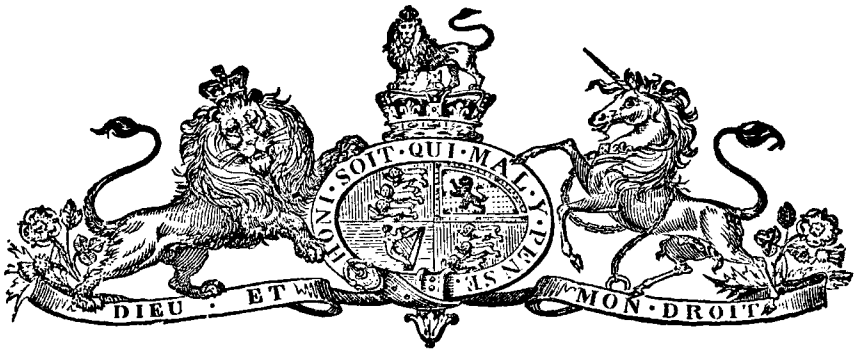


ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

CAP. CXIII.

An Act to amend the Law relating to the Removal of poor Persons from *England* to *Scotland*, and from *Scotland* to *England* and *Ireland*.

[7th *August* 1862.]

WHEREAS it is expedient that better Means should be provided for the safe Conveyance to the Place of their Destination in *England*, *Ireland*, or *Scotland* of poor Persons who may be removed in pursuance of the Acts passed in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Eighty-three, and Chapter One hundred and seventeen, and in the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter Thirty-three: 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:

Warrant of Removal to Scotland to be signed by Two Justices or a Magistrate, and to England or Ire-

1. No Application for a Warrant ordering the Removal from any Place in *England* to *Scotland*, or in *Scotland* to *England* or *Ireland*, of any poor Person who shall have become chargeable in such Place shall be heard and determined in *England*, except by Two or more Justices in Petty Sessions assembled, or by a Stipendiary Magistrate or Metropolitan Police Magistrate sitting in his Court; and in *Scotland*,

land by the Sheriff or Two Justices.

Scotland, except by the Sheriff or any Two Justices of the Peace of the County in which the Parish is situated to which such poor Person may have become chargeable, which Justices or Magistrate, and Sheriff or Justices (as the Case may be) shall see such poor Person, or the Person who is the Head of the Family proposed to be removed, and shall be satisfied that every Person who is proposed to be removed by the Warrant is in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal.

Warrant to contain Name and Age of every Person to be removed, and other Particulars.

2. Such Warrant of Removal shall be granted in *England* only on the Application of the Relieving Officer, or other Officer of the Guardians of the Union or Parish, and in *Scotland* only on the Application of the Inspector of the Poor of the Parish or Combination, or other Officer appointed by the Parochial Board of such Parish or Combination, where such poor Person shall have become chargeable, and shall contain the Name and reputed Age of every Person ordered to be removed by virtue of the same, and the Name of the Place in *Scotland* or *England* or *Ireland*, (as the Case may be) where the Justices or Magistrate, or Sheriff or Justices, shall find such Person to have been born, or to have last resided for the Space of Five Years in the Case of a poor Person to be removed to *Scotland*, and Three Years in the Case of a poor Person to be removed to *England* or *Ireland*, and a Statement of such Examination having been made as to the State of Health of every Person ordered to be removed as aforesaid; and such Warrant shall be addressed to the Party applying for the same, and in the Case of a Removal to *Scotland*, to the Parochial Board or Inspector of the Poor of the Parish or Combination to which such poor Person is to be removed, and in the Case of a Removal to *England* or *Ireland* (as the Case may be), to the Guardians of the Union or Parish to which such Person is to be removed, and a Copy shall be given by and at the Cost of the Person applying for such Warrant to the Person or the Head of the Family about to be removed by virtue of it: Provided that in the Case of any Native of *England*, *Ireland*, or *Scotland* where the Justices or Magistrate, or Sheriff or Justices, (as the Case may be,) shall not be able to ascertain, upon the Evidence before them, the Place of Birth or of such continued Residence as aforesaid, they shall order the Pauper to be removed to the Port or Union or Parish in *England* or *Ireland* (as the Case may be), or Port or Parish in *Scotland*, which shall, in the Judgment of such Justices or Magistrate, or Sheriff or Justices, (as the Case may be,) under the Circumstances of the Case be most expedient.

