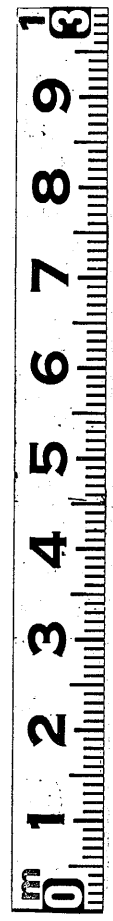


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A
 D I G E S T
 OF THE
 P O O R L A W S,
 In order to their being reduced into
 O N E A C T.

W I T H
 References to the STATUTES, and Marginal
 Observations.

L O N D O N :
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ADVERTISEMENT.

THE Multiplicity of our Statute Laws, as also their Intricacy and Contrariety, hath afforded Matter of very grievous Complaint, even in those early Times when the Statute Code of this Kingdom was not yet swoln to near a Third of its present enormous Bulk.

The reducing and digesting of these Laws was very strongly urged in Queen Elizabeth's Time, in a Speech by Sir Francis Bacon, then Lord Keeper: And was afterwards warmly recommended from the Throne by James the First.

A Proposition of the like Nature was also made during the Protectorate, when the true Principles of national Policy were perfectly well understood, though in Practice they were but little regarded.

But though the Expedience, one might almost say the Necessity, of such an Undertaking, hath been at all Times acknowledged, yet the Evil has been suffered to increase in Proportion as the Laws have multiplied. The State in this have acted like desponding Indolents in private Life, who seeing their Affairs involved in Confusion and Perplexity, have not

(iv)

the Courage to disentangle them, till at length they become inexplicable.

To the perplexed State of the Statute Code may be imputed the Reproach and Ridicule which has been thrown on our Laws.— It has been often said, “ That they are no where more excellent in themselves, but no where worse executed.” How should they be well executed, when, in many Cases, it is a Science even to find them out, and when discovered, it is a Science indeed to reconcile them!

It cannot be expected that Persons of Fortune and Abilities will submit to the Drudgery of such a laborious Investigation as they must undergo before they can be qualified to act as Magistrates with Security and Honour to themselves, and Advantage to their Country. The Consequence of which is that the Execution of our Laws is too often committed to the Care of low People, who are solicitous of being in the Commission of the Peace, from Motives either of Lucre or Vanity. The Laws will never be effectually executed, till the Magistrates are respectable.

One Step towards this End, is to invite independent Gentlemen to undertake the Office, by rendering it more easy and intelligible*, which is only to be effected by bringing the Laws respecting the various Objects of their Duty, into one clear and comprehensive Point of View.

* The judicious and accurate Dr. Burn has done a great deal towards this End, but much more is still requisite.

(v)

At present we find incongruous Matters blended in one Act, which in their Nature and Tendency have no Connection with each other.

We find likewise many Statutes on the same Subject, the Provisions concerning which so clash with and sometimes contradict each other, that it is difficult to determine which Regulation is in force, and how the Law stands with respect to the Subject in Question.

This Confusion and Inconsistency must unavoidably increase, while the Statute Code remains in its present indigested State. The Members of the Legislative Body having their Attention engrossed by the general and more important Concerns of Government, cannot be supposed to enter into the minute Detail of Business. It cannot be expected that when they are passing a Law, that they can collate perhaps more than thirty different Acts of Parliament, many of which will after all elude their Discovery, by Reason that particular Provisions may be unaccountably crowded into Acts, which from their Title and general Context, bear not the least apparent Relation to the Subject of their Researches, as appears by the List of Acts prefixt to this Digest. As the Members themselves cannot be supposed to descend to this Minuteness, so neither is it any one's peculiar Office or Duty, to make this intricate and tiresome, though necessary, Investigation; for without it, it is impossible but that Inconsistencies and Redundancies will frequently occur, and render the Laws obscure and perplexed, which ought to be simple and perspicuous.

(vi)

But if the rude Mass of Legislation on various Subjects was reduced into one regular and consistent Form, they might then from Time to Time be altered and amended with Ease and Accuracy; and be made clear and intelligible to those, who are bound to observe and execute them.

Some Attempts however have been made towards this desirable End. The Laws concerning Rogues and Vagabonds: The Militia Laws: The Highway-Laws, &c. have been digested, and respectively reduced into one Act.

With Regard to the latter indeed, some Alterations which the Legislature thought proper to make, have been represented as inconvenient, and in respect to one Regulation, a Clause has been repealed. But the Alterations of the old Law were in Truth very few; and the Objections which have hitherto appeared have mostly respected the Provisions of the old Law, which now they are brought into one Point of View and put in force, are by some thought in particular Instances to be grievous.

But admitting these Objections to be ever so well founded, they only tend to prove the Expedience of collecting the numerous and scattered Laws on each Subject. No Law in this Kingdom loses its Effect by Nonuser, but however improper and inexpedient it may become by the Alteration of Circumstances, which Time produces in every Constitution, yet

(vii)

yet the Magistrates when called upon are bound to give it Operation.

It is a Reproach therefore to the Policy of a free Country to suffer any Laws to lie dormant, or even to remain obscure; since in either Case they are as so many Snares to the People, who are thereby made liable to incur Penalties, without being conscious of any Offence. If a Law becomes useless or inconvenient, it ought to be amended or repealed. But whatever the Law is, it should be known and certain.

The Legislature having thus laudably begun to rescue the Laws from their present obscure and complicated State, we may reasonably hope that they mean to pursue the Plan of Reformation, from the Resolution they have taken of reducing the Poor Laws into one Act.

With a View to facilitate their Progress in so useful a Design, this Digest of those Laws is submitted to their Consideration. The Subject, as will appear even from a cursory View of it, is extremely diffusive and intricate, and seems in several Instances to require Alteration and Amendment. Little more is here attempted but merely to arrange the Matter, so as to render the whole more clear, concise and connected.

As it is intended to digest these Laws, so far only as they relate to the Poor under the more immediate Care and Direction of Churchwardens and Overseers, it has been thought proper to omit many collateral Branches of the Subject; such, for Instance, as the

Regulations in the 43 El. and 19 Car. 2. respecting the Relief and Employment of *poor Prisoners*; as likewise the Provisions in the 13 & 14 Car. 2. concerning *Corporations in London and Westminster*, and the Towns and Places in *Middlesex and Surry within the Bills of Mortality*; these being detached Objects, entrusted to the Management of different Officers.

The Laws likewise respecting *Rogues and Vagabonds* have been omitted, they having all been reduced into one Act by 17 Geo. 2. and though they partly concern the Duty of Churchwardens and Overseers; yet they form a distinct Subject of themselves. For the same Reason likewise, no Notice has been taken of the 12 Geo. 2. &c. concerning County Rates, for though they in some Degree concern the Duty of Churchwardens and Overseers, yet they have no direct Connection with the Provisions concerning the Poor.

The very Words of the old Law are, with few Exceptions*, followed throughout as nearly as may be, left by any Change of Expression, the Law should be liable to receive a different Construction.

* A Liberty has been taken however to omit some obsolete Words, such as *estfoons*, &c. Where Time likewise hath introduced a Change of Idiom, the modern Phrase is adopted; for Instance, (among others) instead of saying, as in the 43 El. The Churchwardens shall *take* Order for the Relief of the Poor, &c. it stands, They shall *give* Order.—So instead of saying, Such as are not *let* by Sickness, it stands, Such as are not *hindred* by Sickness.

But

But though the Words of the old Law are in few Instances altered, yet a Liberty has been taken to abridge a great deal of Tautology; and had more Freedoms been allowable, without changing the Face of the Context too materially, it had been no difficult Task to have corrected that Quaintness of Expression, which is observable throughout.

In all Cases where subsequent Statutes appear in Part to have altered or to have included the Substance of former Acts, the whole is incorporated, and the several Acts and Clauses are referred to in the Margin, that the Reader by comparing them may judge how far they have been faithfully and correctly brought together.

The Reader will observe, that most of the Matter distinguished by an Italic Type has been inserted merely as explanatory of the old Law, agreeable to the Expositions of it, which have been made from Time to Time by legal Adjudications, or to render it consistent with the Provisions of the later Statutes.

Thus though in the 13 & 14 Car. 2. particular Counties only are named, which seem to have been within the more immediate View of the Legislature, yet the Act has been held to be general, and to extend to other Counties besides those expressly mentioned. So likewise though that Act extends the Regulations respecting Parishes, to Townships or Villages likewise, without going farther, yet as subsequent Statutes have added the Word *Place*, it has been thought proper to adhere to that Enumeration

meration throughout, to render the Acts and the Determinations concerning them consistent.

The Courts, it is observable, have been very liberal in their Constructions respecting the Words above, having extended them to *extraparochial* Places, where there are Houses, &c. to constitute them Townships and Villages: But it does not seem to have been settled, what Number of Houses are sufficient to constitute a Township or Village. It has been adjudged in some Cases that *extraparochial* Places containing more Houses than *one*, come under the Denomination of a Vill or Township. But by later Cases, it has been determined that *two* Houses are not enough to constitute a Village or Township. There seems however to be good Reason for extending the Law to all *extraparochial* Places generally, as it is impossible to enforce it in those Places where there are no *Overseers*, which is productive of great Evils. It is become a Practice to send pregnant Women to be delivered at such Places, by which Means the Children born there having no Settlement to which they can be removed, are the Objects of constant Dispute among Parishes. By such Means these *extraparochial* Places stock the Neighbourhood with Poor, who cannot be sent back, for want of *Overseers* to receive them. Add to this, the inhuman Practice of contracting with Persons in these *extraparochial* Places to take and maintain such Children, who seldom live long under the Care of such foster Parents, whose Interest soon gets the better of their Humanity, and who become hardened by their repeated Cruelties in regard to these Infants.

fants. This Practice can seldom take Place where there are *Overseers*, who on the Appearance of a pregnant Woman, immediately remove her to the Place of her Settlement, where being under the more immediate Observation of parochial Officers, and of Neighbours to whom she is known, such Inhumanities are less likely to be perpetrated. For these Reasons among others, it has been thought proper to extend the first Clause, for the Appointment of *Overseers*, to *all Places extraparochial* *.

Among other Additions likewise to render the Act consistent, are the Words introduced with respect to the Jurisdiction of Justices of the Peace. By the first Part of the 43 El. the Powers thereby given are confined to Justices of Counties, but by the 8th Sect. they are extended to Towns Corporate and Cities, and subsequent Statutes have extended them farther to Justices of particular Places; but it is apprehended that the Words introduced in the first Clause, viz. Justices of the *County, Riding, Division, Soke, &c.* comprehend all the particular Jurisdictions given by any of the Acts, or by the Common Law, and render a great deal of Repetition unnecessary.

This naturally leads one to make farther Remarks concerning the extraordinary Perplexity and Inconsistencies among the various Statutes respecting the Poor.

* It may be sufficient however in such Places to appoint *One Overseer*, though it was not thought proper to make a Provision for that Purpose in the following Digest, as it would have made an Alteration necessary in several Parts, which would have varied the Appearance of the old Law too essentially.

Among

Among a Variety of Instances which might be adduced, it may be remarked, That though the 13 & 14 Car. 2. hath, as above observed, extended the Provisions concerning Parishes, to Townships and Villages also, yet there are several subsequent Laws, particularly the 3 W. & M. c. 11. § 11. which give new Powers, and enjoin new Duties, to Overseers of Parishes, without taking any Notice of Townships and Villages.

It may be observed farther, That in many Cases, the Provisions of former Laws seem to be virtually repealed, or at least superseded, by subsequent Statutes, though no express Notice is taken of such prior Laws. Of this Nature is 13 & 14 Car. 2. c. 12. § 3. giving Liberty to poor People to go into any Places for Harvest or other Work, without being deemed to gain a Settlement there, provided they carry a Certificate from the Minister of the Parish, &c. and that they return as soon as their Work is done. Now this Law seems to be entirely superseded by the Certificate Act of 8 & 9 W. 3. and subsequent Acts, which give a general Licence to poor People to go into any Place where they can find best Employment, without any Restrictions as to their Return, so that they carry with them a Certificate to be signed, sealed and attested, in Manner as those Acts direct, and which Directions are very different from those concerning the Certificate required by the 13 & 14 Car. 2. It hath therefore been thought expedient wholly to omit that Clause of the Act last mentioned, and barely to refer to it in the Margin, to shew that it hath been under Consideration.

Here

Here it may be material to observe, with respect to Certificates, that they do not answer the Purposes the Legislature seem, by the Certificate Act, to have had in Contemplation, but rather to have introduced great Inconveniencies and Partialities.

Persons removing under Certificates, are precluded from several Means of gaining Settlements by which others may acquire them; since they can only acquire them by renting 10 l. a Year, or executing an annual Office. All the Posterity likewise of a Certificate Person are themselves considered as Certificate Persons; and many Instances have happened of numerous Families being sent back, at the Distance of many Years, with their Children and Grandchildren, to the Place from whence their Ancestor came by Certificate.

As the Law likewise requires the Parish giving the Certificate to reimburse all Expences the Pauper may occasion to the Parish he removes to under the Certificate, such Parish, whenever he becomes chargeable, is less attentive to Frugality in their Provision for him.

These Reasons, among others, make Parishes in general extremely tender about giving Certificates, and some wholly refuse them; the Consequence of which is, that as other Parishes will not receive Paupers without, they are prevented from going to those Places where they are most wanted, and where they could find the best Employment to support themselves; and the Public loses the Benefit of their Labour.

A

A single Instance may suffice to shew what an Injury this may often prove both to the Pauper and to the State. For if we suppose a Pauper to have been bred to the Woollen Manufacture at Leeds, and that his Father, from whom he derives his Settlement, was a Hardware-man at Birmingham, the Pauper and his Family, if removed, must be sent where they can be of little or no Use either to themselves or the Public, and be taken from the Place where he might be employed to the Advantage of both.

This Introduction of Settlements, together with the Subdivision of Parishes, hath been attended with infinite Frauds and Inconveniencies. It is observable, that by the Provisions of the 43 El. the Poor were intitled to Relief in the Parish where they happened to be. This in Time induced them to migrate from Place to Place where they could find best Accommodation; which bringing an unequal Burden on some Parishes, occasioned the 13 & 14 Car. 2. which was the Parent of all the Mischiefs which have ensued. If the Legislature at that Time, instead of defining Settlements and subdividing Parishes, had given Power to Parishes to unite, the Poor might have been made serviceable wherever they might be; for they only become burthensome by being kept in Idleness, which they must be in many small Parishes (and much more so in Townships and Villages) as such are not able to defray the Charges of erecting Workhouses, and providing proper Persons to superintend them.

This

This Error the Legislature at length saw, and by the 9 Geo. 1. gave Power to Parishes to unite. But these Powers were too limited and defective to cure the Evils already introduced by Settlements, which at that Time were too deeply rooted.

The Principle of the 9 Geo. 1. however is excellent, and Experience evinces, that the Incorporation of particular Parishes, under the more wholesome and extensive Regulations of particular Acts, has been attended with all the good Effects which the most sanguine Expectations could form; which seems to point out the proper Remedy against the Evils attending Settlements, as well as the other intolerable Grievances and Abuses which disgrace the present System of the Poor Laws.

To enumerate all the Mischiefs of Settlements in particular would be endless; yet some are too glaring to be omitted.

No sooner were Settlements introduced, than Parish Officers employed their whole Attention, not how to maintain their Poor, but how to get rid of them, which gave Rise to perpetual Contentions between Parish and Parish, which subsist to this Day. Among other crafty Expedients devised for this End, the following claim particular Notice.

With respect to Settlements gained by Service, it has been adjudged that there must be one entire Contract for a whole Year, as well as a Year's Service, to gain a Settlement.

To

To evade this, it is common to hire Servants for 11 Months only, or any Time less than a Year, and afterwards to make a new Contract for the same Time, by which astute Contrivance a Servant will gain no Settlement, tho' he continues in the same Service for many Years.

Again, as to Settlements acquired by renting 10 l. a Year, it having been determined that if a Man rents to the Value of 10 l. a Year, though in different Parishes, that his Settlement is in the Parish where he resides, be his Property there ever so small, it has become a Practice for Parish Officers to prevail on a Pauper to rent a House in another Parish, and to procure him Land in the Parish from whence he removed, or in some other Parish, to the Amount of 10 l. a Year, including the House; and if he occupies the Land, and resides in such House, he gains a Settlement in the Parish where he lives.

So likewise of Settlements gained by Purchase, it is common for Persons to make a Purchase in another Parish to the Value of 30 l. to live in that Parish for a short Time, at least 40 Days, and then to sell it again; by which fraudulent Practice a Settlement is gained.

With respect to Settlements also acquired by Apprenticeship, it is usual for a Pauper to be bound to a Person in another Parish (not being a Certificate Person); and if he serves only forty Days under such Binding, it transfers

fers the Settlement of the Pauper, to the Parish where he shall so serve.

