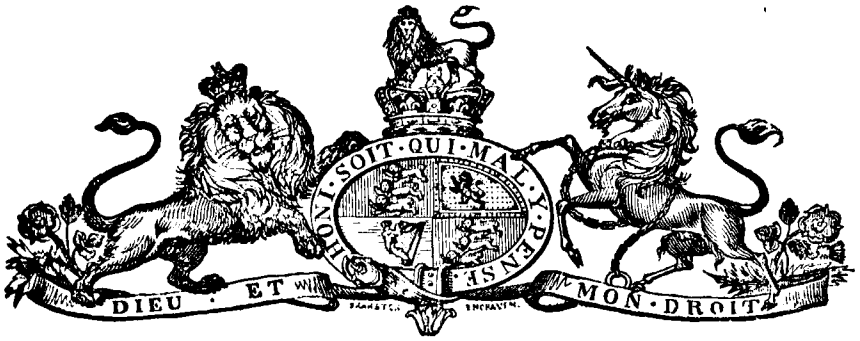



ANNO PRIMO & SECUNDO

# VICTORIÆ REGINÆ.

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## CAP. LVI.

## An Act for the more effectual Relief of the destitute Poor in *Ireland*. [31st *July* 1838.]

WHEREAS it is expedient to provide for the more effectual Relief of the destitute Poor in *Ireland*: 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 the Poor Law Commissioners for the Time being shall be the Commissioners to carry this Act into execution.

Poor Law Commissioners to carry this Act into execution.

II. And be it enacted, That it shall be lawful for the said Commissioners, or any One of them, at any Time or Place, by Summons under the Seal of the Commissioners, or under the Hand and Seal of any One of them, to require the Attendance of all such Persons as they or he may think fit to call before them or any of them upon any Matter connected with the Objects or Purposes or the Execution of the Provisions of this Act, and to make Inquiries, and require Returns, and to administer Oaths, and examine all such Persons upon Oath, and to 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

Power to examine Witnesses, and to call for Papers, &c., upon Oath.

relating to any such Matter, or, where the Commissioners or Commissioner shall think fit, in lieu of requiring such Oaths as aforesaid, to 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 Summons, to go more than Twenty Statute Miles from the Place of his Abode: Provided also, that nothing herein contained shall extend to authorize or empower the Commissioners to act as a Court of Record, or to require the Production of the Title or any Papers or Writings relating to the Title of any Lands, Tenements, or Hereditaments, not being Property vested in the Commissioners by virtue of this Act.

Administration of Relief to the Poor to be under Control of the Commissioners.

III. And be it enacted, That from and after the passing of this Act the Administration of Relief to the Poor throughout *Ireland* according to such Laws as shall be in force at the Time being shall be subject to the Direction and Control of the Commissioners, and for executing the Powers given to them by this Act the Commissioners are hereby authorized and required, from Time to Time as they shall see Occasion, to make and issue all such Orders for the Government of Workhouses, Houses of Industry, and Foundling Hospitals, and of the Poor therein, and for the Guidance and Control, Appointment and Removal of the Officers thereof, and for the Guidance and Control, according to the Intention of this Act, of all Guardians, Wardens, and other Officers, paid or unpaid, acting in the Management or Relief of the destitute Poor, and for the keeping, examining, auditing, and allowing or disallowing of Accounts, and for the making of Contracts in all Matters relating to such Management or Relief, or to any Expenditure for the Relief of the destitute Poor, and for carrying this Act into execution in all other respects as they shall think proper; and the Commissioners may, at their Discretion, from Time to Time suspend, alter, or rescind such Orders, or any of them: Provided always, that nothing in this Act contained shall be construed as enabling the Commissioners, or any of them, to interfere in any individual Case for the Purpose of ordering Relief.

Commissioners may suspend, alter, or rescind Orders.

General Rules to be submitted to the Secretary of State.

IV. And be it enacted, That no General Rule of the Commissioners shall operate or take effect until the Expiration of Forty Days after the same, or a Copy thereof, shall have been sent to One of Her Majesty's Principal Secretaries of State, unless One of Her Majesty's Secretaries of State shall sooner allow the same; and if at any Time after such General Rule shall have been so sent Her Majesty with the Advice of Her Privy Council, shall disallow the same or any Part thereof, such Disallowance shall be notified to the Commissioners by One of Her Majesty's Principal Secretaries of State; and such General Rule or the Part thereof so disallowed shall not come into operation, if such Disallowance be notified to the Commissioners at any Time during the said Period of Forty Days; but if such Disallowance be so notified at any Time after that Period, then from and after such Disallowance shall have been so notified such General Rule, so far as the same shall have been so disallowed, shall cease to operate, subject however and without Prejudice to all Acts and Transactions under or in virtue of the same previously to Notice of such

such Disallowance having been given by the Commissioners in manner herein-after mentioned.

General Rules to be laid before Parliament.

V. And be it enacted, That all General Rules for the Time being in force at the Commencement of every Session of Parliament, and which shall not previously have been submitted to Parliament, shall from Time to Time, within One Week after the Commencement of every such Session, be laid by One of Her Majesty's Principal Secretaries of State before both Houses of Parliament.

Orders to be sent to Guardians, &c.

VI. And be it enacted, That a written or printed Copy of every Order of the Commissioners shall be sent by the Commissioners, by the Post, or in such Manner as the Commissioners shall think fit, sealed or stamped with their Seal, addressed to the Guardians of the Union, or their Clerk, or the Officers acting in the Management or Relief of the destitute Poor, or other Officers required to carry such Order into effect, and to the Clerk to the Justices of the Petty Sessions held for the Division or Divisions in which such Union, or the Place where such Order is to take effect, shall be situate: Provided always, that no Failure or Neglect in sending Copies of any Order to any Clerk to the Justices as aforesaid shall in any way affect the Validity of such Order.

Publicity to be given to Orders in manner directed by Commissioners.

Penalty for neglecting to give Publicity, &c.

VII. And be it enacted, That every Clerk of such Guardians and the Clerks to the Justices aforesaid respectively shall and they are hereby required to preserve and give Publicity to such Orders in such Manner as the Commissioners shall direct, and also to allow every Rate-payer (or his Agent authorized in Writing) in every such Union to inspect the same at all reasonable Times, free of any Charge for such Inspection, and to furnish Copies of the same, being paid for such Copies at the Rate of Three-pence for every Folio of Seventy-two Words, and to allow Copies or Extracts thereof to be taken, on being paid for so doing at the Rate of Three Halfpence for every Folio of Seventy-two Words; and in case any such Clerk to the Guardians or Clerk to the Justices to whom such Orders or Copies thereof shall be sent as aforesaid shall neglect to preserve and give Publicity to the same in the Mode prescribed or directed by the Commissioners, or shall refuse such Inspection, or to furnish or allow such Copies thereof to be taken as aforesaid, every Person so offending shall for every such Offence be subject and liable to a Penalty not exceeding the Sum of Ten Pounds nor less than Forty Shillings.

Disallowance of Rule to be notified in like Manner.

VIII. And be it enacted, That if any such General Rule shall, after the same shall have come into operation, be disallowed in manner herein-before mentioned, or any Order whatever shall be revoked by the Commissioners, then and in every such Case the Commissioners shall send by the Post, or in such Manner as they shall think fit, to every Union affected thereby, Notice of such Disallowance or Revocation, such Notice of Disallowance or Revocation to be addressed, preserved, and inspected, and Copies thereof furnished or allowed to be taken, in the same Manner and subject to the same Penalties as are herein-before mentioned respecting Orders.

IX. And

Officers of the Commissioners to execute the Act.

IX. And be it enacted, That every Assistant Commissioner, Secretary, Assistant Secretary, Clerk, and other Officer appointed by the Commissioners shall, so far as the Commissioners shall direct, be Officers for carrying this Act into execution.

Names of Commissioners and Assistant Commissioners to be published.

X. And be it enacted, That a Notification of the Name of every Commissioner and of every Assistant Commissioner directed to carry this Act into execution shall, before they respectively enter upon the Execution of this Act, be published in the *London Gazette* and in the *Dublin Gazette*.

Commissioners may delegate Powers, and revoke them.

XI. And be it enacted, That it shall be lawful for the Commissioners to delegate, by Writing under their Hands and Seal, to any One of the Commissioners, with the Approbation of One of Her Majesty's Principal Secretaries of State, or to any One or more of their Assistant Commissioners, provided such Assistant Commissioners shall be acting in *Ireland*, any of the Powers and Authorities hereby or by any other Act given to the Commissioners (except the Power to make General Rules), as the Commissioners shall think fit; and the Powers and Authorities, and the Delegation thereof, shall be notified in such Manner, and such Powers and Authorities shall be exercised at such Places, for such Periods, and under such Circumstances, and subject to such Regulations, as the Commissioners shall direct; and the Commissioners may at any Time revoke or vary all or any of the Powers and Authorities which shall be so delegated as aforesaid, and, notwithstanding the Delegation thereof, may act as if no such Delegation had been made.

Assistant Commissioners may examine on Oath;

or take a Declaration.

XII. And be it enacted, That every Assistant Commissioner may and is hereby empowered to summon before him such Persons as he may think necessary for the Purpose of being examined upon Oath (which Oath such Assistant Commissioner is hereby empowered to administer) upon any Question or Matter which the Commissioners, if present, and acting in the Execution of the Powers of this Act, might entertain or inquire into: Provided nevertheless, that in lieu of requiring such Oath as aforesaid such Assistant Commissioner shall, if he shall think fit, require 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; and all Summonses made by any such Assistant Commissioner, and all Orders made by him in pursuance or exercise of such delegated Powers and Authorities as aforesaid, shall be obeyed, performed, and carried into effect by all Persons as if such Summons or Order had been the Summons or Order of the Commissioners.

Penalties for giving false Evidence or refusing to give Evidence.

XIII. And be it enacted, That if any Person, upon any Examination under the Authority of this Act, shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, he shall, on being convicted thereof, suffer the Pains and Penalties of Perjury; and if any Person shall refuse or wilfully neglect to attend in obedience to any Summons of the Commissioners or of any Commissioner or Assistant Commissioner, or to give Evidence, or 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, every Person so offending shall be deemed guilty of a Misdemeanor.

Expences of Witnesses.

XIV. And be it enacted, That it shall be lawful for the Commissioners, in any Case where they may see fit, to order and allow such Expences of Witnesses, and such Expences attending the Production of any Documents or Copies thereof to or before any Person authorized by this Act to require the Production thereof, as such Commissioners may deem reasonable, to be paid as follows, (that is to say,) out of the Rates of the Union which in the Opinion of the Commissioners shall be interested or concerned in such Testimony or Production respectively in all Cases in which such Witnesses shall not go more than Ten Statute Miles from their Place of Residence, and in all other Cases the Expences so ordered or allowed shall be deemed Part of the incidental Expences attending the Execution of this Act, and be paid accordingly.

Formation of Unions.

XV. And be it enacted, That it shall be lawful for the Commissioners, from Time to Time, by Order under their Seal, to unite such and so many Townlands as they may think fit, to be a Union for the Relief of the destitute Poor, by such Name as the Commissioners shall by such Order direct.

Dissolution or Alteration of Unions.

XVI. And be it enacted, That it shall be lawful for the Commissioners, from Time to Time, as they may think fit, to declare any such Union to be dissolved, or any Townland or Townlands to be added to or separated from any such Union; and in case of any Addition to or Separation from a Union, or of any other Alteration of the Limits thereof, to make such Orders as they may think fit for adapting the Constitution, Management, and Government of such Union to its altered State; and in case of a total or partial Dissolution of any Union, or other Alteration of the Limits thereof, to ascertain to the best of their Judgments the proportionate Value to any and every Townland affected by such Dissolution or Alteration of any Property held or taken for or relinquished by the Union in its altered State, and also the proportionate Amount chargeable on every Townland in respect of all the Liabilities of such Union existing at the Time of such Dissolution or Alteration, and the Commissioners shall thereupon fix the Amount to be received or paid, or secured to be paid, by such Union or by any Townland affected by such Alteration, as the Justice of the Case appears to them to require; and all Sums to be received, if any, by such Union or Townland shall be paid, or secured to be paid, to such Person and in such Manner, and shall be applied for the Benefit of such Union or Townland, as the Commissioners shall direct; and all Sums to be so paid, or secured to be paid, shall be raised by special Rates on the Property liable to be rated under this Act, under the Direction of the Commissioners, or charged on the Poor Rates, or such special Rates of such Union or Townland respectively as the Commissioners may see fit: Provided always, that no such Dissolution or Alteration shall take place or be made unless a Majority

of the Guardians of the Union affected by such Change shall also consent thereto in Writing; and provided also, that no such Dissolution or Alteration shall in any Manner prejudice, vary, or affect the Rights or Interests of third Persons in respect of Contracts entered into by or on behalf of such Union or Townland previous to such Dissolution or Alteration, and that a Copy of every Order by which any Union shall be declared dissolved or altered shall be transmitted to One of Her Majesty's Principal Secretaries of State, who shall forward the same, or a Duplicate thereof, to the Lords of the Treasury.

Election of Guardians.

