

mentioned; it was amongst other things enacted, That no special bail should be required in any action or suit, brought or to be brought upon any contract made or entered into, since the first day of December one thousand seven hundred and nineteen, and before the first day of December one thousand seven hundred and twenty, for or concerning the sale or purchase of any stock of the South-Sea company, or delivery of any interest or receipt in any subscription taken in by the corporation of the governor and company of merchants of Great Britain trading to the South-Seas and other parts in America, and for encouraging the fishery, or any other company or corporation, or pretended company or corporation whatsoever, until the first day of March which shall be in the year of our Lord one thousand seven hundred and twenty two: and whereas it is thought necessary, that the said provision made by the said act should be continued some time longer; be it therefore enacted by the authority aforesaid, That no special bail shall be required in any action or suit brought or to be brought upon any such contract, for any such stock or interest as aforesaid, until the first day of March one thousand seven hundred and twenty three.

CAP. VII.

An act for amending the laws relating to the settlement, employment and relief of the poor.

3 & 4 W. & M.
C. 11. s. 11.

No poor to be relieved till oath made of a reasonable cause,

WHEREAS by an act of parliament, made and passed in the third and fourth years of the reign of their late majesties King William and Queen Mary, it was provided, That in every parish a book or books should be kept, wherein the names of all persons, who did or might receive collections should be registred, with the time when they were first admitted to such relief, and the occasion which brought them under that necessity; and that no such person should be allowed to have or receive collection at the charge of the parish, but by authority, or under the hand of one justice of peace residing in such parish, or if none there dwelling, in the parts near or next adjoining, or by order of the justices at their quarter-sessions, except in case of pestilential diseases, plague or small-pox: and whereas under colour of the proviso in the said act, many persons have applied to some justices of peace, without the knowledge of any officers of the parish, and thereby, upon untrue suggestions, and sometimes upon false or frivolous pretences, have obtained relief, which hath greatly contributed to the encrease of the parish-rates: for remedy whereof, 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 twenty fifth day of March which shall be in the year of our Lord one thousand seven hundred and twenty three, no justice of peace shall order relief to any poor person dwelling in any parish, until oath be made before such justice of some matter which he shall judge to be a reasonable cause or ground for having such relief, and that the same person had by himself, herself or some other, applied for relief to the parishioners of the parish, at some vestry or other publick meeting

ing of the said parishioners, or to two of the overseers of the poor of such parish, and was by them refused to be relieved, and until such justice hath summoned two of the 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 in the said proviso, or any law to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That the person whom any such justices of peace shall think fit to order to be relieved, shall be entred in such book or books so to be kept by the parish, 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 shall (except upon sudden and emergent occasions) bring to the account of the parish any monies he shall give to any poor person of the same parish, who is not registred in such book or books to be kept by the said parish, as a person entitled to receive collection, on pain of forfeiting the sum of five pounds, to be levied by distress and sale, by warrant of any two or more justices of the peace of the same county, who shall have examined into and found him guilty of such offence; which said sum shall be applied to and for the use of the poor of the said parish, by direction of the said justice or justices of the peace.

or longer than
the cause con-
tinues.

III. And for the greater ease of justices of the peace, whom his Majesty or his successors hath or shall by commission authorize to act as a justice of the peace for any county of this realm; be it enacted by the authority aforesaid, 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 of peace 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, altho' 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 other act or acts of any justice of peace, and the act or acts of any constable, tithingman, headborough, overseer of the poor, surveyor of the highways or other officer, in obedience to any such warrant or order, shall be as 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 the cities or towns which are counties of themselves, but that all such actings and doings shall be

Justices dwell-
ing out of a
county, may
grant war-
rants, &c.

of

of the same force and effect in law, and none other, as if this act had never been made.

Churchward-
en's &c. may
purchase, &c.
houseto lodge
or employ the
poor in.