Such Artifices as these are not only repugnant to the true Spirit of the Poor Laws, but subversive of the Principles of Humanity, with respect to the unhappy Objects of them. While the Dispute concerning the Settlement of a Pauper remains in a Course of Litigation, which sometimes continues for many Years, the miserable Wretch is removed by Orders from Place to Place, and is exposed to deplorable Hardships; for he must either live in the Place to which he is removed, where he seldom meets with proper Employment or humane Treatment, or if he returns before his Settlement is determined, he is, by the Vagrant Act, to be punished as a Vagabond. A cruel Alternative!

Among other Abuses likewise which are most obvious in the present System of these Laws, the Misapplication of the immense Sums raised for the Relief of the Poor calls loudly for Redress.

It is scarce to be credited, and yet the Fact is undoubted, that the yearly Burden of the Poor to this Kingdom exceeds the Amount of the Land-Tax, when at 4 s. in the Pound; yet, notwithstanding these vast Sums annually raised for their Relief, many unhappy Wretches perish from real Want, while others reject the Provision made for them, and, by begging, find Means to raise large Contributions † from

† These voluntary Alms, if added, as they justly may be, to the Poor's Tax, would make the Sum incredible indeed!

the tender-hearted, which they squander in Dissoluteness and Intemperance.

There can scarce be a greater Reproach to the Policy of a Nation, than that such immense Sums should be raised on the Public, and the Application of them reach so few of the Objects they are intended to relieve. The Reproach is the stronger, when we consider in what Manner this Fund is dissipated, and that the far greater Part of it is shamefully consumed in parochial Feastings, and obstinate Litigations. It is well known that more Money is often squandered about the Settlement of a single Pauper only, than would maintain the Pauper and his Family for many Years. Add to this, that the Poor under particular Circumstances are denied immediate Relief, and left to perish before the Provision which the Laws have made can reach them: For as the Law now stands, Overseers cannot, without incurring a Penalty, relieve a Pauper, though in the deepest Distress, till he has obtained an Order from a Justice of Peace; and it frequently happens that no Justice lives within many Miles, and that the Pauper may be so weak and infirm, as not to be able to go to him: So that the unfortunate Wretch is left entirely to the Mercy of Overseers, who too often treat them rather with Cruelty than Charity.

But it is hoped, that now the Poor Laws are collected under their several Heads, they will be better and more generally understood, and that so national an Object will claim the
Atten-

Attention of those who are best able to adapt a suitable Remedy to the Evils and Abuses so grievously felt, and so loudly complained of.

Should a Plan of Incorporation be thought most expedient for this End, it may be of great Use to adopt several of the Provisions in a late Bill which passed one House of Parliament, and was adjourned in the other, on account of some Objections which may be removed by a few Alterations: And it may be adviseable perhaps to make such Incorporations at first only *optional*. For, as it may be thought too hazardous to compel an Alteration of the Law at once all over the Kingdom, so by this cautious Proceeding, in all such Places where by Reason of the great Distance of Parishes, or any other local Objection, the Plan of Incorporation may be thought inconvenient, they will be at Liberty to abide by the old Law. There is no Doubt, however, but that in all large Cities, Towns, &c. consisting of many Parishes, the Scheme of Incorporation would be immediately pursued; and indeed when the good Effects which have hitherto attended Incorporations come to be more generally known and experienced, they would be found so greatly to over-balance any Inconveniencies which may be apprehended in particular Places, that there is no Question of their being universally adopted.

As it is said that the Bill under Consideration for reducing these Laws into one Act, is not intended to pass this Session, this Digest may be examined at Leisure, and they who are conversant with the Subject, will have an Opportunity

portunity of proposing such Corrections as may render it more complete and accurate.

When it is considered that many different Branches of this Subject sometimes lie entangled in a single Clause, the Difficulty of collecting and classing them under their proper Heads, of reconciling the Inconsistencies, retrenching the Redundancies, and of reducing them into any Thing like a System, will intitle the Compiler to every Allowance which may be reasonably made. Even they who may find no Reason to applaud his Skill, will at least do Justice to his Industry.

GENERAL ANALYSIS of the following DIGEST. See Index postea.

- I. Of the Appointment of Overseers.
- II. Of their general Duty with regard to the Employment of the Poor, &c. — Wherein
 - 1. In what Manner the Poor who are *able to work*, are to be employed. — Which Head includes,
 - 1. { The Provisions for binding Children Apprentices at the Charge of the Parish.
 - 2. { The Application of charitable Donations for the Purpose of binding Children Apprentices.
 - 2. In what Manner the Poor who are *not able to work*, are to be relieved. — Herein,
 - 1. { Provisions respecting Poor who receive Collections from the Parish, &c.
 - 2. { Of the mutual Obligation of Parents and Children to relieve each other.
 - 3. { Provisions for seizing the Effects of Husbands and Parents leaving their Wives and Children.
 - 3. In what Places the able Poor may settle to work, and the helpless Poor be intitled to Relief. — Which Head includes the Law concerning
 - 1. Settlements.
 - 2. Removals.
 - 3. Certificates.
 - 4. Provisions for building or hiring, &c. of Workhouses for the Reception of the Poor.
 - 5. Regulations respecting the Provisions for Bastard Children, &c.
- III. In what Manner the Rates for defraying the Charges of the several Purposes of the Act are to be made and collected.
- IV. At what Time, and in what Manner, Overseers are to pass their Accounts.
- V. General Indemnity of Officers acting under the Authority of the Act.
- VI. Saving of particular Jurisdictions.

GENE-

LIST of ACTS referred to in the
Margin of the DIGEST.

- AN ACT for the setting of the Poor on Work, and for avoiding of Idleness. 18 El. c. 3. This Title is from Rastal's Edition.
- An ACT for the Relief of the Poor. 43 El. c. 2.
- An ACT for continuing and reviving of divers Statutes, and for repealing of some others. 1 Jac. I. c. 25.
- An ACT for the continuing and better Maintenance of Husbandry, and other manual Occupations, by the true Employment of Monies given and to be given for the binding out of Apprentices. 7 Jac. I. c. 3.
- An ACT for Ease in pleading troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other his Majesty's Officers, for the lawful Execution of their Office. 7 Jac. I. c. 5.
- An ACT to enlarge and make perpetual the ACT made for Ease in pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other his Majesty's Officers, for the lawful Execution of their Office, made in the seventh Year of his Majesty's most happy Reign. 21 Jac. I. c. 12.
- An ACT for Continuance and Repeal of divers Statutes. 3 Car. I. c. 4.
- An ACT for the better Relief of the Poor of this Kingdom. 13 & 14 Car. 2. c. 12.
- An ACT for reviving and Continuance of several ACTS of Parliament therein mentioned. 1 Jac. 2. c. 17.

3 W.&M.c. 11. An Act for the better Explanation and supplying the Defects of the former Laws, for the Settlement of the Poor.

3 & 9 W. 3. c. 30. An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom.

9 & 10 W. 3. c. 11. An Act for explaining an Act made in the last Sessions of Parliament, intituled, "An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom."

2 & 3 Ann. c. 6. An Act for the Increase of Seamen, and better Encouragement of Navigation, and Security of the Coal Trade.

4 Ann. c. 19. An Act for the Encouragement and Increase of Seamen, and for the better and speedy Manning her Majesty's Fleet.

3 Ann. c. 9. An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty's Supply, for the Year one thousand seven hundred and ten.

12 Ann. Stat. 1. c. 18. An Act for making perpetual the Act made in the Thirteenth and Fourteenth Years of the Reign of the late King Charles the Second, intituled, "An Act for the better Relief of the Poor of this Kingdom; and that Persons bound Apprentices to, or being hired Servants with Persons coming with Certificates, shall not gain Settlement by such Services or Apprenticeships." And for making perpetual the Act made in the Sixth Year of her present Majesty's Reign, intituled, "An Act for the Importation of Cochineal from any Ports in Spain, during the present War, and Six Months longer." And for reviving a Clause in an Act made in the "Ninth

"Ninth and Tenth Years of the Reign of the late King William, intituled, "An Act for settling the Trade to Africa, for allowing foreign Copper Bars imported to be exported."

An Act for the more effectual Relief of such Wives and Children as are left by their Husbands and Parents upon the Charge of the Parish. 5 Geo. 1. c. 8.

An Act for amending the Laws relating to the Settlement, Employment and Relief of the Poor. 9 Geo. 1. c. 7.

An Act for continuing and amending an Act for regulating the Price and Assize of Bread; for Relief of Bankrupts, whose Certificates were not allowed before the Expiration of a late Act (for the better preventing Frauds committed by Bankrupts); for allowing further Time for Inrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers and Lessees; and for making further Provisions concerning Certificates relating to the Settlements of poor Persons, and the Charges of maintaining and removing certificated Persons. 3 Geo. 2. c. 29.

An Act for the Relief of Parishes and other Places from such Charges as may arise from Bastard Children born within the same. 6 Geo. 2. c. 31.

An Act to empower Justices of the Peace of a Liberty or Corporation to commit Offenders to the House of Correction of the County, Riding or Division in which such Liberty or Corporation is situate. 15 Geo. 2. c. 24.

An Act to empower Justices of the Peace to act in certain Cases relating to Parishes and Places, to the Rates and Taxes of which they are rated or chargeable. 16 Geo. 2. c. 18.

An

- 17 Geo. 2. c. 33. An Act to oblige Overseers of the Poor to give publick Notice of Rates made for the Relief of the Poor, and to produce the same.
- 17 Geo. 2. c. 5. 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.
- 17 Geo. 2. c. 37. An Act to prevent Disputes touching the Parishes or Places where improved Wastes, and drained and improved Marsh Lands, shall be charged to Parochial Rates.
- 17 Geo. 2. c. 38. An Act for remedying some Defects in the Act made in the Forty-third Year of the Reign of Queen Elizabeth, intituled, " An Act for the Relief of the Poor."
- 20 Geo. 2. c. 19. An Act for the better adjusting, and more easy Recovery of the Wages of certain Servants; and for the better Regulation of such Servants; and of certain Apprentices.
- 21 Geo. 2. c. 10. An Act for explaining, amending, and further enforcing the Execution of an Act passed in the last Sessions of Parliament, intituled, " An Act for repealing several Rates and Duties upon Houses, Windows and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights, and for raising the Sum of Four Millions Four Hundred Thousand Pounds by Annuities, to be charged on the said Rates or Duties."
- 26 Geo. 2. c. 27. An Act to confirm certain Acts and Orders made by Justices of the Peace being of the Quorum, notwithstanding any Defect in not expressing therein that such Justices of the Peace are of the Quorum.

An

An Act to amend an Act made in the 31 Geo. 2. c. 11. Third Year of the Reign of King William and Queen Mary, intituled, " An Act for the better Explanation and supplying the Defects of the former Laws for the Settlement of the Poor, so far as the same relates to Apprentices gaining a Settlement by Indenture; and also to empower Justices of the Peace to determine Differences between Masters and Mistresses and their Servants in Husbandry, touching their Wages, though such Servants were hired for less Time than a Year."

A DIGEST

A
D I G E S T
O F T H E
P O O R L A W S,

In order to their being reduced into one Act.

I. **W**HEREAS the Statutes for the Employment and Relief of the Poor are very numerous, and the same would be better understood, and more effectually executed, if they were explained, amended, and reduced into one Act: Therefore be it 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 Church-wardens of every Parish, and Four, Three or Two substantial Householders there, as shall be thought meet, having respect to the Proportion and Greatness of such Parish; and also Two or more substantial Householders, *not exceeding Four*, in every Village or Township, where the Parish is too large for the Care of parochial Officers, *and also in all Places extra-parochial*, having respect to the Proportion and Greatness of such Townships, Villages, and Places respectively, shall be nominated yearly

Of the Appointment of Overseers.
43 Eliz. c. 2. § 1.
13 & 14 Car. 2. c. 12. § 21 22.
2 & 3 Ann. c. 6. § 3.
17 Geo. 2. c. 38. § 15.
Overseers of the Poor, how to be appointed.

B in

in Easter Week, or within One Month after Easter, under the Hand and Seal of Two or more Justices of the Peace, of the County, Riding, Division, Soke, Franchise, or Liberty, where such Parish, Township, Village or Place shall respectively lie, whereof one to be of the Quorum, dwelling in or near the same respectively; and shall be Overseers of the Poor of such respective Parishes, Townships, Villages and Places.

43 Eliz. c. 2. § 8. Officers at Corporate Towns shall have the Authority of Justices of Peace.

II. And be it farther enacted, That the Mayors, Bailiffs, or other Head Officers of every Town and Place Corporate, and City within this Realm, being Justice or Justices of Peace, shall have the same Authority by Virtue of this Act, within the Limits and Precincts of their Jurisdictions, as well out of Sessions, as at their Sessions, if they hold any, as is herein limited, prescribed, and appointed to Justices of the Peace *within their respective Limits aforesaid*, or any Two or more of them, or to the Justices of Peace in their Quarter-Sessions, to do and execute for all the Uses and Purposes in this Act prescribed, and that no other Justice or Justices of Peace shall enter or meddle there.

43 Eliz. c. 2. § 10. Penalty of not appointing Overseers.

III. And be it farther enacted, That if in any Place within this Realm there happen to be hereafter, no such Nomination of Overseers yearly, as is before directed, that then every Justice of Peace *within the Limits of such respective Jurisdictions* as aforesaid, and dwelling within the same, where such Default of Nomination shall happen, shall for every such Default forfeit 5*l.*

IV. Provided

IV. Provided always, that whereas the Island of Fowlness, in the County of Essex, is environed with the Sea, and hath a Chapel of Ease for the Inhabitants thereof, and yet the said Island is no Parish, but the Lands in the same are situated within divers Parishes, far distant from the said Island: Be it enacted, that Two or more Justices of Peace for the said County, shall nominate and appoint Inhabitants within the said Island, to be Overseers for the poor People, dwelling within the said Island, and that both they, the said Justices, and the said Overseers, shall have the same Power and Authority, to all Intents, Considerations and Purposes, for the Execution of the Parts and Articles of this Act, and shall be subject to the same Pains and Forfeitures; and likewise that the Inhabitants and Occupiers of Lands there, shall be liable and chargeable to the same Payments, Charges, Expences and Orders, in such Manner and Form as if the same Island were a Parish.

43 El. c. 2. § 18. Provision concerning the Island of Fowlness in Essex.

V. And be it enacted, That if any Person shall die, or remove from the Place for which he was appointed, or become insolvent, before the Expiration of his Office, on Oath thereof made, it shall be lawful for Two of such Justices of the Peace as aforesaid, to appoint another Overseer in his Stead, who shall continue in Office till new Overseers are appointed.

17 Geo. 2. c. 38. § 3. Overseers dying, others to be appointed. Their general Duty for Employment and Relief of the Poor.

VI. And for the better Employment and Relief of the Poor, be it farther enacted, That the said Church-wardens and Overseers respectively, or the greater Part of them, shall give Orders from Time to Time, by and with

Of their general Duty with regard to the Employment and Relief of the Poor.

43 Eliz. c. 2. § 1. In what manner the Poor who are able to work are to be employed.

the Consent of Two or more of such Justices of Peace as aforesaid, for setting to Work the Children of all such whose Parents shall not, by the said Church-wardens and Overseers, or the greater Part of them, be thought able to keep and maintain their Children; and also for setting to Work all such Persons married, or unmarried, having no Means to maintain them, and using no ordinary nor daily Trade to get their Living by: And also shall raise weekly, or otherwise, in Manner herein after mentioned, a convenient Stock of Flax, Hemp, Wool, Thread, Iron, and other necessary Ware and Stuff, to set the Poor on Work: And also competent Sums of Money for and towards the necessary Relief of the Lame, Helplefs, Old, Blind, and such other among them being poor, and not able to work; and also for the putting out of such Children to be Apprentices; to be gathered out of the same Parish, Township, Village or Place, according to the Ability of the same respectively; and to do and execute all other Things, as well for the disposing of the said Stock, as otherwise concerning the Premises, as to them shall seem convenient.

43 Eliz. c. 2. § 4. Justices may commit those that will not work.

VII. And be it farther Enacted, That such respective Justices of Peace, or any One of them, may send to the House of Correction, or Common Gaol, such as shall not employ themselves to Work, being appointed thereunto as aforesaid.

43 Eliz. c. 2. § 2.

VIII. And be it farther Enacted, That the said Church-wardens and Overseers, or such of them as shall not be hindered by Sicknes, or other

other just Excuse, to be allowed by Two or more of such Justices of Peace as aforesaid, shall meet together, at least *once every Month*, in the Church of the said Parish, upon the *Sunday* in the Afternoon after Divine Service, *and where there shall be no Church, then at the Chapel, or some other public Place*, there to consider of some meet Order to be made in the Premises, upon pain of every one absenting themselves without lawful Cause as aforesaid, from such Monthly Meeting for the Purpose aforesaid, or being negligent in their Office, or in the Execution of any of the Orders herein prescribed, to forfeit for every such Default, by Absence or Negligence, Twenty Shillings.

