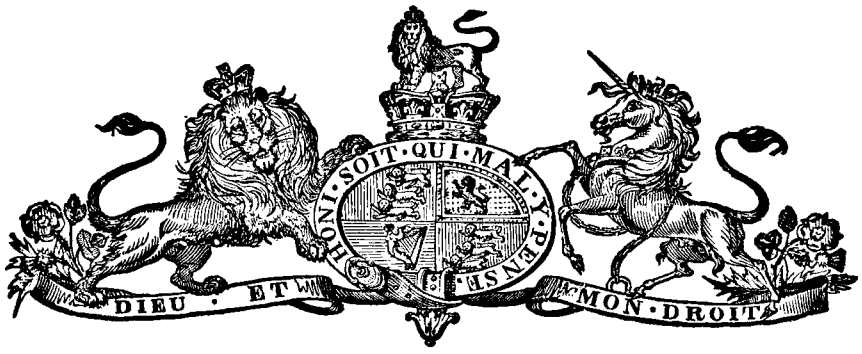


ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

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CAP. XI.

An Act for the better Protection of Persons under the Care and Control of others as Apprentices or Servants; and to enable the Guardians and Overseers of the Poor to institute and conduct Prosecutions in certain Cases.

[20th *May* 1851.]

WHEREAS it is expedient to make Provision for the better Protection of Persons who are under the Care and Control of others as Apprentices or Servants: 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,

I. That where the Master or Mistress of any Person shall be legally liable to provide for such Person, as an Apprentice or as a Servant, necessary Food, Clothing, or Lodging, and shall wilfully and without lawful Excuse refuse or neglect to provide the same, or where the Master or Mistress of any such Person shall unlawfully and maliciously assault such Person whereby the Life of such

Persons refusing or neglecting to supply necessary Food to Apprentices or Servants, or unlawfully assaulting them, guilty

of a Misdemeanor.

Person shall be endangered, or the Health of such Person shall have been or shall be likely to be permanently injured, such Master or Mistress shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to be imprisoned, with or without Hard Labour, in the Common Gaol or House of Correction, for any Term not exceeding Three Years.

Costs of Prosecution.

II. That the Costs and Expenses of the Prosecution of any such Misdemeanor as aforesaid may be allowed and ordered by the Court before which the Indictment shall be tried, in like Manner as the Costs of the Prosecution in certain Cases of Misdemeanor under the Act of the Seventh Year of the Reign of King *George* the Fourth, Chapter Sixty-four, or may be allowed and ordered by the Court of Queen's Bench, in case the Indictment shall have been removed into that Court, to be paid by the Treasurer of the County or other Officer who would have been liable to pay under the Order of the Court in which, but for such Removal, the Indictment would have been tried.

A Register to be kept of young Persons hired or taken as Servants from any Workhouse.

III. That the Guardians of every Union and of every separate Parish under the Management of a Board of Guardians, and the Overseers of every Parish not in Union or under the Management of a Board of Guardians, shall provide and keep a Book or Books, and shall cause to be registered therein the Name of every young Person under the Age of Sixteen who shall hereafter be hired or taken as a Servant from the Workhouse of such Union or Parish, together with the several other Particulars specified in the Schedule hereunto annexed; and every such Entry shall be signed by the presiding Chairman of such Board of Guardians at an Ordinary Meeting thereof, or by some One of such Overseers; provided that nothing herein contained shall be taken to supersede or affect the Obligation to keep such Register of poor Children apprenticed by Overseers or Guardians as is required by the Statute of the Forty-second Year of King *George* the Third, Chapter Forty-six, and the Statute of the Eighth Year of Queen *Victoria*, Chapter One hundred and one.

Not to supersede Obligation to keep Register as required by 42 G. 3. c. 46. and 7 & 8 Vict. c. 101.

Young Persons hired from Workhouses or bound out as Pauper Apprentices to be visited periodically by Officer of Guardians or Overseers.

