ANNO DUODECIMO

VICTORIÆ REGINÆ.

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C A P. XIII.

An Act to provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being the Workhouses of any Union or Parish. [11th *May* 1849.]

WHEREAS poor Persons are sometimes lodged and maintained under Contracts or Agreements for certain Payments in Houses and Establishments not being the Workhouses of any Union or Parish, nor subject to the effective Control of any Guardians or Overseers or other parochial Authorities, and no sufficient Powers are vested in any Authority to regulate the Houses or Establishments wherein such Persons are lodged and maintained, and it is expedient that such Powers should be given: 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, That it shall be lawful for the Commissioners for administering the Laws for Relief of the Poor in *England*, and they are hereby required, from Time to Time as they shall see Occasion, to make and issue all such Rules, Orders, and Regulations for the Management and Government of any House or Establishment wherein any poor Person shall be lodged, boarded, or maintained, for Hire or Remuneration, under any Contract or

The Poor Law Board to issue Rules and Regulations to Houses where the Poor are maintained under Contract.

Agreement entered into by the Proprietor, Manager, or Superintendent of such House or Establishment, or on his Behalf, with any Guardians, Overseers, or other Persons having the ordering or Management of the Poor in any Union or Parish, or for the Education of any poor Children therein, in like Manner and to the same Extent as the said Commissioners are by Law empowered to do in the Case of any Workhouse belonging to any Union or Parish; and all such Rules, Orders, and Regulations shall have the like Effect as other Rules, Orders, and Regulations of the said Commissioners, and shall be obeyed accordingly, with the like Penalties on any Neglect or Disobedience thereof, to be enforced upon summary Conviction, as Penalties under the Act of the Fifth Year of His late Majesty King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales, may now be enforced.

4 & 5 W. 4. c. 76.

Nothing herein to extend to Lunatic Asylums and Hospitals.

II. Provided nevertheless, and be it enacted, That nothing herein contained shall extend to any County Lunatic Asylum or Hospital registered or House licensed for the Reception of Lunatics, nor to any Hospital, Infirmary, School, or other Institution supported by public Subscriptions, and maintained for Purposes of Charity only.

Rules and Regulations to be directed to the Manager or Officer of the Establishment.

III. And be it enacted, That the said Commissioners may direct their Rules, Orders, and Regulations to any Person being or acting as the Proprietor, Manager, or Superintendent, or as an Officer or Assistant, in any such House or Establishment as aforesaid, and the same shall come into operation so soon as the said Commissioners shall therein declare, and shall be binding upon the Person named therein, and, if they shall so direct, upon every Person who shall afterwards succeed to him in the same Capacity.

Poor Law Board may prohibit the Reception or Retention of Poor in any such House.

IV. And be it enacted, That the said Commissioners shall be empowered, if at any Time they shall see just Cause, to prohibit, by Order under their Seal, the Reception or Retention of any poor Person, or any Class of poor Persons, in any such House or Establishment, and thereupon it shall not be lawful for any such Proprietor, Manager, or Superintendent, or other Officer or Assistant, to receive or retain any poor Person therein, contrary to the Terms of such Order, so long as it shall be in force, nor for any Guardians, Overseers, or other such Persons as aforesaid to send any poor Person to such House or Establishment, contrary to such Order, provided that no such Guardians, Overseers, or other such Persons as aforesaid, nor any Officer of any Union or Parish, shall incur any legal Responsibility in respect of the Neglect of such Order, until a Copy thereof shall have been sent to the Guardians of the Union or Parish, or to the Overseers of the Parish, or other such Persons as aforesaid, in the

the Manner in which Orders of the said Commissioners are now sent to Guardians or Overseers.

Poor Law Board may remove any Officer of such House.