When Overseers are to meet, and Penalty of not meeting.

IX. And be it farther Enacted, That it shall be lawful for the said Churchwardens and Overseers, or the greater Part of them, by the Assent of any Two of such respective Justices of the Peace aforesaid, to bind any such Children as aforesaid, to be Apprentices, where they shall see convenient, till such Man-child shall come to the Age of *Twenty one* Years, and such Woman-child to the Age of *Twenty-one* Years, or the Time of her Marriage, the same to be as effectual to all Purposes, as if such respective Children were of full Age, and by Indenture of Covenant bound him or herself.

43 Eliz. c. 2. § 5. Provisions for binding Children Apprentices at the Charge of the Parish.

X. And be it farther Enacted, That the said Churchwardens and Overseers of the Poor, may by and with the Consent of Two or more of such respective Justices of the Peace as aforesaid, whereof one to be of the Quorum, and in Places where there shall not

3 Char. 1. c. 4. § 22. Overseers, &c. may put out Apprentices, and may set up Trades for setting Poor to be Work.

be two such Justices, then, with the Assent of one Justice of the Peace, set up, use and occupy any Trade, Mystery or Occupation, only for the setting to Work and the better Relief of the Poor of the Parish, Township, Village or Place, of or within which they shall be Churchwardens or Overseers.

1 Jac. 1. c. 25. § 23. 3 Car. 1. c. 4. § 22. 8 & 9 W. 3. c. 30. § 5. Persons to whom poor Children are appointed to be bound, obliged to provide for them.

XI. And be it farther Enacted, That where any poor Children shall be appointed to be bound Apprentices pursuant to this Act, the Person or Persons to whom they are so appointed to be bound, shall receive and provide for them, according to the Indenture signed and confirmed by Two of such Justices of the Peace as aforesaid, and also shall execute the other Part of the said Indentures; and if he or she shall refuse so to do, Oath being thereof made by One of the Churchwardens or Overseers of the Poor, before any Two of such respective Justices of the Peace as aforesaid, he or she for every such Offence shall forfeit the Sum of Ten Pounds.

Penalty.

2 & 3 Ann. c. 6. § 1. 4 Ann. c. 19. § 16.

Parish Boys may be put out Apprentices to Sea Service

XII. And be it farther Enacted, That it shall and may be lawful to and for Two or more of such respective Justices of the Peace as aforesaid, and likewise to and for the Churchwardens and Overseers of the Poor (for the Time being) of the several and respective Parishes, Townships, Villages and Places aforesaid, by and with the Consent and Approbation of such Justices of the Peace, to bind and put out any Boy or Boys, who is, are or shall be of the Age of Thirteen Years or upward, or who is, are or shall be chargeable, or whose Parents are or shall become chargeable

able to the respective Parishes, Townships, Villages or Places wherein they inhabit, or who shall beg for Alms, to be Apprentice or Apprentices to the Sea Service, (such Boy or Boys being fitly qualified both as to Health and Strength of Body for that Service) to any of his Majesty's Subjects, being Masters or Owners of any Ship or Vessel used in Sea Service, and belonging to any Port or Ports within the Kingdom of Great Britain, for so long Time and until such Boys shall respectively attain or come to the Age of Twenty-one Years; and such binding out any Apprentice, shall be as effectual in the Law to all Intents and Purposes as if such Boy were of full Age, and by Indenture had bound himself an Apprentice: And to the End that the Time of Continuance of the Service of such Apprentice or Apprentices may the more plainly and certainly appear, the Age of every such Boy shall be mentioned and inserted in his Indentures, being taken truly from a Copy of the Entry in the Register Book, wherein the Time of his being baptized is or shall be entered (where the same can or may be had) which Copy shall be given and attested by the Minister, Vicar or Curate of such Parish or Parishes, wherein such Boy's Baptism shall be registered, without Fee or Reward, and may be written upon Paper or Parchment, without any Stamp or Mark; and where no such Entry of such Boy's being baptized can be found, Two or more of such respective Justices of the Peace as aforesaid, shall, as fully as they can, inform themselves of such Boy's Age, and from such Information shall insert the same in the said Indentures;

to Masters of Ships.

Boy's Age to be inserted in his Indenture.

tures ; and the Age of such Boy so inserted and mentioned in the said Indentures (in relation to the Continuance of his Service) shall be taken to be his true Age, without any farther Proof thereof.

2 & 3 Ann. c. 6. § 2. Churchwardens, &c. to pay down 50s. for Boy's necessary Cloathing, &c. and be allowed the same in their Accounts.

XIII. And be it farther Enacted, That the Churchwardens and Overseers of the Poor for the Time being, of the severall and respective Parishes, Townships, Villages or Places, from whence any such Boy shall be bound Apprentice to the said Service, shall pay down to such Master, at the Time of his binding, the Sum of Fifty Shillings, to provide necessary Cloathing and Bedding for Sea Service for such Boy ; and the Charges by this Act appointed, shall be allowed to such Churchwardens and Overseers in their Accounts.

§. 4. No such Apprentice to be impressed till 18.

XIV. And be it farther Enacted, That no such Apprentice or Apprentices shall be compelled or impressed, or permitted or suffered to list, or enter him or themselves into the Sea Service of his Majesty, or his Successors, till such Apprentice or Apprentices respectively arrive at the Age of Eighteen Years.

2 & 3 Ann. c. 6. §. 5. Apprentice's Indentures to be sent to the Collector at the Port whereunto his Master belongs.

XV. And be it farther Enacted, That the Churchwardens and Overseers of the Parish, Township, Village or Place, out of which any such Boy shall be bound an Apprentice, shall send the said Indentures to the Collector of his Majesty's Customs, residing at, or belonging to any Port or Ports within the Kingdom of Great Britain, whereunto such Masters or Owners of Ships or Vessels to whom such

such Apprentice or Apprentices shall be bound, do or may belong, who shall, in a Book or Books to be by him kept for that Purpose, fairly enter from Time to Time every Indenture whereby such Apprentice shall be bound, and which shall be so sent unto him, and shall make and subscribe an Indorsement on the said Indentures of the Registry thereof, without taking any Fee or other Reward for the same ; and every such Collector neglecting or refusing to enter such Indentures, and so to indorse the same, or making false Entries, shall forfeit the Sum of Five Pounds, for the Use of the Poor of the Parish, Township, Village or Place, from whence such Boy was bound Apprentice : And all and every such Collector or Collectors, or his or their lawful Deputy or Deputies of the said severall and respective Ports, shall from Time to Time transmit Certificates in Writing, under his or their Hands, to the Lord High Admiral of England, or to the Commissioners of the Admiralty for the Time being, containing the Names and Ages of every such Apprentice respectively, and of the Ship to which he belongs ; and upon Receipt of such Certificates, Protections shall from Time to Time be made and given for such Apprentices, until they attain their severall and respective Ages of Eighteen Years, without any Fee or Reward ; which Certificates so to be given, are not required to be written upon stamped Paper or Parchment.

Collector to enter the same gratis.

XVI. And be it farther enacted, That all and every the Person and Persons to whom any poor Boy hath been put Apprentice, according

2 & 3 Ann. c. 6. § 6. Parish Boys bound Apprentice to

prentices, may be put Apprentice by virtue of this Act, may, with the Consent and Approbation of Two or more of such Justices of the Peace as aforesaid, dwelling in or near the Parish, Township, Village or Place where such poor Boy was bound Apprentice, at the Request of the Master or Mistress then living, of such Apprentices, or of the Widow of any deceased Master, or his, her or their Executors, Administrators or Assigns, by Indenture, assign and turn over such poor Boy Apprentice to any Master or Owner of any such Ship or Vessel using the Sea Service as aforesaid, for and during the then remaining Time of his Apprenticeship, which Assignment and Assignments of such Apprentices, shall be and are hereby declared to be good and effectual in the Law; all which Indentures of Assignment are hereby directed to be registred, and Certificates thereof given and transmitted by such Collector, at the said several Ports where such poor Apprentices shall be so assigned over and bound to the Sea Service; and upon Receipt of such Certificates, Protections shall from Time to Time be made and given for such Apprentices, (so to be assigned over as aforesaid) till they shall attain their several and respective Ages of Eighteen Years, without Fee or Reward.

prentices, may be returned over to the Sea Service.

4 Ann. c. 19. § 16.

Assignments to be registred.

2 & 3 Ann. c. 6. § 7. Such Apprentices till 18 are exempted from the 6d.

XVII. And be it farther Enacted, That all and singular such poor Boys as are herein before mentioned, or intended by this present Act to be bound and put out, and such as shall be assigned over to the Sea Service as aforesaid,

aforesaid; during their several and respective Apprenticeships, till such Time as they shall attain their several and respective Ages of Eighteen Years, shall be, and are hereby declared to be exempted, freed and discharged, of and from Payment of Six-Pence per Month towards the better Support of Greenwich Hospital, the Act of Parliament made in the seventh and eighth Years of the Reign of the late King William the Third, intituled, "An Act for the Increase and Encouragement of Seamen," or any Clause in the same contained to the contrary hereof in any wise notwithstanding.

per Month to Greenwich Hospital.

XVIII. And for the better providing such Apprentices with Masters for the said Service, Be it farther Enacted, That all and every of his Majesty's Subjects, being Masters or Owners of any Ship or Vessel used in the Sea Service, of the Burthen of Thirty Ton to the Burthen of Fifty Ton, be obliged to take one such Apprentice, of the Age and Qualifications aforesaid, and one more for the next Fifty Ton, and one more for each and every Hundred Ton, such Ship or Vessel shall exceed the Burthen of One hundred Ton: And such Master or Owner of any Ship or Vessel refusing to take such Apprentice or Apprentices as aforesaid, shall forfeit the Sum of Ten Pounds, for the Use of the Poor of the Parish from whence such Boy was bound Apprentice.

2 & 3 Ann. c. 6. § 8. 4 Ann. c. 19. § 16. Masters of Ships, &c. obliged to take such Apprentices.

XIX. And be it further Enacted, That every Master or Owner of such Ship or Vessel, so obliged to take such Apprentice or Apprentices, after his Arrival into any Port

2 & 3 Ann. c. 6. § 9. Masters, &c. to give an Account of App-Port

prentices
Names to
Collector.

Port or Ports as aforesaid, and before he clears out of such Port, shall give an Account in Writing under his Hand to the Collector of such Port to which he belongs, containing the Names and Numbers of such Apprentices as are then remaining in his Service.

2 & 3 Ann.
c. 6. § 10.
How Ap-
prentices are
to be con-
veyed to Ports
to which their
Masters be-
long.

XX. And be it farther Enacted, That all and every such Apprentice and Apprentices shall, from Time to Time, be severally and respectively sent, conducted and conveyed to the severall and respective Ports to which his or their Master shall respectively belong, by the Churchwardens and Overseers of the Poor, or their Agents, of the Parish, Township, Village or Place from whence such Apprentice is bound; and the Justices of Peace, in their Quarter-Sessions, shall have Power to raise Money within the Limits of the respective Jurisdictions in which they are empowered to act, and from whence such Apprentice was bound, in such Manner as it is raised for County Goals and Bridges, in order to reimburse to the said Churchwardens and Overseers the Charges of conveying such Apprentices as aforesaid.

2 & 3 Ann.
c. 6. § 11.
The Counter-
parts of their
Indentures to
be transmitted
to the Church-
wardens, &c.

XXI. And it is hereby directed and enacted, That the Counterpart of all and every such Indentures to be executed by the said severall and respective Masters of all such Apprentices, shall be sealed and executed in the Presence of, and attested by, the Collector at the Port as aforesaid (where such Apprentices shall be bound or assigned over) and the Constable or other Officer, who shall bring and convey such Apprentices to the said severall and respective Masters; which Constables or Officers last mentioned shall transmit and convey the

Counterparts of such Indentures to the Churchwardens and Overseers of the severall Parishes, Townships, Villages or Places, from whence such Apprentice shall be bound, by the same Ways and Means as such Apprentice or Apprentices were conveyed to the said severall and respective Ports.

XXII. And be it farther Enacted, That two or more of such respective Justices of the Peace as aforesaid, dwelling in or near any of the Ports aforesaid, to which such Ship or Vessel shall at any Time arrive, shall have full Power and Authority, and are hereby authorized and empowered to inquire into, and examine, hear and determine all Complaints of hard or ill Usage from the severall and respective Masters to such their Apprentice and Apprentices so to be bound or assigned over, and to make such Orders therein, as they are enabled by Law to do in other Cases between Masters and Apprentices.

2 & 3 Ann.
c. 6. § 12.
Justices to de-
termine Com-
plaints be-
tween Masters
and Appren-
tices.

XXIII. And be it farther Enacted, That every such Collector in every Port or Ports aforesaid, shall, in their severall and respective Stations, keep an exact Register, containing as well the Number and Burthen of all such Ships and Vessels, together with the Masters or Owners Names, as also the Names of such Apprentices, in each Ship and Vessel belonging to their respective Ports, and from what Parishes, Townships, Villages or Places, such Apprentices were respectively sent; and that such Collectors shall transmit true Copies of such Register, signed by them, to the said Quarter-Sessions respectively, or to such Pa-

2 & 3 Ann.
c. 6. § 13.
Collector to
keep a Re-
gister of
Ships and
Names of Ap-
prentices, &c.

and transmit
Copy thereof
to the Quar-
ter-Sessions.

rishes, Townships, Villages or Places, when and so often as they shall be reasonably required so to do; for which Copy or Copies so to be transmitted as aforesaid, no Fee or Reward shall be taken: And that every such Collector refusing or wilfully neglecting to transmit such Copies, shall, for every such Refusal or Neglect, forfeit Five Pounds for the Use of the Parish, Township, Village or Place, from whence such Boy was bound Apprentice.

2 & 3 Ann. c. 6. § 14. Customhouse Officers to insert in their Cocquets the Number of Men and Boys on board.

XXIV. And be it farther Enacted, That every Customhouse Officer or Officers, at each and every of the Ports aforesaid, shall insert, and are hereby required, from Time to Time, to insert at the Bottom of their Cocquets the Number of Men and Boys on board the respective Ships or Vessels, at their going out of every such Port, therein particularly describing the Apprentices by their respective Names, Ages, and the Dates of their several Indentures, for which no Fee or Reward shall be taken.

2 & 3 Ann. c. 6. § 17. When Apprentices shall be impressed, Masters to have able Seamens Wages for them.

XXV. And whereas Owners and Masters of Merchants Ships may be at great Charge in educating and bringing up such poor Children as aforesaid, till they come to the Age of Eighteen Years, at which Time they are capable to serve in his Majesty's Ships of War; Be it farther Enacted, That when such Apprentices shall be impressed, the said Owners or Masters of such Apprentices, their Executors, Administrators, or Assigns, shall be intitled

titled to able Seamens Wages for such of their Apprentices as shall upon due Examination be found qualified for the same, notwithstanding their Indentures of Apprenticeship.

XXVI. And to the End that Money given for the binding out of poor Apprentices may be justly applied to the good Purposes intended, Be it Enacted, That all Sums of Money given, or hereafter to be given, by any Person or Persons, to be employed for the binding out of poor Apprentices, shall for ever be, from Time to Time, used and employed to such Uses, Intents and Purposes only, and by such Persons, and in such Manner and Form, as shall be hereafter specified and declared, except the same have been or shall be otherwise ordered or disposed of by the Givers thereof; that is to say, that all Corporations of all Cities, Boroughs, and Towns Corporate, by what Name or Names they shall be known or incorporated, and in Towns, Parishes and Places not incorporate, the Parson or Vicar of every such Town or Parish, together with the Constable or Constables, the Churchwarden or Churchwardens, Collectors, and the Overseers of the Poor for the Time being, or the most Part of them, where any such Sum or Sums of Money are already given, or shall be hereafter given to be so employed, shall from Time to Time have the Nomination and Placing of such Apprentices, and the Employment of all such Monies to and for the binding forth of such Apprentices, and in such Sort as is already, or shall hereafter be so given and appointed, either by the last Will and

The Application of charitable Donations for the Purpose of binding Children Apprentices.
7 Jam. 1. c. 3. § 2.
How and by whom Charity Money for binding out poor Children shall be applied.

and Testament, or by any Writing or Writings under the Hands and Seals of any Person or Persons which hath already, or hereafter shall so give any Sum or Sums of Monies unto the good Purposes and Intents aforesaid: And if the Corporation of any such Cities, Boroughs, or Towns Corporate, or any of the other Person or Persons in the other Towns, Parishes and Places above mentioned, hereby appointed to have the Employment of such Sums of Monies, shall at any Time hereafter wilfully forbear or refuse to employ the same for the binding out of such Apprentices, then they, and every of them so offending contrary to this Act, shall forfeit for every such Offence the Sum of Three Pounds Six Shillings and Eight Pence; the One Half thereof to be given to the Poor of the Town Parish or Place where such Fault or Offence shall be done or committed; the other Moiety to the Party that shall sue for the same.

