CHAP. cxxiii.

An Act to confirm three Provisional Orders made by the Poor Law Board under the Poor Law Amendment Act, 1867, with reference to the city of Chester, the incorporated hundreds of Tunstead and Happing in the county of Norfolk, and the parish of Woolavington in the county of Sussex. A.D. 1869.

[26th July 1869.]

WHEREAS the Poor Law Board have made three Provisional Orders, under the authority of the Poor Law Amendment Act, 1867, with reference to the relief of the poor in the city of Chester, the incorporated hundreds of Tunstead and Happing in the county of Norfolk respectively, and for the distribution of the several parts of the parish of Woolavington in the county of Sussex, and the creation of two new parishes therefrom; and it is requisite that the same should be confirmed by Parliament:

Now therefore 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, as follows:

Provisional Orders of the Poor Law Board dated respectively 11th Feb. 1869, 21st April 1869, 14th June 1869, confirmed.

1. That the said Orders shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force, which orders are in the terms following:—

A.D. 1869.

CHESTER INCORPORATION.

To the guardians of the poor within the city and county of the city of Chester;—

To the churchwardens and overseers of the poor of the parishes within the said incorporation;—

To the clerk or clerks to the justices of the petty sessions held for the division or divisions in which the parishes comprised in the said incorporation are situate;—

And to all others whom it may concern.

Whereas by "The Poor Law Amendment Act, 1867," it was (among other things) enacted as follows; that is to say, "Where in any union or "parish not being within the Metropolis as defined by the Metropolitan Poor "Act, 1867, the relief of the poor, or the making and levying of the poor rate, "is subject to the control or regulation of any local Act, it shall be competent "for the guardians of such union or parish having powers to exercise or duties "to discharge under such Act to apply to the Poor Law Board to issue an "Order to repeal the whole or any part of such local Act, or to alter the same, "such application having been agreed to by the majority at two successive "meetings of the said guardians, and being forwarded in writing under the "hand of the presiding chairman of the second of such meetings to the said "board; and the said board may, if after due inquiry they shall deem it "expedient, make and issue a Provisional Order for such repeal or alteration, "and shall take all necessary steps for the confirmation of such Order by Act "of Parliament, but previously to such confirmation the said Order shall not "be of any validity whatever; and every Act of Parliament confirming such "Order shall be deemed a public general Act:"

And whereas a local Act was passed in the second year of the reign of King George the Third, intituled "An Act for better regulating the poor; "maintaining a nightly watch; lighting, paving, and cleansing the streets, "rows, and passages; providing fire-engines and firemen; and regulating the "hackney coachmen, chairmen, carmen, and porters, within the city of "Chester:"

And whereas so much of the said Act as related to the appointment and election of the commissioners therein mentioned, and the raising of money, and removal and prevention of nuisances, hath been since repealed:

And whereas by the said Act of the second year of King George the Third certain persons therein described, and their successors, so appointed and elected as therein mentioned, were declared to be incorporated by the name of the guardians of the poor within the city and county of the city of Chester; and whereas such persons so incorporated were constituted a body to employ, support, and maintain the poor of all the nine parishes within the city of Chester, and as such are guardians within the meaning of the said first-recited Act:

And whereas two successive meetings of the said guardians have been held, that is to say, on the tenth and the thirteenth days of December last, at which meetings the following resolution was passed:—

"That the local Act of this incorporation passed in the 3rd year of the reign
" of His Majesty George the 3rd be repealed, and the Poor Law
" Amendment Act of the 4th and 5th William the 4th, cap. 76, be
" adopted in lieu thereof, and that application be made to the Poor
" Law Board to issue their Order for carrying the same into effect, in
" accordance with the 2nd section of 'The Poor Law Amendment
" Act, 1867:'"

And the said guardians have made application to us, the Poor Law Board, by writing under the hand of the chairman of the second of such meetings:

Now therefore we, the Poor Law Board, having duly considered the said application, do make this Provisional Order under the seal of the said Board; that is to say,

The said local Act, so far as it now remains in force, shall, from and after the twenty-ninth day of September next, be wholly repealed, except in regard to all acts of the said Board of Guardians then incomplete, and in regard to all rates and other monies due and owing under the authority of such Act, and of all debts owing by the said guardians, and of all claims and demands then outstanding, in respect whereof the provisions of the said Act shall continue in force until the Poor Law Board shall have made a proper adjustment of all claims, demands, and debts between the several parishes now comprised in the incorporation, and the persons having claims or demands against the said parishes:

Upon the repeal of the said Act taking effect, the churchwardens and overseers of the several parishes separately shall have all the same rights, privileges, and powers, and be subject to all the same liabilities and responsibilities, as the churchwardens and overseers of any parish which is not governed by any local Act:

The provisions contained in the twentieth section of "The Poor Law Amendment Act, 1867," shall be applied to this incorporation upon the repeal of the said Act.

Given under our hand and seal of office, this eleventh day of February in the year one thousand eight hundred and sixty-nine.

(L.S.) GEORGE J. GOSCHEN,
President.

ARTHUR W. PEEL,
Secretary.

A.D. 1869.

TUNSTEAD AND HAPPING INCORPORATED HUNDREDS.

To the directors and acting guardians of the poor within the hundreds of Tunstead and Happing;—

To the churchwardens and overseers of the poor of the parishes comprised within the said incorporation;—

To the clerk or clerks to the justices of the petty sessions held for the division or divisions in which the said parishes are situate;—

And to all others whom it may concern.

WHEREAS by "The Poor Law Amendment Act, 1867," it was (among other things) enacted as follows; that is to say, "Where in any union or parish "not being within the Metropolis as defined by the Metropolitan Poor Act, "1867, the relief of the poor, or the making and levying of the poor rate, is "subject to the control or regulation of any local Act, it shall be competent "for the guardians of such union or parish having powers to exercise or duties "to discharge under such Act to apply to the Poor Law Board to issue an "Order to repeal the whole or any part of such local Act, or to alter the same, "such application having been agreed to by the majority at two successive "meetings of the said guardians, and being forwarded in writing under the "hand of the presiding chairman of the second of such meetings to the said "board; and the said board may, if after due inquiry they shall deem it "expedient, make and issue a Provisional Order for such repeal or alteration, "and shall take all necessary steps for the confirmation of such Order by Act "of Parliament, but previously to such confirmation the said Order shall not "be of any validity whatever; and every Act of Parliament confirming such "Order shall be deemed a public general Act:"

And whereas a local Act was passed in the twenty-fifth year of the reign of King George the Third, intituled "An Act for the better relief and employ-"ment of the poor within the hundreds of Tunstead and Happing in the county "of Norfolk," which Act was extended by another local Act passed in the fifth year of the reign of King George the Fourth, intituled "An Act for altering "and enlarging the powers of an Act of His late Majesty King George the Third "for the better relief and employment of the poor within the hundreds of "Tunstead and Happing in the county of Norfolk:"

And whereas by the said Act of the twenty-fifth year of the reign of King George the Third certain persons therein described, and their successors, so appointed and elected as therein mentioned, were declared to be incorporated by the name of "the guardians of the poor within the hundreds of Tunstead "and Happing in the county of Norfolk;" and whereas certain persons, under the name of directors and acting guardians, elected under the provisions of the said Act, have been constituted a body to employ, support, and maintain the poor of all the parishes within the hundreds of Tunstead and Happing, and as such are guardians within the meaning of the said first-recited Act:

And whereas two successive meetings of the said directors and acting guardians have been held, that is to say, on the fifth and the twelfth days of January last, at which meetings the following resolution was passed:—

