

ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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CAP. CIX.

An Act for the Administration of the Laws for Relief of the Poor in *England*. [23d *July* 1847.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales; and divers Acts have since been passed for the Amendment of the said Act, or otherwise relating to the Laws for the Relief of the Poor in *England*: And whereas the Administration of the Laws for the Relief of the Poor in *England* is subject to the Direction and Control of the Poor Law Commissioners, whose Commission will expire at the End of the Session of Parliament next after the Thirty-first Day of *July* in this Year, and it is expedient to make further Provision for the Administration of the said Laws: Be it 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 it shall be lawful for Her Majesty, by any Letters Patent, or by any Commission or Commissions to be issued under the Great Seal of *Great Britain*, from Time to Time to nominate, constitute, and appoint during Pleasure such Person or Persons as Her Majesty shall think fit to be and who shall accordingly be and be styled "Commissioners for administering the Laws for Relief of the Poor in *England*;" and whenever in this Act the Word Commissioners shall be used without Addition it shall be taken to mean the said Commissioners for administering the Laws for Relief of the Poor in *England*.

4 & 5 W. 4. c. 76.

Appointment of Commissioners.

II. And

Commissioners ex-officio.

II. And be it enacted, That the Lord President of the Council, the Lord Privy Seal, Her Majesty's Principal Secretary of State for the Home Department, and the Chancellor of the Exchequer for the Time being shall be, by virtue of their respective Offices, Commissioners for administering the Laws for Relief of the Poor in *England*, with the Person or Persons nominated in any such Letters Patent or Commission as aforesaid, and shall have the same Powers as if they were expressly nominated in such Commission.

When Commissioners shall enter on their Office.

III. And be it enacted, That Notice of the Issue of every such Commission shall be published in the *London Gazette;* and the Commissioners first appointed under this Act shall enter on their Office, and all the Powers by this Act vested in them shall take effect, on the Day after the first Publication of such Notice in the *London Gazette.*

Who shall preside at Meetings of the Commissioners.

IV. And be it enacted, That the Commissioner first named in any such Letters Patent or Commission for the Time being shall be and be styled the "President;" and whenever in the Absence of the President Two or more of the Commissioners shall meet for the Execution of any Powers vested in them by this Act, the Commissioner next in order of Nomination in the said Commission or this Act, of those who shall be present, shall for that Turn preside; and if the Commissioners present at any Meeting shall be equally divided in Opinion upon any Question before them, the President, or in his Absence the Commissioner presiding at that Meeting, shall have a Second or casting Vote.

Seal of the Commissioners.

V. And be it enacted, That the Commissioners shall cause a Seal to be made for their Use, and such Seal shall have the same Force and Effect as the Seal of the Poor Law Commissioners now has in *England*, and Documents purporting to be sealed or stamped therewith shall be received in Evidence in like Manner and with the like Effect as Documents sealed or stamped with the Seal of the Poor Law Commissioners are now received in Evidence.

Appointment of Secretaries, Clerks, &c.

VI. And be it enacted, That the Commissioners shall from Time to Time, by Order under their Seal, appoint Two Secretaries, and may, by a like Order under their Seal, remove any Secretary so appointed, and shall also from Time to Time appoint so many Clerks, Messengers, and Servants as shall be allowed by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury; and all the Persons so appointed shall hold their Offices during the Pleasure of the Commissioners.

Who are competent to act in execution of Act.

VII. And be it enacted, That any Two of the said Commissioners, or the said President alone, except as herein-after provided, shall be competent to act in the Execution of any Powers vested in the Commissioners by this Act; provided that no Act of the Commissioners which is required to be under their Seal, or which, if done by the Poor Law Commissioners, must have been done under their Hands and Seal, shall be of any Validity unless it shall purport to be signed by at least Two of the Commissioners, or by the President, and if signed by the President alone, countersigned by one of the Secretaries to the Commissioners; and during any Vacancy among

the Commissioners, the surviving or continuing Commissioners or Commissioner may continue to act with the same Powers and in the same Manner respectively as before such Vacancy.

Salaries.

VIII. And be it enacted, That there shall be paid to the President and to the said Secretaries, Clerks, Messengers, and Servants, such Salaries as shall be from Time to Time regulated by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, but no Commissioner, other than the said President, shall be entitled to have any Salary or Remuneration for acting in the Execution of this Act.

President and One Secretary may sit in the House of Commons.