XVII. And be it enacted, That when any Union for the Relief of the destitute Poor shall have been declared a Board of Guardians of the Poor for such Union shall be constituted, and the Guardians shall be elected at such Time as the Commissioners by their Order declaring the Union, or by any subsequent Order, shall direct.

Commissioners may divide Unions into Electoral Districts.

XVIII. And be it enacted, That the Commissioners may divide any Union into Electoral Divisions for the Election of Guardians, and may alter any such Division from Time to Time as they may see fit, so nevertheless that in making or altering such Electoral Divisions no Townland shall be divided: Provided always, that whenever One or more Townlands lying adjacent shall be the Property of One or more Proprietors, who shall be rated instead of the Occupiers of such Property as herein-after is provided, and who shall serve Notice in Writing to that Effect upon the Commissioners, the said Commissioners shall be at liberty, if they shall deem it expedient, to form such Townland or Townlands into an Electoral District.

Number and Qualification of Guardians.

XIX. And be it enacted, That the Commissioners shall determine, and from Time to Time may, as they may see fit, alter the Number of the Guardians to be elected in each Union, and the Number to be elected for every Electoral Division, having due Regard to the Circumstances of each such Division, (so nevertheless that every Person qualified to vote in the Union shall be entitled to vote in the Election of One Guardian at the least,) and may also fix the Value of the Qualification by which Male Persons of full Age shall be eligible as such Guardians, such Qualification to consist in being entitled to vote at Elections of Guardians in such Union, but not so as to require a Qualification exceeding the net annual Value of Thirty Pounds: Provided always, that no Person, being in Holy Orders, or being a regular Minister of any Religious Denomination, shall be eligible as a Guardian.

No Minister of Religion to be a Guardian.

Election of Guardians to be annual.

XX. And be it enacted, That on the Twenty-fifth Day of *March* in every Year, or if that Day should fall on a *Sunday* or *Good Friday* then on the Day next following, or within Fourteen Days next after such Twenty-fifth Day of *March*, the Guardians for the ensuing Year, to be computed from such Twenty-fifth Day of *March*, shall be chosen, and immediately upon their Election the Guardians previously elected by the Rate-payers of any Union shall go out of Office: Provided always, that the Guardians first elected by such Rate-payers shall, if the said Commissioners shall by any Order so direct, hold

Office until the Twenty-fifth Day of *March* next after their Election, and thenceforth for One Year; and that in every Case the Guardians whose Term of Office shall expire on the Twenty-fifth Day of *March* in any Year shall continue to act as Guardians until others are elected or appointed in their Stead.

Guardians may be re-elected.

XXI. And be it enacted, That any Guardian going out of Office shall be re-eligible for the ensuing or any subsequent Year, and that the same Person may be elected for more than One Electoral Division.

In case of Vacancy, the remaining Members to act.

XXII. And be it enacted, That in case the full Number of Guardians shall not be duly elected at any Election of Guardians for the Time being, or in the event of any Vacancy occurring in such Board by the Death, Removal, or Resignation, (which the Commissioners are hereby empowered to accept,) or Refusal or Disqualification to act of any Guardian, the other or remaining Members of the said Board shall continue to act until the next Election, or until the Completion of the said Board, as if no such Vacancy had occurred, and as if the Number of such Board were complete.

Ex-officio Guardians;

XXIII. And be it enacted, That every Justice of the Peace residing in any such Union, and acting for the County in which he so resides, and not being a Stipendiary Magistrate or Assistant Barrister, or a Person in Holy Orders, or a regular Minister of any Religious Denomination, shall be an *ex officio* Guardian of the Poor for such Union; and (unless the Commissioners shall by any Order postpone, for such Time as they shall see fit, the Period at which such *ex officio* Guardians shall act as such, which Order the Commissioners are hereby empowered to make and issue,) the said *ex officio* Guardians shall, until a Board of Guardians be duly constituted, and also in case of any Irregularity or Delay in any subsequent Election of Guardians, by reason whereof there shall be no legally constituted Board of Guardians of such Union, receive and carry into effect the Orders of the Commissioners; and after such Board shall be constituted as aforesaid every such Justice shall *ex officio* act as a Member of such Board, in addition to and in like Manner as an elected Guardian.

not to exceed One Third in Number of elected Guardians.

XXIV. Provided always, and be it enacted, That the Number of *ex officio* Guardians of any Union shall in no Case exceed One Third of the Number of Guardians to be elected by the Rate-payers of such Union; and in every Case where the Number of Justices qualified as aforesaid shall exceed One Third of the whole Number of the Guardians to be elected by such Rate-payers the Justices so qualified shall, within Fourteen Days after the Declaration of such Union, assemble at a Meeting to be specially held for the Purpose at a Time and Place to be appointed by or under the Order of the Commissioners, of which Meeting the Justice senior by Appointment who shall be present shall be Chairman; and thereupon the said Justices shall, by a Majority of their Number

ber present and voting, (the Chairman, in case of an Equality of Votes in favour of Two or more Persons, to have a double or casting Vote,) appoint from the Justices so qualified a Number of Persons nearest to but not exceeding One Third of the Number of the Guardians to be elected by the Rate-payers; and the Justices so appointed shall be entitled to act as *ex officio* Guardians of the Poor of the Union from the Period of the first Appointment so made until the next Twenty-ninth Day of *September*, and for One Year next ensuing, or until others shall be appointed in their Stead; and at the Expiration of One Year after the Twenty-ninth Day of *September* next following such first Appointment, and on the Twenty-ninth Day of *September* in every succeeding Year, or within Fourteen Days thereof, the *ex officio* Guardians for the Year, computed from the Twenty-ninth Day of *September*, shall in like Manner be appointed, and immediately upon their Appointment the *ex officio* Guardians last previously appointed shall go out of Office; and Lists of the Names of the Justices so appointed to serve as *ex officio* Guardians of any Union, duly certified by the Chairman of the said Meeting, shall be sent by him to the Commissioners and to the Clerk of the Peace of the County, and the Clerk of the Peace shall preserve the same in the Records of the County: Provided always, that any *ex officio* Guardian shall be re-eligible for the ensuing or any subsequent Year: Provided also, that whenever the Number of Justices qualified as aforesaid to act as *ex officio* Guardians in any Union shall, by Death, Removal, Disqualification to act, or from any other Cause, be reduced to or below One Third of the Number of the elective Guardians, then, and so long as the Number shall not exceed One Third of the Number of elective Guardians, the whole of the Justices so qualified shall be entitled to act as *ex officio* Guardians.

Appointment to be annual.

XXV. And be it enacted, That in case an Election of Guardians for any Electoral Division or for any Union shall not take place in obedience to the Orders of the Commissioners and in pursuance of this Act, or in case any Guardian duly elected shall neglect or refuse to act, the Commissioners shall order a fresh Election of Guardians for such Electoral Division, or shall declare the Place of such Guardian as aforesaid to be void, as the Case may be, and in such latter Case shall order a fresh Election of a Guardian in lieu of such Guardian as aforesaid; and if an Election of Guardians for such Electoral Division or Union shall not thereupon take place, or any Guardian who may be elected at such fresh Election shall neglect or refuse to act, then the Commissioners may appoint any Person whom they may deem fit to fill the Place of any such Guardian of whom there has been such Failure of Election, or of any Guardian who shall have neglected or refused to act, as aforesaid; and every Person so appointed shall serve and hold the Office of Guardian until an Election of Guardians shall take place under the Provisions of this Act; and every Person so appointed shall during the Period of his Service of the Office have the same Powers, and shall be subject to the same Obligations, in all respects, as Guardians elected by the Rate-payers under this Act; and every Guardian neglecting or refusing to act shall,

On Non-election of Guardians, or Refusal to act, Commissioners to order a fresh Election, and in certain Cases may appoint.

shall, upon the Appointment of any Person to fill his Place, cease to act, and to have any Right or Title to act, as Guardian of such Union, until again duly elected or appointed to be a Guardian.

Power to Commissioners to appoint paid Officers.

XXVI. And be it enacted, That in case regular Meetings of the Board of Guardians of any Union shall not be holden at the Times enjoined by the Orders of the Commissioners, or in case, through the Default of the Guardians, the Duties of such Board of Guardians shall not be duly and effectually discharged according to the Intention of this Act, the Commissioners shall declare such Board of Guardians to be dissolved, and shall order a fresh Election of the Guardians of such Union; and in case the Guardians elected at such fresh Election shall not hold regular Meetings at the Times enjoined by the Orders of the Commissioners, or in case, through the Default of such Guardians, the Duties of such Board of Guardians shall not be duly and effectually discharged according to the Intention of this Act, then the Commissioners may appoint such and so many paid Officers as they may think fit to carry into execution the Provisions of this Act, and from Time to Time revoke and determine such Appointments; and the Commissioners shall, from Time to Time, as they shall see fit, define and direct the Execution of the Duties of such Officers, and the Amount and Nature of the Security to be given by such of them as the Commissioners shall think ought to give Security, and regulate the Amount of Salaries payable to such Officers respectively, and the Time and Mode of Payment thereof; and such Salaries shall be chargeable on and payable out of the Rates levied for the Relief of the destitute Poor of such Union: Provided always, that unless the Commissioners shall sooner revoke or determine the Appointment of such paid Officers such paid Officers shall hold their Offices for the Term of One Year from the Date of their Appointment, and thenceforth till the Time of the next Election of Guardians for such Union, under the Provisions of this Act, and no longer.

Guardians incorporated.

XXVII. And be it enacted, That the Board of Guardians for every Union, including all Persons herein-before empowered to act as Guardians, while so acting, shall be and are hereby declared to be a Body Politic and Corporate, and shall be called by the Name of "The Guardians of the Poor of the Union," and are hereby authorized and enabled by that Name to sue and be sued, plead and be impleaded, in Law and in Equity, take and hold Goods and Chattels, and to enter into and execute all such Contracts connected with the Relief of the destitute Poor, and with the Purposes of this Act, as shall be enjoined or permitted by the Orders of the Commissioners; and all the Monies levied by Rates under the Provisions of this Act within each Union, and all Goods and Chattels purchased with such Monies, or otherwise taken and held for the Purposes of this Act within such Union, shall be deemed at Law to be the Property of the Board of Guardians; and such Boards of Guardians shall have Power to govern and manage the Workhouses of their respective Unions, and to direct the Officers of such Unions in the Execution of their Duties, subject to the Orders of the Commissioners; and every Commissioner and Assistant Commissioner shall be entitled

Commissioners, &c. entitled to at-

tend Boards of Guardians.

entitled to attend every Board of Guardians, and to take part in their Discussions, but not to vote at any such Board.

Meetings of Guardians.

XXVIII. And be it enacted, That the Board of Guardians in every Union shall meet at such Times as shall be enjoined by the Orders of the Commissioners, upon giving such Notice as shall be prescribed by the said Commissioners; and all lawful Acts, Contracts, and Matters done, entered into, and transacted at such Meetings by a Majority of the Guardians present and voting, and verified by the Signatures of Three of such Guardians, and countersigned by their Clerk, shall be as valid and effectual as if all the Guardians had been present and concurred; and the Signatures of Three Guardians, Members of any Board, affixed to any Resolution, Contract, or Order purporting to be entered into or made by such Board of Guardians, shall be *primâ facie* Evidence that such Resolution, Contract, and Order was duly entered into or made by such Board.

No Guardian to act except as a Member of a Board.

XXIX. And be it enacted, That, except where the Consent of a Majority of Guardians is required by this Act, and except also where it may be otherwise ordered by the Commissioners, no *ex officio* or elected Guardian shall have Power to act in virtue of his Office, except as a Member, and at a Meeting of a Board of Guardians; and no Act of any such Meeting shall be valid unless Three Members shall be present and concur.

De facto Guardians.

XXX. Provided always, and be it enacted, That no Defect in the Qualification, Election, or Appointment of any Person acting as a Guardian at a Board of Guardians shall vitiate or make void any Proceedings of such Board in which he may have taken part.

Paid Officers.

XXXI. And be it enacted, That it shall be lawful for the Commissioners, as and when they shall see fit, by their Order to direct the Guardians of any Union, or of so many Unions as the Commissioners may in such Order specify and declare to be united for the Purpose of appointing and paying Officers, to appoint such paid Officers, with such Qualifications as the Commissioners shall think necessary, for superintending, acting, or assisting in the Election of Guardians, in the surveying and Valuation of Property to be rated, in the collecting of Rates to be made for the Purposes of this Act, in the Administration of the Relief and Management of the destitute Poor, and otherwise carrying the Provisions of this Act into execution; and the Commissioners may and they are hereby empowered to define, specify, and direct the Execution of the respective Duties of such Officers, and the Places or Limits within which the same shall be performed, and direct the Mode of the Appointment and determine the Continuance in Office or Dismissal of such Officers, and the Amount and Nature of the Security to be given by such of the said Officers as the Commissioners shall think ought to give Security, and, when the Commissioners may see Occasion, from Time to Time to regulate the Amount of Salaries or Allowances payable to such Officers respectively, and the Time and Mode of Payment thereof, and the Proportions in which such respective Unions shall contribute to such Payment.