IV. That where any young Person under the Age of Sixteen shall have been or shall be hired or taken as a Servant from the Workhouse of any Union or Parish, or shall have been or shall be bound out as an Apprentice by the Guardians of any Union, or the Guardians or Overseers of any Parish, it shall be lawful for such Guardians or Overseers respectively, and they are hereby required, so long as such young Person shall be under the Age of Sixteen, and shall be known to them to reside as Servant or Apprentice in the same Service into which such young Person shall have so gone as a

Servant from such Workhouse or as such Apprentice within such Union or Parish respectively, or within Five Miles of any Part of such Union or Parish, to cause the Relieving Officer, or, where there is no Relieving Officer, then some other Officer duly authorized for the Purpose, to visit such young Person at least twice in every Year, and to report to them in Writing whether he has found Reason to believe that such young Person is not supplied with necessary Food, or is subjected to cruel or illegal Treatment in any respect.

As to young Persons hired or bound to Masters residing at a Distance from Unions or Parishes.

V. That where any young Person under the Age of Sixteen shall hereafter be hired or taken as a Servant from the Workhouse of any Union or Parish, or shall be bound out as an Apprentice by the Guardians of any Union, or by the Guardians or Overseers of any Parish, and the Residence of the Master or Mistress shall be more than Five Miles from any Part of such Union or Parish, then a written Notice of such hiring, taking, or binding, specifying the Name and Age of the Apprentice or Servant, and the Name, Description, and Residence of such Master or Mistress, shall be forthwith sent from such Guardians or Overseers to the Guardians or Overseers of the Union or Parish in which such Master or Mistress shall reside; and thereupon it shall become the Duty of such last-mentioned Guardians or Overseers to cause the Particulars contained in such Notice to be registered in some Book or Books, to be provided by them for the Purpose, together with the Name of the Union or Parish from which such Notice shall have been received; and such last-mentioned Guardians or Overseers shall cause such young Person to be visited as frequently and in the same Manner in all respects as if such young Person had been hired or taken from their own Workhouse, or had been bound out as an Apprentice by themselves.

Guardians and Overseers authorized and required to prosecute in certain Cases.

VI. That where any Complaint shall be made of an Offence against this Act, or of any bodily Injury inflicted upon any poor Person under the Age of Sixteen Years, for which the Party committing it is liable to be indicted, and the Circumstances of which Offence amount in point of Law to a Felony or an Attempt to commit a Felony, or an Assault with Intent to commit a Felony, and Two Justices of the Peace before whom the Examination is taken shall certify under their Hands that they deem it necessary for the Purposes of public Justice that the Prosecution should be conducted by the Guardians of the Union or of the Parish, or where there are no Guardians by the Overseers of the Parish, in which the Offence shall have been committed, such Guardians or Overseers, as the Case may be, shall, upon personal Service of such Certificate or a Duplicate thereof upon the Clerk of such Guardians, or upon any One of such Overseers, conduct the Prosecution, and shall pay the Costs reasonably and properly

Costs of Prosecution.

properly incurred by them therein (so far as the same shall not be allowed to them under any Order of the Court trying the Indictment, or of the Court of Queen's Bench), out of the Common Fund of the Union, or out of the Funds in the Hands of the Guardians or Overseers (as the Case may be) of such Parish.

Justice empowered to bind over Officer of Guardians or an Overseer to prosecute.

VII. That in the Case of a Union or Parish under a Board of Guardians the Clerk or some other Officer of such Union or Parish, and in the Case of a Parish not under a Board of Guardians One of the Overseers thereof, may, if such Two Justices of the Peace before whom the Examination is taken shall deem it necessary for the Purposes of public Justice and shall certify as herein-before mentioned, be bound over to prosecute.

Interpretation of Terms.

VIII. That the Words "Guardians," "Union," "Overseers," "Justice of the Peace," "Officer," "Poor," "Parish," and "Workhouse," used in this Act, shall be construed in like Manner as in the Act of the Fifth Year of the Reign of King *William* the Fourth, Chapter Seventy-six.

Extent of Act.

IX. That this Act shall extend only to *England* and *Wales*.

SCHEDULE.

FORM OF REGISTER.

Name of Child.	Age.	Date of hiring or taking as Servant.	Name of Master or Mistress.	Trade or other Description of Master or Mistress.	Residence of Master or Mistress.

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