The Forfeiture of those who of Duty ought, and yet refuse to employ the Money.

7 Jam. 1. c. 3. § 3. The Party which receiveth the Money shall be bound with Sureties to repay it.

XXVII. And be it Enacted, That the Master or Mistress of every such Apprentice or Apprentices, who shall receive any such Sum or Sums of Money as aforesaid, shall become bound with One or Two sufficient Sureties, by Bond or Obligation, in double the Sum which they and every of them shall so receive with such Apprentice or Apprentices, unto the Corporation of any such City or Town Corporate, or to such Person or Persons in the other Towns, Parishes and Places, not incorporated, hereby appointed to have the Employment of all such Sums of Money as aforesaid respectively, upon Condition to repay

pay such Sum or Sums of Money as he or she shall so receive with any such Apprentice or Apprentices, at the End of Seven Years next ensuing the Date of the said Obligation, or within Three Months next after the End of the said Seven Years; and if such Apprentice happen to die within the said Space of Seven Years, then within One Year after his or her Death; and if the Master or Mistress to whom any such Apprentice or Apprentices shall be bound, shall happen to die within the said Space of Seven Years, then within One Year after his or her Death; so as the said Monies may be again imployed for placing such Apprentice with some other Person of the same Trade, to serve out the Residue of the Years of his or her former Apprenticeship, by the Discretion of the said Persons trusted as aforesaid.

XXVIII. And be it farther Enacted, That every such Sum or Sums of Money shall always be put forth and imployed by the Parties aforesaid, within Three Months at the farthest after such Money shall come to the Hands of the said Parties; and if at such Times there shall not be found fit and apt Persons to be bound out Apprentices as aforesaid, within the said Cities, Towns, Parishes and Places, where such Sums of Money are or hereafter shall be given as aforesaid, then such of the poorest Children of any of the Parishes or Places next adjoining, shall be bound Apprentices in Manner as aforesaid, as by the Discretion of the Parties aforesaid, shall be thought fit and convenient, taking such Bonds and Obligations of

7 Jam. 1. c. 3. § 4. Within what Time the Money shall be put forth.

A Provision, if there be not fit Persons in that Parish to be Apprentices.

the Persons who shall receive the said Sums of Money so put forth, and with such Sureties, and upon such Conditions, as is above mentioned and declared.

7 Jam. 1. c. 3. § 5. What Sort of Persons shall be Apprentices.

XXIX. Provided always, and be it Enacted, That Choice from Time to Time be made of the poorest of Children of every such City, Town, Parish and Place, whose Parents are least able to relieve them; and that no such Apprentice shall be above the Age of Fifteen Years, when he or she shall be so first bound out an Apprentice.

§ 6. Account shall be made of the Money employed.

XXX. And be it Enacted, That all and every Person and Persons hereby appointed to have the employing of such Sums of Money as aforesaid, shall once every Year in the Easter Week, or within One Month next after Easter Day, make a true and perfect Account before Two or more Justices of the Peace, dwelling in or next to every of the said Towns, Parishes or Places, of all such Sum and Sums of Money as they or any of them have employed in binding of Apprentices by virtue of this Act, and of all Bonds and Obligations taken for the Payment thereof; and also of all such Sum and Sums of Money as then shall happen to be remaining in their Hands not employed; and also shall at the making and yielding up of the said Account, or within Ten Days then next following, yield and deliver up unto such as shall next succeed them, all such Obligations and Bonds as by them or any of them have been before that Time taken to the Uses aforesaid; as also all Sums of Money remaining in their or any

of their Hands to be employed as aforesaid, and not employed at the Time of the yielding up of the said Account.

XXXI. And be it farther Enacted, That if any of the Parties hereby appointed and trusted as aforesaid, shall break the Trust and Confidence in them in this Behalf reposed, or shall employ the said Sums of Money, or any Part thereof, or do any other Act or Acts contrary to their Duties, and the true Intent and Meaning of this Act, for which there is not any Penalty herein before appointed, then it shall and may be lawful for any Person or Persons in the Behalf of the Poor of such City, Borough, Parish or Place, to exhibit his Petition to the Lord Chancellor or Lord Keeper of the Great Seal of England for the Time being, touching the same, who shall thereupon respectively have full Power and Authority to award a Commission out of the High Court of Chancery, under the Great Seal of England, to such and so many Persons as shall be thought meet, to enquire, hear and determine the said Offences: And if the Commissioners, or the most Part of them, shall find, that any Sum or Sums of Money are lost, impaired, wasted or diminished, then they or the most Part of them, shall likewise have Power to rate, raise and collect the said Sum of Money so lost, impaired, wasted or diminished, upon such Person and Persons in Places not incorporate, as are hereby appointed to have the Employment of the said Monies, if they, or any of them, have failed in their Duties in that Behalf, or otherwise upon the able Inhabitants of such City, Town, Parish or Place,

7 Jam. 1. c. 3. § 7. A Remedy where any Party trusted shall break the Trust, or commit any Offence.

where the same shall so happen, as in the Discretion of the said Commissioners, or the greatest Part of them; shall be thought fittest, and to return the said Commission, and the Manner of the Execution thereof, into the said High Court of Chancery, within Three Months next after the Execution thereof; and if any Person or Persons shall find himself grieved by any Thing done by the said Commissioners, then upon Complaint thereof made in the High Court of Chancery, the said Lord Chancellor or Lord Keeper for the Time being, shall have full Power and Authority to order and decree the same, as shall be thought most fit to stand with Equity and good Conscience.

A Remedy for any Party grieved by the Commissioners.

8 Ann. c. 9. § 40. Parish Apprentices, or those put out from public Charities, exempted from Duties and Stamps.

XXXII. Provided always, and it is hereby Declared and Enacted, That no Master or Mistress shall be charged with the Payment of any of the Duties imposed or to be paid by virtue of an Act made in the Eighth Year of the Reign of her late Majesty Queen Anne, intituled, "An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty's Supply, for the Year One Thousand Seven Hundred and Ten," with respect to any Money by him or her received with any Apprentice or Servant, who shall be placed out at the common or public Charge of any Parish or Township, or by or out of any public Charity; nor shall any Indenture, Articles, Covenant, Agreement or Contract, relating to such Apprentice or Servant as last mentioned, be required to be stamped with any such new Stamps.

Stamps as are thereby directed to be provided; any Thing in the said Act contained to the contrary notwithstanding.

XXXIII. And be it farther Enacted, That ^{20 Geo. 2. c. 19. § 3.} it shall and may be lawful to and for any Two Justices upon Complaint of or more of such respective Justices as aforesaid, upon any Complaint or Application by any certain Apprentice put out by any Parish, Township, Village or Place as aforesaid, touching or concerning any Misusage, Refusal of necessary Provision, Cruelty, or other ill Treatment of or towards such Apprentice, by his or her Master or Mistress, to summon such Master or Mistress to appear before such Justice at a reasonable Time to be named in such Summons, and such Justices shall and may examine into the Matter of such Complaint; and upon Proof thereof made, upon Oath to their Satisfaction, (whether the Master or Mistress be present or not, if Service of the Summons be also upon Oath proved) the said Justices may discharge such Apprentice, by Warrant or Certificate under their Hands and Seals, for which Warrant and Certificate no Fees shall be paid. ^{to summon the Master, &c.}

XXXIV. And be it farther Enacted, That ^{20 Geo. 2. c. 19. § 4.} it shall and may be lawful to and for such respective Justices as aforesaid, upon Application or Complaint made upon Oath, by any Master or Mistress against any such Apprentice, touching or concerning any Misdemeanor, Miscarriage, or ill Behaviour, in such his or her Service, (which Oath such Justices are hereby empowered to administer) to hear, examine and determine the same, and to punish the Offender by Commitment, &c. ^{against Apprentices, and Proof upon Oath, to punish the Offender by Commitment, &c.}

the Offender, by Commitment to the House of Correction, there to remain and be corrected, and held to hard Labour for a reasonable Time, not exceeding One Calendar Month, or otherwise by discharging such Apprentice, in Manner and Form before mentioned.

In what Manner the Poor who are not able to work are to be relieved.
3 W. & M. c. 11. § 11. *Provisions respecting Poor who receive Collections at the Charge of the Parish.*
Register to be kept of Poor receiving Collection. Parishes to make a List of their Poor in Easter Week.

None to receive Alms but those in the List, except by order of the Justices or Sessions.

XXXV. And for the better Relief of such poor People as are unable to work, Be it further enacted, That there shall be provided and kept in every such Parish, Township, Village and Place, at the Charge of the same respectively, a Book or Books wherein the Names of all such Persons who do or may receive Collection shall be registred, with the Day and Year when they were first admitted to have Relief, and the Occasion which brought them under that Necessity: And that yearly in Easter Week (or as often as shall be thought convenient) the Inhabitants of every Parish, Township, Village and Place, as aforesaid, shall meet in their Vestry, or other usual Place of Meeting in the same respectively, before whom the said Book or Books shall be produced, and all Persons receiving Collection shall be called over, and their Reasons of taking Relief examined, and a new List made and entered, of such Persons as they shall think fit and allow to receive Collection, and that no other Person be allowed to have or receive Collection at the Charge of such Parish, Township, Village or Place, but by Authority under the Hand of one Justice of Peace residing within the same respectively, or (if none be there dwelling) in the Parts near or next adjoining, or by Order of the Justices in their respective Quarter-Sessions, except in case of pestilential Diseases, Plague,

Plague, or Small-pox, for and in Respect of such Families only as are or shall be therewith infected.

XXXVI. And be it farther Enacted, That ^{9 Geo. 1. c. 7. § 1.} no Justice of Peace shall order Relief to any poor Person, until Oath be made before such Justice of some Matter which he shall judge to be a reasonable Cause or Ground for such Person's having such Relief, and that the same Person had by himself, herself, or some other, applied for Relief to the Inhabitants of such Parish, Township, Village or Place, as aforesaid, at some Vestry or other public Meeting of the Inhabitants, or to Two of the Overseers of the Poor of such Parish, Village or Place, and was by them refused to be relieved, and until such Justice have summoned Two of such Overseers of the Poor to shew Cause why such Relief should not be given, and the Person so summoned hath been heard or made Default to appear before such Justice, any Thing herein to the contrary notwithstanding.

XXXVII. And be it further Enacted, That ^{9 Geo. 1. c. 7. § 2.} the Names of the Persons whom any such respective Justices of Peace as aforesaid shall order to be relieved, shall be entered into such Book or Books, so to be kept by the Parish, Township, Village or Place, as aforesaid, as one of those who is to receive Collection, as long as the Cause for such Relief continues, and no longer; and that no Officer of any Parish, Township, Village or Place, shall (except upon sudden and emergent Occasions) bring to the Account of ^{No Poor to be relieved longer than the Cause of his Relief continues.} the

the Parish any Monies he shall give to any poor Person of the same respectively, who is not registred in such Book or Books as a Person intituled to receive Collection, on Pain of forfeiting the Sum of five Pounds.

§ & 9 W. 3. c. 30. § 2. Persons receiving Alms to wear a Badge on the Shoulder of the right Sleeve.

XXXVIII. And be it farther Enacted, That every such Person as shall be upon the Collection, and receive Relief of any Parish or Place as aforesaid, and the Wife and Children of any such Person cohabiting in the same House (such Child only excepted, as shall be by the Churchwardens and Overseers of the Poor permitted to live at Home, in order to have the Care of and attend an helpless Parent) shall upon the Shoulder of the right Sleeve of the uppermost Garment of every such Person, in an open and visible Manner, wear such Badge or Mark as is herein after mentioned and expressed, that is to say, a large Roman P. together with the first Letter of the Name of the Parish or Place whereof such poor Person is an Inhabitant, cut either in red or blue Cloth, as by the Churchwardens and Overseers of the Poor shall be directed and appointed: And if any such poor Person shall at any Time neglect or refuse to wear such Badge or Mark, as aforesaid, and in Manner as aforesaid, it shall and may be lawful for any of such respective Justices of the Peace, where any such Offence shall be committed, upon Complaint to him for that Purpose to be made, to punish such Offender for every such Offence, either by ordering his or her Relief or usual Allowance on the Collection to be abridged, suspended, or withdrawn, or otherwise by committing of any such Offender

Penalty on refusing to wear such Badge.

to

to the House of Correction, there to be whipt and kept to hard Labour, for any Number of Days not exceeding One and Twenty, as to the said Justice in his Discretion it shall seem most meet, and if any such Churchwarden or Overseer of the Poor, shall relieve any such poor Person not having or wearing such Badge or Mark, as aforesaid, being thereof convicted, upon the Oath of one or more credible Witness or Witnesses, before any of such respective Justices of the Peace where any such Offence shall be committed, he shall forfeit for every such Offence the Sum of Twenty Shillings.

Penalty on Churchwardens, &c. relieving Persons not wearing such Badge.

XXXIX. And to the End that such near Relations as are able, may be obliged to relieve each other, Be it farther Enacted, That the Father and Grandfather, and the Mother and Grandmother, and the Children of every poor, old, blind, lame and helpless Person, or other poor Person not able to work, being of a sufficient Ability, shall at their own Charges, relieve and maintain every such poor Person in such Manner, and accordingly to such Rate, as by the Justices of Peace, within the respective Limits of whose Jurisdiction such sufficient Persons dwell, or the greater Number of them, at their general Quarter-Sessions shall be assessed, upon Pain that every one of them shall forfeit Twenty Shillings for every Month which they shall fail therein.

43 Eliz. c. 2. §. 7. Of mutual Obligations of Parents and Children to relieve each other.

Father, &c. to relieve poor Child, &c. at such Rate as Justices at Sessions shall assess.

XL. And whereas divers Persons run or go away from their Places of Abode into other

Geo. 1. c. 8. § 1.

*Provisions for
seizing, &c.
the Effects of
Husbands and
Parents leaving
their
Wives and
Children.*

other Counties or Places, and sometimes out of the Kingdom, some Men leaving their Wives, a Child or Children, and some Mothers, leaving a Child or Children upon the Charges of the Parish, Township, Village or Place, where such Child or Children was or were born, or last legally settled, although such Persons have some Estates which should ease such Parish, Township, Village or Place, of their Charge, in Whole or in Part, Be it Enacted, That it shall and may be lawful for the Churchwardens and Overseers of the Poor of such Parish, Township, Village or Place, where any such Wife, Child or Children shall be so left, upon Application to, and by Warrant or Order from any Two Justices of the Peace, to take and seize so much of the Goods and Chattels, and receive so much of the annual Rents and Profits of the Lands and Tenements of such Husband, Father or Mother, as such Two Justices of the Peace, as aforesaid, shall order and direct; for or towards the Discharge of the Parish or Place, where such Wife, Child or Children were left, for the bringing up and providing for such Wife, Child or Children, which Warrant or Order being confirmed at the next Quarter-Sessions, it shall be lawful for the Justices at such Quarter-Sessions to make an Order for the Churchwardens and Overseers of the Poor of such Parish, Township, Village or Place, to dispose of such Goods and Chattels by Sale, or otherwise, or so much of them as the Court shall think fit, for the Purposes aforesaid, and to receive the Rents and Profits, or so much of them as shall be so ordered by the said Sessions,

*Overseers by
Warrant from
two Justices
may seize
Goods, &c.*

and sell them,

*and receive
Rents.*

tions, of his or her Lands or Tenements for the Purposes aforesaid.

XLI. And be it farther Enacted, That the said Churchwardens and Overseers shall be accountable to the Justices at the Quarter-Sessions, for all such Money as they, or any of them, shall receive on the Account aforesaid.

XLII. And whereas poor Persons, if not restrained, may endeavour to settle themselves from Time to Time in those Parishes, Townships, Villages or Places, where there is the best Stock, whereby the Charge of maintaining them may be very unequally and unjustly borne; Be it farther Enacted, That it shall and may be lawful upon Complaint made by the Churchwardens and Overseers of the Poor of any Parish, Township, Village or Place, to any of such respective Justices of the Peace as aforesaid, 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 such Justices of the Peace, whereof One to be of the Quorum, where any Person or Persons that are likely to be chargeable to such Parish, Township, Village or Place, shall come to inhabit, by their Warrant to remove and convey such Person or Persons to such Parish, Township, Village or Place, where he or they were last legally settled, either as a Native, Household-er, 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, Township, Village or Place, to be allowed by the said Justices.

*In what Places
the able Poor
may settle to
work, and the
helpless Poor
be intitled to
Relief.*

*15 & 14 Car.
2. c. 12. § 1.
Persons settling
in any
Tenement un-
der 10 l. per
Annum, may
be removed
within Forty
Days by Two
Justices.*

*unless they
find Security
to discharge
Parish.*

XLIII. Pro-

3 Jac. 2. c. 17. § 3.
3 W. & M. c. 11. § 3.
Forty Days Continuance to be accounted from the Publication of Notice to the Churchwardens, &c.