XXXII. And

XXXII. And be it enacted, That the Salaries of all such Officers, and the Salaries of Auditors, Returning Officers, and all paid Officers whom the Commissioners are by this Act directly empowered to appoint, and of the Chaplains of Workhouses appointed under this Act, shall be chargeable on and payable out of the Poor Rates of such Union or Unions, or of any Electoral Division comprised therein, in the Manner and Proportions fixed by the Commissioners; and the Guardians of any such Union are hereby empowered and required to raise by Rate such Sums as shall be sufficient to pay such Salaries, or its proportionate Part thereof. Salaries charged on Rates.

XXXIII. And be it enacted, That the Commissioners may and they are hereby authorized and empowered, as and when they shall think proper, by their Order, either upon or without any Suggestion or Complaint in that Behalf from the Guardians of any Union, to remove any paid Officer appointed under the Provisions of this Act, whom they shall deem unfit for or incompetent to discharge the Duties of any such Office, or who shall at any Time refuse or neglect to obey and carry into effect any of the Orders of the Commissioners, and to require from Time to Time the Persons competent in that behalf to appoint a fit and proper Person in his Room; and in case of the Refusal or Neglect of the Persons competent to appoint, or in case the Officer removed shall be an Officer whom the Commissioners are by the Provisions of this Act directly empowered to appoint, the Commissioners are hereby authorized to appoint a fit and proper Person in the Room of the Person so removed; and any Person so removed shall not be competent to be appointed to or to fill any paid Office connected with the Relief or Management of the destitute Poor in any Union, except with the Consent of the Commissioners. Removal of paid Officers.

XXXIV. And be it enacted, That when any Union shall have been declared, every House of Industry, Workhouse, and Foundling Hospital which has been either wholly or in part supported by Parliamentary Tax, Grant, Grand Jury Aid, or by any compulsory Rate or Contribution, situate within the Limits of such Union, and all Lands, Tenements, and Hereditaments, and Real Property, and Chattels Real, and the Produce of any Tax, of and belonging thereto, shall vest in the Poor Law Commissioners for the Time being, according to the Nature and Quality, Estate and Interest of and in the same Property and Premises respectively, and subject to the Debts, Charges, and Incumbrances affecting the same respectively, and to the Repayment of any Advances which, conformably with previous Usage, have been made for the lawful Purposes of any such House of Industry, Workhouse, or Foundling Hospital; and that upon the Death, Resignation, or Removal of the present Commissioners, or any or either of them, or of any future Commissioner or Commissioners, all such Property and Premises shall be vested in and be held by the succeeding Commissioners, jointly with the continuing Commissioner or Commissioners, if any there be, and so in perpetual Succession, in Trust for the several Purposes for which the same are respectively applicable, but subject nevertheless to the Powers and Provisions of this Act; and every such House of Industry, Workhouse, or Foundling Hospital shall, if and when the Commissioners shall so direct, be a Workhouse Houses of Industry, &c. to vest in Commissioners.

Workhouse of the Union in which the same may be situate; but every such House of Industry, Workhouse, or Foundling Hospital shall, subject always to the Control and Orders of the Commissioners, be maintained and supported in the Manner in which the same is now by Law maintained and supported, until the Commissioners shall by Order otherwise direct: Provided always, that such Commissioners shall take Measures for the gradual Reduction of the Number of the Inmates in such Foundling Hospitals, and from Time to Time shall direct so much only of any such Tax as aforesaid to be levied for the Support of such Foundling Hospital and the Inmates therein as may appear to them to be thenceforth necessary for such Support, due Regard being had to the Welfare and Protection of the Objects of the Charity.

Workhouses to be provided.

XXXV. And be it enacted, That the Commissioners may, from Time to Time as they may see fit, build or cause to be built a Workhouse or Workhouses for any Union not having a Workhouse, or purchase or hire Land of any Tenure for the Purpose of building the same thereon, and may purchase or hire a Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses, and in the Case of any Union having a Workhouse or Workhouses, or any Buildings capable of being converted into a Workhouse or Workhouses, may enlarge or alter the same in such Manner as the Commissioners shall deem most proper for carrying the Provisions of this Act into execution, and may build, hire, or purchase any additional Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses, and may purchase or hire any Land for building such additional Workhouse or Workhouses thereon, of such Size and Description, and according to such Plan, and in such Manner as the Commissioners shall deem most proper for carrying the Provisions of this Act into execution, and may also purchase or hire any Land not exceeding Twelve Acres Imperial Measure, to be occupied with any such Workhouse, and may order and direct the Guardians of any Union to uphold and maintain any Workhouse, and to furnish and fit up any Workhouse, and to provide any Utensils, Instruments, or Machinery for setting the Poor to work therein; and the Guardians of every Union are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money, for the Purposes herein-before specified, as the Commissioners shall from Time to Time direct, as a Poor Rate, in the Manner herein-after provided, or to borrow Money for such Purposes, under the Provisions of this Act, and to charge the same, with Interest, on the future Poor Rate of such Union; and all Lands and Buildings so purchased or hired shall be conveyed or taken to the Commissioners for the Time being, and shall vest in the succeeding Commissioners in perpetual Succession, in the same Manner as herein-before provided concerning Workhouses in Unions at the Time of the Declaration thereof.

Consent of Guardians to Expenditure of Money.

XXXVI. Provided always, and be it enacted, That after the Period at which the Commissioners shall have declared the Workhouse of the Union fit for the Reception of destitute Poor it shall not be lawful

for the Commissioners to direct the Expenditure in such Union of any Sum or Sums of Money exceeding Four hundred Pounds for any of the Purposes aforesaid, without the previous Consent in Writing of a Majority of the Guardians of such Union, except for the Completion of Buildings already in part erected according to the Plan or Plans originally sanctioned by the Commissioners, and deposited with the Clerk of the Union.

Incapacitated Persons empowered to convey.

XXXVII. And be it enacted, That it shall be lawful for all Corporations, Tenants in Tail, Tenants for Life, or for any other partial or qualified Estate or Interest, other than Lessees rendering Rent, and not holding for a Life or Lives with Covenants for perpetual Renewal, Husbands, Guardians, Trustees for the Association for the Suppression of Mendicity and for other voluntary Associations, and the Trustees and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons, if incapacitated, entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised and possessed of or interested in their own Right or entitled to Dower or other Interest in, and for all other Persons whatsoever seised or possessed of or interested in, any Lands, Tenements, or Hereditaments which may be required by the Commissioners for the Purposes of this Act, to contract for, sell, and convey the same or any Part thereof to the Commissioners; and all such Conveyances as aforesaid shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Estates, Interest or Interests so thereby conveyed or aliened, and to bar and destroy all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the same.

Provisions of 7 G. 4. c. 74., affecting Purchase and Valuation of Sites, to extend to this Act.

XXXVIII. And be it enacted, That all and every of the Provisions of an Act passed in the Seventh Year of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland, which affect or relate to the Lodgment, Payment, and Application of the Purchase Money of the Lands purchased or taken under the said last-mentioned Act, or to Petitions to the High Court of Chancery in *Ireland*, and the Orders of the said Court relative thereto, or to any Payments of Purchase Money, or to any Rights and Titles of Parties interested, shall be held to apply to the Lodgment, Payment, and Application of the Purchase Money of Lands, Tenements, or Hereditaments to be purchased or taken for the Purposes of this Act, and to the Rights and Titles of Parties interested therein: Provided always, that every Act in relation to the Matters aforesaid, whereto the Concurrence or Signatures of Three of the Commissioners of Works in the said Act mentioned are required, shall and may be done by and under the Hand of any One of the Poor Law Commissioners.

Where Purchase Money is paid into the Bank the Commissioners not required to see to the Application thereof.

XXXIX. Provided always, and be it enacted, That in every Case in which the Amount of Price of any Lands, Tenements, or Hereditaments, or of any Compensation, shall be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, in manner provided by the said Act of the Seventh Year of the Reign of King *George* the Fourth, such Payment, and every Contract and Agreement in pursuance whereof it was made, shall be good to all Intents and Purposes, and the said Commissioners shall not be bound to see to the Application thereof, nor shall such Contract or Conveyance be in anywise vitiated by reason of any Defect of Title of the Person or Corporation so contracting or conveying; and that in every Case in which Purchase Money shall be so paid into the Bank of *Ireland* the said Court of Chancery shall have the Power of ordering the Distribution thereof, or Payment of the Dividends thereof, as in the last-mentioned Act is provided for the Care of Money paid into the said Bank, in manner aforesaid, to the Credit of the Parties interested in Lands taken under the Provisions of the said Act.

Commissioners may sell Lands or Hereditaments.

XL. And be it enacted, That it shall be lawful for the Commissioners for the Time being, when they shall think fit, to sell any Lands, Tenements, or Hereditaments which may be purchased by or become vested in them by or under the Authority of this Act, and to convey the same as the Purchasers shall direct; and the Receipt of any Two of the Commissioners, or of any Person to whom the Purchase Money shall be paid by their Direction, shall be sufficient Discharge for such Purchase Money; and such Purchase Money shall be applied by the Commissioners in the Purchase of other Lands, Tenements, or Hereditaments, to be held upon the like Trusts with the Hereditaments from the Sale of which such Money shall have arisen, or in such Manner as the Commissioners shall think advisable for the Benefit of the Union or Institution for the Benefit or Purposes of which such Hereditaments shall have been holden: Provided always, that it shall not be lawful for the Commissioners to sell the Workhouse of any Union without the Consent of the Majority of the whole Number of the Guardians of such Union.

Relief in Workhouses.

XLI. And be it enacted, That when the Commissioners shall have declared any Workhouse of any Union to be fit for the Reception of destitute Poor, and not before, it shall be lawful for the Guardians, at their Discretion, but subject in all Cases to the Orders of the Commissioners, to take Order for relieving and setting to work therein, in the first place, such destitute poor Persons as by reason of old Age, Infirmity, or Defect may be unable to support themselves, and destitute Children; and in the next place, such other Persons as the said Guardians shall deem to be destitute Poor, and unable to support themselves by their own Industry, or by other lawful Means: Provided always, that in any Case where there may not be sufficient Accommodation for the Relief of all the Persons applying for Relief whom the Guardians shall deem to be destitute Poor, the Guardians shall relieve such of the said Persons as may be resident

resident in the Union before or in preference to those who may not be so resident.

Register Books to be provided by the Commissioners.

XLII. And be it enacted, That the Commissioners shall cause to be printed for the Use of every Union a sufficient Number of Register Books for making Entries of the Descriptions of Persons admitted into and relieved in the Workhouse according to the Form in the First Schedule to this Act annexed, and in such Register Books shall be printed upon each Side of every Leaf the Heads of Information herein required to be registered respecting the Persons so to be admitted and relieved, together with such other Particulars as the Commissioners may prescribe; and every Page of each such Book shall be numbered progressively from the Beginning to the End, beginning with Number One; and every Place of Entry shall be also numbered progressively from the Beginning to the End of the Book, beginning with Number One; and every Entry shall be divided from the following Entry by a printed Line.

Master of the Workhouse to register the Persons admitted and relieved.

XLIII. And be it enacted, That the Commissioners shall furnish to every Board of Guardians, for the Use of the Master or other principal resident Officer of every Workhouse, one of such Register Books, at a reasonable Price, the Cost whereof shall be borne by the Union in which such Workhouse shall be situate; and every such Master or Officer shall, as soon as conveniently may be, register in the said Book the Particulars required to be registered according to the Form in the said First Schedule, touching every Person to be admitted into and relieved in such Workhouse; and such Register Book shall be produced at every Meeting of Guardians for their Examination, Approval, or Correction, and, when so approved or corrected, shall be signed by the Chairman, and countersigned by the Clerk.

Accounts to be kept of Expences incurred in respect of Persons relieved.

XLIV. And be it enacted, That the Board of Guardians of every Union shall cause Accounts to be kept of the Expence incurred in respect of the Persons relieved in any Workhouse within such Union, and such Accounts shall be made up at the End of every Six Calendar Months; and the Board of Guardians shall charge against the Electoral Division as formed by virtue of this Act, at the End of such Period, the Proportion of such Expence as shall appear to have been incurred in respect of every Person so relieved, who shall be stated in the Registry to have been resident within such Electoral Division; and the Expence incurred in respect of every Person so relieved and not stated in the Registry to have been resident within some Electoral Division of the Union shall be borne by and charged against the whole Union: Provided always, that from and after the Expiration of Three Years from the Period at which the Commissioners shall have declared the Workhouse of the Union fit for the Reception of destitute Poor it shall be lawful for the Guardians elected for any Two or more Electoral Divisions within such Union, by Writing under their Hands, to agree that all Charges in respect of destitute poor Persons resident within such Electoral Divisions respectively shall thenceforth be borne in common by such Electoral Divisions; and in such Case such Agreement, having

having been first signed by the said Guardians, shall be signed and sealed by the Commissioners, if after due Inquiry made by them they shall approve of the same, and one Part thereof deposited with the Commissioners, and a Counterpart or Counterparts thereof, signed by the said Guardians and signed and sealed by the Commissioners, deposited with the Clerk of the Peace of the County in which the Workhouse of such Union shall be situate; and every such Clerk of the Peace shall and is hereby required, upon the Receipt of such Agreement, Part, or Counterpart, to file the same with the Records of such County, and from and after the depositing of such last-mentioned Agreement or Counterpart the same shall be binding upon such Electoral Divisions, and shall not be revoked or annulled, unless at the Desire of the Guardians elected for such Two or more Electoral Divisions, and with the Consent of the Commissioners, or unless the Commissioners shall alter any One or more of such Electoral Divisions, any thing herein-before contained to the contrary notwithstanding.