Proviso.

Copy of Warrant to be sent to Parochial

3. The Person obtaining the Warrant shall, at least Twelve Hours before the Removal, send a Copy of it by Post to the Inspector of the Poor of the Parish or Combination in *Scotland*, and

to

to the Clerk of the Board of Guardians of the Union or Parish in *England* or *Ireland* (as the Case may be), to which such poor Person shall be ordered to be removed, and also a Copy of the Depositions taken in the Case, if the same shall, at any Time within Three Months from the Date of the Warrant, be required by any such Board of Guardians or Parochial Board.

Board, or Clerks of Guardians of Union, or Parish to which Removal is to be made.

4. Such Warrant shall order the Removal of the poor Person to be made to the Place mentioned therein as aforesaid, and shall order the Persons charged with the Execution thereof to cause such poor Person with his Family (if any) to be safely conveyed to such Place in *England*, *Ireland*, or *Scotland* (as the Case may be), to be delivered, in the Case of a Removal to *Scotland*, to the Inspector of the Poor of the Parish or Combination, and in the Case of a Removal to *England* or *Ireland* at the Workhouse of such Place or of the Union or Parish containing the Port or Place nearest to the Place mentioned in the Warrant as the Place of the Pauper's ultimate Destination.

Warrants shall order poor Persons to be conveyed to the Place mentioned in the Warrant.

5. The Master of the Workhouse of the Union or Parish in *England* or *Ireland*, and the Inspector of the Poor of the Parish or Combination in *Scotland*, to which (as the Case may be) such Warrant is addressed, shall be bound to receive Delivery of the poor Person named in such Warrant, under a Penalty of Ten Pounds for each Case of Refusal, which Penalty may be recovered by the Person applying for such Warrant by an Action in any County Court in *England*, or Court of Quarter Sessions in *Ireland*, or Sheriff Court in *Scotland*, or other competent Court having Jurisdiction in the Place where such Master or Inspector is resident at the Time when such Action is brought.

Relieving Officers and Inspectors of Poor to receive poor Persons named in Warrant under Penalty of 10*l.*

6. If by reason of Default of the Guardians, Inspector of the Poor, or other Person having charge of such Warrant, or otherwise, the poor Person named therein shall not be removed to the Place of ultimate Destination, the Guardians of the Union or Parish in *England* or *Ireland*, or Parochial Board of the Parish or Combination in *Scotland*, (as the Case may be,) to which he has been removed, may, if they think fit, cause the Pauper to be removed forthwith to the Place mentioned in the Warrant, and shall be entitled to be reimbursed the Costs incurred in such Removal by the Guardians or Parochial Board (as the Case may be), or other Person on whose Application the Warrant was obtained, such Costs being the actual Expense incurred in and about the Conveyance and Maintenance of each Person so removed, which Costs may, if not paid on Demand, be recovered by an Action in any County Court in *England* or *Ireland*, or Sheriff Court in *Scotland*, or other competent Court having Jurisdiction in the Place from whence the Removal shall have taken place.

Parochial Boards and Guardians may forward the Pauper to the Place of Destination and recover the Costs.

7. It

Poor Removal.

Women and Children not to be removed as Deck Passengers during the Winter.

7. It shall be unlawful to remove any Woman, or any Child under the Age of Fourteen, as a Deck Passenger in any Vessel from *England* to *Scotland*, or from *Scotland* to *England* or *Ireland*, during the Period from the First of *October* to the Thirty-first of *March* following, and no Regulation of any Sheriff, Magistrate, or Justices authorizing such Removal shall be henceforth legal.

Part of Sect. 77. of 8 & 9 Vict. c. 83. repealed.

8. Section Seventy-seven of the Act Eighth and Ninth *Victoria*, Chapter Eighty-three, in so far as inconsistent with the Provisions of this Act, is hereby repealed.

Construction of this Act.

9. Except so far as this Act shall alter the Provisions of the said Acts, this Act shall be construed as Part of the same.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1862.