XLIII. Provided always, and be it Enacted, That the Forty Days Continuance of such Person in such Parish, Township, Village or Place, hereby intended to make a Settlement, shall be accounted from the Publication of a Notice in Writing, which he or she shall and are hereby required to deliver, of the *House* * of his or her Abode, and the Number of his or her Family, if he or she have any, to the Churchwarden or Overseer of the Poor of the said Parish, Township, Village or Place, to which they shall so remove, which said Notice in Writing, the said Churchwarden or Overseer of the Poor, is or are hereby required to read or cause to be read publicly, immediately after Divine Service in the Church or Chapel of such Parish, Township, Village or Place, on the next Sunday there shall be Divine Service in the same; *and if there shall be no Church or Chapel in the same, then they shall affix or cause such Notice to be affixed in some public and conspicuous Part within the same respectively*; and the said Churchwarden or Overseer of the Poor, is hereby, moreover, required to register or cause to be registred, the said Notice in Writing in the Book kept for the Poor's Accounts.

3 W. & M. c. 11. § 4.
No Soldier, &c. to gain Settlement before Dismission.

XLIV. Provided also, and be it Enacted, That no Soldier, Seaman, Shipwright, or other Artificer or Workman, employed in their Majesties Service, shall have any Settlement in any Parish, Township, Village or Place, by Delivery and Publication of a Notice in Writing as aforesaid, unless the same be after Dismission of such Person out of his Majesty's Service.

* Sic in Orig.

XLV. And

XLV. And be it farther enacted, That if any Churchwarden or Overseer of the Poor, shall refuse or neglect to read or cause to be read, or to register or cause to be registred, such Notice in Writing as aforesaid, in such Manner, Place and Time as aforesaid, he or they for every such Offence, (upon Proof thereof by Two credible Witnesses upon Oath, before any Justice of the Peace, within the Limits of whose respective Jurisdictions as aforesaid Complaint thereof shall be made) shall for such respective Offence forfeit the Sum of Forty Shillings; the Forfeiture for such Neglect in not reading such Notice to be applied to the Use of the Party grieved, and the Forfeiture for not registering such Notice to be applied to the Use of the Poor of the Parish, Township, Village or Place, where such Offender or Offenders dwell.

XLVI. Provided always, and be it Enacted, That if any Person, who shall come to inhabit in any Parish, Township, Village or Place, for himself, and on his own Account, execute any publick annual Office, or Charge in the same respectively, during one whole Year, or shall be charged with, and pay his Share towards the publick Taxes or Levies of the same respectively, then he shall be adjudged and deemed to have a legal Settlement in the same, though no such Notice in Writing be delivered and published, as is hereby before required.

XLVII. Provided nevertheless, and be it farther Enacted, That no Person or Persons who shall be taxed, rated or assessed, to the Scavenger or Repairs of the Highway, or to the

3 W. & M. c. 11. § 5.
Penalty on Churchwardens refusing to read or register such Notice.

3 W. & M. c. 11. § 6.
Serving Office, or paying Parish Duties, a Settlement without Notice.

9 Geo. r. c. 7* § 6.
Paying Rate to Scavenger or Highways, gains no Settlement.

21 Geo. 2. c. 10. § 13. the Window Tax, and shall duly pay the same, shall be deemed or taken to have any legal Settlement in any Parish, Township, Village or Place, for or by Reason of his, her or their paying to such Rates, Taxes or Repairs as aforesaid, any Law to the contrary in any wise notwithstanding.

3 W. & M. c. 11. § 7. 8 & 9 W. 3. c. 30. § 4. Hiring and Service for a Year of unmarried Persons, a Settlement without Notice. XLVIII. And be it farther Enacted, That if any unmarried Person, not having Child or Children, shall be lawfully hired into any Parish, Township, Village or Place, for one Year, and shall continue and abide in the same Service during the Space of one whole Year, such Hiring and Service shall be adjudged and deemed a good Settlement therein respectively, though no such Notice in Writing be delivered and published, as is herein before required.

3 W. & M. c. 11. § 8. 31 G. 2. c. 11. § 1. Apprenticeship a Settlement without Notice. XLIX. And be it farther Enacted, That if any Person shall be bound an Apprentice by Indenture, or by Deed, Writing, or Contract, legally stamped, although the same be not indented, and inhabit in any Parish, Township, Village or Place, such Binding and Inhabitation shall be adjudged a good Settlement, tho' no such Notice in Writing be delivered and published as aforesaid.

9 Geo. 1. c. 7. § 5. No Purchase under 30-l. Value to gain a Settlement. L. Provided always, and be it farther Enacted, That no Person or Persons shall be deemed, adjudged or taken, to acquire or gain any Settlement in any Parish, Township, Village or Place, for or by Virtue of any Purchase of any Estate or Interest in such Parish or Place, whereof the Consideration for such Purchase doth not amount to the Sum of Thirty Pounds, bona fide paid,

paid, for any longer or further Time than such Person or Persons shall inhabit in the Parish, Township, Village or Place, where such Estate shall lie, and shall then be liable to be removed to such Parish, Township, Village or Place, where such Person or Persons were last legally settled, before the said Purchase and Inhabitation therein.

LI. And, for the more easy Removal of Persons unduly settled, be it farther Enacted, That if any Person be removed by Virtue of this Act from one County, Riding, Division, Soke, Franchise, Liberty, City, or Town Corporate, to another, by Warrant under the Hands and Seals of Two such respective Justices of the Peace as aforesaid, the Church-wardens or Overseers of the Poor of the said Parish, Township, Village or Place, to which the said Person shall be so removed, are hereby required to receive the said Person; and he or they refusing or neglecting so to do, (upon Proof thereof by Two credible Witnesses, upon Oath before any One of such Justices of the Peace of the respective Places aforesaid to which the said Person shall be so removed) shall forfeit for each Offence the Sum of Five Pounds to the Use of the Poor of the Parish, Township, Village or Place, from which the said Person was removed.

§ 10. Provisions respecting Removals.

Churchwardens to receive Persons so removed under § 1. Penalty.

LII. And whereas many poor Persons may become chargeable to the Parish, Township, Village or Place where they live, meerly for want of Work, who would in any other Place where sufficient Employment is to be had, maintain themselves and Families, without being Regulations concerning Certificates, 13, 14 Car. 2. c. 12. § 3. 8 & 9 W. 3. c. 30. § 1.

Persons coming to inhabit in any Parish, &c. and bringing a Certificate from the Churchwardens, &c. of any other Parish, owning them to be Inhabitants of that other Parish; are to be relieved by that Parish whenever they become chargeable to the Parish to which the Certificate was given,

being burthensome to any Parish, Township Village or Place; Be it Enacted, That if any Person or Persons shall come into any Parish, Township, Village or Place, there to inhabit, and shall at the same Time procure, bring and deliver to the Church-wardens or Overseers of the Poor of such Parish, Township, Village or Place, or to any or either of them, a Certificate under the Hands and Seals of the Church-wardens and Overseers of the Poor of any other Parish, Township, Village or Place, or the major Part of them, or under the Hands and Seals of the Overseers of the Poor of any other Place, where there are no Church-wardens, to be attested respectively by Two or more credible Witnesses, thereby owning and acknowledging, the Person or Persons mentioned in the said Certificate to be an Inhabitant or Inhabitants legally settled in that Parish, Township, Village or Place, every such Certificate having been allowed of, and subscribed by Two or more of such Justices of the Peace, within the respective Limits of whose Jurisdiction the Parish, Township, Village or Place, from whence any such Certificate shall come, doth lie, shall oblige the said Parish, Township, Village or Place, to receive and provide for the Person mentioned in the said Certificate, together with his or her Family, as Inhabitants of that Parish, Township, Village or Place, whenever he, she or they shall happen to become chargeable to, or be forced to ask Relief of the Parish, Township, Village or Place, to which such Certificate was given, and then, and not before, it shall and may be lawful for any such Person, and his or her Children, though such Children be born in that Parish, Township, Village

not to be removed till they become chargeable.

Village or Place, not having otherwise acquired a legal Settlement there, to be removed, conveyed and settled, in the Parish, Township, Village or Place, from whence such Certificate was brought.

LIII. And be it farther enacted, That no Person or Persons who shall come into any Parish, Township, Village or Place, by any such Certificate as aforesaid, shall be adjudged by any Act whatsoever, to have procured a legal Settlement in the same respectively, unless he or they shall really and bona fide take a Lease of a Tenement of the yearly Value of Ten Pounds, or shall execute some annual Office in such Parish, Township, Village or Place, being legally placed in such Office.

9 & 10 W. 3. c. 11. No Certificate Person to gain Settlement, unless they rent 10l. per Annum, or serve some annual Office in the Parish, &c.

LIV. And be it farther Enacted, That if any Person who shall be an Apprentice, bound as aforesaid to, or shall be a hired Servant to or with any Person, who did come into, or shall reside in any Parish, Township, Village or Place, by Means or Licence of such Certificate, and not afterwards having gained a legal Settlement in such Parish, Township, Village or Place, such Apprentice, by virtue of such Apprenticeship, Indenture or Binding, and such Servant, by such Hiring or Service, shall not gain or be adjudged to have any Settlement in the same respectively, by reason of such Apprenticeship or Binding, or of such hiring or serving therein; but every such Apprentice and Servant shall have his and their Settlement in such Parish, Township, Village or Place, as if he or they had

12 Ann. stat. 1. c. 18. § 2. Person bound an Apprentice, or being a hired Servant, to one coming into a Parish by Certificate, shall not thereby gain a Settlement.

not been bound Apprentice, or had not been an hired Servant to such Person as aforesaid.

3 Geo. 2. c. 29. § 8. Witnesses to Certificates to swear that they saw the Churchwardens, &c. sign them.

LV. And be it farther Enacted, That the Witnesses who attest the Execution of such Certificates by the Churchwarden or Churchwardens, Overseer or Overseers, signing and sealing the same, or One of the said Witnesses, shall make Oath before such respective Justices of the Peace, who are hereby directed to allow the same, (which Oath they are hereby authorised to administer) that such Witness or Witnesses did see the Churchwarden or Churchwardens, Overseer or Overseers, whose Names and Seals are thereunto subscribed and set, severally sign and seal the said Certificate, and that the Names of such Witnesses attesting the same, are of their own proper Hand-writing, which said Justices of the Peace shall also certify that such Oath was made before them; and every such Certificate so allowed, and Oath so certified, shall be taken, deemed and allowed, in all Courts whatsoever, as duly and fully proved, and shall be taken and received as Evidence, without other Proof thereof.

3 Geo. 2. c. 29. § 9. Overseers to be reimbursed the Charges of maintaining and re-conveying Certificate Persons.

LVI. And be it farther Enacted, That when any Overseer or Overseers of the Poor of any Parish, Township, Village or Place, or other Person, shall remove back any Person or Persons, or their Families, residing in such Parish, Township, Village or Place, or sent thither by Certificate, and becoming chargeable as aforesaid to the Parish, Township,

ship, Village or Place, to which such Person or Persons shall belong, such Overseers or other Persons shall be reimbursed such reasonable Charges as they may have been put unto in maintaining and removing such Person or Persons, by the Churchwardens or Overseers of the Poor of the Parish, Township, Village or Place, to which such Person or Persons is or are removed; the said Charges being first ascertained and allowed by One or more of such respective Justices of the Peace for the Place to which such Removal shall be made: Which said Charges, so ascertained and allowed, shall, in case of Refusal of Payment, be levied by Distress and Sale of the Goods and Chattels of the Churchwarden and Overseers of the Poor of the Parish, Township, Village or Place, to which such Certificate Person or Persons is or are removed, by Warrant or Warrants under the Hand and Seal, or Hands and Seals of such Justice or Justices, returning the Overplus, if any there be; which Warrant or Warrants he or they are hereby required to grant.

LVII. And to the Intent that necessary Provisions for Places of Habitation may more conveniently building or be provided for poor helpless People, be it hiring, &c. of Enacted, That it shall and may be lawful for Workhouses, &c. for the the said Churchwardens and Overseers, or the Reception of the greater Part of them, by the Leave of the the Poor. Lord or Lords of the Manor, whereof any 43 Eliz. c. 2. Waste or Common within their Parish, Houses may Township, Village or Place, is or shall be be built on Parcel, and upon Agreement before with him Wastes for or them made in Writing, under the Hands Poor to inhabit. and Seals of the said Lord or Lords, or other-

wife, according to any Order to be set down by any of such Justices of the Peace, within the Limits of their respective Jurisdictions aforesaid, at their General Quarter Sessions, or the greater Part of them, by like Leave and Agreement of the said Lord or Lords, in Writing under his or their Hands and Seals, to erect, build and set up, in fit and convenient Places, on such Waste or Common, at the general Charges of the Parish, Township, Village or Place, or otherwise, of the Hundred or County, to be taxed, rated and gathered in Manner herein after expressed, convenient Houses of Dwelling for the said helpless Poor: And also to place Inmates, or more Families than One, in One Cottage or House, One Act made in the One and thirtieth Year of the Reign of Queen Elizabeth, intituled, An Act against the erecting and maintaining of Cottages, or any Thing therein to the contrary notwithstanding; which Cottages and Places for Inmates shall not at any Time after be used or employed to or for any other Habitation, but only for poor and helpless Persons of the same Parish, Township, Village or Place, upon the Pains and Forfeitures in the said Act contained.

9 Geo. 1. c. 7. § 4. Churchwardens, &c. may purchase or hire Houses to lodge and employ the Poor.

LVIII. And be it further Enacted, That it shall and may be lawful for the Churchwardens and Overseers of the Poor, in any Parish, Township, Village or Place, with the Consent of the major Part of the Parishioners or Inhabitants of the same respectively, in Vestry or other Parish or publick Meeting for that Purpose assembled, or of so many of them as shall

shall be so assembled, upon usual Notice thereof first given, to purchase or hire any House or Houses in the same Parish, Township, Village or Place, and to contract with any Person or Persons for the lodging, keeping, maintaining and employing any or all such Poor in their respective Parishes, Townships, Villages or Places, as shall desire to receive Relief or Collection from the same respectively, and there to keep, maintain and employ all such poor Persons, and take the Benefit of their Work, Labour and Service, for their better Maintenance and Relief: And where any Parish, Township, Village or Place shall be too small to purchase or hire such House or Houses for the Purposes aforesaid, any Two or more Parishes, Townships, Villages or Places, may, with such Consent as aforesaid, and also with the Approbation of any Justice of Peace dwelling in or near the same respectively, signified under his Hand and Seal, unite in purchasing, hiring or taking such Houses for the Purposes aforesaid; or the Churchwardens and Overseers of any Parish, Township, Village or Place, may, with such Consent as aforesaid, contract with the Churchwardens and Overseers of the Poor of any other Parish, Township, Village or Place, for the lodging, maintaining or employing any poor Person or Persons of such other Parish, Township, Village or Place, as to them shall seem meet: And in case any poor Person or Persons shall refuse to be lodged, kept or maintained in such House or Houses to be purchased, hired, contracted for or provided by any of the Means above specified and allowed, such poor Person or Persons so refusing, shall be put out of the

Penalty on Poor refusing to be lodged in Houses purchased or hired.

Settlements
to be as before
Removal.

Book or Books where the Names of the Persons who ought to receive Collection in such Parishes, Townships, Villages or Places are to be registered, and shall not be intitled to ask or receive Collection or Relief from the Churchwardens and Overseers of the Poor of the same respectively. Provided always, That no Person or Persons, his, her or their Apprentice, Child or Children, shall acquire a Settlement in the Parish, Township, Village or Place, to which he, she or they are removed for the Purposes aforesaid, but that his, her or their Settlement shall be and remain in such Parish, Township, Village or Place, as it was before such Removal; any thing in this Act to the contrary notwithstanding.

Regulations
respecting the
Provisions for
Bastard
Children.
18 Eliz. c. 3.
3 Car. 1. c. 5.
§ 15.
13 & 14 Car.
2. c. 12. § 19.
How Mother,
&c. may be
punished, and
the Child
maintained.

LIX. And whereas Bastards are frequently left to be kept at the Charges of the Parish, Township, Village or Place where they are born, to the great Burden of the same: For Prevention thereof, be it Enacted, That any Two such Justices as aforesaid (whereof One to be of the Quorum, within the Limits of their respective Jurisdictions, where such Bastard shall be born, or in their respective General Quarter Sessions) shall and may upon Examination of the Cause and Circumstance, by their Discretion, give Order as well for the Punishment of the Mother, and reputed Father of such Bastard Child, as also for the better Relief of every such Parish, Township, Village or Place, in Part or in all, and shall and may likewise by like Discretion, give Order for the keeping of every such Bastard Child, by charging such Mother, or reputed Father, with the Payment of Money Weekly,

ly, or other Sustainment for the Relief of such Child, in such wise as they shall think meet and convenient; and if after such Order as aforesaid, such Mother or reputed Father, upon Notice thereof, shall not for their Part observe and perform the same, it shall and may be lawful for the Churchwardens and Overseers of the Poor of such Parish, Township, Village or Place where any Bastard Child shall be born, to take and seize so much of the Goods and Chattels, and to receive so much of the annual Rents or Profits of the Lands of such putative Father or lewd Mother, as shall be ordered by such Justices of the Peace as aforesaid, for or towards the Discharge of such Parish, Township, Village or Place, for the bringing up and providing for such Bastard Child; and thereupon it shall be lawful for the Sessions to make an Order for the Churchwardens or Overseers for the Poor of such Parish, Township, Village or Place, to dispose of the Goods by Sale or otherwise, or so much of them for the Purposes aforesaid, as the Court shall think fit; and to receive the Rents and Profits, or so much of them, as shall be ordered by the Sessions as aforesaid, of his or her Lands: And if such Offenders shall have no Lands, Goods or Chattels sufficient for the Discharge of such Parish, Township, Village or Place, then such Two Justices as aforesaid, may commit such Offender to the Common Gaol, there to remain without Bail or Mainprize, till he or she find Security for performing the Order of the said Justices for the Discharge of such Parish, Township, Village or Place.

