ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

C A P. XC.

An Act to provide for the Execution of the Laws for Relief of the Poor in *Ireland*.

[22d *July* 1847.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for the* 4 & 5 W. 4.
Amendment and better Administration of the Laws relating c. 76.
to the Poor in England *and* Wales: And whereas an Act was passed
in the Second Year of the Reign of Her Majesty, intituled *An Act* 1 & 2 Vict.
for the more effectual Relief of the destitute Poor in Ireland: And c. 56.
whereas an Act was passed in the Session of Parliament then next 2 & 3 Vict.
following, to amend the lastly-recited Act: And whereas an Act was c. 1.
passed in the Fourth Year of the Reign of Her Majesty, intituled
An Act to provide for the Payment of Debts, Charges, and Incum- 4 & 5 Vict.
brances affecting Houses of Industry and Workhouses, and of Advances c. 41.
made conformably with previous Usage for the lawful Purposes of such Houses of Industry and Workhouses in certain Cases in Ireland: And whereas an Act was passed in the Seventh Year of the Reign of
Her Majesty, intituled *An Act for the further Amendment of an Act* 6 & 7 Vict.
for the more effectual Relief of the destitute Poor in Ireland: And c. 92.
whereas under the Provisions of the said Acts the Administration of Relief to the Poor throughout *Ireland* is subject to the Direction and Control of the Poor Law Commissioners, whose Commission will

expire at the End of the Session of Parliament next after the Thirty-first Day of *July* in this Year: And whereas it is expedient that the Control of the Administration of the Laws for the Relief of the Poor in *Ireland* should be wholly separated from the Control of the Administration of the Laws for the Relief of the Poor in *England:* Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty from Time to Time, by Warrant under the Royal Sign Manual, to appoint a fit Person, who, with the Chief Secretary to the Lord Lieutenant of *Ireland*, and the Under Secretary to the said Lord Lieutenant, shall have the Control of the Administration of the Laws for Relief of the Poor in *Ireland;* and the Person so appointed shall hold his Office during the Pleasure of Her Majesty; and the said Chief Secretary and Under Secretary, and the Person so appointed, shall be styled "Commissioners for administering the Laws for Relief of the Poor in *Ireland;*" and the Person so appointed by Her Majesty shall be styled the Chief Commissioner; and whenever the Expression "the Commissioners" shall be used in this Act, without Addition, it shall be taken to mean "the said Commissioners for administering the Laws for Relief of the Poor in *Ireland.*"

Appointment of Commissioners for the Administration of the Laws for Relief of the Poor in Ireland.

II. And be it enacted, That Notice of the Appointment of every Chief Commissioner shall be published in the *Dublin Gazette;* and the Commissioners first constituted under this Act shall enter on their Office, and all the Powers by this Act vested in them shall take effect, on the Day after the first Publication of such Notice in the *Dublin Gazette.*

When Commissioners shall enter on their Office.

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

Seal of the Commissioners.

IV. And be it enacted, That the Commissioners shall from Time to Time, subject to the Approval of the Lord Lieutenant, appoint a Secretary, and may, with the like Approval, remove any Secretary so appointed, and shall also from Time to Time appoint so many Clerks, Messengers, and Servants as shall be allowed by the Commissioners of Her Majesty's Treasury; and all the Persons so appointed, except the Secretary, shall hold their several Offices during the Pleasure of the Commissioners.

Appointment of Secretary, Clerks, &c.

V. And be it enacted, That the Commissioners shall from Time to Time, subject to the Approval of the Lord Lieutenant, appoint so many fit Persons as shall be allowed by the Commissioners of Her Majesty's Treasury to be Inspectors, to assist in the Execution of this Act and of the other Acts now in force or which shall hereafter be in force, for the Relief of the Poor in *Ireland*, and may from Time

Inspectors to be appointed.

to Time assign to the Inspectors so appointed, or any of them, such Duties and delegate to them such of the Powers of the Commissioners as they may think necessary, and, subject to the like Approval of the Lord Lieutenant, may remove all or any of the said Inspectors, and appoint others in their Stead.

One of the Inspectors to be appointed Assistant Commissioner.

