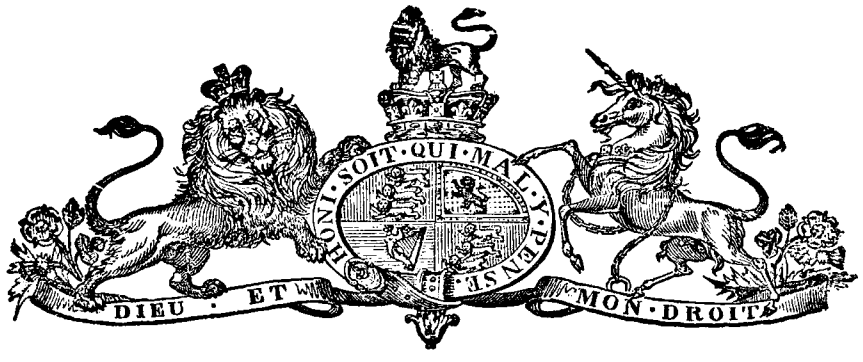


ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. LXXIX.

An Act to provide for the better Distribution of the Charge for the Relief of the Poor in Unions.

[29th *June* 1865.]

WHEREAS it is expedient to make Provision for the better Distribution of the Charge for the Relief of the Poor in Unions than is by Law now established: 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, as follows:

So much of Sect. 26. of 4 & 5 W. 4. c. 76. as requires Parishes in Unions to defray Expenses of their own Poor repealed; and Expenses thenceforth incurred to

1. From and after the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six, so much of the Twenty-sixth Section of the Fourth and Fifth *William* the Fourth, Chapter Seventy-six, as requires that each of the Parishes in a Union formed under the Authority of that Act shall be separately chargeable with and liable to defray the Expense of its own Poor, whether relieved in or out of the Workhouse of such Union, shall be repealed; and all the Cost of the Relief to the Poor, and the Expenses of the Burial of the dead Body of any poor Person under the Direction of the Guardians, or any of their Officers duly authorized, in such Union thenceforth incurred, and all Charges thenceforth incurred by the Guardians of

 such

be charged to the Common Fund.

such Union in respect of Vaccination and Registration Fees and Expenses, shall be charged upon the Common Fund thereof.

Guardians in Unions may obtain Orders of Removal in respect of Paupers settled elsewhere.

2. When any Pauper relieved in any such Union shall be settled in any Parish situated in another Union or subject to a Board of Guardians, and shall not be exempt from Removal by reason of any Provision of the Law, the Guardians of the Union to which such Pauper shall be chargeable may obtain an Order of Removal addressed to the Guardians of the Union or Parish, or the Overseers of the Parish, as the Case may require, in which such Pauper shall be settled, and the Guardians of such last-mentioned Union or Parish shall receive such Pauper in like Manner and subject to the like Incidents and Consequences as in the Case of Orders of Removals heretofore obtained by Overseers, with such Modifications as may be necessary to meet the Circumstances of the Chargeability to the Union instead of the Parish.

Guardians may defend and may appeal against Orders of Removal.

3. The Guardians obtaining such Order may defend the same, and the Guardians upon whom it shall be made may appeal against the same, in like Manner and with the like Incidents and Consequences as in the Case of Orders obtained or appealed against by Overseers.

Provided that every Appeal now pending may be continued and determined as though this Act had not been passed.

Signature and Service of Notices and other Documents.

4. Every Notice, Statement, Demand, or other Document required to be given by any such Guardians in respect of any Order of Removal shall be deemed to be sufficiently authenticated if signed by their Clerk in their Name, and shall be deemed to be duly served upon the Guardians to whom it shall be addressed if it be delivered to their Clerk personally, or be left at his Office, or be sent through the Post addressed to him at such Office.

Guardians empowered to call for Books and Papers from the Overseers.

5. For better enabling the Guardians to obtain such Orders of Removal, or to appeal against the same, they may order the Overseers of the Poor, or any Officer or other Person having the Custody of any Books, Papers, Documents, or Writings of or belonging to any Parish in their Union, to produce the same, upon reasonable Notice to the Board of Guardians, or to their Clerk or other Person appointed by them, and shall allow Copies or Extracts to be taken therefrom for the Use of such Guardians, without Fee or Reward.

Guardians may remove without Orders where there is Consent.

6. Where the Guardians of any Union or Parish shall be satisfied that any Pauper is settled within and removable to their Union or Parish, and shall consent under their Common Seal to receive such Pauper without an Order of Removal, the Guardians seeking to remove such Pauper may do so without any such Order.