D 4

LX. And

7 Jac. 1. c. 4. § 7. **LX.** And be it enacted, That where any lewd Woman shall have any Bastard which may be chargeable to the Parish, the Justices of Peace shall commit such lewd Woman to the House of Correction, there to be punished and set on Work during the Term of one whole Year; and if she shall offend again, then she shall be committed to the said House of Correction as aforesaid, and there remain until she can put in good Sureties for her good Behaviour.

6 G. 2. c. 31. § 1. **LXI.** And be it farther Enacted, That if any single Woman shall be delivered of a Bastard Child, which shall be chargeable or likely to become chargeable to any Parish, Township, Village or Place, or shall declare herself to be with Child, and that such Child is likely to be born a Bastard, and to be chargeable thereto respectively, and shall in either of such Cases, in an Examination to be taken in Writing upon Oath, before any One or more of such Justices of the Peace, within whose respective Jurisdictions such Parish, Township, Village or Place shall lie, charge any Person with having gotten her with Child, it shall and may be lawful to and for such Justice or Justices, upon Application made to him or them by the Overseers of the Poor of such Parish, Township, Village or Place, or by any One of them, or by any substantial Householder of any Extraparochial Place, to issue out his or their Warrant or Warrants for the immediate apprehending of such Person so charged as aforesaid, and for bringing him before any such respective Justice or Justices; and the Justice

The Punishment of lewd Women who have Bastards.

The Person charged on Oath of being the Father of a Bastard Child

may be immediately apprehended,

Justice or Justices before whom such Person shall be brought, is and are hereby authorized and required to commit the Person so charged as aforesaid, to the Common Gaol or House of Correction within the Limits of their respective Jurisdictions aforesaid, unless he shall give Security to indemnify such Parish, Township, Village or Place, or shall enter into a Recognizance with sufficient Surety, upon Condition to appear at the next General Quarter-Sessions, or General Sessions of the Peace to be holden for such Places respectively as aforesaid, and to abide and perform such Order or Orders as shall be made in pursuance of the Authority hereby given.

and committed to Prison unless he give Security.

LXII. Provided nevertheless, and be it Enacted, That if the Woman so charging any Person as aforesaid, shall happen to die or be married before she shall be delivered, or if she shall miscarry of such Child, or shall appear not to have been with Child at the Time of her Examination, then and in any of the said Cases, such Person shall be discharged from such Recognizance at the next General Quarter-Sessions, or General Sessions of the Peace to be holden for such respective Places as aforesaid, or immediately released out of Custody by Warrant under the Hand and Seal or Hands and Seals of any One or more such Justice or Justices of the Peace residing in or near the Limits where such Parish, Township Village or Place shall lie.

6 Geo. 2. c. 31. § 2. Such Person, on the Woman's Miscarriage, &c. shall be discharged.

LXIII. Provided also, and be it enacted, That upon Application made by any Person who shall be committed to any Gaol or House of

§ 3. The Justices on Prisoner's Request may

summon the Overseers, &c. of Correction by virtue of this Act, or by any Person on his Behalf, to any Justice or Justices residing in or near the Limits where such Parish, Township, Village or Place shall lie, such Justice or Justices is and are hereby authorized and required to summon the Overseer or Overseers of the Poor of such Parish, Township, Village or Place, or One or more of the substantial Householders of such Extraparochial Place, to appear before him or them at a Time and Place to be mentioned in such Summons, to shew cause why such Person should not be discharged; and if no such Order shall appear to have been made as aforesaid within six Weeks after such Woman shall have been delivered, such Justice or Justices shall and may discharge him from his Imprisonment, and if no Order be made within 6 Weeks after the Woman's Delivery, Prisoner to be set at Liberty.

6 Geo. 2. c. 31. § 4. The Woman not compellable to be examined relating to her Pregnancy, till One Month after her Delivery.

LXIV. Provided always, and be it farther Enacted, That it shall not be lawful for any such respective Justice or Justices of the Peace to send for any Woman whatsoever before she shall be delivered, in order to her being examined concerning her Pregnancy or supposed Pregnancy, or to compell her to answer to any Questions relating to the same, or to send for or examine her in relation to her having been pregnant, till One Month after her Delivery*; any Law, Usage or Custom to the contrary notwithstanding.

17 Geo. 2. c. 5. § 25. Directions concerning Women delivered of Children in

LXV. And whereas Women wandering and begging, are often delivered of Children in Parishes, Townships, Villages and Places to which they do not belong, whereby they be-

* The old Law seemed inaccurate in Point of Expression, but the Intent of it, it is hoped, is preserved in the above Alteration.

come

come chargeable to the same, Be it Enacted, That where any such Woman shall be so delivered, and become chargeable, it shall and may be lawful for the Churchwardens or Overseers of the Poor of such Parish, Township, Village or Place, to detain such Woman in their Custody, until they can safely convey her to some Justice of the Peace, who shall examine her, and commit her to the House of Correction, until the next General or Quarter Sessions, who may (if they see convenient) order her to be publickly whipped and detained in the House of Correction, for any further Time, not exceeding Six Months*, and upon Application by the Churchwardens and Overseers of the Parish, Township, Village or Place where she was so delivered, the Justices at such Sessions shall order the Treasurer of the County or District to pay them such a Sum of Money as shall be adjudged a reasonable Satisfaction for the Charges incurred on such Woman's Account; and if such Woman shall be detained and conveyed to a Justice as aforesaid, the Child of which she is delivered, if a Bastard, shall not be settled in the Place where so born, nor be sent thither for want of other Settlement, by a Pass, but the Settlement of such Woman shall be deemed the Settlement of such Child; any Law to the contrary notwithstanding.

* This Law seems unjust and inhuman, as it gives a Power to punish the Woman, by whipping, &c. even though the Child of which she be delivered, be not a Bastard. To lift the Scourge against an unfortunate Wretch under such Circumstances, might give Scandal to a Savage. Indeed all Punishments of this Nature are improper for Women: for, where they do not violate the Laws of Humanity, they necessarily infringe those of Decency.

*In what Man-
ner the Rates
for defraying
the Charges of
the several
Purposes of the
Act are to be
made, and col-
lected.*
43 Eliz. c. 2.
§ 1.
Churchwar-
dens, &c.
with Consent
of two Jus-
tices, to make
weekly Taxa-
tions.

LXVI. And, to the End that the several Purposes of this Act may be the better and more speedily carried into Execution, and for and towards establishing a Fund for defraying the Charges of the same, Be it Enacted, That the Churchwardens, and the Overseers of every Parish, Township, Village and Place, to be nominated as above directed, by and with the Consent of Two or more such respective Justices of the Peace as above specified, whereof One to be of the Quorum, dwelling in or near the same respectively, shall raise Weekly or otherwise (by Taxation, of every Inhabitant, Parson, Vicar, and other, and of every Occupier of Lands, Houses, Tithes impropriate, Propriations of Tithes, Coal Mines, or saleable Underwoods in the same respectively, in such competent Sum and Sums of Money as they shall think fit) a convenient Stock as aforesaid, for setting the Poor to Work, and also competent Sums for the necessary Relief of such among them as are not able to work; and for other the Purposes of this Act above mentioned.

17 Geo. 2.
c. 57. § 1.
Drained
Lands to pay
Parochial
Taxes.

LXVII. And be it Enacted, That where there shall be any Dispute or Uncertainty in what Parish, Township, Village or Place, any improved or drained Lands, heretofore improved or drained, or hereafter to be improved or drained, lie and ought to be rated, all and every the Occupier and Occupiers of such Lands, or Houses built thereon, Tenements, Tythes arising therefrom, Mines therein, and saleable Underwoods therein growing, or hereafter to grow, shall be rated and assessed to the Relief of the Poor, and to all other Parochial Rates within such Parish, Township, Village

Village and Place which lies nearest to such Lands, in the Manner and Form, and subject to the same Directions and Regulations as all other Lands within the same respectively are by Law liable to be rated and assessed thereunto; and if on Application to the Officers of such Parish, Township, Village or Place to have such improved or drained Lands rated and assessed as aforesaid, any Dispute or Difference shall arise touching what Parish, Township, Village or Place such Lands ought to be rated and assessed in, it shall and may be lawful to and for the Justices of the Peace for the County, Riding, Division, Soke, Franchise, Liberty, City or Town Corporate, where such Lands lie, at their next General Quarter Sessions to be held for the same respectively, after such Application made as aforesaid, and after Notice given to the Officers of the several Parishes, Townships, Villages and Places abutting upon and adjoining to such Lands, and to all other Persons claiming and interested therein, to hear and determine the same, on the Appeal of any Person interested, and at such Sessions to cause such Lands or Hereditaments as aforesaid to be allotted to, and fairly and equally assessed in such Parish, Township, Village or Place as they shall see just and meet, and such Determination and Allotment shall at all Times thereafter be final and conclusive to and upon the same respectively, and upon all Persons whatsoever, as to the Parish, Township, Village or Place in which such Lands and Hereditaments shall be rated and assessed to the Poor, and all other Parochial Rates as aforesaid, and the said Lands and Hereditaments shall, at all Times after such Determination and Allot-

Justices in
General
Quarter Ses-
sions to hear
and determine
Disputes.

Allot-

Allotment, be rated and assessed to the Relief of the Poor, and to all other Parochial Rates within such Parishes, Townships, Villages and Places only, to which they shall respectively have been so allotted as aforesaid; any Law, Custom or Usage to the contrary in any wise notwithstanding.

17 Geo. 2. c. 37. § 2.

LXVIII. Provided always, and be it Enacted, That nothing in this Act contained, nor any Allotment to be made by the Justices of the Peace at their General Quarter Sessions, in pursuance and by Virtue thereof, shall extend, or be deemed or construed to extend to or in any wise affect or determine the Boundaries of any Parish, Township, Village or Place, to any Intent or Purpose, other than for the rating and assessing such Lands, Tenements and Hereditaments, to the Relief of the Poor, and to all other Parochial Rates within such Parish, Township, Village or Place to which they shall be so allotted as aforesaid; any Thing herein to the contrary thereof in any wise notwithstanding.

17 Geo. 2. c. 37. § 3.

LXIX. Provided also, and be it Enacted, That nothing in this Act shall extend, or be construed to extend, to invalidate, make void, or in any wise alter a Clause in an Act made in the Sixteenth and Seventeenth Years of the Reign of King Charles the Second, intituled, "An Act for draining of the Fen called Deeping Fen, and other Fens therein mentioned," whereby it is Enacted, That the Trustees therein named, their Heirs and Assigns, or the Survivor of them, their or any of their Tenants, Farmers or Groundholders, of any Part of the Third Part of the said

said Fen, or of the Five Thousand Acres therein mentioned, should not any Time thereafter use or claim any Common of Pasture, or other Commonage of Pasturing, in any Part of the Remainder of the said Fens, nor any of them, nor in the North Fen of Pinchbeck and Spalding, nor any Part thereof, by virtue or Pretence of his or their Resiance there; but all and every the Inhabitants that might thereafter be upon any Part of the said Third Part, or upon any Part of the said Five Thousand Acres, and were not able to maintain themselves, should be maintained and kept by the said Trustees, their Heirs and Assigns, and the Survivor of them, and never become chargeable in any Kind to all or any the respective Parishes wherein such Inhabitants should reside or dwell; any Statute or Law to the contrary thereof in any wise notwithstanding.

The Poor to be maintained by the Trustees.

LXX. And, for the better preventing the making of unjust Rates secretly and clandestinely, Be it Enacted, That the Churchwardens and Overseers, or other Persons authorized to take Care of the Poor in every Parish, Township, Village or Place, shall give or cause to be given publick Notice in the Church or Chapel, *if there be a Church or Chapel, if not, in some public and conspicuous Place within the same respectively*, of every Rate for the Relief of the Poor, allowed by the Justices of Peace, the next Sunday after the same shall have been allowed in Manner aforesaid; and that no Rate shall be esteemed or reputed valid and sufficient, so as to collect and raise the same, unless such Notice shall have been given.

17 Geo. 2. c. 3. § 1. Poors Rates, after Allowance to be published in the Church.

LXXI. And

17 Geo. 2. c. 38. § 13. Copies of Rates to be entered in a Book to be kept for public Perusal, and delivered over to new Churchwardens, &c.

LXXI. And be it farther Enacted, That true and just Copies of all Rates and Assessments hereafter to be made for the Relief of the Poor, shall be fairly written and entered in a Book or Books to be provided for that Purpose, by the Churchwardens and Overseers of the Poor of every Parish, Township, Village or Place, who shall take Care that such Copies be written and entered accordingly, within fourteen Days after all Appeals from such Rates are determined, and shall attest the same, by putting their Names thereto; and all and every such Book and Books shall be carefully preserved by the Churchwardens and Overseers of the Poor for the Time being, or one of them in every such Parish, Township, Village or Place, whereto all Persons assessed, or liable to be assessed, may freely resort; and such Book or Books shall be delivered over from Time to Time to the new and succeeding Churchwardens and Overseers of the Poor as soon as they enter into their said Offices, to be preserved as aforesaid, and shall be produced by them at the General or Quarter-Sessions, when any Appeal is to be heard or determined.

17 Geo. 2. c. 3. § 2. Rates may be inspected, and Copies taken, by any Inhabitant.

LXXII. And be it farther Enacted, That the Churchwardens and Overseers of the Poor, or other Persons authorized as aforesaid, in every Parish, Township, Village or Place, shall permit all and every the Inhabitants of the same respectively, to inspect every such Rate at all seasonable Times, paying One Shilling for the same; and shall upon Demand forthwith give Copies of the same, or any Part thereof, to any Inhabitant of the said Parish, Township, Village

Village or Place, paying at the Rate of Sixpence for every twenty-four Names.

LXXIII. And be it farther Enacted, That if any Churchwarden or Overseer of the Poor, or other Person authorized as aforesaid, shall not permit any Inhabitant or Parishioner to inspect the said Rates, or shall refuse or neglect to give Copies thereof as aforesaid, such Churchwarden or Overseer, or other Person authorized as aforesaid, for every such Offence shall forfeit and pay to the Party aggrieved the Sum of Twenty Pounds, to be sued for and recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law, or more than one Impar lance shall be allowed.

17 Geo. 2. c. 3. § 3. Penalty of refusing Inhabitants to inspect Rates, or not giving Copies.

LXXIV. And be it farther Enacted, That if the said Justices of Peace do perceive that the Inhabitants of any Parish, Township, Village or Place, are not able to levy among themselves sufficient Sums of Money for the Purposes aforesaid; that then any Two such Justices as aforesaid, shall and may tax, rate and assess as aforesaid, any other of other Parishes, or out of any Parish, within the Hundred where the said Parish or Place is, to pay such Sum or Sums of Money to the Churchwardens and Overseers of the said poor Parish, Township, Village or Place, for the said Purposes, as the said Justices shall think fit, according to the Intent of this Law: And if the said Hundred shall not be thought by the said Justices able and fit to relieve such Parishes, Townships, Villages or Places as aforesaid, then the Justices of

43 Eliz. c. 2. § 3. Two Justices may rate other Parishes within the Hundred, in Aid of poor Parishes.

Justices at Quarter-Sessions may rate other Parishes within the County in Aid. Peace at their general Quarter-Sessions, or the greater Number of them, shall rate and assess as aforesaid, any other of other Parishes, or out of any Parish, within the said County for the Purposes aforesaid, as in their Discretion shall seem fit.

43 Eliz. c. 2. § 18. Provision for the Island of Fowlness. LXXV. And whereas the Island of *Fowlness* being situated within divers Parishes as aforesaid, is hereby made chargeable to the same Payments, Charges, Expences and Orders, in such Manner and Form as if the same Island were a Parish; in Consideration whereof, it is Enacted, That neither the said Inhabitants or Occupiers of Land within the said Island, shall be compelled to contribute towards the Relief of the Poor of those Parishes wherein their Houses or Lands which they occupy within the said Island are situated, for or by Reason of their said Habitations or Occupying, other than for the Relief of the poor People within the said Island; nor yet shall the other Inhabitants of the Parishes wherein such Houses or Lands are situated, be compelled, by reason of their Resiency or Dwelling, to contribute to the Relief of the poor Inhabitants within the said Island.