IV. And for the greater ease of parishes in the relief of the poor, be it further enacted by the authority aforesaid, That it shall and may be lawful for the churchwardens and overseers of the poor in any parish, town, township or place, with the consent of the major part of the parishioners or inhabitants of the same parish, town, township or place, in vestry, or other parish or publick meeting for that purpose assembled, or of so many of them as shall be so assembled, upon usual notice thereof first given, to purchase or hire any house or houses in the same parish, township 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 or places, as shall desire to receive relief or collection from the same parish, and there to keep, maintain and employ all such poor persons, and take the benefit of the work, labour and service of any such poor person or persons, who shall be kept or maintained in any such house or houses, for the better maintenance and relief of such poor person or persons, who shall be there kept or maintained; and in case any poor person or persons of any parish, town, township or place, where such house or houses shall be so purchased or hired, shall refuse to be lodged, kept or maintained in such house or houses, such poor person or persons so refusing shall be put out of the book or books where the names of the persons, who ought to receive collection in the said parish, town, township or place, are to be registred, and shall not be entitled to ask or receive collection or relief from the churchwardens and overseers of the poor of the same parish, town or township; and where any parish, town or township shall be too small to purchase or hire such house or houses for the poor of their own parish only, it shall and may be lawful for two or more such parishes, towns or townships or places, with the consent of the major part of the parishioners or inhabitants of their respective parishes, town, township or places, in vestry or other parish or publick meeting for that purpose assembled, or of so many of them as shall be so assembled, upon usual notice thereof first given, and with the approbation of any justice of peace dwelling in or near any such parish, town or place, signified under his hand and seal, to unite in purchasing, hiring, or taking such house, for the lodging, keeping and maintaining of the poor of the several parishes, townships or places so uniting, and there to keep, maintain and employ the poor of the respective parishes so uniting, and to take and have the benefit of the work, labour or service of any poor there kept and maintained, for the better maintenance and relief of the poor there kept, maintained and employed; and that if any poor person or persons in the respective parishes, townships or places so uniting, shall refuse to be lodged, kept and maintained in the house, hired or taken for such uniting parishes, townships or places, he, she or they so refusing, shall be put out of the collection-book, where his, her or their names were registred, and shall not be entitled to ask or demand relief or collection from the church-

Poor refusing
to be lodged,
&c. are not in-
titled to relief.

One parish, &c.
being too small
for such pur-
chase, two may
unite, &c.

war-

wardens and overseers of the poor in their respective parishes, townships or places; and that it shall and may be lawful for the churchwardens and overseers of the poor of any parish, township or place, with the consent of the major part of the parishioners or inhabitants of the said parish, township or place where such house or houses is, are, or shall be purchased or hired for the purposes aforesaid, in vestry, or other parish or publick meeting, for that purpose assembled, or of so many of them as shall be so assembled, upon usual notice thereof first given, to contract with the church-wardens and overseers of the poor of any other parish, township or place, for the lodging, maintaining or employing, of any poor person or persons of such other parish, township or place, as to them shall seem meet; and in case any poor person or persons of such other parish, township or place, shall refuse to be lodged, maintained and employed in such house or houses, he, she or they so refusing, shall be put out of the collection-book of such other parish, township or place, where his, her or their names were registred, and shall not be entitled to ask, demand or receive any relief or collection from the church-wardens and overseers of the poor of his, her or their respective parish, township or place: provided always, That no poor person or persons, his, her or their apprentice, child or children, shall acquire a settlement in the parish, town or place, to which he, she or they are removed by virtue of this act, but that his, her or their settlement, shall be and remain in such parish, town or place, as it was before such removal; any thing in this act to the contrary notwithstanding.

Churchwardens, &c. of one parish may contract with those of another, &c.

Settlement to be as before removal.

V. And be it further enacted by the authority aforesaid, That from and after the twenty fifth day of *March* which shall be in the year of our Lord one thousand seven hundred and twenty three, no person or persons shall be deemed, adjudged or taken, to acquire or gain any settlement in any parish 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, for any longer or further time than such person or persons shall inhabit in such estate, and shall then be liable to be removed to such parish or place, where such person or persons were last legally settled, before the said purchase and inhabitancy therein.

Settlement, how to be acquired by purchase.

VI. And be it further enacted by the authority aforesaid, That no person or persons whatsoever, who from and after the twenty fifth day of *March* in the year of our Lord one thousand seven hundred and twenty three, shall be taxed, rated or assessed to the scavenger or repairs of the highway, and shall duly pay the same, shall be deemed or taken to have any legal settlement in any city, parish, town or hamlet, for or by reason of his, her or their paying to such scavenger's rate or repairs of the highway as aforesaid; any law to the contrary in any wise notwithstanding.

Paying taxes to the scavenger, gains no settlement.

VII. *And whereas there was a clause in the statute made in the eighth and ninth years of his late majesty King William the Third,*

8 & 9 W. 3. c. 30.

intituled, An act for the supplying some defects in the law for the

re-

Justice of St. Peter and Hundred of Nassaborough in Northamptonshire may determine appeals.

relief of the poor of this kingdom, *whereby it was enacted, That after the first day of May one thousand six hundred ninety seven, all appeals against any order for the removing of any poor persons, should be heard at the quarter-sessions of the county or division, wherein the parish or place, from whence such person should be removed, doth lie, and not elsewhere, except the liberty of Saint Albans;* be it enacted by the authority aforesaid, That it shall and may be lawful for the justices of the peace, within the liberty of the borough of Saint Peter and hundred of Nassaborough in the county of Northampton, to hear and determine all appeals to them made, against any order made for removal of any poor person, in their quarter-sessions, as they might have done before the making of the said last mentioned act; any thing therein or in this present act contained to the contrary thereof in any wise notwithstanding.