VI. And be it enacted, That the Commissioners shall from Time to Time appoint One of the said Inspectors, by the Title of Assistant Commissioner, to assist in the Business of their Office and in the Execution of this Act in such Manner as they shall direct, and may delegate to such Assistant Commissioner all the Functions, Powers, and Duties of the Chief Commissioner, or such of them as they shall think fit, in the Absence of the Chief Commissioner from *Dublin*, or whenever it shall appear to them necessary that such Delegation of Authority should be made; and thereupon the said Assistant Commissioner shall have full Authority to act, within the Limits of the Powers so delegated to him, as if he were the Chief Commissioner.

Inspectors may attend local Boards.

VII. And be it enacted, That the said Inspectors and each of them shall be entitled to attend every Board of Guardians and every parochial and other local Meeting held for the Relief of the Poor, and to take part in the Proceedings, but not to vote at such Board or Meeting.

Salaries.

VIII. And be it enacted, That the Chief Commissioner and Secretary, Clerks, Messengers, and Servants, and the Assistant Commissioner and Inspectors, shall receive such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury.

Transfer of Powers and Duties of the Poor Law Commissioners.

IX. And be it enacted, That on the Day on which the Commissioners shall enter on their Office all the Powers and Duties of the Poor Law Commissioners, or any of them, with respect to the Direction or Control of the Administration of Relief to the Poor throughout *Ireland*, shall be transferred to and vested in the Commissioners, and shall be thenceforth exercised by them, or any Two of them, or, except as is herein-after provided, by the Chief Commissioner alone, or in his Absence by the Assistant Commissioner, and all Provisions of the several Acts in any way relating to the Administration of Relief to the Poor in *Ireland* shall be construed as if therein the Commissioners had been named instead of the Poor Law Commissioners, subject nevertheless to any Amendments made by this Act; and during any Vacancy among the Commissioners the surviving or continuing Commissioners or Commissioner may continue to act with the same Powers and in the same Manner respectively as before such Vacancy: Provided always, that so much of the said Act of the Second Year of the Reign of Her Majesty as would enable the Commissioners to sit in *England* or *Wales* for exercising any Powers under any of the said Acts, or as would require them to assemble in *London* once at least in every Year, shall be repealed.

Transfer of Property.

X. And be it enacted, That the Commissioners and their Successors shall be deemed a Body Corporate, and shall have perpetual Succession

sion and a Common Seal, and for all Purposes connected with the Administration of the Laws for the Relief of the Poor throughout *Ireland* shall be deemed the Successors of the said Poor Law Commissioners, and all Lands, Tenements, and Hereditaments, and Real and Personal Property, vested in the said Poor Law Commissioners on the Day on which the Commissioners shall enter on their Office, shall vest in the Commissioners and their Successors without any Conveyance or Transfer thereof other than by the Operation of this Act.

Power to make Rules.

XI. And be it declared and enacted, That from and after the Day on which the Commissioners shall enter on their Office the Power vested in the Poor Law Commissioners to make Rules, Orders, and Regulations, and to vary or rescind the same, shall and may be exercised by the Commissioners, who shall make all such Rules, Orders, and Regulations under their Seal, except such as are intended only for their own Guidance and Procedure, or for the Guidance or Procedure of the said Inspectors or any of them, and the Conduct of the Business in their Office.

General Rules to be approved by the Lord Lieutenant in Council.

XII. And be it enacted, That no general Rule made by the Commissioners relating to the Administration of the Laws for the Relief of the Poor in *Ireland* shall have any Force unless the same shall be made under the Seal of the Commissioners, nor unless the same, before the Issue thereof, shall be approved by the Lord Lieutenant; and no Rule to vary or rescind a general Rule shall be made by the Commissioners unless the same shall be made and approved in like Manner.

Repeal of Part of 1 & 2 Vict. c. 56. as to general Rules.

XIII. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office so much of the said Act of the Second Year of the Reign of Her Majesty as relates to the Time or Manner when or how any such general Rule shall operate or take effect, or to the Disallowance of any such general Rule or any Part thereof, shall be repealed.

Disallowance of general Rules by Lord Lieutenant in Council.

XIV. And be it enacted, That if the Lord Lieutenant in Council shall at any Time disallow any such general Rule or any Part thereof, the same, so far as it shall have been so disallowed, shall cease to be of any Force or Validity, subject, however, and without prejudice to all things lawfully done under the same before such Disallowance.

Rules affecting more than One Union to be deemed general Rules.

XV. And be it enacted, That every Rule, Order, or Regulation of the Commissioners which shall be at the Time of issuing the same directed to and affect more than One Union shall be deemed a general Rule; and every Rule, Order, and Regulation made to vary or rescind a general Rule, whether or not directed to or affecting more than One Union, shall also be deemed a general Rule.