7. Any

Penalty on Paupers removing after Order of Removal.

7. Any Pauper removed under an Order of Removal obtained by the Guardians of any such Union returning to and becoming chargeable to such last-mentioned Union again within the Period of Twelve Months from such Removal, without the Consent of the Guardians thereof, shall be deemed to be an idle and disorderly Person within the Meaning of the Statute Fifth *George* the Fourth, Chapter Eighty-three, and be liable to be convicted and punished as such.

One Year to be substituted for Three Years in Sect. 1. of 24 & 25 Vict. c. 55.

8. From and after the Twenty-fifth Day of March One thousand eight hundred and sixty-six, the Period of One Year shall be substituted for that of Three Years specified in the First Section of the Statute Twenty-fourth and Twenty-fifth of Victoria, Chapter Fifty-five.

Costs of Prosecutions to be charged to the Common Fund.

9. The Costs and Expenses lawfully incurred in and about the Prosecution of any Person for which the Guardians of the Union may be liable, or which they undertake to pay, under the Fifty-ninth Section of the Seventh and Eighth *Victoria*, Chapter One hundred and one, shall in all Cases be charged to the Common Fund.

Provision for Deaths in the Workhouse.

10. For the Purposes of the Burial of any poor Person dying in the Workhouse of any Union, such Workhouse shall be considered as situated in the Parish in the Union where such poor Person resided last, previously to his Removal to the Workhouse.

Poor Law Board to make all requisite Orders.

11. The Poor Law Board shall, as soon as convenient, make all such Orders as may be requisite to render the Provisions of this Act applicable to the Proceedings and Accounts of the Guardians of Unions and of Overseers of Parishes comprised therein.

Computation of the Charges on the Common Fund.

12. The Guardians shall distribute the Charges upon the Common Fund during and at the Close of every Half Year in the Proportions according to which the Orders for the Contributions to the Common Fund were made upon the several Parishes comprised in such Unions at the Commencement of such Half Year, notwithstanding the Change which may be made in the Valuation List of any Parish during such Period.

Saving of Settlements in other respects.

13. Except as herein provided, no Alteration shall be made in respect of the Settlement of poor Persons in Parishes.

Unions, &c. under Local Acts enabled to avail themselves of this Act.

14. If in any Union or Incorporation for the Relief of the Poor, where the Cost thereof is not borne by a Common Fund, or where the Common Fund is not calculated upon an equal Basis throughout the Union or Incorporation, the Body having under the Constitution of such Union or Incorporation the Management of such Relief shall

shall be desirous of adopting the Provisions of this Act, such Body may, on a Resolution to that Effect of a Majority at Two successive Meetings, by Writing under the Hand of the presiding Chairman of the Second of such Meetings, apply to the Poor Law Board to be included in this Act; and, upon the Consent of that Board being given under its Seal to such Application, and subject to such Terms and Conditions as that Board may deem requisite, such Union or Incorporation shall be so included from such Time as the said Board shall declare; and such Consent so signified shall be Evidence that such Application was in all respects duly made according to the Provisions above mentioned.

Calls for Money in advance to be made on the Overseers of the several Parishes.

15. When this Act has been adopted by any such Union or Incorporation as aforesaid, and such Adoption has been legally brought into operation in such Union or Incorporation, the Body having the Management of the Relief of the Poor therein shall from Time to Time make Calls in advance for Money for the Relief of such Poor upon the Overseers of the several Parishes therein respectively, on the Basis of an equal Pound Rate on the annual Value of the Property in each Parish rateable to the Relief of the Poor according to the Law in force for the Time being, and shall have the same Powers of enforcing such Calls as they now possess under the Provisions of such Local Act for enforcing Calls or Rates for the Relief of the Poor; and such Overseers shall have the same Powers for making, levying, and enforcing Rates to meet and pay such Calls as they now possess, either under the Provisions of such Local Act or the General Law relating to the making, levying, and enforcing Rates for the Relief of the Poor.

Interpretation of Terms.

16. The Words herein used shall be interpreted in the Manner prescribed by the Statute of the Fourth and Fifth Years of *William* the Fourth, Chapter Seventy-six, and the subsequent Acts amending or explaining the same, and the Provisions in such Acts which apply to poor Persons rendered chargeable upon the Common Fund by reason of their having become irremoveable through the Operation of the Statutes in that Behalf shall apply to all the Poor in the Union hereby rendered chargeable upon the Common Fund.

Short Title.

17. This Act may be cited as "The Union Chargeability Act, 1865."

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