"That it is expedient that application be made under section two of 'The "Poor Law Amendment Act, 1867,' to the Poor Law Board to make and "issue a Provisional Order for the repeal of the whole of the local Acts "25th George III. and the 5th George IV., relating to the relief of the "poor within the hundreds of Tunstead and Happing in the county of "Norfolk:"

And the said directors and acting guardians have made application to us, the Poor Law Board, by writing under the hand of the chairman of the second of such meetings:

Now therefore we, the Poor Law Board, having duly considered the said application, do make this Provisional Order under the seal of the said Board; that is to say,

The said local Acts shall, from and after the twenty-ninth day of September next, be wholly repealed, except in regard to all acts of the said board of directors and acting guardians then incomplete, and in regard to all rates and other monies due and owing under the authority of such Acts, and of all debts owing by the said directors and acting guardians, and of all claims and demands then outstanding, in respect whereof the provisions of the said Acts shall continue in force until the Poor Law Board shall have made a proper adjustment of all claims, demands, and debts between the several parishes now comprised in the incorporation, and the persons having claims or demands against the said parishes:

Upon the repeal of the said Acts taking effect, the churchwardens and overseers of the several parishes separately shall have all the same rights, privileges, and powers, and be subject to all the same liabilities and responsibilities, as the churchwardens and overseers of any parish which is not governed by any local Act:

The provisions contained in the twentieth section of "The Poor Law Amendment Act, 1867," shall be applied to this incorporation upon the repeal of the said Acts.

Given under our hand and seal of office, this twenty-first day of April in the year one thousand eight hundred and sixty-nine.

(L.S.)

George J. Goschen,
President.

H. Fleming,
Secretary.

A.D. 1869.

MIDHURST UNION.

Parish of Woolavington.

To the guardians of the poor of the Midhurst Union in the counties of Sussex and Southampton;—

To the churchwardens and overseers of the poor of the parish of Woolavington in the said union;—

To the churchwardens and overseers of the poor of the several other parishes and places comprised in the said union;—

To the clerk or clerks to the justices of the petty sessions held for the division or divisions in which the said union is situate;—

And to all others whom it may concern.

Whereas the Poor Law Commissioners, by an Order dated the sixteenth day of April one thousand eight hundred and thirty-five, declared that the parishes and places named in the margin thereof should, on the twelfth day of May then next, be united for the administration of the laws for the relief of the poor, and form the Midhurst Union in the counties of Sussex and Southampton:

And whereas the parish of Woolavington in the said county of Sussex is set forth in the margin of the said Order as a parish which separately maintained its own poor:

And whereas by "The Poor Law Amendment Act, 1867," it was (among other things) enacted as follows; that is to say, "Where several parts of "any parish are separated from one another or intermixed with an adjoining "parish, or where a parish is of great extent in area, and an application in "writing shall be made to the Poor Law Board by one tenth part in value "of owners of property and ratepayers in the parish or parishes respectively "interested in the subject, the said board may, if satisfied by public inquiry "on the spot, after fourteen days public notice of the time, place, and object "of such intended inquiry, that the relief to the poor can be better administered "in the parish or parishes by means of such re-adjustment or division as "herein-after mentioned, make an Order under seal for re-adjusting or dividing "the said parishes according to the terms of the application, and for the "purposes and objects set forth therein, or with such modifications as they "shall deem expedient, and such Order shall be made provisionally, and shall "be submitted to Parliament, to be confirmed in the manner therein-before "set forth:"

And whereas the said parish of Woolavington is composed of several parts, which are separated from one another and intermixed with adjoining parishes:

And whereas an application in writing has been made to the Poor Law Board, under the hands of certain persons purporting to be one tenth part and upwards in value of owners of property and ratepayers in the several parishes of Woolavington, Fernhurst, and Terwick, all in the said county of Sussex, and in the said Midhurst Union, interested in the said re-adjustment and division,

requesting the said Poor Law Board to make an Order under seal for re-adjusting and dividing the said parishes as follows; that is to say,—