After Completion of any Workhouse the Commissioners may order the Powers of former Acts to cease.

XLV. And be it enacted, That when the Commissioners shall have declared any Workhouse of any Union to be fit for the Reception of destitute Poor, it shall be lawful for them, if they shall so think fit, to direct that so much of the Provisions of all General and Local Acts made before the passing of this Act in any way relating to the Relief of Poor in Workhouses, Houses of Industry, and Foundling Hospitals, which shall have vested in the said Commissioners under the Provisions of this Act, or to any Presentment, Tax, or Contribution in respect of such Relief, shall, as regards such Union, cease and determine.

Commissioners to report upon the State of existing Medical Charities.

XLVI. And be it enacted, That the said Commissioners shall, so soon as conveniently may be after the Formation of any Union, make or cause to be made strict Inquiry into the State of the several Fever Hospitals, Dispensaries, or Institutions for the Relief of the sick or convalescent Poor, whether as intern or extern Patients, existing within the Limits of such Union, and into the Nature and Extent of the Relief so afforded; and the Commissioners shall report thereupon to One of Her Majesty's Principal Secretaries of State, and in such Report they shall set forth the Number of Hospitals or Dispensaries which in their Opinion ought to be provided for the Relief of the sick and convalescent Poor, in addition to such Workhouse or Workhouses as aforesaid, and also an Estimate of the Sum or Sums which will be annually required for defraying the Expences of such additional Hospitals or Dispensaries.

Commissioners empowered to inspect certain Hospitals.

XLVII. And be it enacted, That the Commissioners shall and are hereby authorized from Time to Time to inspect and examine into the Administration of any Hospital or Infirmary supported in part by Grand Jury Presentments or Parliamentary Grants, and with the Concurrence of the Governors of such Hospital or Infirmary to give such Directions for the better and more effective Management thereof as the said Commissioners shall think fit, and to cause the same to be recorded in the Books of such Hospital or Infirmary.



XLVIII. And

Religious Service to be provided in Workhouses, and Chaplains to be appointed.

XLVIII. And be it enacted, That the Commissioners shall take Order for the due Performance of Religious Service in such Workhouses, and for appointing fit Persons to be Chaplains for that Purpose, to hold their respective Offices during the Pleasure of the Commissioners; but nothing herein contained shall authorize the Commissioners to appoint or direct the Appointment of more than One fit Person being in Holy Orders and of the Established Church, One other fit Person being a Protestant Dissenter, and One other fit Person being a Priest or Clergyman of the Roman Catholic Church, to be Chaplain or Chaplains at any One Time in any such Workhouse; and the Commissioners shall fix and from Time to Time regulate the Salary of such Chaplain or Chaplains: Provided always, that in the Appointment of such Chaplain Preference shall be given to some Clergyman of the Established Church officiating within the Parish in which such Workhouse shall be situated, if duly qualified, and in like Manner to some Dissenting Minister and some Clergyman of the Roman Catholic Religion, if duly qualified, acting as such within the said Parish.

No Inmate of Workhouse obliged to attend Religious Service contrary to his Principles.

XLIX. And be it enacted, That no Order of the Commissioners nor any Bye Law shall oblige any Inmate of any Workhouse to attend or be present at any Religious Service which may be celebrated in a Mode contrary to the Religious Principles of such Inmate, nor shall authorize the Education of any Child in such Workhouse in any Religious Creed other than that professed by the Parents or surviving Parent of such Child, and to which such Parents or Parent shall object, or in the Case of an Orphan to which the Guardian or Guardians, Godfather or Godmother of such Orphan shall object: Provided also, that it shall be lawful for any regular Minister of the Religious Persuasion of any Inmate of such Workhouse at all Times in the Day, on the Request of such Inmate, to visit such Workhouse, for the Purpose of affording Religious Assistance to such Inmate, and also for the Purpose of instructing his Child or Children in the Principles of his Religion.

Parish Wardens to be appointed.

L. And be it enacted, That it shall be lawful for the Board of Guardians of every Union, within One Month after the annual Election of Guardians, to appoint a fit Person in each Parish or Townland, or any Part thereof respectively, included in such Union, to be and be styled the Warden for such Parish, Townland, or Part thereof, and such Warden shall hold his Office for One Year, and may be re-appointed thereto, and shall provide for the Conveyance to the Workhouse of any such destitute poor Persons within such Parish, Townland, or Part thereof, as the Guardians shall direct, and shall perform such other Duties in relation to the Purposes of this Act as the Orders of the Commissioners shall prescribe; and shall, when required by the Guardians, attend the Meetings of their Board, and report to them from Time to Time the State of the Poor within such Parish, Townland, or Part thereof, and the Increase or Diminution of Mendicancy therein, and such other Particulars in relation to the Condition of such Parish, Townland, or Part thereof, as he may think fit, or as the Board of Guardians shall require.

Commissioners may assist Emigration.

LI. And be it enacted, That it shall be lawful for the Commissioners, when they shall think fit, upon Application from the Guardian or Guardians of any Electoral Division, to direct a Meeting of the Rate-payers of such Division to be held, after Fourteen Days previous Notice given and published in such Form and Manner as the Commissioners shall direct, at some Place within the Division to be named in such Notice, at which Meeting the Guardian of the Division, or if there be more than one, such one of the Guardians present as shall have been first named in the Return for such Electoral Division, and in the Absence of any such Guardian some Rate-payer to be elected by the Majority present at the Meeting, shall be Chairman; and if at any such Meeting the Majority in Value of the Rate-payers present shall agree to and sign an Application to the Commissioners for the raising of a Rate to assist Emigration, it shall be lawful for the Commissioners from Time to Time, by Orders under their Seal, to direct the Guardians to raise such Sums as the Commissioners shall think requisite for assisting Emigration, such Sums not to exceed in any One Year One Shilling in the Pound upon the net annual Value of the rateable Property of such Division; and the Sums in such Orders mentioned shall be raised by the Guardians by a Rate under this Act on such Division, or by a Charge on the future Rates of such Division, so that One Fifth at least of the whole Sums so to be raised under any such Order shall be paid in the first and each subsequent Year until the whole shall be discharged; and the Sums so raised shall be applied, under the Directions of the Commissioners, by the Guardians of the Union, in conducting or assisting and in defraying the Expences connected with the Emigration to *British* Colonies of poor Persons resident in such Division.

Application of Money raised under this Act.

LII. And be it enacted and declared, That it shall not be lawful for the Commissioners, or any Guardians or other Persons acting in the Execution of this Act, to apply, directly or indirectly, any Money raised under the Authority of this Act to the Relief of destitute Poor in any other Manner than is herein expressly mentioned, or to any Purpose not expressly provided for in this Act.

Liability of Father and Husband to maintain his own and his Wife's Children, &c.

LIII. And be it declared and enacted, That for the Purposes of this Act every Husband shall be liable to maintain his Wife, and every Child under the Age of Fifteen, whether legitimate or illegitimate, which she may have had at the Time of her Marriage with such Husband; and every Father shall be liable to maintain his Child, and every Widow to maintain her Child, and the Mother of every Bastard Child to maintain such Bastard Child, until every such Child respectively shall attain the Age of Fifteen Years: Provided always, and be it declared, that nothing herein contained shall be taken to remove or lessen the Obligations to which any Husband or Parent is by Law liable in regard to the Maintenance of his Wife or Children, legitimate or illegitimate respectively, independently of this Act.

As to Relief given to Wife and Children.

LIV. And be it enacted, That all Relief given under this Act to a Wife or Child shall be considered as given to the Person declared by this Act to be liable to maintain such Wife or Child.

LV. And

Relief may be declared to be a Loan.

LV. And be it enacted, That the Cost Price of any Relief which the said Commissioners shall by any Order declare or direct to be given by way of Loan shall be and the same is hereby declared to be a Loan from the Guardians of the Union in which the same shall be given, and shall be recoverable from the Person to whom the same shall be given, or considered as given under this Act, by such and the same Actions and Proceedings as Money lent.

Pensions, &c. to be paid to Guardians in repayment of Relief.

LVI. And be it enacted, That when any Relief shall have been given to any Person entitled to or in receipt of any Pension, Superannuation, or other Allowance in respect of his Service in the Navy, Royal Marines, Army, or Ordnance, or to his Wife, or to any Child whom he may be liable to maintain, it shall be lawful for the Guardians, by Minute, stating the Particulars of the Relief so given and the Person to whom given, to require that the next Payment which shall become due of such Pension or Allowance shall be made to such Guardians; and such Guardians shall transmit a Copy of such Minute, attested by their Clerk, at least One Month before such Payment shall become due, addressed to Her Majesty's Paymaster General, provided the Pension or other Allowance shall have been granted for Service in the Navy or Marines, or to the Commissioners of *Chelsea* Hospital provided the Pension or other Allowance shall have been granted for Service in the Army or Ordnance, with the Words "*Chelsea* Pensioner," or "*Greenwich* Pensioner," (as the Case may be,) written thereon, which said Paymaster General shall thereupon, and upon sufficient Proof being given to the Satisfaction of the Paymaster General or Commissioners of *Chelsea* Hospital respectively that the Person whose Pension or other Allowance shall be so required to be paid shall be living when the same shall become payable, and would have been otherwise entitled to receive the same, cause Payment to be made to such Guardians; and the said Guardians so receiving any Pension or Allowance shall retain and apply so much thereof as will repay the Cost of Relief actually given as aforesaid for the Use and Indemnity of the Union, and shall pay the Surplus, if any, to the Pensioner or Person entitled thereto; and upon the Receipt of any such Minute as aforesaid the Payment of the Pension or other Allowance mentioned therein shall be suspended until sufficient Proof shall have been given to entitle the Guardians named in such Minute to receive the Money thereby required to be paid to them.

Liability of Children to maintain Parents.

LVII. And be it enacted, That where any poor Person shall, through old Age, Infirmity, or Defect, be unable to support himself, every Child of such poor Person shall be liable, according to his Ability, to support or contribute to support such poor Person; and in case Relief shall be given under this Act to any poor Person whose Child shall be liable to support him or contribute to his Support, it shall be lawful for any Two Justices of the Peace of the Jurisdiction within which such Child may dwell, on the Application of the Guardians of the Union in which such Relief shall have been given, by their Order to direct what Sum, not exceeding the Cost Price of such Relief, shall be paid by such Child to such Guardians in respect of the Relief which shall have been so given, and also what weekly or other periodical Payments shall be made by such Child to such Guardians

dians in respect of such Relief as shall subsequently be given to such poor Person; and the Sum so directed to be paid, and also such weekly or other periodical Payments, when and as they shall become due, shall be recoverable by such Guardians in the same Manner as any Penalties are recoverable under this Act.

Punishment for refusing to work, absconding from Workhouse, or disobeying the Rules of the Commissioners.

LVIII. And be it enacted, That every Person who shall refuse to be lodged and maintained in the Workhouse of any Union, or abscond out of such Workhouse while his Wife, or any Child whom he may be liable to maintain, shall be relieved therein, and every Person maintained in a Workhouse who shall refuse to be set to work, or shall be guilty of Drunkenness, Insubordination to the Officers of the Union, or Disobedience to the Rules prescribed or sanctioned by the Commissioners for the Government of such Workhouse, or of other Misbehaviour therein, and every Person who shall introduce or attempt to introduce spirituous or fermented Liquors into any Workhouse, contrary to the Orders of the Commissioners, shall, on Conviction thereof before any Justice of the Peace at Petty Sessions in open Court, either by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses, be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month.

Punishment for deserting Wife or Child.

LIX. And be it enacted, That if any Person shall desert and leave his Wife, or any Child whom such Person shall be liable to maintain, so that such Wife or Child shall become destitute and be relieved in the Workhouse of any Union, every such Person shall, on Conviction thereof before any Justice of the Peace at Petty Sessions in open Court, either by the Confession of the Offender, or by the Evidence of One or more credible Witness or Witnesses, be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Term not exceeding Three Calendar Months.

Justices may issue Warrant to apprehend Offenders.

LX. And be it enacted, That it shall be lawful for any Justice of the Peace, upon Oath being made before him that any Person hath committed any Offence as aforesaid, to issue his Warrant to apprehend and bring before him, or some other Justice or Justices of the Peace at Petty Sessions in open Court, the Person so charged, to be dealt with as is directed by this Act.

Rates to be made;

LXI. And be it enacted, That for the Purpose of defraying the Expences incurred in the Execution of this Act the Guardians of every Union, or, where a Board of Guardians shall not be acting, the Persons or Officers appointed by the Commissioners in their Behalf, shall from Time to Time make and levy such Rates as may be necessary on every Occupier of rateable Hereditaments in or arising within such Union.

having Regard to Amount chargeable

LXII. And be it enacted, That in making every such Rate due Regard shall be had to the Amount which shall in manner aforesaid have been ascertained to be chargeable upon any Electoral Division, in

in respect of its Proportion of the Expences incurred in the Relief of Persons within the Workhouse of the Union, during the Period to which the last Account of such Expences shall extend. on Electoral Divisions.