IX. And be it enacted, That the Office of President shall not be deemed such an Office as shall render the Person holding such Office incapable of being elected, or of sitting or voting as a Member of the Commons House of Parliament, or as shall avoid his Election if returned, or render him liable to any Penalty for sitting or voting in Parliament; and that One only of the said Secretaries shall at the same Time be capable of sitting and voting in the Commons House of Parliament.

Transfer of Powers and Duties of the Poor Law Commissioners.

X. And be it enacted, That on the Day on which the Commissioners first appointed under this Act shall enter on their Office, all the Powers and Duties of the Poor Law Commissioners with respect to the Administration or Control of the Administration of Relief to the Poor throughout *England*, and all other Powers and Duties now vested in them, shall be transferred to and vested in the Commissioners, and shall be thenceforth exercised by them, and by the Commissioners appointed from Time to Time in and by any new Commission or Letters Patent under the Provisions of this Act, and all Provisions in any Act relating to the Administration of Relief to the Poor in *England*, or to the Powers or Duties of the Poor Law Commissioners, shall be construed as if in the said several Acts the Commissioners had been named instead of the Poor Law Commissioners, subject nevertheless to any Amendments made by this Act, either as to the Substance or Manner of exercising any of the Powers of the said Poor Law Commissioners; and at the same Time all Powers and Authorities vested by any Act in the Poor Law Commissioners appointed under the first-recited Act, or any Act passed for the Amendment thereof, shall cease, and all Secretaries, Assistant Secretaries, Clerks, Messengers, and Officers appointed and employed by the said Poor Law Commissioners in the Business of their Office shall cease to hold their several Offices and Employments.

Power to summon Witnesses.

XI. And be it enacted, That the Commissioners, by Summons under their Seal, may require the Attendance of all Persons upon any Matter connected with the Execution of any of the Powers by Law vested in them at such Time and Place as shall be set forth in the Summons, and may make Inquiry and require Returns, and require and enforce the Production upon Oath of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, or Copies thereof respectively, in anywise relating to any such Matter, and the Commissioners or any One of them may upon such Matters administer Oaths, and examine upon Oath all Persons so brought before

before them or him, and, when they or he shall think fit, instead of requiring such Oath as aforesaid, may require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, that no Person shall be required, in obedience to any such Order, to go more than Ten Miles from the Place of his Abode: Provided also, that nothing herein contained shall empower the Commissioners to require the Production of the Title, or of any Paper or Deed relating to the Title of any Lands, Tenements, or Hereditaments, not being the Property of any Parish or Union.

Repeal of certain Enactments as to the Records of the Commissioners. 5 & 6 Vict. c. 57.

XII. And be it enacted, That so much of the said Act of the Fifth Year of the Reign of His late Majesty, or of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to continue until the Thirty-first Day of* July *One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Poor Law Commission, and for the further Amendment of the Laws relating to the Poor in* England, or of any other Act as would require any Minute of the Opinion of each of the Commissioners to be made in the Record of their Proceedings in Cases of final Difference of Opinion upon any Order or Proceeding, or as would require any Record or general Report of the Proceedings of the Commissioners to be submitted to one of Her Majesty's Principal Secretaries of State, shall be repealed.

Annual Report to Her Majesty to be laid before Parliament.

XIII. And be it enacted, That the Commissioners shall once in every Year submit to Her Majesty a general Report of their Proceedings, and every such general Report shall be laid before both Houses of Parliament within Six Weeks after the Date thereof if Parliament be then sitting, or if Parliament be not then sitting, within Six Weeks after the next Meeting of Parliament.

How Rules are to be made.

XIV. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office the Power vested in the Poor Law Commissioners to make Rules, Orders, and Regulations, and from Time to Time to vary or rescind the same, shall be vested in the Commissioners constituted under this Act, to be exercised by them in the Manner herein-after specified, and the Commissioners shall make all such Rules, Orders, and Regulations under their Seal, except such as are intended only for their own Guidance or Procedure, or for the Guidance or Procedure of any Persons appointed or employed by them for the Business of their Office, and shall make all General Rules under their Seal, and under the Hands of Three or more of the Commissioners, of whom the President shall be One.

Definition of General Rules.

XV. And be it enacted, That every Rule, Order, or Regulation of the Commissioners which at the Time of issuing the same shall be directed to and affect more than One Union, shall be deemed a General Rule, and every Rule, Order, and Regulation made to vary or rescind a General Rule, whether it be directed to or affect One or more than One Union, shall also be deemed a General Rule.