V. And be it enacted, That the said Commissioners may, by Order under their Seal, remove from his Office or Service any Officer, Servant, or Assistant in any such House or Establishment whom they shall deem unfit or incompetent to discharge the Duties of his Situation, or who shall at any Time refuse or wilfully neglect to obey and carry into effect any of the Rules, Orders, or Regulations issued by the said Commissioners under their Seal for the Regulation of such House or Establishment, or of the Officers or Inmates thereof; and thereupon such Officer, Servant, or Assistant shall forthwith cease to act in his Office, Service, or Employment, and shall be entitled to claim and recover a rateable Proportion of his Salary, Wages, or other Remuneration up to the Time of his being so removed, but no more, from the Person liable to pay the same, subject to any Defence at Law which may then be open to the Person from whom the same shall be claimed.

Poor Law Board may regulate Contracts.

VI. And be it enacted, That the said Commissioners may from Time to Time issue any Order which they may deem necessary for regulating the Mode in which any Contract shall be entered into for the lodging, boarding, or Maintenance of any poor Person, with the Proprietor, Manager, or Superintendent of such House or Establishment as aforesaid, or the Terms or the Duration of any such Contract; and if after the issuing of any such Order any Contract or Agreement be entered into with such Proprietor, Manager, or Superintendent, or any Person on his Behalf, not in accordance with such Order, the same shall be voidable, and, if the said Commissioners shall so direct, the same shall be void and of no Effect; and all Payments made under or in pursuance of any Contract or Agreement not made and entered into in conformity with such Order as aforesaid, at any Time after the said Commissioners shall have declared the same to be void as aforesaid, and shall have given Notice of such Declaration to the Guardians, Overseers, or other such Persons as aforesaid, shall be disallowed in the passing and auditing of their Accounts, or the Accounts of any of their Officers by whom such Payments shall have been made or charged.

Persons may be appointed to inspect Houses and the Poor maintained therein.

Remuneration to such Persons.

VII. And be it enacted, That the said Commissioners may, if they think fit, appoint a Person either temporarily or permanently to visit any such House or Establishment, and to inspect the same, and the poor Persons received and maintained therein, and to make a Report to such Commissioners upon any Visit and Inspection; and such Person shall be paid by the Guardians or Overseers, as the Case may be, of the several Unions or Parishes from which poor Persons shall

shall have been sent, and shall be at the Time of such Visitation maintained therein, such Remuneration as the said Commissioners shall by Order under their Seal direct.

Power to Justices to visit Houses.

VIII. And be it enacted, That it shall be lawful for any Justice of the Peace acting in and for the Jurisdiction in which such House or Establishment shall be situated to visit, inspect, and examine the same, at such Times as he shall think proper, for the like Purpose and with the same Power as any Justice has now by virtue of the Act herein-before mentioned of the Fifth Year of His late Majesty in respect of the Workhouse of any Union or Parish; and it shall be lawful for the General Board of Health, where they shall think proper, by Order under the Seal of the said Board and the Hands of any Two or more Members thereof, to authorize a Superintending Inspector to visit and inspect from Time to Time, or at such Time or Times as such Board shall direct, any such House or Establishment, and to ascertain the State and Condition of the same, and of the poor People therein, and to report thereon to the Board; and it shall be lawful for such Superintending Inspector accordingly so to visit and inspect, and to ascertain such State and Condition, and to examine any Officer, Servant, Assistant, or Inmate of such House or Establishment in relation thereto; and the Powers and Provisions of the Public Health Act, 1848, in relation to the Examination of Persons for the Purposes of an Inquiry under such Act by a Superintending Inspector, shall extend and be applicable to the Examination of such Officers, Servants, Assistants, and Inmates.

Power to General Board of Health to appoint a Superintending Inspector to visit Houses, and examine Officers, &c.

Interpretation of Act.

IX. And be it enacted, That the several Words used in this Act shall be construed in the same Manner as in the said Act of the Fifth Year of His late Majesty, and the Statutes explaining and amending it, and all the Provisions, Enactments, and Regulations contained in the said Act and the said subsequent Statutes shall be extended to this Act, so far as the same may be applicable, and subject to the Provisions herein contained.

To apply to England and Wales only.

X. And be it enacted, That this Act shall extend only to *England* and *Wales*.

Act may be amended, &c.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session.

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