LXIII. And be it enacted and declared, That the following Hereditaments shall be rateable Hereditaments under this Act; *viz.*, all Lands, Buildings, and opened Mines; all Commons, and Rights of Common, and all other Profits to be had, received, or taken out of any Land; all Rights of Fishery; all Canals, Navigations, and Rights of Navigation; and Rights of Way and other Rights or Easements over Land, and the Tolls levied in respect of such Rights and Easements, and all other Tolls: Provided always, that no Turf Bog or Turf Bank used for the exclusive Purpose of cutting or saving Turf, or for taking Turf Mould therefrom for Fuel or for Manure, shall be rateable under this Act, unless a Rent or other valuable Consideration shall be payable for the same; and provided also, that no Mines which have not been opened Seven Years before the passing of this Act shall be rateable until the Term of Seven Years from the Time of the opening thereof shall have expired; and no Mines hereafter to be opened shall be rateable until Seven Years after the same shall have been opened; and Mines *bonâ fide* re-opened after the same shall have been *bonâ fide* abandoned shall be deemed an opening of Mines within the Meaning of this Act: Provided also, that no Church, Chapel, or other Building exclusively dedicated to Religious Worship, or exclusively used for the Education of the Poor, nor any Burial Ground or Cemetery, nor any Infirmary, Hospital, Charity School, or other Building used exclusively for charitable Purposes, nor any Building, Land, or Hereditament dedicated to or used for Public Purposes, shall be rateable, except where any private Profit or Use shall be directly derived therefrom, in which Case the Person deriving such Profit or Use shall be liable to be rated as an Occupier according to the annual Value of such Profit or Use. What Hereditaments are rateable.

LXIV. And be it enacted, That every such Rate shall be a Poundage Rate made upon an Estimate of the net annual Value of the several Hereditaments rated thereunto; that is to say, of the Rent at which one Year with another the same might in their actual State be reasonably expected to let from Year to Year, the probable annual Average Cost of the Repairs, Insurance, and other Expences, if any, necessary to maintain the Hereditaments in their actual State, and all Rates, Taxes, and public Charges, if any, except Tithes, being paid by the Tenant. Rates to be made on Estimate of annual Value.

LXV. And be it enacted, That the Particulars of every such Rate shall be entered in a Book, which (in addition to any other Particular which the Commissioners may require) shall contain an Account of every Particular set forth at the Head of the respective Columns in the Form given in the Second Schedule to this Act annexed, and the Guardians and other Officers whose Duty it may be to make the said Rate, or such a Number of the said Guardians or other Officers as are competent to the making and levying of the same, shall, before the same is levied, sign the Declaration at the Foot of the said Form; and the said Rates to be made in a given Form.

said Book shall, after the Signature of the said Declaration, be Evidence of the Truth of every Particular so contained therein.

Existing Surveys to be used, if sufficient; if not, Guardians to cause Surveys to be made.

LXVI. And be it enacted, That all existing Surveys and Valuations shall, so far as they may in the Opinion of the Commissioners be available and sufficient for the Purpose, be made use of in estimating the net annual Value of Hereditaments liable to be rated under this Act; and where no Surveys or Valuations exist, or where existing Surveys or Valuations may not in the Opinion of the Commissioners be available or sufficient for the Purpose, the Guardians of any Union shall, when and in such Manner as the Commissioners shall from Time to Time direct, make or cause to be made a Survey and Valuation of all or any such Hereditaments in any Townland within the Union, with such separate Valuations of distinct Tenements, Parcels, or Subdivisions as the Commissioners shall think fit; and it shall be lawful for the Commissioners, where they shall see fit, either to appoint or to direct the Guardians to appoint a fit professional Person or Persons to make such Survey and Valuation, or to revise and correct any existing Survey or Valuation; and for the Purpose of making any such Survey, Valuation, or Revision the said Guardians, or the Valuators or Surveyor by them appointed, may at all reasonable Times enter every Field, Garden, or other inclosed Land, and all Buildings (not being inhabited Dwelling Houses) situate within such Union.

Premises may be examined.

Accounts to be kept of Tolls and Profits liable to be rated.

LXVII. And be it enacted, That every Body Corporate, and every Company of Proprietors and Joint Stock Company associated by Authority of Parliament or by Royal Charter or Letters Patent, or to whom any Privileges or Powers have been or shall be granted by Parliament or by Royal Charter or by Letters Patent, who shall be entitled to any Tolls or Profits from or on account of the Use of any Canal, Navigation, Railway, Right of Way, or other Easement, or to any other Tolls which shall be rateable under this Act, shall cause to be duly kept Accounts showing the Gross Amount of the monthly Receipts in respect of such Tolls and Profits received in every Year from and after the passing of this Act, and also the Amount of the Expenditure in every such Year on account of the Repairs, Insurance, and other Expences, the probable annual Average Cost of which under the Provision herein-before contained should be taken into account in ascertaining the net annual Value of such Canal, Navigation, Railway, Right of Way, Easement, or Tolls, and of the Rates, Taxes, and Charges thereon; and the Guardians of the Poor of the Union or several Unions within which such Canal, Navigation, Railway, Right of Way, Easement, or Tolls shall be rateable, or any Agent by such Guardians authorized under their Seal, shall have free Access to and Liberty to inspect the same during the Months of *April* and *October* in every Year.

Providing for Expence of Survey and Valuation.

LXVIII. And be it enacted, That it shall be lawful for the Commissioners to make Provisions for paying the Costs of every such Survey and Valuation, either by a separate Rate or by a Charge on the Poor Rates, as they may see fit; and in case of such Charge being made not less than One Fifth of the Sum charged on the Rates, and such Interest as may from Time to Time be payable in respect of such Charge

Charge or any Part thereof, shall be paid in each succeeding Year, till the whole is discharged.

Inspection of Valuation.

LXIX. And be it enacted, That before the first Rate shall be made in any Union under the Provisions of this Act, and also previously to the making of any subsequent Rate upon any new Valuation, the said Guardians shall give such Notice as the Commissioners shall direct of the Place and Period, not to be less than Twenty-one Days, at and during which the Valuation whereon it is proposed that a Rate shall be made of the rateable Property within the Union may be seen; and such Valuation shall be shown at such Place and during such Period by such Persons as the Guardians shall direct; and every Rate-payer within such Union shall be allowed at all Times, between the Hours of Ten and Four during such Period, to inspect such Valuation.

Inspection of Rates.

LXX. And be it enacted, That before any Rate shall be levied the Guardians shall, in such Form and Manner as the Commissioners shall direct, publish a Notice of the same having been made; and thenceforth it shall be lawful for any Person or Persons affected thereby, at all reasonable Times, to take Copies thereof or Extracts therefrom, without paying any thing for the same; and in case the Person or Persons having the Custody of such Rate shall refuse to permit or shall not permit such Person or Persons so affected thereby as aforesaid to take Copies thereof or Extracts therefrom, the Person or Persons so refusing or not permitting such Copy or Extract to be made shall for each and every such Offence forfeit and pay any Sum not exceeding Ten Shillings, to be recovered as Penalties and Forfeitures are recoverable under this Act.

Rates to be paid by Occupier.

LXXI. And be it enacted, That every Rate made under the Authority of this Act shall be paid to the Person authorized to collect the same by the Person in the actual Occupation of the rateable Property at the Time of the Rate made, and on his Default then by the Person subsequently in the Occupation of the rateable Property from whom such Rate shall be demanded.

Where net annual Value of Property does not amount to 5*l.* Lessee may be rated instead of Occupier.

LXXII. Provided always, and be it enacted, That in any Case where the net annual Value of any Property shall not amount to Five Pounds, if the Occupier and his immediate Lessor by any Writing under their Hands shall require, and if the Guardians of the Union wherein such Property is situate shall by a Minute of their Board agree thereto, such immediate Lessor shall be rated instead of such Occupier; and such Rebate from the Rate may be made, (not exceeding Ten *per Cent.*), as the Guardians shall by such Minute allow; and such Minute, until altered as herein-after provided, shall bind such Lessor, his Heirs and Assigns, unless the Commissioners shall at any Time disallow the same or any Part thereof, which shall thenceforth, so far as the same shall be disallowed, be of no Effect; and such Minute shall in no Case be altered or rescinded by the Guardians until Twelve Months after the making or last previous Alteration thereof, nor within Six Months after the Consent of the Occupier and Lessor to be affected by the Alteration shall have been given

given to such Alteration: Provided nevertheless, that the Occupier of any Property the immediate Lessor of whom shall have been so charged shall be entitled to be rated, on giving to the Board of Guardians of the Union in which such Property is situate Six Months Notice according to the Form contained in the Third Schedule to this Act annexed.

Collectors of County Cess to collect Rates under this Act on Warrants from Guardians, and to give Security for due Collection.

LXXIII. And be it enacted, That every Rate made under the Authority of this Act on each Electoral Division shall and may, if any Collector for the Time authorized to collect the County Cess on any Part of such Electoral Division shall be approved of by the Commissioners and shall give Security to the Satisfaction of the Commissioners, and shall accept such Salary or Allowance as shall be approved by the Commissioners for his Trouble in this Behalf, be levied by such Collector, who shall, so far as relates to the Collection of such Rate, be deemed a paid Officer of the Union within which such Electoral Division shall be situated; and it shall be lawful for the Guardians of any Union to issue Warrants under their Seal to each such Collector, specifying the Amount of Money to be levied for the Purposes of this Act on each Electoral Division respectively within the Collection of such Collector, and the Portion thereof to be paid by each Occupier of rateable Hereditaments or other Person liable to pay the same; and the Collector, on Receipt of such Warrant, is hereby required and authorized to levy the Money therein mentioned according thereto; and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as the Grand Jury Cess, or the Money applotted on the several Persons liable to pay the same, may be collected and levied; but if such Collector shall not give such Security or accept such Salary or Allowance, such Rate shall and may be levied by any other Officer of the Union who shall, with the Approval of the Commissioners, be thereunto appointed and authorized by the Warrant of such Guardians; and every such Officer so appointed and authorized shall have such and the same Powers in all respects, for the Collection and Levy of the Money mentioned in the Warrant of the said Guardians, as are herein-before given to the Collector for the Time being authorized to collect County Cess.

In default thereof any other Officer of Union may be appointed to collect.

Proportion of Rate to be deducted from Rent.

LXXIV. And be it enacted, That where the Person occupying such Property shall be liable to pay a Rent in respect of the same he may deduct from such Rent for each Pound of the Rent which he shall be liable so to pay One Half of the Sum which he shall have paid as Rate in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any less Sum than a Pound.

Where more than One Rent is paid.

LXXV. And be it enacted, That where any Person receiving Rent in respect of any rateable Property shall also pay a Rent in respect of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to the Amount of Rate deducted from the Rent received by him as the Rent paid by him bears to the Rent received by him: Provided always, that every Lessor rated as aforesaid instead of any Occupier of rateable Property shall be

entitled to deduct from any Rent paid by him in respect of such Property a Sum bearing such a Proportion to One Half of the entire Rate on such Property as the Rent paid by him bears to the net annual Value of such Property.

Entire Rate to be deducted from Tithe.

LXXVI. Provided always, and be it enacted, That every Person immediately liable to pay Tithe may deduct therefrom, for every Pound in Value of such Tithe, the entire Poundage of every Rate made under this Act upon the Hereditaments out of which such Tithe may arise.

Agreements to forego Deductions of Rate void.

LXXVII. Provided also, and be it enacted, That any Covenant or Agreement whereby any Person liable to pay Rent, and entitled under the Provisions of this Act to deduct therefrom any Rate or Portion of Rate, shall have covenanted or agreed or shall hereafter covenant or agree to forego such Deduction, shall, so far as such Rate is concerned, be of no effect.

Recovery of Arrears.

LXXVIII. And be it enacted, That in case the Rate in respect of any rateable Property shall not have been fully paid within Two Calendar Months after the Rate made, it shall be lawful for the Guardians of the Union within which such rateable Property shall be situate, or any Person authorized to collect Rate therein, to levy and raise such Rate or the Part thereof remaining unpaid, together with all Costs incurred by any Neglect or Refusal to pay the same, by such Distress on the rateable Property, and such Sale and Disposition of the Distresses taken thereon, as are by Law provided for the Recovery of Rent reserved on Leases of Land for Years, or to sue for such Rate and Costs by Civil Bill in the Name of such Guardians before the Assistant Barrister having Jurisdiction to hear and determine Causes by Civil Bill in the County, Place, or District where the Person liable to pay the same resides: Provided always, that in case the Person occupying such Property, and paying such Rate and Costs, or any Part thereof, shall not be the Person primarily liable to pay the Rate, or the immediate or any superior Landlord of the Person primarily liable, it shall be lawful for him to deduct and retain the whole of the Rate and such Costs so paid by him from any Rent paid by him; and the Person from whose Rent such Rate and Costs shall be so deducted shall be entitled to make from any Rent paid by him such Deduction as he would have been entitled to make in case the Rate had been duly paid by the Person primarily liable to pay the same.

Receipts for Rates to be taken in Payment of Rent.

