ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. CI.

An Act to prevent the Removal of Poor Perſons, until they ſhall become actually chargeable.

[22d *June* 1795.]

Preamble. 13 and 14 *Car.* II, Cap. 12, recited.

WHEREAS by an Act, paſſed in the Thirteenth and Fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*; reciting, That whereas, by reaſon of ſome Defects in the Law, Poor People are not reſtrained from going from One Pariſh to another, and therefore do endeavour to ſettle themſelves in thoſe Pariſhes where there is the beſt Stock, the largeſt Commons or Waſtes to build Cottages, and the moſt Woods for them to burn and deſtroy; and when they have conſumed it then to another Pariſh, and at laſt become Rogues and Vagabonds, to the great Diſcouragement of Pariſhes to provide Stocks where it is liable to be devoured by Strangers; for Remedy whereof it is thereby, amongſt other Things, enacted, That it ſhall and may be lawful, upon Complaint made by the Churchwardens or Overſeers of the Poor of any Pariſh, to any Juſtice of the Peace, within Forty Days after any ſuch Perſon or Perſons coming ſo to ſettle as aforeſaid, in any Tenement under the Yearly Value of Ten Pounds, for any Two Juſtices of the Peace, whereof One to be of the Quorum, of the Diviſion where any Perſon or Perſons that are likely to be chargeable to the Pariſh ſhall

come to inhabit, by their Warrant, to remove and convey such Person or Persons to such Parish where he or they were last legally settled, either as a Native, Householder, Sojourner, Apprentice, or Servant, for the Space of Forty Days at the least, unless he or they give sufficient Security for the Discharge of the said Parish, to be allowed by the said Justices: And whereas many industrious Poor Persons, chargeable to the Parish, Township, or Place, where they live merely from Want of Work there, would in any other Place, where sufficient Employment is to be had, maintain themselves and Families without being burthensome to any Parish, Township, or Place; and such Poor Persons are for the most Part compelled to live in their own Parishes, Townships, or Places, and are not permitted to inhabit elsewhere, under Pretence that they are likely to become chargeable to the Parish, Township, or Place, into which they go for the Purpose of getting Employment, although the Labour of such Poor Persons might, in many Instances, be very beneficial to such Parish, Township, or Place: And whereas the Remedy intended to be applied thereto, by the granting of Certificates, in pursuance of the Act passed in the Eighth and Ninth Years of the Reign of King *William* the Third, intituled, *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom*, hath been found very ineffectual; and it is necessary that other Provisions should be made relating thereto: Be it therefore enacted by the King'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, from and after the passing of this Act, so much of the said in Part recited Act of the Thirteenth and Fourteenth Years of King *Charles* the Second, as enables the Justices to remove any Person or Persons that are likely to be chargeable to the Parish, Township, or Place, into which they shall come to inhabit, shall be, and the same is hereby repealed; and that from thenceforth no Poor Person shall be removed, by virtue of any Order of Removal, from the Parish or Place where such Poor Person shall be inhabiting, to the Place of his or her last legal Settlement, until such Person shall have become actually chargeable to the Parish, Township, or Place, in which such Person shall then inhabit, in which Case Two Justices of the Peace are hereby empowered to remove the Person or Persons, in the same Manner, and subject to the same Appeal, and with the same Powers, as might have been done before the passing of this Act with respect to Persons likely to become chargeable.

So much of recited Act as enables Justices to remove Persons likely to be chargeable to Parishes, repealed; and no Persons to be removed till they become chargeable.

II. And whereas Poor Persons are often removed or passed to the Place of their Settlement during the Time of their Sickness, to the great Danger of their Lives; for Remedy thereof, be it further enacted by the Authority aforesaid, That in case any Poor Person shall from henceforth be brought before any Justice or Justices of the Peace, for the Purpose of being removed from the Place where he or she is inhabiting or sojourning, by virtue of any Order of Removal, or of being passed by virtue of any Vagrant Pass, and it shall appear to the said Justice or Justices that such Poor Person is unable to travel, by reason of Sickness or other Infirmity, or that it would be dangerous for him or her so to do, the Justice or Justices making such Order of Removal, or granting such Vagrant Pass, are hereby required and authorized

Justices may suspend the Removal of Sick Persons:

rized to ſuſpend the Execution of the ſame until they are ſatisfied that it may ſafely be executed, without Danger to any Perſon who is the Subject thereof; which Suſpenſion of, and ſubſequent Permiſſion to execute the ſame, ſhall be reſpectively indorſed on the ſaid Order of Removal or Vagrant Paſs, and ſigned by ſuch Juſtice or Juſtices: And no Act done by any ſuch Poor Perſon continuing to reſide in any Pariſh, Townſhip, or Place, under the Suſpenſion of any ſuch Order, ſhall be effectual, either in the Whole or in Part, for the Purpoſe of giving him or her a Settlement in the ſame; and the Charges proved upon Oath to have been incurred by ſuch Suſpenſion of any Order of Removal may, by the ſaid Juſtices, be directed to be paid by the Churchwardens and Overſeers of the Pariſh or Place to which ſuch Poor Perſon is ordered to be removed, in caſe any Removal ſhall take place, or in caſe of the Death of ſuch Poor Perſon before the Execution of ſuch Order; and if the Churchwardens or Overſeers of the Pariſh, Townſhip, or Place, to which the Order of Removal ſhall be made, or any or either of them, ſhall, upon the Removal or Death of ſuch Poor Perſon ordered to be removed, refuſe or neglect to pay the ſaid Charges within Three Days after Demand thereof, and ſhall not within the ſame Time give Notice of Appeal as is herein-after mentioned, it ſhall and may be lawful for One Juſtice of the Peace, by Warrant under his Hand and Seal, to cauſe the Money mentioned in ſuch Order to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo refuſing or neglecting Payment of the ſame, and alſo ſuch Coſts attending the ſame, not exceeding Forty Shillings, as ſuch Juſtice ſhall direct; and if the Pariſh, Townſhip, or Place, to which the Removal of ſuch Poor Perſon is made, or was ordered to be made, before the Death of ſuch Perſon as aforeſaid, be without the Juriſdiction of the Juſtice of the Peace iſſuing the Warrant, then ſuch Warrant ſhall be tranſmitted to any Juſtice of the Peace having Juriſdiction within ſuch Pariſh, Townſhip, or Place as aforeſaid, who upon Receipt thereof is hereby authorized and required to indorſe the ſame for Execution: Provided nevertheleſs, that if the Sum ſo ordered to be paid on Account of ſuch Coſts and Charges exceed the Sum of Twenty Pounds, the Party or Parties aggrieved by ſuch Order may appeal to the next General Quarter Seſſions againſt the ſame, as they may do againſt an Order for the Removal of Poor Perſons by any Law now in being; and if the Court of Quarter Seſſions ſhall be of Opinion that the Sum ſo awarded be more than of Right ought to have been directed to be paid, ſuch Court may and is hereby directed to ſtrike out the Sum contained in the ſaid Order, and inſert the Sum which in the Judgement of ſuch Court ought to be paid; and in every ſuch Caſe the ſaid Court of Quarter Seſſions ſhall direct that the ſaid Order ſo amended ſhall be carried into Execution by the ſaid Juſtices by whom the Order was originally made, or either of them, or in caſe of the Death of either of them, by ſuch other Juſtice or Juſtices as the ſaid Court ſhall direct: Provided, that nothing in this Act contained ſhall extend to alter or abridge the Power of Juſtices of the Peace to paſs or puniſh Vagrants in the Manner and under the Circumſtances ſet forth in an Act, paſſed in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction*; (except

Charges incurred by ſuch Suſpenſion to be paid by the Officers of the Pariſh to which they are ordered to be removed, which may be levied with Coſts.

If Coſts exceed 20*l.* Appeal may be made to the Quarter Seſſions.

This Act not to alter the Power of Juſtices to paſs or puniſh Vagrants by 17 *Geo.* II. Cap. 5, except as to Suſpenſion.

(except ſo far as regards the Power of ſuſpending the Vagrant Paſs, in the Manner and for the Cauſes before mentioned).

No Perſon to gain a Settlement by Delivery and Publication of a Written Notice;

III. And be it further enacted by the Authority aforeſaid, That no Perſon coming into any Pariſh, Townſhip, or Place, ſhall, from and after the paſſing of this Act, be enabled to gain any Settlement therein, by Delivery and Publication of any Notice in Writing.

nor by paying Taxes for a Tenement of leſs than 10 *l.* Yearly Value.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, no Perſon or Perſons whatſoever, who ſhall come into any Pariſh, Townſhip, or Place, ſhall gain a Settlement in ſuch Pariſh, Townſhip, or Place, by being charged with and paying his, her, or their Share, towards the Publick Taxes or Levies of the ſaid Pariſh, Townſhip, or Place, for and on Account, or in reſpect of any Tenement or Tenements, not being of the Yearly Value of Ten Pounds.

Rogues, &c. to be conſidered as chargeable, and may be removed.

V. Provided alſo, and be it further enacted, That every Perſon who ſhall have been convicted of Larceny, or any other Felony, or who by the Laws now in being ſhall be deemed a Rogue, Vagabond, idle, or diſorderly Perſon, or who ſhall appear to any Two or more Juſtices of the Peace of the Diviſion wherein ſuch Perſon ſhall reſide, upon the Oath of One or more credible Witneſs or Witneſſes to be a Perſon of evil Fame, or a reputed Thief, ſuch Perſon not being able to give a ſatisfactory Account of himſelf or herſelf, or of his or her Way of Living, ſhall be conſidered as a Perſon actually chargeable within the true Intent and Meaning of this Act, to the Pariſh in which ſuch Perſon ſhall reſide, and ſhall be liable to be removed to the Pariſh of his or her laſt legal Settlement by the Order of the ſaid Juſtices of the Peace, whereof One to be of the Quorum, of the Diviſion where any ſuch Perſon ſhall reſide.

Unmarried Women with Child to be deemed chargeable.

VI. Provided alſo, and be it hereby enacted by the Authority aforeſaid, That every unmarried Woman with Child ſhall be deemed and taken to be a Perſon actually chargeable, within the true Intent and Meaning of this Act, to the Pariſh, Townſhip, or Place, in which ſhe ſhall inhabit, and may be removed as ſuch to the Place of her laſt legal Settlement; and in caſe any Order of Removal obtained for ſuch Purpoſe ſhall be ſuſpended for any of the Reaſons before mentioned, and during ſuch Suſpenſion the ſaid Woman ſhall be delivered of any Child, which by the Laws of this Kingdom ſhall be a Baſtard, every ſuch Baſtard Child ſhall be deemed and taken to be ſettled in the ſame Pariſh, Townſhip, or Place, in which was the legal Settlement of the Mother at the Time of her Delivery: Provided nevertheleſs, that all Act or Acts heretofore made touching Baſtard Children, or concerning the Mothers or reputed Fathers of ſuch Children, ſhall be, and remain in full Force and Effect after the paſſing of this Act as well in Caſes where by this Act the Place of Settlement of ſuch Baſtard Children is directed to be the ſame as that of the Mothers of ſuch Children, as in Caſes where the Place of Settlement of ſuch Baſtard Children remains the ſame as it did before the paſſing of this Act.

Baſtards to be deemed of the Mothers Pariſh.

Former Acts touching Baſtards, &c. to remain in force.

FINIS.