17 Geo. 2. c. 38. § 1. 43 Eliz. c. 2. § 2. When Overseers shall make up their Accounts, which are to be entered in Books. LXXVI. And to the End that the Monies to be raised by Virtue of this Act, may be faithfully applied to the Purposes herein-directed, be it farther Enacted, That the Churchwardens and Overseers of the Poor, shall yearly and every Year, within fourteen Days after other Overseers shall be nominated and appointed to succeed them, deliver in to such succeeding Overseers, a just, true and perfect Account in Writing, fairly entered in a Book or Books to be

be kept for that Purpose, and signed by the said Churchwardens and Overseers, under their Hands, of all Sums of Money by them received, or rated and assessed and not received, and also of all Goods, Chattels, Stock and Materials; that shall be in their Hands, or in the Hands of any of the Poor, in order to be wrought, and of all Monies paid by such Churchwardens and Overseers, and of all other Things concerning their said Office; and shall also pay and deliver over all Sums of Money, Goods, Chattels, and other Things as shall be in their Hands, unto such succeeding Overseers of the Poor; which said Account shall be verified by Oath, or by the Affirmation of Persons called Quakers, before one or more of his Majesty's Justices of the Peace, which said Oath or Affirmation such Justice or Justices is and are hereby authorized, and required to administer, and so sign and attest the Caption of the same at the Foot of the said Account, without Fee or Reward; and the said Book or Books shall be carefully preserved by the Churchwardens and Overseers, or one of them, and they shall, and are hereby required, to permit any Person there assessed, or liable to be assessed, to inspect the same at all reasonable Times, paying Sixpence for such Inspection, and shall upon Demand forthwith give Copies of the same, or any Part thereof, to such Person, paying at the Rate of Sixpence for every Three Hundred Words, and so in Proportion for any greater or less Number.

Books to be inspected, paying 6d. &c.

LXXVII. And be it farther Enacted, That in case such Churchwardens and Overseers of the Poor, or any of them, shall refuse or neglect

Justices may commit Churchwardens, &c. refusing to account, &c.

neglect to make and yield up such Account, verified as aforesaid, within the Time herein before limited and appointed, or shall refuse or neglect to pay and deliver over such Sum or Sums of Money, Goods, Chattels, and other Things in their Hands, as by this Act is directed, in either of the said Cases, every Churchwarden and Overseer so refusing or neglecting, shall forfeit the Sum of Twenty Shillings for every such Offence; and it shall and may be lawful to and for any Two or more Justices of the Peace to commit him or them to the common Gaol, until he or they shall have given such Account, or shall have paid and yielded up such Monies, Goods, Chattels, and other Things in their Hands, as aforesaid.

17 Geo. 2. c. 38. § 3. Overseer removing, shall deliver his Accounts to Churchwarden, &c.

LXXVIII. And be it farther Enacted, That if any Overseer shall remove from the Place for which he was appointed, he shall, before such Removal, deliver over to some Churchwarden, or other Overseer of the same Place, his Accounts verified as aforesaid, with all Rates, Assessments, Books, Papers, Sums of Money, and other Things concerning his Office, under the like Penalties as are inflicted by this Act on an Overseer refusing to do the same after the Expiration of his Office: And if any Overseer shall die as aforesaid, his Executors or Administrators shall, within Forty Days after his Decease, deliver over all Things concerning his Office to some Churchwarden, or other Overseer of the same Place; and shall pay out of the Assessments left by such Overseer all Sums of Money remaining due, which he

Executors of Overseers to account in 40 Days.

ne received by virtue of his said Office, before any of his other Debts are paid and satisfied.

LXXIX. And be it farther Enacted, That if any Churchwarden, Overseer of the Poor, or other Officer of any Parish, Township, Village or Place, shall neglect and refuse to obey and perform the several Orders and Directions of this Act, or any of them, where no Penalty is before provided, or shall act contrary thereto, every such respective Officer so offending shall, for every such Offence, on Oath thereof made within Two Calendar Months after the Offence committed, before any Two or more of his Majesty's Justices of Peace, forfeit for the Use of such Parish, Township or Place, a Sum not exceeding Five Pounds, nor less than Twenty Shillings.

17 Geo. 2. c. 38. § 11. Penalty on Parish Officers disobeying the Directions of this Act.

LXXX. And whereas many Churchwardens and Overseers of the Poor, and other Persons intrusted to receive Collections for the Poor, and other publick Monies, do often mispend the same; and because Judges have refused to admit the Parishioners or Inhabitants to be Witnesses in Actions brought against such Persons on account of such Misapplications; Be it Enacted and Declared, That in all Actions to be brought in his Majesty's Courts of Record at Westminster, or at the Assizes, for the Recovery of any Sum or Sums of Money so mispent or taken by Churchwardens or Overseers of the Poor, the Evidence of the Parishioners or Inhabitants, or any of them, other than of such as receive Alms, or any Pension or Gift out of such Collections

3 W. & M. c. 11. § 12. Parishioners, except such as receive Alms, may be Witnesses against Churchwardens, &c. mispending Money.

Collections or publick Monies of such Parish or Place respectively whereof the Defendant or Defendants is or are Parishioner or Parishioners, Inhabitant or Inhabitants, shall be taken and admitted in all such Cases in the Courts aforesaid, any Custom, Rule, Order, or Usage to the contrary notwithstanding.

13 Eliz. c. 2. § 4. A Remedy for the levying the Money assessed.

LXXXI. And for the more effectual levying the Money assessed for the Relief of the Poor, and other Purposes above mentioned, as also the Sums of Money or Stock which shall be behind upon any Account to be made as aforesaid; Be it farther Enacted, That the Churchwardens and Overseers for the Time being, or any of them, by Warrant from any Two such respective Justices of Peace as aforesaid, shall levy as well the said Rates and Sums of Money, and all Arrearages thereof, respectively of every one that shall refuse to contribute according as they shall be assessed, by Distress and Sale of the Offenders Goods, as also the Sums of Money or Stock which shall be behind upon any Account to be made as aforesaid, rendering to the Parties the Overplus: And in Defect of such Distress, it shall be lawful for any such Two Justices of the Peace to commit him or them to the common Goal of the County, there to remain without Bail or Mainprize, until Payment of the said Sums, Arrearages, and Stock.

17 Geo. 2. c. 38. § 7. Distress may be made out of the Place for which the

LXXXII. And be it Enacted, That the Goods of any Person assessed and refusing to pay, may be levied by Warrant of Distress, not only in the Place for which such Assessment was made, but in any other Place within the

the same County or Precinct; and if sufficient Distress cannot be found within the said County or Precinct, on Oath made thereof before some Justice of any other County or Precinct (which Oath shall be certified under the Hand of such Justice on the said Warrant) such Goods may be levied in such other County or Precinct by virtue of such Warrant and Certificate.

LXXXIII. And be it farther Enacted, That in case any Person or Persons shall refuse or neglect to pay to such Overseers as aforesaid any Sum or Sums of Money that he, she or they shall be legally rated or assessed to, it shall and may be lawful to and for the succeeding Overseers, and they are hereby required to levy such Arrearages, and out of the Money so levied to reimburse their Predecessors all Sums of Money which they have expended for the Use of the Poor, and which are allowed to be due to them in their Accounts.

17 Geo. 2. c. 38. § 11. Succeeding Overseers to levy Arrearages, and to reimburse the former.

LXXXIV. And whereas Persons frequently remove out of Parishes and Places, without paying the Rates assessed on them, and other Persons do enter and occupy their Houses or Tenements Part of the Year, by reason whereof great Sums are annually lost to such Parishes and Places; Be it Enacted, That where any Person or Persons shall come into or occupy any House, Land, Tenement or Hereditament, or other Premises, out of or from which any other Person assessed shall be removed, or which at the Time of making such Rate was empty or unoccupied, that then

17 Geo. 2. c. 38. § 12. Where Persons remove out of Parishes, the next Occupier liable to pay their Proportion of Rates.

every Person so removing from, and every Person so coming into or occupying the same, shall be liable to pay to such Rate, in proportion to the Time that such Person occupied the same respectively, in the same Manner, and under the like Penalty of Distress, as if such Person so removing had not removed, or such Person so coming in or occupying had been originally rated and assessed in such Rate; which said Proportion, in case of Dispute, shall be ascertained by any Two or more of such respective Justices of the Peace as aforesaid.

16 Geo. 2. c. 18. § 1. Justices may enforce the Laws relating to Parish Taxes, &c. though they are chargeable themselves.

LXXXV. And be it farther Enacted, That it shall and may be lawful to and for all and every Justice or Justices of the Peace for any County, Riding, Division, Soke, Franchise, Liberty, City, Borough, or Town Corporate, within their respective Jurisdictions, to make, do, and execute all and every Act or Acts, Matter or Matters, Thing or Things, appertaining to their Office as Justice or Justices of the Peace, so far as the same relates to the Laws for the Relief, Maintenance and Settlement of poor Persons, or to any other Laws concerning parochial Taxes, Levies, or Rates, notwithstanding any such Justice or Justices of the Peace is or are rated to or chargeable with the Taxes, Levies or Rates, within any such Parish, Township, Village or Place affected by any such Act or Acts of such Justice or Justices as aforesaid.

16 Geo. 2. c. 18. § 2. No Act of Justices here-

LXXXVI. And be it farther Enacted, That no Act or Thing which hath been before the making this Act done, made or executed

executed by any such Justice or Justices of the Peace, shall hereafter be quashed or declared void, because the same hath been so made, done or executed by any such Justice or Justices so rated or chargeable as aforesaid, any Law, Usage, or Custom to the contrary notwithstanding.

tofore done shall be made void because themselves are rated.

LXXXVII. Provided always, and be it Enacted, That this Act, or any Thing therein contained, shall not authorize or empower any such respective Justice or Justices of the Peace as aforesaid to act in the Determination of any Appeal to the Quarter Sessions, as hereafter directed, for any County, Riding, Division, Soke, Franchise, Liberty, City, Town Corporate or Place as aforesaid respectively, from any Order, Matter or Thing relating to any such Parish, Township, Village or Place, where such Justice or Justices of the Peace is or are so charged, taxed, or chargeable as aforesaid, any thing herein contained to the contrary in any wise notwithstanding.

16 Geo. 2. c. 18. § 3. Proviso, That they shall not act in Appeals where themselves are rated.

LXXXVIII. And be it farther Enacted, That all Fines, Penalties and Forfeitures before mentioned to be forfeited by any Person or Persons, the Manner of levying and recovering of which are not hereby particularly directed, shall be levied by the said Churchwardens, Overseers, Constables, Headboroughs, or One of them, by Warrant from any Two such respective Justices of Peace as aforesaid, within their several Limits, by Distress and Sale of the Goods and Chattels of the Offender; or in Default thereof, it shall be lawful for any Two such respective Justices

43 El. c. 2. § 11. How Forfeitures are to be levied and applied.

Justices of Peace as aforesaid, within their several Limits, to commit the Offender to the common Gaol of such County or Place where such Offences shall be respectively committed, there to remain without Bail or Mainprize, till the said Fines, Penalties or Forfeitures shall be satisfied and paid: And all such respective Fines, Penalties and Forfeitures, the Application whereof is not herein before particularly directed, shall go and be employed to the Use of the Poor of the Parish, Township, Village or Place where such Offences shall be respectively committed, and towards a Stock and Habitation for them, and for other necessary Uses towards their Relief, as herein before mentioned and expressed.

17 Geo. 2. c. 38. § 8. Distress not to be deemed unlawful on account of Irregularity. LXXXIX. And be it farther Enacted, That where any Distress shall be made for any Rate or Assessment, or any Arrearages thereof, or for any Fine, Penalty or Forfeiture, or for any Sum or Sums of Money or Stock to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, or for Want of Form in the Warrant for Appointment of Overseers, or in the Rate or Assessment; nor shall the Party or Parties distraining be deemed a Trespasser *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction

faction for the Special Damage in an Action of Trespass, or upon the Case, at the Election of the Plaintiff or Plaintiffs.

XC. Provided always, That where the Plaintiff or Plaintiffs shall recover in such Action, he, she or they shall be paid his, her or their full Costs of Suit, and have all the like Remedies for the same as in other Cases of Costs. 17 Geo. 2. c. 38. § 9. Plaintiffs recovering, to have full Costs.

XCI. Provided nevertheless, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity as aforesaid, if Tender of Amends hath been made by the Party or Parties distraining before such Action brought. § 10. Proviso in case of Irregularity, not to recover, if Tender made before Action brought.

XCII. And be it farther Enacted, That in case any Person or Persons shall find him, her or themselves aggrieved by any Rate or Assessment made for the Relief of the Poor, or shall have any material Objection to any Person or Persons being put on or left out of such Rate or Assessment, or to the Sum charged on any Person or Persons therein, or shall have any material Objection to the Accounts of any Churchwarden or Overseer as aforesaid, or any Part thereof, or shall find him, her or themselves aggrieved by any Neglect, Act or Thing done or omitted by the Churchwardens and Overseers of the Poor, or by any of his Majesty's Justices of the Peace, or by any Order of any such respective Justices as aforesaid, touching the Settlement or Removal of any poor Person, or any Judgment or other Matter relative to the Execution of this Act, or by any Distress to be made 43 El. c. 2. § 6. 17 Geo. 2. c. 38. § 4. Persons aggrieved may appeal to Quarter Sessions.

9 Geo. 1.
c. 7. § 8.

8 & 9 W. 3.
c. 30. § 6.

8 & 9 W. 3.
c. 30. § 3.
9 Geo. 1.
c. 7. § 9.

made by virtue hereof, it shall be lawful for such Person or Persons, in any of the Cases aforesaid, giving reasonable Notice to the Churchwardens or Overseers of the Poor of the Parish, Township, Village or Place, where the Matter of Complaint arises, or of the Parish, Township, Village or Place, from whence any poor Person shall be removed, (in case of Persons thinking themselves aggrieved by any Order of Removal) to appeal to the *next* * General or Quarter Sessions of the County, Riding, Division, Soke, Liberty, City, Corporation or Franchise, where such Parish, Township, Village or Place lies, or from whence such poor Person shall be removed (in Cases of Appeals from any Order of Removal) : And the Justices of the Peace there assembled are hereby authorized and required to receive such Appeal, and to hear and finally determine the same : But if it shall appear to the said Justices, that reasonable Notice was not given, (the Reasonableness of which Notice they are hereby empowered to determine) then they shall adjourn the said Appeal to the next Quarter Sessions, and then and there hear and finally determine the same ; and upon such Determination, or upon Proof before them there to be made of Notice of any such Appeal to have been given as aforesaid, (though such Appeal was not afterwards prosecuted) the said Justices may award and order to the Party for whom such Appeal shall be determined, or to whom such Notice shall appear to have been given as aforesaid, such reasonable Costs and Charges in the Law, as

* The 43 El. c. 2. § 6. does not restrain the Appeal to the next Sessions, and it hath been found inconvenient to confine it to the next Session.

by the said Justices, in their Discretion, shall be thought most reasonable and just, to be paid by the Churchwardens and Overseers of the Poor, or any other Person against whom such Appeal shall be determined, or by the Person that did give such Notice as aforesaid : And in case any poor Person be unduly removed, such Justices shall order and award to such Appellant so much Money as shall appear to have been reasonably paid by any Parish, Township, Village or Place, on whose Behalf such Appeal was made, for or towards the Relief of such poor Person, between the Time of such undue Removal and the Determination of such Appeal ; such Costs and such Sums as shall be awarded as aforesaid, to be levied and recovered as Fines, Penalties and Forfeitures are herein before directed to be levied and recovered : And if the Person ordered to pay such Costs, or such Money so to be awarded as aforesaid, shall happen to live in any County, Riding, City, or Town Corporate, or elsewhere, out of the Jurisdiction of the said Court, it shall and may be lawful for any Justice of the Peace of the County, Riding, Division, Soke, Franchise, Liberty, City or Town Corporate, wherein such Person shall inhabit, and every such Justice is hereby required, upon Request to him for that Purpose to be made, and a true Copy of the Order for the Payment of such Costs produced, and proved by some credible Witnesses upon Oath, by Warrant under his Hand and Seal, to cause the Money mentioned in that Order to be levied by Distress and Sale of the Goods of the Person that is ordered and ought to pay the same ; and if no such Distress

trefs can or may be had, to commit such Person to the common Gaol of that County or Liberty, there to remain for Twenty Days.

17 Geo. 2. c. 38. § 5. Proviso for Corporations.

XCIII. Provided always, and be it Enacted, That in all Corporations or Franchises who have not Four Justices of the Peace, it shall and may be lawful for any Person or Persons, in any of the Cases aforesaid where an Appeal is given by this Act, to appeal, if he, she or they shall think fit, to the next General or Quarter Sessions of the Peace for the County, Riding or Division wherein such Corporation or Franchise is situate.