LXXIX. And be it enacted, That in all Cases the Receipt for Poor Rate in respect of any Property shall be accepted by every Person entitled to receive Rent in respect of the same Property or Tithe arising therefrom in lieu of such a Sum of Money and in full Consideration of such Portion of Rent or Tithe as the Person tendering such Receipt is hereby entitled to deduct from such Rent or Tithe by reason of his Payment of the Rate for which such Receipt shall be given: Provided always, that no Deduction on account of any Payment of Rate under this Act shall be held to be a Discharge of any Portion of any Gale or quarterly or other Payment of Rent due from the Person entitled to make such

Deduction, so as to prejudice the Right of any Landlord to recover the Possession of any Hereditaments by Ejectment for Non-payment of the Rent thereof in any Case where the remaining Portion of such Gale shall be unpaid, but that it shall and may be lawful for such Landlord to proceed for the Recovery of such Hereditaments by Ejectment as effectually as if the entire Gale or quarterly or other Payment of Rent out of which such Deduction is hereby allowed had remained wholly due and unpaid: Provided also, that no Deduction shall be made from any Rent-charge granted by way of Jointure, or any other Rent-charge or Annuity granted, limited, or devised for a Life or Lives in being only, or for Years determinable on a Life or Lives in being.

Definition of Rate-payer.

LXXX. And be it declared and enacted, That every Occupier paying Rate, and not entitled to deduct the whole thereof from the Rent paid by him, and every Person receiving in respect of any rateable Property Rent from which any Deduction shall be made on account of Rate, in case such Rent shall exceed all Rent paid by him in respect of the same Property, and every Owner of Tithe, shall be deemed a Rate-payer for the Purposes of this Act; and every Person entitled to receive Tithes from the Persons primarily liable to pay or render the same shall exclusively be deemed a Tithe-owner for the Purposes of this Act.

Constituency for electing Guardians to consist of Rate-payers.

LXXXI. And be it enacted, That at every Election of Guardians in a Union where a Rate shall have been made under this Act every Rate-payer who under the last of such Rates shall have paid or contributed or be liable to pay or contribute Rate (whether in One or in more than One Sum or Charge) in respect of Property in such Union shall have a Vote or Votes according to the Scale hereinafter mentioned; (the Number of Votes in the Case of an Occupier to be computed and allowed in respect of the net annual Value of he Property occupied by him, and in the Case of a Person receiving Rent and contributing Rate in respect thereof to be computed and allowed according to the net Amount of the Rent received by him after deducting therefrom all Rent which he may be liable to pay, and in respect of which he may be entitled to deduct from the Rate contributed, and in the Case of the Tithe-owners to be computed and allowed according to the net annual Value of his Tithe;) where such Property so occupied, or the net Amount of such Rent, or the net annual Value of such Tithe, as the Case may be,

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| shall not amount to 20*l.* | - | One Vote; |
| shall amount to 20*l.* and not to 50*l.* | - | Two Votes; |
| to 50*l.* and not to 100*l.* | - | Three Votes; |
| to 100*l.* and not to 150*l.* | - | Four Votes; |
| to 150*l.* and not to 200*l.* | - | Five Votes; |
| to 200*l.* and upwards | - | Six Votes: |

And in every Case where the Occupier paying Rate shall not be entitled to deduct any Part thereof from any Rent paid by him, he shall have double the Number of Votes above mentioned: And where the net annual Value of the rateable Property shall exceed the Rent paid by the Occupier he shall, in addition to his Votes as

as Occupier, have the same Number of Votes as if such Excess of net annual Value were Rent received and retained by him without Deductions; and for the Purpose of ascertaining the Number of Votes to which a Rate-payer shall be entitled the Aggregate Amount of the Valuation under this Act for the Time being of the Property in respect of which he claims to vote shall be taken to be the annual Value.

Joint Rate-payers how to vote.

LXXXII. And be it enacted, That in case Two or more Rate-payers shall be jointly liable to pay or contribute to Rate, each of them shall be entitled to vote according to the Proportion and Amount which shall be borne by him; and where One only of the Persons jointly liable shall claim to vote, he shall be entitled to vote in respect of the whole of the Property in respect of which such Rate-payers may be jointly liable.

At Elections of Guardians Votes to be taken in Writing.

LXXXIII. And be it enacted, That in all Elections of Guardians the Votes shall be given or taken in Writing, and collected and returned in such Manner as the Commissioners shall direct, and the Majority of the Votes which shall be actually collected and returned in each Electoral Division shall in every such Case be binding on such Division and the Union containing the same.

Votes may be given by Proxy.

LXXXIV. And be it enacted, That it shall be lawful for any Rate-payer from Time to Time by Writing under his Hand to appoint any Person to vote as his Proxy in respect of any Property not in the actual Occupation of such Rate-payer; and every such Appointment shall remain in force until revoked; but no Rate-payer shall be entitled to vote, either in Person or by Proxy, in respect of any Property not in his actual Occupation, or to give any Vote in addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent equal to the net annual Value of the Property in his actual Occupation, unless he or his Proxy shall, One Week at the least previous to the Day on which he shall claim to vote, have given a Statement in Writing of his Name and Address, and the Description of the Property in respect of which he claims to vote, and of his Interest therein, and if such Proxy shall claim to vote the Original or an attested Copy of the Writing appointing such Proxy, to the Guardians, or some Person acting as the Returning Officer at such Election; and the said Guardians, or the Person acting as Returning Officer, shall enter on the Rate Books of the Union, or in some other Book to be from Time to Time provided for that Purpose, the Names and Addresses of the Rate-payers and Proxies who shall send such Statements, and the net annual Value of the Property in respect whereof they respectively claim to vote.

No Occupier to vote unless his Rates be paid up.

LXXXV. And be it enacted, That no Occupier paying Rent to any Landlord shall be entitled to vote under the Provisions of this Act unless he shall have paid all the Poor Rates previously made and assessed upon him, except such as shall have been made or become due within the Six Calendar Months immediately preceding such voting.

LXXXVI. And

Corporations, &c. how to vote.

LXXXVI. And be it enacted, That in Cases of Property belonging to or occupied by any Corporation Aggregate, or any Joint Stock Company, no Member of such Corporation, or Proprietor of or interested in such Joint Stock Company, shall be entitled to vote in respect thereof, but any Officer of such Corporation or Joint Stock Company whose Name shall be entered by the Direction of the governing Body of such Corporation or Company in the Books of the Union, in the Manner herein-before directed with respect to Rate-payers claiming to vote in respect of Property not in their actual Occupation, shall be entitled to vote in respect of such Property in the same Manner as if he were a Rate-payer thereof.

Cess-payers to form Constituency where no Rate shall have been made.

LXXXVII. And be it enacted, That at every Election of Guardians for any Union where a Rate shall not have been made under this Act every Person liable to pay the County Cess for Property within such Union, and every Landlord entitled to receive Rent in respect of such Property, shall have the same Vote or Number of Votes respectively as if the same had been Property rated under the Provisions of this Act; and in such Case, for the Purpose of ascertaining the Right to a Vote or Votes at such Election, every Shilling of the County Cess levied on such Property within the Year ended the Thirty-first Day of *December* next previous to such Election shall be calculated as One Pound net annual Value.

Power to appoint Returning Officer.

LXXXVIII. And be it enacted, That at any Election of Guardians under this Act the Commissioners may appoint a Returning Officer, with such Assistants as they may deem necessary, and prescribe the Duties which he shall perform in such Election; and such Returning Officer shall, according to the best of his Judgment and Ability, make a true Return in Writing to the Commissioners of the Persons who shall be elected Guardians; and every Person who shall be returned by such Officer shall be deemed to be legally elected.

Borrowing of Exchequer Loan Commissioners.

LXXXIX. And be it enacted, That whenever it is made lawful under the Provisions of this Act to charge or secure Money on the Rates of any Union or Electoral Division, it shall be lawful for the Guardians of such Union, with the Consent of the Commissioners, to be testified under their Seal, or for the Commissioners, when there may be no Guardians elected, or other Persons appointed or authorized to act as Guardians for such Union or Electoral Division to borrow and obtain such Money from any Person willing to advance the same on the Security of such Rates on the Terms herein-after mentioned, or to make Application for an Advance of any Sum necessary for any such Purposes to the Commissioners appointed under an Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned*, and of any Act or Acts passed for amending or continuing the same, and the said Exchequer Bill Loan Com-

57 G. 3. c. 34.

missioners are hereby empowered to make such Advances upon any such Application as aforesaid, upon the Security of the Rates for the Relief of the Poor, or special Rates under this Act, to be made in such Union or Electoral Division, and without requiring any further or other Security than a Charge on such Rates: Provided always, that no such Advance of Money shall be made by the Exchequer Bill Loan Commissioners for the Purposes of building any Workhouse unless with the Consent of the Commissioners of Her Majesty's Treasury.

Money borrowed to be secured by a Charge on Rates authorized by this Act.

XC. Provided always, and be it enacted, That all Money to be borrowed under the Provisions of this Act shall be secured by a Charge on the Rates hereby authorized, under the Seal of the Guardians or other Persons appointed or authorized to act as Guardians, or under the Seal of the Commissioners, as the Case shall require, and shall carry Interest after such Rate as may in such Charge be mentioned; and in the Case of Money borrowed for the Purchase of Land or any Interest therein for building or enlarging a Workhouse, or furnishing and fitting up the same, or providing Utensils, Instruments, or Machinery for setting the Poor to work, the Principal Money shall be repaid by annual Instalments of not less than One Twentieth of the Sum borrowed; the first of such Instalments to be paid at or before the Expiration of One Year after the Time of the Advance of such Money, if at the Time of such Advance any Workhouse in the Union shall have been declared by the Commissioners fit for the Reception of destitute Poor, and if no Workhouse in the Union shall have been so declared fit, then at or before the Expiration of One Year after the Time when some Workhouse shall have been so declared fit; and in every Case not otherwise provided for by this Act such Principal Money shall be repaid by such Instalments as in the Charges by which the same shall be secured shall, with the Consent of the Commissioners, be specified in that Behalf: Provided always, that where any Money shall be advanced by the said Exchequer Bill Loan Commissioners, upon Application as aforesaid, for the Purchase of Land or any Interest therein, or for building or enlarging a Workhouse, or for any or all of such Purposes, such Money shall not carry Interest until, according to the Terms of the Charge by which such Money shall be secured, One Half of the Money so advanced ought to have been repaid, and thenceforth so much only as shall from Time to Time remain unpaid shall carry Interest.

Persons entitled to Money secured on Rates may assign their Interest therein, on Notice given.

XCI. And be it enacted, That every Person entitled to Money secured by Charges on the Rates by this Act authorized may from Time to Time assign his Right and Interest therein to any other Person, upon giving Notice in Writing of such Assignment to the Guardians of the Union the Rates of which or of any Place or District within which may be thereby charged; and after such Assignment and Notice such Assignee, his Executors, Administrators, and Assigns, shall be entitled to the full Benefit of such Charge, and to recover and receive the Money thereby secured; and it shall not be in the Power of the Person who shall have made such Assignment to release or discharge the Charge assigned, or the Money secured thereby.

Contracts not to be valid unless conformable to the Rules of Commissioners.

XCII. And be it enacted, That the Commissioners may direct the Boards of Guardians of so many Unions as they may think fit to join in making any Contract; and that any Contract which shall be entered into by or on behalf of any Union, for or relating to the Maintenance, clothing, lodging, Employment, or Relief of the destitute Poor, or for any other Purpose relating to or connected with the general Management of the destitute Poor, or the Execution of this Act, which shall not be made and entered into in conformity with the Orders of the Commissioners, or otherwise sanctioned by them, shall be voidable, and, if the said Commissioners shall so direct, shall be null and void; and all Payments made under or in pursuance of any Contract not made and entered into in conformity with such Orders, at any Period after the Commissioners shall have declared the same to be null and void as aforesaid, shall be disallowed in passing the Accounts of the Guardians or other Officers by whom such Payments shall have been made; and it shall be lawful for the Commissioners to direct the Guardians of any Union to take or institute any Proceedings, Civil or Criminal, as the Commissioners may think fit, against any Contractor who shall have violated the Terms of any such Contract, or who shall have been guilty of any Fraud in relation thereto; and the Expences of such Proceedings shall be paid out of the Rates levied under the Authority of this Act in the Union or Unions interested in such Contract.

Guardians, &c. not to be concerned in Contracts, &c. whilst in Office.

XCIII. And be it enacted, That no Guardian, paid Officer, Warden, or other Person in whose Hands the Collection of the Rates for the Relief of the destitute Poor, or the providing for, ordering, Management, Control, or Direction of the destitute Poor of any Union, shall or may be placed, shall, either in his own Name or in the Name of any other Person, provide, furnish, or supply, for his own Profit, any Materials, Goods, or Provisions for the Use of any Workhouse in any Union for which he or they shall be appointed or act as such during the Time for which he or they shall retain such Appointment, nor shall be concerned, directly or indirectly, in furnishing or supplying the same, or in any Contract relating thereto, under pain of forfeiting the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Dublin*.

Officers to account.

