish.

Registered by the Poor Law Board this Day of 18 .

Seal of the Poor Law Board (L.S.)

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Printers to the Queen's most Excellent Majesty. 1851.