1. To annex so much of the said parish of Woolavington as adjoins the said parish of Fernhurst, and which is distinguished on the plan which accompanies this application by red colour, to the last-mentioned parish, for all purposes connected with the relief of the poor, the repair of the highways, the making and collection of all parliamentary, county, and parochial rates, taxes, impositions, and assessments, the preparation of the lists of voters, jurymen, and constables, all petty sessional, magisterial, and constabulary business, and for all other purposes whatsoever:

2. To annex so much of the said parish of Woolavington as adjoins the said parish of Terwick, and which is distinguished on the said plan by green colour, to the last-mentioned parish, for all and every the purposes herein-before mentioned in the paragraph distinguished by the number 1.:

3. To divide the remainder of the said parish of Woolavington, which is distinguished on the said plan by yellow and blue colour, into two distinct parishes, to be called respectively East Lavington and West Lavington, for all and every the purposes last herein-before mentioned or referred to:

And whereas the Poor Law Board have caused a public inquiry to be made upon the spot, after fourteen days public notice of the time, place, and object of such intended inquiry, and are satisfied that the relief to the poor can be better administered in the said parish by means of the re-adjustment and division herein-after mentioned:

Now therefore we, the Poor Law Board, in pursuance of the powers given in and by the statutes in that behalf, do hereby order, from and after the day of 29th September next, as follows; that is to say,—

Article I.—So much of the said parish of Woolavington as adjoins the parish of Fernhurst shall, for all the purposes in the said application mentioned, be incorporated with the said parish of Fernhurst.

Article II.—So much of the said parish of Woolavington as adjoins the said parish of Terwick shall, for all such purposes as aforesaid, be incorporated with the said parish of Terwick.

Article III.—The residue of the said parish of Woolavington, which consists of two parts now separated from each other, shall be divided for all the purposes aforesaid into two distinct parishes, one of which shall comprise the eastern part, and shall be called East Lavington, and the other shall comprise the western part, and shall be called West Lavington.

Article IV.—The two new parishes shall continue as such in the Midhurst Union until by any Order of the Poor Law Board it shall be otherwise provided; and the guardian now returned for the parish of Woolavington shall continue to act as guardian for the two parishes until the next annual election of guardians in the said union.

A.D. 1869.

ARTICLE V.—The persons now acting as churchwardens and overseers for the parish of Woolavington shall continue to act as such until the said 29th day of September next, and shall be entitled to receive and collect all rates, monies, and dues payable to them respectively up to that day, and shall be liable to account for the same to the auditor or other legal authority; and thenceforth the churchwarden and overseer respectively residing in the parishes of East Lavington and West Lavington shall continue to act as such churchwarden and overseer of the respective parishes, if otherwise duly qualified, until the next annual appointments of such officers, when fresh appointments shall be made as in the case of other parishes.

ARTICLE VI.—All persons who have acquired a settlement in the said parish of Woolavington shall be deemed to be settled in the parishes of Fernhurst, Terwick, East Lavington, and West Lavington respectively, according as the residence which completed the settlement relied upon was in the parts incorporated as aforesaid, or formed into new parishes respectively, and such rule shall be applied to all cases of settlement derived from such persons.

ARTICLE VII.—The registration list of voters at the election of knights of the shire, and the list of claimants to vote at such election, and of objections to the names of persons inserted in such lists for the parish of Woolavington, which shall have been made out prior to the said 29th day of September next, shall continue to be in force, for the purposes of the revision thereof and of the election of members of Parliament for the division of the county of Sussex comprising such parish, until the time when lists shall have been made out for the said new parishes, and shall have been included in the register of the voters for the said division.

Given under our hand and seal of office, this fourteenth day of June in the year one thousand eight hundred and sixty-nine.

(L.S.) GEORGE J. GOSCHEN,
President.

H. FLEMING,
Secretary.

Short title.

2. This Act may be cited as the Poor Law Board's Provisional Orders Confirmation Act, 1869.

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