XCIV. And be it enacted, That every Guardian, Treasurer, or other Person having the Collection, Receipt, or Application of any Monies assessed for the Relief of the destitute Poor in any Union, or holding or accountable for any Balance or Sum of Money, or any Books, Deeds, Papers, Goods, or Chattels relating to the Relief of the destitute Poor within any Union, or the Collection or Application of Poor Rate, or for the Funds, Property, Rents, Profits, or Income of any House of Industry, or other Institution which shall be liable to become vested in the Commissioners under this Act, shall, as often as the Orders of the Commissioners shall direct, make and render to the Auditors who may audit Accounts under the Provision herein-after contained a full and distinct Account in Writing, in such Form as the Commissioners shall direct, of all Monies, Matters, and Things committed to their Charge, or received, held, or expended by them on

behalf of any such Union, House of Industry, or other Institution, and, if thereunto required by such Auditors, shall verify on Oath (which Oath every such Auditor is hereby authorized to administer) the Truth of all such Accounts and Statements from Time to Time respectively, or subscribe a Declaration to the Truth thereof, in manner and under the Penalties in this Act provided for Parties giving Evidence or refusing to give Evidence under the Provisions of this Act; and all Payments, Charges, and Allowances made by any Guardian or other Person, and charged upon the Rates for the Relief of the destitute Poor, contrary to the Provisions of this Act, or at variance with any Order of the Commissioners made under the Authority of this Act, are hereby declared to be illegal, and shall be disallowed accordingly; and all Balances found by any such Auditor to be due from any Guardian, Treasurer, or other Person having the Control of the Poor Rate, or accountable for such Balances, may be recovered in the same Manner as Penalties and Forfeitures are recoverable under this Act: Provided nevertheless, that no such Proceeding shall exonerate or discharge the Liability of the Surety of any such Treasurer, Guardian, or other Person as aforesaid: Provided also, that no Allowance or Disallowance by any Auditor shall exonerate or discharge such Guardian or other Person liable to account from any Penalty or legal Proceeding to which he may have rendered himself liable by having acted contrary to the Orders of the Commissioners or to the Provisions of this Act.

Payments contrary to this Act to be disallowed.

Surety not to be discharged.

XCV. And be it enacted, That it shall be lawful for the Commissioners to appoint Auditors to audit the Accounts of all Persons liable to account under this Act, and to invest such Auditors with such of the Powers and Authorities which the Commissioners are herein-before authorized to delegate to the Assistant Commissioners as they shall think fit, and such Appointments, Powers, and Authorities respectively from Time to Time to revoke and vary; and such Auditors shall examine into the Matter of every such Account, and shall disallow and strike out of every such Account all such Charges and Payments as they shall deem to be illegal or unfounded, and shall reduce such as they shall deem to be exorbitant, and shall insert in every such Account such Charges against the Person accounting as they shall deem such Person liable to, specifying upon or at the Foot of such Account every such Charge or Payment, and its Amount, so far as they shall disallow, reduce, or insert the same, and the Cause for which the same is disallowed, reduced, or inserted.

Appointment of Auditors, and their Duties.

XCVI. And be it enacted, That no Advertisement inserted by or under the Direction of the Commissioners in the *London* or *Dublin Gazette*, or any Newspaper, for the Purpose of carrying into effect any Provisions of this Act, nor any Charge, Mortgage, Bond, or Instrument given by way of Security in pursuance of the Orders of the Commissioners, and conformable thereto, nor any Transfer thereof, nor any Contract or Agreement made or entered into in pursuance of such Orders, and conformable thereto, nor any Conveyance, Demise, or Assignment respectively, to or by the Commissioners, nor any Receipt for Rate, nor any other

Advertisements, &c. not liable to Stamp Duty.

other Instrument made in pursuance of this Act, nor the Appointment of any paid Officer engaged in the Administration of the Laws for the Relief of the Poor, or in the Management or Collection of the Poor Rate, shall be charged or chargeable with any Stamp Duty whatever.

Letters to and from Board of Commissioners to go free of Postage if sent conformably hereto.

XCVII. And be it enacted, That the said Commissioners or Commissioner shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of this Act free from the Duty of Postage, provided that such Letters and Packets as shall be so sent be directed to the Poor Law Commissioners, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers, with the Words "Office of Poor Law Commissioners" printed on the same, and be signed on the Outside thereof, under such Words, with the Name of any One of such Persons, not exceeding Three, as the said Commissioners, with the Consent of the Commissioners of the Treasury, or any Two or more of them, shall authorize and appoint, in his own Handwriting, such Name to be from Time to Time transmitted to the Secretaries of the General Post Office in *London* and *Dublin*, and be sealed with the Seal of the said Commissioners, and under such other Regulations and Restrictions as the said Commissioners of the Treasury, or any Two or more of them, shall think proper and direct; and every Person so to be authorized is hereby strictly forbidden so to subscribe or seal any Letter or Packet whatever, except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate solely and exclusively to the Execution of this Act; and if any Person so to be authorized, or any other Person, shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Inclosure, other than what shall relate to the Execution of this Act, every Person so offending shall be dismissed from his Office, and shall forfeit and pay the Sum of One hundred Pounds, (one Moiety of the said Penalty to the Use of Her Majesty, Her Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same,) to be sued for and recovered in any of Her Majesty's Courts of Record at *Westminster* for Offences committed in *England*, and in any of Her Majesty's Courts of Record in *Dublin* for Offences committed in *Ireland*, and before the Sheriff or Stewartry Court of the Shire or Stewartry within which the Party offending shall reside or the Offence shall be committed for Offences committed in *Scotland*; and if any Letter, Paper, or Writing, or other Inclosure, shall be sent under Cover to the said Commissioners, the same not relating solely and exclusively to the Execution of this Act, they are hereby strictly required and enjoined to transmit the same forthwith to the Secretary of the Post Office in *London*, with the Covers under which the same shall be sent, in order that the Contents thereof may be charged with the full Rates of Postage.

Letters sent under Cover, not relating solely to the Business of the Act, to be transmitted to Post Office, to be charged.

Service of Summons.

XCVIII. And be it enacted, That the Delivery of any Summons authorized to be issued by any Commissioner, Assistant Commissioner, or Justice of the Peace, under this Act, to any Party to whom such

such Summons shall be directed, or at his Place of Abode, to his Wife, or to any Child or Servant of such Party, being of the Age of Sixteen Years or upwards, shall in all Cases be deemed good and sufficient Service of such Summons.

Justices may proceed by Summons for Recovery of Penalties.

XCIX. And be it enacted, That in all Cases in which any Penalty or Forfeiture is recoverable before Justices of the Peace under this Act it shall and may be lawful for any Commissioner or Assistant Commissioner, or any Justice, to whom Complaint in Writing shall be made of any such Offence, to summon the Party complained against to appear before any Two Justices, and on such Summons the said Two Justices may hear and determine the Matter of such Complaint, and on Proof of the Offence convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and proceed to recover the same.

Penalty on Officers disobeying Guardians.

C. And be it enacted, That in case any Warden, Master of a Workhouse, or other Officer of any Union shall wilfully disobey the legal and reasonable Orders of Guardians in carrying the Orders of the Commissioners or Assistant Commissioners, or the Provisions of this Act, into execution, every such Offender shall, upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Penalty on Officers purloining Goods, &c. 20*l.* and Treble the Value of Goods purloined.

CI. And be it enacted, That if any Master of a Workhouse or other paid Officer, or any other Person employed by or under the Authority of the said Guardians, shall purloin, embezzle, or wilfully waste or misapply any of the Monies, Goods, or Chattels belonging to any Union, every such Offender shall, besides and in addition to such Pains and Penalties as such Persons so offending shall independently of this Act be liable to, upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, and also Treble the Amount or Value of such Money, Goods, or Chattels so purloined, embezzled, wasted, or misapplied; and every Person so convicted shall be for ever thereafter incapable of serving any Office relating to the Relief of the destitute Poor.

Penalty on Persons wilfully disobeying Orders, &c.

CII. And be it enacted, That in case any Person shall wilfully neglect or disobey any of the Orders of the Commissioners or Assistant Commissioners, purporting to be sealed or stamped with their Seal of Office, such Person shall, upon Conviction before any Two Justices, forfeit and pay for the First Offence any Sum not exceeding Five Pounds, for the Second Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds; and in the event of such Person being convicted a Third Time, such Third and every subsequent Offence shall be deemed a Misdemeanor, and such Offender shall be liable to be indicted for the same Offence, and shall, on Conviction, pay such Fine, not being less than Twenty Pounds, and suffer such Imprisonment, with or without hard Labour, as may be awarded against him by the Court by or before which he shall be tried and convicted.

Forfeitures, Costs, and Charges may

CIII. And be it enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed for any Offence against the

be levied by Distress and Sale.

the same shall, upon Proof and Conviction of the Offences respectively before any Two Justices, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justices are in every Case hereby fully authorized to administer,) or upon Order made as aforesaid, be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender, or Person liable or ordered to pay the same respectively, by Warrant under the Hands of the Justices before whom the Party may have been convicted, or on Proof of such Conviction by a Warrant under the Hands of any Two Justices (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices as aforesaid to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices as aforesaid for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices as aforesaid are hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices as aforesaid, as the Case may be, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County where the Offender shall be or reside, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Penalties and Forfeitures, when so levied, shall be paid to or for the Use of the Union where such Offence shall have been committed, to be applied in aid of the Poor Rate of such Union, and, if such Offence shall not be committed within any Union, shall be paid to the Treasurer of the County in which such Offence shall have been committed, in aid of the County Cess.

In what Manner to be applied.

Rate-payers, &c. may be competent Witnesses.

CIV. And be it enacted, That no Rate-payer or Inhabitant of any Union, or Payer of County Cess, shall be deemed an incompetent Witness in any Proceeding for the Recovery of any Penalty or Forfeiture inflicted or imposed for any Offence against this Act, notwithstanding such Penalty or Forfeiture, when recovered, shall be applicable as aforesaid.

Satisfaction recoverable for special Damage, but

CV. And be it enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making

the same be deemed a Trespasser, on account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall afterwards happen in making the Distress, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in any Action for Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action shall have been brought; and in case no such Tender shall have been made it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit, whereupon such Proceedings or Orders and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Distress not unlawful for Want of Form in the Proceedings.

Plaintiff not to recover for Irregularity if Tender of Amends be made.

CVI. And be it enacted, That if any Person or Persons shall find himself or themselves aggrieved by any Order or Conviction of any Justice or Justices (except where such Justice shall be an Assistant Barrister), where such Person or Persons shall be convicted in any Penalty or Penalties exceeding Five Pounds, or by any Rate made under this Act, or shall have any material Objection to any Person or Persons being put in or left out of such Rate, or to the Sum charged on any Person therein, it shall be lawful for such Person or Persons to appeal to any Sessions of the Peace to be held in the Presence of the Assistant Barrister in and for the County in which such Rate or such Order shall have been made or Conviction taken place within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month next after such Cause of Complaint, then such Appeal shall be made to the next following Sessions.

Appeal to the Sessions of the Peace against Rates or Order of Justices to be within Four Calendar Months after Cause of Complaint, &c.

CVII. And be it enacted, That the Justices and Assistant Barrister before whom any Appeal shall be brought are hereby empowered to hear and finally determine the Matter of such Appeal, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive upon all Parties, and in case of any Appeal against any Rate as aforesaid, to order the Name of any Person interested or concerned in the Event of such Appeal, and having had Notice thereof as is herein provided, to be inserted in such Rate, and to be rated at such Sum or Sums of Money, or to order the Name of any such Person to be struck out of such Rate, or the Sum or Sums at which any such Person is rated therein to be altered, as the said Justices and Assistant Barrister shall think right, and such Justices and Assistant Barrister or some proper Officer of the Court shall forthwith add to or alter the Rate accordingly; provided always, that the Justices and Assistant Barrister to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated

Power to determine Appeal, or amend Rate, or quash the same and order a new Rate.

stated and specified in the Notice of Appeal, nor alter any such Rate with respect to other Persons or Matter than are mentioned and specified in the Notice of Appeal; but if upon an Appeal from the whole of any Rate it shall be found necessary to quash or set aside the same, then the said Justices and Assistant Barrister shall quash the same, and shall in that Case order the Guardians to make a new Rate, and they are hereby required to make the same accordingly.

If Rate decreased, Amount paid to be returned.

CVIII. And be it enacted, That if upon the Hearing of any Appeal from any Rate made under this Act the Justices and Assistant Barrister shall order the Name of any Person to be struck out of such Rate, or the Sum or Sums rated on any Person to be decreased or lowered, and if it shall be made appear to the Justices and Assistant Barrister that such Person hath previously to the hearing of such Appeal paid any Sum or Sums of Money in consequence of such Rate which he ought not to have been charged with, then and in every such Case the said Justices and Assistant Barrister shall order all and every such Sum and Sums of Money to be repaid by the said Guardians, together with all reasonable Costs, Charges, and Expences occasioned by such Person having been required to pay the same, to be recovered as Penalties and Forfeitures under this Act.

Fourteen Days Notice in Writing to be given of Appeal, &c.

CIX. And be it enacted, That the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Clerk of the Guardians or the Respondent or Respondents; and the Justices and Assistant Barrister to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal; and if any Person or Persons shall appeal against a Rate because any other Person is rated or omitted therein, or because any other Person is rated therein at any greater or less Sum than the net annual Value of the Hereditaments in respect of which such other Person shall be rated, or for any other Cause that shall require any Alteration to be made in such Rates with respect to any other Person, then and in every such Case the Person or Persons so appealing shall give such Notice of Appeal as aforesaid, not only to the Clerk of the Guardians of the Union wherein such Rate shall be made, but also to every other Person so interested or concerned in the Event of such Appeal, and every such other Person shall, if he so desire, be heard upon such Appeal.