Rules made before Appointment of Commissioners under this

XVI. Provided always, and be it declared and enacted, That all lawful Rules, Orders, and Regulations of the Poor Law Commissioners, made before the Day on which the Commissioners first appointed under this Act shall enter on their Office, shall continue in full

full Force and Effect until rescinded or varied under the Authority of this Act. Act to continue in force.

XVII. And be it enacted, That in every Case when the Assent or Sanction of the Poor Law Commissioners, or any One or more of them, is now required for any Matter arising in *Ireland*, to be given under their Hands and Seals, or the Hand and Seal of any One or more of them, the Assent or Sanction of the Commissioners, from and after the Day on which they shall enter on their Office, shall be requisite instead thereof, and in every Case in which it shall be given shall be given under the Seal of the Commissioners, and shall have the like Force and Effect in *Ireland* as the Assent or Sanction of the Poor Law Commissioners before the passing of this Act. Sanction of Commissioners substituted for that of the Poor Law Commissioners in a prescribed Form.

XVIII. And be it enacted, That no Act of the Commissioners which is required to be under their Seal shall be of any Validity unless it shall purport to be signed by at least Two of the Commissioners, or by the Chief Commissioner, or in his Absence by the Assistant Commissioner, and in either of the Two last Cases countersigned by the Secretary to the Commissioners. Signature to Acts under Seal.

XIX. And be it declared and enacted, That the Commissioners, or any One of them, and also any such Inspector, acting in execution of the Acts now or hereafter to be in force for the Relief of the Poor in *Ireland*, by Summons under the Seal of the Commissioners, or under the separate Hand and Seal of any Commissioner or Inspector respectively, as the Case may be, may require the Attendance of all such Persons as they or he shall think fit to call before them or any of them respectively, upon any Matter connected with the Execution of this Act, or the Administration of the Laws for the Relief of the Poor in *Ireland*, at such Time and Place as shall be set forth in the Summons, and may make Inquiry and require Returns, and may administer Oaths, and examine all such Persons upon Oath, and may require and enforce the Production upon Oath of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, or Copies thereof respectively, in anywise relating to any such Matter, or, when the Commissioners, or any One of the Commissioners, or any Inspector, shall think fit, instead of requiring such Oath as aforesaid, may require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, that no Person shall be required, in obedience to any such Summons, to go more than Twenty Statute Miles from the Place of his Abode; provided also, that nothing herein contained shall empower the Commissioners, or any Commissioner or Inspector, to require the Production of the Title, or of any Papers or Deeds relating to the Title of any Lands, Tenements, or Hereditaments not being Property vested in the Commissioners by this Act. Power to summon Witnesses.

XX. And be it declared and enacted, That every Person who upon any Examination under the Authority of this Act shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, shall on being convicted thereof suffer the Pains and Penalties of Perjury; and Penalties for giving false Evidence, or refusing to give Evidence.

and every Person who shall refuse or wilfully neglect to attend in obedience to any Summons of the Commissioners, or of any One of the Commissioners or any Inspector, or to give Evidence, or who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof, shall be deemed guilty of a Misdemeanor.

Commissioners to report yearly to Lord Lieutenant, and Report to be laid before Parliament.

XXI. And be it enacted, That the Commissioners shall once in each Year submit to the Lord Lieutenant a general Report of their Proceedings; and every such general Report shall be laid before both Houses of Parliament within Six Weeks after the Date thereof if Parliament be then sitting, or if Parliament be not then sitting within Six Weeks after the next Meeting of Parliament; and that every such Report shall contain a distinct Statement of every Order and Direction issued by such Poor Law Commissioners in respect to Out-door Relief.

Confirmation of Proceedings under recited Acts.

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

Appointment of Commissioners, &c. limited to Five Years, &c.

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

liament so much of this Act as enables Her Majesty to appoint any Commissioners shall cease to operate or to have any Effect whatever.

Interpretation of Act.

XXIV. And be it enacted, That this Act shall be construed in the same Manner as the said Acts of the Second Year and the Seventh Year of the Reign of Her Majesty, and as One Act with the same and with the Acts and Provisions thereby directed to be construed as One Act, unless where otherwise directed by this Act; and that the Words "Lord Lieutenant" shall be construed to include Lord Justices or other Chief Governor or Governors of *Ireland*.

Act may be amended,&c.

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

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