Repeal of Part of

XVI. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office

Office so much of the said Act of the Fifth Year of the Reign of His late Majesty as relates to the making of General Rules by the Poor Law Commissioners, or to the Time or Manner when or how any such General Rule shall operate or take effect, or to the Disallowance of any such General Rule, or any Part thereof, shall be repealed. 4 & 5 W. 4. c. 76. as to making General Rules.

XVII. And be it enacted, That if Her Majesty shall be pleased at any Time, by the Advice of Her Privy Council, to disallow any such General Rule, or any Part thereof, the same, so far as it shall have been so disallowed, shall cease to be of any Force or Validity, except as to all Things lawfully done under the same before such Disallowance, which shall be and continue to be valid. Disallowance of General Rules by the Queen in Council.

XVIII. Provided always, and be it declared and enacted, That all lawful Rules, Orders, and Regulations of the Poor Law Commissioners made before the Day on which the Commissioners first appointed under this Act shall enter on their Office shall continue in full Force and Effect until rescinded or varied under the Authority of this Act. Confirmation of existing Rules.

XIX. And be it enacted, That the Commissioners shall from Time to Time, by Order under their Seal, appoint so many fit Persons as shall be allowed by the Lord High Treasurer or Commissioners of Her Majesty's Treasury, to be Inspectors, to assist in the Execution of this Act and of other Acts now or which shall be hereafter in force for the Relief of the Poor in *England*, and may from Time to Time assign to the Inspectors so appointed, or any of them, such Duties in the Execution of this Act as they think fit; and the Commissioners, by Order under their Seal, may remove all or any of the said Inspectors, and appoint others in their Stead; and there shall be paid to every such Inspector such Salary as shall be from Time to Time regulated by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury. Appointment of Inspectors.

XX. And be it enacted, That the said Inspectors, and each of them, shall be entitled to visit and inspect every Workhouse or Place wherein any poor Person in receipt of Relief shall be lodged, and to attend every Board of Guardians and every parochial and other local Meeting held for the Relief of the Poor, and to take Part in the Proceedings, but not to vote at such Board or Meeting. Duties of Inspectors.

XXI. And be it enacted, That the said Inspectors may summon before them such Persons as they may think necessary for the Purpose of being examined before them upon any Matter concerning the Administration of the Laws relating to the Relief of the Poor, or any other Matter placed by Law under the Control or Regulation of the Commissioners, or for the Purpose of producing and verifying upon Oath any Books, Contracts, Agreements, Accounts, Writings, or Copies of the same, in anywise relating to such Matter, and not relating to or involving any Question of Title to any Lands, Tenements, or Hereditaments not being the Property of any Parish or Union, and may examine any Person whom they shall so summon, or who shall voluntarily come before them to be examined upon any such Matter upon Oath, which each of the said Inspectors shall be Inspectors may summon Witnesses.

empowered to administer, or instead of administering an Oath, the Inspector may require the Party examined to make and subscribe a Declaration of the Truth of the Matter respecting which he shall have been or shall be so examined; and all Summonses made by any such Inspector for any such Purpose as aforesaid shall be obeyed by all Persons as if such Summons had been the Summons and Order of the Commissioners, and the Nonobservance thereof shall be punishable in like Manner; and that the Costs and Expences of such Person so summoned shall be paid in such Cases and in such Manner as the Costs and Expences of Persons summoned under the Authority of the first-recited Act are now payable: Provided always, that no Person shall be required in obedience to any such Summons to go or travel more than Ten Miles from his Place of Abode.

Special Inquiries.

XXII. And be it enacted, That so much of the said Act of the Sixth Year of the Reign of Her Majesty as relates to the Appointment of any Assistant Commissioner or of any Person for the Purpose of conducting any special Inquiry as an Assistant Commissioner shall be repealed; and that, whenever it may seem fitting to the Commissioners, they, with the Consent of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, may appoint some fit Person to act as an Inspector for the Purpose of conducting any special Inquiry for a Period not exceeding Thirty Days, and the said Commissioners may 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.

Persons, being married, above 60 Years of Age, not compelled to live apart in Workhouses.