Rate to be payable and levied as if no Appeal had been made.

CX. Provided always, and be it enacted, That notwithstanding any such Appeal or Notice thereof every Rate shall be payable and shall be levied as if no Appeal had been made, until such Rate shall be actually quashed or amended.

Recognizance to be entered into to try the Appeal.

CXI. And be it enacted, That within Five Days after Notice given of Appeal the Person or Persons appealing shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the then next Sessions of the Peace to

to be held in the Presence of the Assistant Barrister as aforesaid, and to abide the Order of and pay such Costs as shall be awarded by the Justices and Assistant Barrister at such Sessions.

Costs may be awarded.

CXII. And be it enacted, That such Justices and Assistant Barrister, upon hearing and finally determining the Matter of any Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

Limitation of Actions.

CXIII. And be it enacted, That no Action or Suit shall be commenced against any Commissioner, Assistant Commissioner, or any other Person, for any thing done in pursuance of or under the Authority of this Act, until Twenty-one Days Notice has been given thereof in Writing to the Party or Person against whom such Action is intended to be brought, nor after sufficient Satisfaction, or Tender thereof, shall have been made to the Party aggrieved, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become Nonsuit, or suffer a Discontinuance of such Action, or if, upon any Demurrer in such Action, Judgment shall be given for the Defendant therein, then and in any of the Cases aforesaid such Defendant shall have Costs, Charges, and Expences, as between Attorney and Client, and shall have such Remedy for recovering the same as any Defendant may have for his or her Costs in any other Case by Law.

Defendant may plead the General Issue.

Costs.

Orders, &c. to be removeable by Certiorari to Court of Queen's Bench, and to continue in force until declared illegal.

CXIV. And be it enacted, That no Order of the Commissioners or Assistant Commissioners or Guardians, or any of them, made under the Powers of this Act, or Rate made under this Act, shall be removed or removeable by Writ of Certiorari into any Court of Record, except Her Majesty's Court of Queen's Bench at *Dublin*; and that every Order or Rate which shall be removed by Writ of Certiorari into the said Court of Queen's Bench, or the Legality of which shall be called in question in any other legal Proceedings, shall nevertheless, until the same shall be declared illegal by that Court, continue in full Force and Virtue, and be obeyed, performed,

formed, and enforced in such and the same Manner, and by such and the same Ways and Means, as if the same had not been so removed, or the Legality thereof had not been called in question.

Notice to be given to Commissioners of Application for Writ of Certiorari, &c.

CXV. And be it enacted, That no Application shall be made for any Writ of Certiorari for the Removal of any such Order or Rate, except to the Judges when sitting in the said Court, nor unless Notice in Writing shall have been left at the Office of the Commissioners in *London* or *Dublin* at least Ten Days previous to such Application being made, and in which Notice shall be set forth the Name and Description of the Party by or on behalf of whom and the Day on which it is intended to make such Application, together with a Statement of the Grounds thereof; and thereupon it shall be lawful for the Commissioners to show Cause in the first instance against such Application, and the Court may, if it shall so think fit, forthwith proceed to hear and determine the same upon the Grounds set forth in such Notice.

Commissioners may show Cause.

Recognizances to be entered into previous to Application for Writ.

CXVI. And be it enacted, That the Party or Parties applying for any Writ of Certiorari for the Removal of any such Order or Rate shall, previous to such Application being heard, enter into a Recognizance, with sufficient Sureties, before One of Her Majesty's Justices of the Court of Queen's Bench in *Dublin*, or before a Justice of the Peace of the County or Place in which such Person shall reside, in the Sum of Fifty Pounds, with Condition to prosecute the same, at his or their Costs and Charges, with Effect, without any wilful or affected Delay, and in default thereof, or in the event of such Writ being refused or of such Order being deemed legal, to pay the Commissioners their full Costs, Charges, and Expences, to be taxed according to the Course of the said Court of Queen's Bench; and in any such Case the Commissioners entitled to such Costs, within Ten Days after Demand made of the Person or Persons who ought to pay the said Costs, upon Oath made of the making such Demand, and Refusal of Payment thereof, may recover the same in the same Manner as any Penalties and Forfeitures are recoverable under this Act.

In what Cases Commissioners to be entitled to Costs.

If Rules are quashed the same to be notified to Unions to which such Rules have been directed.

CXVII. And be it enacted, That if upon the Hearing of the Application the Court shall order a Writ of Certiorari to issue for bringing up any such Order, and the same, being brought into Court, shall be quashed as illegal, the Commissioners shall forthwith notify the Judgment of the Court to all Unions to which such Order shall have been directed, and the same shall from the Time of receiving such Notice respectively be deemed and taken to be null and void to all Intents and Purposes whatsoever: Provided always, that such Judgment shall not have the Effect of annulling any Contracts made in pursuance or upon the Authority of any such Order which at the Receipt of such Notice respectively shall have been executed by either of the contracting Parties: Provided also, that no Person shall be liable to be prosecuted, either by Indictment or by Civil Action, for or in respect of any Act done by him before the Receipt of such Notice, under the Authority and in pursuance of such Order.

Proviso for existing Contracts.

No Person to be answerable until Receipt of Notice.

CXVIII. And

Explanation of Term "Poor Law Commissioners."

CXVIII. And be it enacted and declared, That the Words "Poor Law Commissioners," and the Words referring to such Commissioners in this Act, shall be taken to mean the Poor Law Commissioners for *England* and *Wales* appointed under the Authority of an Act passed in the Fourth and Fifth Years 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 that the said Commissioners for the Time being shall from and after the passing of this Act be styled "The Poor Law Commissioners," and by that Name shall have all the Powers and be subject to all the Obligations conferred or imposed on them by the said Act or by any other Acts by the Name of "The Poor Law Commissioners for *England* and *Wales*;" but all Proceedings at Law or in Equity commenced, and all Deeds or Instruments made and executed, and all Orders and Summonses made and issued, before the passing of this Act, wherein the said Commissioners shall be styled "The Poor Law Commissioners for *England* and *Wales*," shall be continued, and shall have the same Force and Effect after the passing of this Act, as if the said Commissioners were therein styled "The Poor Law Commissioners."

Change of Style of Commissioners.

Power to the Queen to appoint a Fourth Commissioner.

CXIX. And whereas by reason of the Provisions of this Act the Duties of the Poor Law Commissioners may be greatly increased; be it therefore enacted, That it shall be lawful for Her Majesty, Her Heirs and Successors, by Warrant under the Royal Sign Manual, to appoint a Fourth fit Person to be a Commissioner to carry the said Act of the Fourth and Fifth Years of His late Majesty and this Act into execution, conjointly with the Three Commissioners appointed by virtue of the said Act; and all the Provisions contained in the said Act, or in any other Act, passed or to be passed, in any way affecting the said Commissioners appointed under the said Act or this Act, or any of them, shall extend to any Fourth Commissioner who may be appointed under the Provisions of this Act.

To sit either in England and Wales or Ireland as a Board.

CXX. And be it enacted, That the said Commissioners, or any Two of them, may from Time to Time, as they may deem expedient, sit in *England* and *Wales* or *Ireland* as a Board of Commissioners for carrying this Act into execution, and for exercising all or any of the Powers which may be exercised by the said Commissioners under the Authority of the said Act of the Fourth and Fifth Years of the Reign of His late Majesty, or any other Acts.

To have a Common Seal.

Orders purporting to be sealed with such Seal to be received as Evidence.

CXXI. And be it enacted, That the Commissioners shall cause to be made a Seal and Duplicate Seal of the said Board, and shall cause to be sealed or stamped therewith all Orders made by them in pursuance of this Act; and all such Orders, or Copies thereof, purporting to be sealed or stamped with the Seal of the said Board, shall be received, without any further Proof thereof, as Evidence of such Orders, and that the same have been duly made and issued; and no such Order, or Copy thereof, shall be valid, or have any Force or Effect, unless the same shall be sealed or stamped as aforesaid.

CXXII. And

One Commissioner to reside in Ireland for the Execution of this Act.

CXXII. And be it enacted, That it shall be lawful for any One of the Commissioners, when required by One of Her Majesty's Principal Secretaries of State, or when the Board shall deem fit, to act in *Ireland* for the Purpose of carrying the Provisions of this Act into execution; and such One Commissioner shall, while acting there, have the same Power as is by this Act given to the Board of Commissioners, except the Power to make general Rules: Provided always, that the whole of the Commissioners shall assemble in *London* as often as they may deem necessary, but once at least in every Year, for the Purpose of submitting to One of Her Majesty's Principal Secretaries of State the General Report of their Proceedings.

Report to be laid annually before Parliament.

CXXIII. And be it enacted, That there shall be laid annually before both Houses of Parliament, on or before the First Day of *May*, a General Report of the Proceedings of the Commissioners acting in execution of this Act, together with an Account of the Expenditure upon the Relief of the Poor in each Union, and of the total Number relieved in each Union, during the Year ended on the First Day of *January* preceding.

Interpretation Clause.

CXXIV. And be it enacted, That the Words and Expressions hereinafter mentioned, which in their ordinary Use have a more confined or different Meaning, shall in the Construction of this Act, except where the Context excludes such Construction, be interpreted as follows: every Word importing the Singular Number or the Masculine Gender only shall be understood to include and shall be applied to several Persons, Matters, or Things, as well as one Person, Matter, or Thing, and Females as well as Males respectively; the Word "Order" shall include General Rules; the Words "General Rule" shall be construed to mean any Order relating to the Execution of this Act which shall at the Time of issuing the same be addressed by the Commissioners to more than One Union or to more Institutions or Objects than One, when such Institutions or Objects shall not be contained in any One Union; the Word "Occupier" shall include every Person in the immediate Use or Enjoyment of any Hereditaments rateable under this Act, whether corporeal or incorporeal; the Word "Rent" shall include every Reservation or Sum or Value rendered either in Money or otherwise by any Tenant or under any Contract for or in respect of the Occupation, Use, or Enjoyment of any Hereditaments, corporeal or incorporeal, and also every Fee-farm Rent and Rent-seck and Rent-charge; the Word "Tithe" shall include Rent or Composition in lieu of Tithe, and also the Ministers Money charged under an Act made in the Parliament of *Ireland* in the Session holden in the Seventeenth and Eighteenth Year of the Reign of King *Charles* the Second, for Provision of Ministers in Cities and Corporate Towns in *Ireland*; the Words "Justice" or "Justices of the Peace" shall, when any Justice or Justices is or are empowered to do any magisterial or judicial Act, either singly or at Petty Sessions, include and extend to any Justice of the Peace, or any Magistrate of a County, County of a City, or

County of a Town, or of any City or Town Corporate, or any Assistant Barrister.

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

## The FIRST SCHEDULE to which this Act refers.

REGISTRY of PERSONS admitted into and discharged from the WORKHOUSE of the UNION.

| No. | When admitted. | Name and Surname. | Sex. | Age. | Employment. | Married or Single. | Name of Wife or Husband. | Number of Children. | Townland in which resident. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |

The

## The SECOND SCHEDULE to which this Act refers.

### FORM of RATE.

A RATE for the Relief of the Poor of the Union in the County of made this Day of in the Year of our Lord One thousand on a Poundage of pence in the Pound.

| No. | Arrears due (if any). | Name of Occupier. | Name of Owner. | Description of Property rated. | Name or Situation of Property. | Estimated Extent. | Net annual Value. | Landlords Rates. | Tenants Rates. | Landlords Taxes and other public Charges. | Tenants Taxes and other public Charges. | Landlords Repairs and Insurance. | Tenants Repairs and Insurance. | Landlords other Expences. | Tenants other Expences. | Gross annual Value. | Rate at *d.* in the Pound. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £ s. d. | | | | | A. R. P. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| 1 | - - - | J. S. - - | J. G. - - | Land and Buildings - | Whiteacre Farm | | | | | | | | | | | | |
| 2 | - - - | Ditto - | Ditto - | House and Garden - | In —— Street - | | | | | | | | | | | | |
| 3 | 0 0 7½ | J. P. - - | Ditto - | House - - - | In —— Lane - | | | | | | | | | | | | |
| &c. | &c. | &c. | &c. | &c. | &c. | | | | | | | | | | | | |

### DECLARATION of GUARDIANS, &c.

WE do declare the several Particulars specified in the respective Columns of the above Rate to be true and correct, so far as we have been able to ascertain them, to which End we have used our best Endeavours.

*T*—— *J*——
*J*—— *T*——
&c. &c.

*A. B.*, Clerk of the Union.

## The THIRD SCHEDULE to which this Act refers.

'I *A.B.*, Occupier of [*describe the Property as nearly as possible in the Manner in which it is described in the Valuation*], in respect of which *B.C.* [*the Lessor*] is now rated, hereby require to be rated as the Occupier of the same; and I do hereby undertake to pay all Rates lawfully made in respect of such Property under the Authority of the Act passed in the Year of the Reign of Her Majesty Victoria, for the more effectual Relief of the destitute Poor in Ireland.'

*A.B.*

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