SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER 51.

An Act to make provision for the borrowing of Money by Parochial Boards, and for other purposes relating to the Relief of the Poor in Scotland. [25th June 1886.] A.D. 1886.

WHEREAS an Act was passed in the eighth and ninth years of the reign of Her present Majesty, intituled "An Act for the "amendment and better administration of the laws relating to the "relief of the poor in Scotland": 8 & 9 Vict. c. 83.

And whereas an Act was passed in the nineteenth and twentieth years of the reign of Her present Majesty, intituled "An Act to "amend the law relating to the relief of the poor in Scotland": 19 & 20 Vict. c. 117.

And whereas in the case of some of the larger parishes in Scotland the mode of borrowing money prescribed by the sixty-second section of the first-recited Act, as amended by the third section of the second-recited Act, has been found to be costly and inconvenient, and the restriction contained in the last proviso to the said sixty-second section has also been attended with great inconvenience:

And whereas it is expedient that the first-recited Act should be amended:

And whereas it is expedient to make provision regarding moneys to which a pauper or pauper lunatic may be entitled as a member of a friendly or benefit society:

And whereas also it is expedient to make provision concerning the chargeability of persons born in poorhouses in Scotland:

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, as follows:

1. The parochial board in any parish or combination the population of which exceeds one hundred thousand may, for the Power to parochial boards to

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borrow on the security of the assessments, and mode of exercising power.

purposes specified in the sixty-second section of the first-recited Act, borrow such sum or sums of money as they shall from time to time find to be requisite, and may assign the assessments, present and future, leviable by them for the relief of the poor in such parish or combination in security of the money so borrowed and the interest thereon; and the bonds to be granted on such borrowing and transferences or assignations and discharges thereof may be in or near to the forms contained in the schedule hereto annexed; and such bonds shall be signed by three members of the parochial board to be appointed for that purpose, of whom the chairman shall be one, and shall constitute a lien over the assessments thereby assigned, and shall entitle the creditors therein to recover the sums thereby due from the parochial board out of the first and readiest of the said assessments; but no member or officer of the parochial board shall be personally liable for the repayment of such money so borrowed, and all such obligations shall be deemed and taken to be granted on the sole security of the assessments assigned, and the money so borrowed shall be repayable either in one sum or by instalments as may be arranged between the parochial board and the lender, but so that the same shall be wholly repaid, together with the accruing interest, within thirty years from the date of the loan; but the amount of every such loan, including interest, shall form a charge against the assessments of the years intervening between the date of such loan and the date of full repayment in equal proportions: Provided always, that the total of the principal sum or sums so to be borrowed, together with the amount remaining unpaid of any prior loan or loans, shall not at any time exceed three times the amount of the assessment raised for the relief of the poor during the year immediately preceding that in which any money is so borrowed.

Partial repeal of provisions in 19 & 20 Vict. c. 117.

2. The provision at the end of the said sixty-second section of the first-recited Act, "That no further or other sum shall be borrowed "or chargeable on the poor assessment for the purposes aforesaid "until the whole of the money last borrowed, with interest on the "same, shall have been paid off," is hereby repealed in so far as relates to parishes or combinations having a population exceeding one hundred thousand.

Certificate from board of supervision a necessary

3. Before any parochial board shall borrow any sum of money under this Act they shall procure a certificate from the board of supervision acting in the execution of the first-recited Act (which certificate that board shall be bound to grant on being satisfied that

the fact stated therein is true) certifying that such parochial board has duly charged or made provision for charging the assessments for the relief of the poor leviable by such parochial board with the proper proportion of principal and interest of any former sum or sums borrowed by such parochial board under this Act, and such certificate shall be conclusive evidence to the lender of the fact stated therein.

condition to exercise of power.

4. Any power exercised or claimed by parochial boards to take possession of any property of any one to whom they have given relief shall not apply to any moneys which a pauper or pauper lunatic, having a wife or other relative dependent upon him for maintenance, may be entitled to receive as a member of any friendly or benefit society, but such moneys shall, subject to any deductions for keeping up his membership required by the rules of such society, or any branch thereof, from which such pauper or pauper lunatic is entitled to receive such moneys, be paid or applied by the trustees, committee, or other officers of such society or branch to or for the maintenance of such wife or relative.

Parochial board to have no recourse against moneys to which a pauper or pauper lunatic may be entitled as a member of a friendly or benefit society.

5. A child born in a combination poorhouse shall so far as regards any question of liability for maintenance be deemed and held to have been born within the parish by which the mother of the said child was sent.

Chargeability of child born in a poorhouse.

6. This Act may be cited as the Poor Law Loans and Relief (Scotland) Act, 1886.

Short title.

SCHEDULE.

No.

BOND FOR BORROWED MONEY.

We,
members of the parochial board of
[*or the combination of* *as the case may be*], in pursuance of the powers conferred upon us by the Poor Law Loans and Relief (Scotland) Act, 1886, and of a minute of meeting of the said board [*or combination, as the case may be*] held on the day of , do hereby, in consideration of the sum of instantly advanced to the said board by , assign to the said and , executors and assignees, the assessments for

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the relief of the poor, present and future, leviable by and payable to the said board, in security of the repayment of the said sum of and of the interest thereof at the rate of per centum per annum from the day of until payment, which sum is to be repayable with interest at the rate aforesaid, as follows:—The said principal sum of at the term of [*or otherwise as may be arranged between the parochial board (or combination, as the case may be) and the lender*] and the said interest half-yearly at Whitsunday and Martinmas, beginning the first payment thereof at next; but declaring that the above-named lender and foresaid shall not be entitled to make, and the said board shall not be bound to recognise, any partial assignation of these presents or of the sums, principal and interest, herein contained, and we consent to registration.

In witness whereof

TRANSFER.

I, *A.B.* [*designation*] in consideration of the sum of paid to me by *C.D.* [*designation*], do hereby assign and transfer to the said *C.D.* and heirs, executors, and successors, a certain bond, No. granted by the parochial board of the parish [*or combination, as the case may be*] of in favour of bearing date the day of for securing the sum of and interest thereon, and all my right and interest in and to the money thereby secured, and in and to the assessments thereby assigned, and I consent to registration.

In witness whereof

DISCHARGE.

I, *A.B.* [*designation*], in consideration of the sum of paid to me by *C.D.* [*designation*], do hereby discharge a certain bond, No. granted by the parochial board [*or combination, as the case may be*] of in favour of and all interest due thereon, and I declare the assessments thereby assigned to be freed and discharged thereof, and I consent to registration.

In witness thereof

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