XXIII. Provided always, and be it enacted, That when any Two Persons, being Husband and Wife, both of whom shall be above the Age of Sixty Years, shall be received into any Workhouse, in pursuance of the Provisions of the said recited Act or of this Act, or of any Rule, Order, or Regulation of the Commissioners appointed by Authority of this Act, such Two Persons shall not be compelled to live separate and apart from each other in such Workhouse.

For ensuring the due Visitation of Workhouses.

XXIV. And be it enacted, That in all Cases where Boards of Guardians neglect to appoint a Visiting Committee for the Purpose of visiting the Workhouse of the Union, or when Three Months shall have elapsed during which such Committee shall have neglected to visit such Workhouse, the Poor Law Commissioners shall be required to appoint a Visitor, not being one of the Guardians, at a Salary to be fixed by them, to be paid out of the general Fund of the Union: Provided always, that the Appointment of any such paid Visitor shall cease at the Expiration of Three Calendar Months next after the Appointment of any Visiting Committee by the Guardians, subject nevertheless to his Re-appointment in case of any Repetition of such Neglect of the Guardians or Visiting Committee as aforesaid.

For Confirmation of the Proceedings of Boards of Guardians.

XXV. And be it enacted, That in any civil or criminal Proceeding it shall not be necessary to prove the sending of the original Order of the Poor Law Commissioners, or of the Commissioners constituting any Board of Guardians, in any Case in which any Persons professing to form a Board in obedience to such Order shall have taken upon themselves to act, and shall have continued for Three Years to act,

act, in the Execution of the Laws for the Relief of the Poor; and in no Proceeding shall it be lawful to question the Qualification or Validity of the Election of any Person as a Guardian after the End of Twelve Months next following the Election, or the Time when the alleged Disqualification or Want of Qualification of the Person against whom such Proceeding shall be directed shall have arisen.

Penalties for giving false Evidence, or refusing to give Evidence.

XXVI. And be it declared and enacted, That every Person who upon any Examination under the Authority of this Act shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, shall, on being convicted thereof, suffer the Pains and Penalties of Perjury; and every Person who shall refuse or wilfully neglect to attend in obedience to any Summons of the Commissioners, or any Inspector, or to give Evidence, or who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof, shall be deemed guilty of a Misdemeanor.

Confirmation of Proceedings under recited Acts.

XXVII. And be it enacted, That, save when varied or repealed by this Act, and subject to the Provisions herein contained, all the Powers and Provisions of the recited Acts and of all other Acts relating to the Relief of the Poor in *England*, and every Thing lawfully done under the same, or in pursuance thereof, and all lawful Acts and Proceedings of the Poor Law Commissioners, and their Assistant Commissioners, and any Officers acting under them, or in virtue of the said Acts, or any of them, or under their Authority, or by any other Person acting in the Administration of the Laws for the Relief of the Poor in *England*, on or before the Day when the Commissioners first appointed under this Act shall enter on their Office, shall be as valid as if this Act had not been passed; and every Suit or other Proceeding civil or criminal, begun before the last-mentioned Day, in the Name and under the Authority of the Poor Law Commissioners, shall have the same Force and Effect, if continued in their Names under the Sanction of the Commissioners, as if the Poor Law Commissioners had continued to act in execution of the said Acts of Parliament; and nothing herein contained shall in any way take away or interfere with any Right of Action or of Defence to the same, or any Liability to be sued or prosecuted for any Penalty, for or against any Person under the said Acts, or any of them, according to the respective Provisions thereof, which shall have accrued wholly or in part before the last-mentioned Day.

Commission to continue for Five Years.

XXVIII. Provided always, and be it enacted, That no Commissioner constituted under this Act, nor any Inspector, Secretary, or other Officer or Person to be appointed and employed by the Commissioners in the Business of their Office under this Act, shall continue to hold his respective Office under this Act, or exercise any of the Powers given by this Act, for a longer Period than Five Years next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament; and from and after the Expiration of the said Period of Five Years, and of the then next Session

Session of Parliament, so much of this Act as enables Her Majesty to appoint any Commissioner shall cease to operate or to have any Effect whatever.

Interpretation of Act.

XXIX. And be it enacted, That this Act shall be construed in the same Manner as the said Act of the Fifth Year of the Reign of His late Majesty and the said Act of the Sixth Year of the Reign of Her Majesty, and the several Acts passed for the Amendment of the said Acts or either of them, and as One Act with the same, and with the Acts and Provisions thereby directed to be construed as One Act, unless where otherwise directed by this Act.

Act may be amended, &c.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1847.