Reasonable notice is to be given of appeals.

VIII. *And whereas several disputes and controversies have arisen and been concerning the time of notice to be given of appeals from orders of removals of poor persons, to prevent the same, as much as may be for the future, be it enacted by the authority aforesaid, That from and after the said twenty fifth day of March one thousand seven hundred and twenty three, no appeal or appeals from any order or orders of removal of any poor person or persons whatsoever from any parish or place to another, shall be proceeded upon in any court or quarter-sessions, unless reasonable notice be given by the church-wardens or overseers of the poor of such parish or place, who shall make such appeal, unto the church-wardens or overseers of the poor of such parish or place, from which such poor person or persons shall be removed, the reasonableness of which notice shall be determined by the justices of the peace at the quarter-sessions, to which the appeal is made; and if it shall appear to them that reasonable time of notice was not given, then they shall adjourn the said appeal to the next quarter-sessions, and then and there finally hear and determine the same.*

Justices, how to relieve the appellant on undue removals.

IX. *And for the preventing vexatious removals, be it further enacted by the authority aforesaid, That from and after the twenty fourth day of June in the year of our Lord one thousand seven hundred and twenty three, if the justices of the peace shall, at their quarter-sessions, upon an appeal before them there had concerning the settlement of any poor person, determine in favour of the appellant, that such poor person or persons was or were unduly removed, that then the said justices shall, at the same quarter-sessions, order and award to such appellant so much money, as shall appear to the said justices to have been reasonably paid by the parish, or other place, on whose behalf such appeal was made for or towards the relief of such poor person or persons, between the time of such undue removal, and the determination of such appeal; the said money so awarded to be recovered in the same manner, as costs and charges upon an appeal are prescribed to be recovered by the said statute made in the ninth year of his late majesty King William the Third, intituled,*

intituled, *An act for supplying some defects in the laws for the relief of the poor of this kingdom.* 8 & 9 W. 3. c. 30.

C A P. VIII.

An act for continuing some laws, and reviving others therein mentioned, for exempting apothecaries from serving parish and ward offices, and upon juries; and relating to jurors; and to the payment of seamens wages, and the preservation of naval stores, and stores of war; and concerning the militia and trophy-money; and against clandestine running of uncustomed goods, and for more effectual preventing frauds relating to the customs, and frauds in mixing silk with stuffs to be exported.

WHEREAS the laws herein after mentioned (which have by experience been found useful and beneficial) are near expiring or expired; may it therefore please your Majesty, that it may be enacted; and 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 an act made in the sixth and seventh years of the reign of his late majesty King William the Third, intituled, *An act for exempting apothecaries from serving the offices of constable, scavenger, and other parish and ward offices, and from serving upon juries,* which act by subsequent acts is continued, and being temporary, and near expired, shall be, and is hereby made perpetual. 6 & 7 W. 3. c. 4.

II. And whereas in an act made in the fourth and fifth years of the reign of their late majesties King William and Queen Mary, intituled, *An act for reviving, continuing and explaining, several laws therein mentioned, which are expired and near expiring, there are several good clauses and provisions relating to jurors, which were made temporary, and were afterwards continued by subsequent acts; and the said clauses and provisions, as well as several other clauses and provisions, relating to the returns and service of jurors, made in an act of the third and fourth years of the reign of her late majesty Queen Anne (For making perpetual an act for more easy recovery of small tithes, and for other purposes therein mentioned,) are further continued by an act of the tenth year of the reign of her said late Majesty (For reviving and continuing several acts therein mentioned) but being near expiring,* be it enacted by the authority aforesaid, That all the said clauses and provisions relating to jurors, and to the returns and service of jurors, shall be and are hereby continued, and shall be in force from the expiration thereof, for and during the space of seven years, and from thence to the end of the next session of parliament. 4 & 5 W. & M. c. 24. 3 & 4 Ann. c. 18. 10 Ann. c. 14. See 3 Geo. 2. c. 25. 6 Geo. 2. c. 37.

III. And be it enacted by the authority aforesaid, That an act made in the first year of his present Majesty's reign, intituled, *An act to prevent disturbances by seamen and others, and to preserve the stores belonging to his Majesty's navy royal, and also for explain-* 1 Geo. 1. stat. 2. c. 25.