17 Geo. 2. c. 38. § 6. Justices may amend Rates to relieve Party complaining, but may not make new Rates.

XCIV. Provided also, and be it farther Enacted, That upon all Appeals from Rates and Assessments, the Justices of the Peace (where they shall see just Cause to give Relief) shall and are hereby required to amend the same, in such Manner only as shall be necessary for giving such Relief, without altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon an Appeal from the whole Rate, it shall be found necessary to quash or set aside the same, then and in every such Case the said Justices shall and are hereby required to order and direct the Churchwardens and Overseers of the Poor to make a new equal Rate or Assessment, and they are hereby required to make the same accordingly.

9 Geo. 1. c. 7. § 3.

XCV. And for the greater Ease of Justices of the Peace whom his Majesty or his Successors hath or shall by Commission authorize to act

act as a Justice of the Peace for any County of this Realm; Be it Enacted, That if any such Justice of Peace shall happen to dwell in any City, or other Precinct that is a County of itself, situate within the County at large, for which he shall be appointed Justice of Peace, although not within the same County, it shall and may be lawful for any such Justice to grant Warrants, take Examinations, and make Orders for any Matters, which any One or more Justice or Justices of the Peace may act in, at his own dwelling House, although such dwelling House be out of the County where he is authorized to act as a Justice of Peace, and in some City or other Precinct adjoining, that is a County of itself; and that all such Warrants, Orders and others Acts of any Justice of Peace, and the Act of any Constable, Tithingman, Headborough, Overseer of the Poor, or other Officer in Obedience to any such Warrant or Order, shall be valid, good and effectual in the Law, although it happen to be out of the Limits of the proper Precinct or Authority: Provided always, That nothing in this Act contained shall extend to give Power to the Justices of Peace for the Counties at large, to hold their general Quarter-Sessions of the Peace in the Cities or Towns which are Counties of themselves; nor to empower Justices of Peace, Sheriffs, Bailiffs, Constables, Headboroughs, Tithingmen, Borsholders, or any other Peace Officers of the Counties at large, to act or intermeddle in any Matters or Things arising within Cities or Towns which are Counties of themselves; but that all such Actings and Doings shall be of the same Force and Effect in

Justices dwelling out of a County may grant Warrants, &c.

Law, and none other, as if this Act had never been made.

26 Geo. 2. c. 27. No Act or Order of Two or more Justices to be vacated for Defect only, in not expressing that One or more of such Justices are of the Quorum.

XCVI. And be it farther Enacted, That no Act, Order, Adjudication, Warrant, Indenture of Apprenticeship, or other Instrument already made, done or executed, or hereafter to be made, done or executed by two or more Justices of the Peace, which doth not express that one or more of the Justices is or are of the Quorum, shall be impeached, set aside or vacated for that Defect only, any Law, Statute, or Usage to the Contrary notwithstanding.

43 Eliz. c. 2. § 8. Aldermen of London.

XCVII. And be it farther Enacted, That every Alderman of the City of London within his Ward, shall and may do and execute in every Respect so much as is hereby appointed and allowed to be done and executed by One or Two such respective Justices of the Peace as aforesaid.

§ 9. A Parish extending into two Counties, or into two Liberties.

XCVIII. And be it farther Enacted, That if any Parish shall extend itself into more Counties than one, or Part to lie within the Liberties of any City, Town, or Place corporate, and Part without; that then as well the Justices of the Peace of every County as also the Head Officer of such City, Town, or Place corporate, shall deal and intermeddle only in so much of the said Parish as lieth within their Liberties and not any farther; and every of them respectively within their several Limits, Wards and Jurisdictions, to execute the Ordinances before-mentioned concerning the Nomination of Overseers, the Consent to binding

binding Apprentices, the giving Warrant to levy Taxations unpaid, the taking Account of Churchwardens and Overseers, and the committing to Prison such as refuse to account, or deny to pay the Arrearages due upon their Accounts; and yet nevertheless the said Churchwardens and Overseers, or the most Part of them, of the said Parishes that do extend into such several Limits and Jurisdictions, shall without dividing themselves duly execute their Office in all Places within the said Parish, in all Things to them belonging, and shall duly exhibit and make one Account before the head Officer of the Town or Place Corporate, and One other before the said Justices of Peace or any such Two of them as is aforesaid.

XCIX. And be it farther Enacted, That if any Action, Bill, Complaint or Suit be brought against any Churchwarden or Overseer, or other Officer or Person who in their Aid or by their Commandment, shall do any Thing concerning his or their Office or Offices, the same shall be laid within the County where the Trespass or Fact shall be done or committed, and not elsewhere: And that it shall and may be lawful to and for such Churchwarden or Overseer or other Person as aforesaid to plead the General Issue, That he or they are not guilty, and to give such special Matter in Evidence, which special Matter being pleaded had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespass, or other Matter laid to his or their Charge: And that if the Verdict shall pass with the said Defendant or Defendants in any such Action, or the Plaintiff

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tiff or Plaintiffs therein become Nonsuit, or suffer any Discontinuance thereof, that in every such Case the Justices or Justice, or such other Judge before whom the said Matter shall be tried, shall by Force and Virtue of this Act allow unto the Defendant or Defendants his or their double Costs, which he or they shall have sustained by Reason of their wrongful Vexation in Defence of the said Action or Suit, for which the said Defendant or Defendants shall have like Remedy, as in the other Cases where Costs by the Laws of this Realm are given to the Defendants.

C. And be it farther Enacted, That from and after the 25th Day of March next ensuing, so much of an Act made in the Eighteenth Year of the Reign of the late Queen Elizabeth, (intituled *, "An Act for setting of the Poor on Work, and for avoiding Idleness,") as relates to Bastards begotten out of lawful Matrimony; and also an Act made in the Forty-third Year of the said late Queen Elizabeth, intituled, "An Act for the Relief of the Poor," (except so much thereof as relates to the Relief of the Prisoners of the King's-Bench and Marshalsea, and also to Hospitals and Alms-houses;) and also so much of an Act made in the First Year of the Reign of the late King James the First, (intituled, "An Act for continuing and reviving of divers Statutes, and for repealing of some others,") as relates to the binding of Children Apprentices; and also an Act made in the Seventh Year of the Reign of the said late King James the First, (intituled, "An Act for the continuing and better Maintenance of

* N. B. The Title of this Act is taken from Rasfal's Edit.

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" Husbandry, and other manual Occupations, by the true Employment of Monies, given and to be given for the binding out of Apprentices;") and also so much of another Act made in the Seventh Year of the said late King James the First, (intituled, "An Act for Ease in pleading troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other his Majesty's Officers for the lawful Execution of their Office," together with the Addition thereunto made by an Act made in the Twenty-first Year of the Reign of the late King James the First, intituled, "An Act to enlarge and make perpetual the Act made for Ease in pleading against troublesome and contentious Suits, prosecuted against Justices of the Peace, Mayors, Constables, and certain other his Majesty's Officers for the lawful Execution of their Office," made in the Seventh Year of his Majesty's most happy Reign,) so far as the same respectively relate to Churchwardens and Overseers, or other Officers or Persons acting in their Aid or by their Commandment; and also so much of an Act made in the Third Year of the Reign of the late King Charles the First, (intituled, "An Act for Continuance and Repeal of divers Statutes,") as relates to Bastard Children; as also to the binding out poor Apprentices, and the setting on Work and better Relief of the Poor; and also an Act made in the Thirteenth and Fourteenth Years of the late King Charles the Second, intituled, "An Act for the better Relief of the Poor of this Kingdom," (except so much thereof as re-

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lates to Corporations, or Workhouses within the Cities of London and Westminster, and the Boroughs, Towns, and Places in Middlesex and Surry, lying within the Bills of Mortality, as also except so much thereof as relates to Rogues, Vagabonds, and sturdy Beggars; and likewise to Constables, Headboroughs or Tythingmen;) and also the Second Clause of an Act made in the First Year of the Reign of the late King James the Second, (intituled, "An Act for reviving and Continuance of several Acts of Parliament therein mentioned;") concerning the Settlement of poor Persons; and also an Act made in the Third Year of the Reigns of the late King William the Third and Queen Mary, (intituled, "An Act for the better Explanation and supplying the Defects of the former Laws for the Settlement of the Poor;") and also an Act made in the Eighth and Ninth Years of the Reign of the said late King William the Third, (intituled, "An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom;") and also an Act made in the Ninth and Tenth Years of the said late King William the Third, (intituled, "An Act for explaining an Act made in the last Session of Parliament, intituled, "An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom;") and also so much of an Act made in the Second and Third Years of the late Queen Anne, (intituled, "An Act for the Increase of Seamen, and the better Encouragement of Navigation, and the Security of the Coal Trade,") as relates to the Binding of Parish Apprentices to the Sea Service; and also so much of an Act made

made in the Fourth Year of the said late Queen Anne, (intituled, "An Act for the Encouragement and Increase of Seamen, and for the better and speedy Manning her Majesty's Fleet,") as relates to the taking or assigning of Parish Apprentices to the Sea Service; and also so much of the Fortieth Clause of an Act made in the Eighth Year of the Reign of her said late Majesty Queen Anne, (intituled, "An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty's Supply for the Year One Thousand Seven Hundred and Ten;") exempting Masters and Mistresses of Parish Apprentices, or Apprentices put out by any public Charity, from the Payment of certain Duties, and the Indentures for binding such Apprentices, from certain Stamps thereby required; and also so much of an Act made in the Twelfth Year of the late Queen Anne, (intituled, "An Act for making perpetual the Act made in the Thirteenth and Fourteenth Years of the Reign of the late King Charles the Second, intituled, "An Act for the better Relief of the Poor of this Kingdom; and that Persons bound Apprentices to, or being hired Servants with Persons coming with Certificates shall not gain Settlements by such Services or Apprenticeships:" And for making perpetual the Act made in the Sixth Year of her present Majesty's Reign, intituled, "An Act for the Importation of Cochineal from any Ports in Spain during the present War, and six Months longer:" And for reviving a Clause in an Act made in

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“ the Ninth and Tenth Years of the Reign of
 “ the late King William, intituled, “ An Act
 “ for settling the Trade to Africa, for allow-
 “ ing foreign Copper Bars imported, to be
 “ exported,”) as relates to the Settlements of
 Apprentices, or hired Servants: And also
 an Act made in the Fifth Year of the Reign
 of his late Majesty King George the First, (in-
 titled, “ An Act for the more effectual Re-
 “ lief of such Wives and Children as are left
 “ by their Husbands and Parents upon the
 “ Charge of the Parish:”) And also an Act
 made in the Ninth Year of his said late Ma-
 jesty King George the First, (intituled, “ An
 “ Act for amending the Laws relating to the
 “ Settlement, Employment and Relief of the
 “ Poor:”) And also so much of an Act made
 in the Third Year of the Reign of his late Ma-
 jesty King George the Second, (intituled,
 “ An Act for continuing and amending an
 “ Act for regulating the Price and Affize of
 “ Bread; for Relief of Bankrupts whose Cer-
 “ tificates were not allowed before the Expi-
 “ ration of a late Act (for the better prevent-
 “ ing Frauds committed by Bankrupts;) for
 “ allowing farther Time for Inrollment of
 “ Deeds or Wills made by Papists, and for
 “ Relief of Protestant Purchasers and Lessees;
 “ and for making farther Provision concerning
 “ Certificates relating to the Settlements of
 “ poor Persons and the Charges of main-
 “ taining and removing certificated Persons,”)
 as relates to the Attestation of Certificates,
 and the reimbursing Overseers for re-con-
 veying Certificate Persons: And also, an
 Act made in the Sixth Year of the Reign of
 his said late Majesty King George the Second,
 (intituled,

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(intituled, “ An Act for the Relief of Parishes
 “ and other Places from such Charges as may
 “ arise from Bastard Children born within the
 “ same:”) And also, an Act made in the Fif-
 teenth Year of the Reign of his said late Ma-
 jesty King George the Second, (intituled, “ An
 “ Act to empower the Justices of the Peace
 “ of a Liberty or Corporation to commit
 “ Offenders to the House of Correction of
 “ the County, Riding or Division, in which
 “ such Liberty or Corporation is situate:”)
 And also, an Act made in the Sixteenth Year
 of the Reign of his said late Majesty King
 King George the Second, (intituled, “ An Act
 “ to empower Justices of the Peace to act in
 “ certain Cases relating to Parishes and Places,
 “ to the Rates and Taxes of which they are
 “ rated or chargeable:”) And also, an Act
 made in the Seventeenth Year of the Reign
 of his said late Majesty King George the Se-
 cond, (intituled, “ An Act to oblige Overseers
 “ of the Poor to give publick Notice of Rates
 “ made for the Relief of the Poor, and to
 “ produce the same:”) And also, the Twenty-
 fifth Clause of another Act made in the said
 Seventeenth Year of the Reign of his said 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”) relating to
 the Delivery of Women wandering and beg-
 ing: And also, another Act made in the
 said Seventeenth Year of the Reign of his said
 late Majesty King George the Second, (intituled,
 “ An Act to prevent Disputes touching the
 “ Parishes and Places where improved Waifes,
 F 4 “ and

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“ and drained and improved Marsh Lands
 “ shall be charged to Parochial Rates :”) And
 also another Act made in the said Seventeenth
 Year of the Reign of his said late Majesty
 King George the Second, (intituled, “ An Act
 “ for remedying some Defects in the Act made
 “ in the Forty-third Year of the Reign of
 “ Queen Elizabeth, intituled, An Act for the
 “ Relief of the Poor :”) And also, so much
 of an Act made in the Twentieth Year of the
 Reign of his said late Majesty King George
 the Second, (intituled, “ An Act for the better
 “ adjusting and more easy Recovery of the
 “ Wages of certain Servants; and for the
 “ better Regulation of such Servants and of
 “ certain Apprentices”) as relates to the Re-
 gulation of Parish Apprentices : And also,
 so much of an Act made in the Twenty-first
 Year of the Reign of his said Majesty King
 George the Second, (intituled, “ An Act for
 “ explaining and amending, and farther en-
 “ forcing the Execution of an Act passed in the
 “ last Session of Parliament, intituled, An Act
 “ for repealing several Rates and Duties upon
 “ Houses, Windows and Lights, and for grant-
 “ ing to his Majesty other Rates and Duties
 “ upon Houses, Windows or Lights, and for
 “ raising the Sum of Four Millions Four Hund-
 “ red Thousand Pounds, by Annuities to be
 “ charged on the said Rates or Duties”) as en-
 acts, That the Payment of the said Rates and
 Duties shall not entitle the Person paying them
 to a legal Settlement: And also, an Act
 made in the Twenty-sixth Year of the Reign of
 his said late Majesty King George the Second,
 (intituled, “ An Act to confirm certain Acts and
 “ Orders made by Justices of the Peace being
 “ of

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“ of the Quorum, notwithstanding any Defect
 “ in not expressing therein that such Justices
 “ of the Peace are of the Quorum :”) And
 also, so much of an Act made in the Thirty-
 first Year of the Reign of his said late Majesty
 King George the Second, (intituled, “ An Act
 “ to amend an Act made in the Third Year
 “ of the Reign of King William and Queen
 “ Mary, intituled, An Act for the better Ex-
 “ planation, and supplying the Defects of the
 “ former Laws for the Settlement of the
 “ Poor, so far as the same relates to Appren-
 “ tices gaining a Settlement by Indenture ;
 “ and also to empower Justices of the Peace
 “ to determine Differences between Masters
 “ and Mistresses and their Servants in Hus-
 “ bandry, touching their Wages, though such
 “ Servants were hired for less Time than a
 “ Year,”) as enacts, that Apprentices bound
 by Deed legally stamped, shall not be re-
 movable on account of such Deed not being
 indented only ; shall be, and the same are
 hereby repealed.

CI. Provided always, That the several Acts
 repealed in and by the said Acts hereby re-
 pealed, shall continue (and the same are hereby
 declared to be) repealed.

CII. Provided nevertheless, That nothing
 in this Act contained shall extend, or be con-
 strued to extend, to annul or make void any
 Act or Thing already done in pursuance of
 the said before mentioned Acts hereby re-
 pealed, or any of them, or to prevent the
 completing of any Proceedings already com-
 menced

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menced in pursuance of the said Acts, or any of them.

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c. 12. § 24.
Saving of the
Liberties of
St. Peter's.

CIII. Provided also, That nothing in this Act shall extend, or be construed to extend, or be expounded or taken to the Prejudice or Infringement of any of the Franchises, Rights, Liberties or Privileges heretofore granted by the Kings and Queens of this Realm, to the Dean and Chapter of the Collegiate Church of St. Peter's in Westminster, or to repeal or alter any Charter or Act of Parliament heretofore made for the particular Regulation, Relief or Employment of the Poor, in any particular City, Borough, Town Corporate, Hundred, or other Place within this Realm, but that every such Charter and Act shall be and remain of the same Force and Effect as if this Act had not been made.

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