

In what Case
Revenues under-
stood to be re-
deemed by Par-
liament, &c.

XVIII. Provided also, and it is hereby further enacted by the Authority aforesaid, That from and after the Redemption of the said Capital or Principal Sums, amounting to Thirty three millions eight hundred two thousand four hundred eighty three Pounds Fourteen Shillings and One Halfpenny, and the said several yearly Funds or Sums payable at the Exchequer, according to the several and respective Provisoes and Conditions of Redemption in this Act contained for that Purpose, then and not till then so much of the several Duties, Revenues and Incomes as are by this Act applicable thereunto, during the Continuance thereof, shall be understood to be redeemed by Parliament, and shall not be issued or applied to any Use or Purpose without Authority of Parliament.

“ Provisions made, 8 G. I. c. 21. against requiring Special Bail, &c. continued till 1st March 1723.—§ 19. EXP. [*But note, No such Provision appears in 8 G. I. c. 21.*]

[*See further, 1 G. 2. Stat. 2. c. 8. § 19.*]

C A P. VII.

An Act for amending the Laws relating to the Settlement, Imployment and Relief of the Poor.

‘ **W**HEREAS by an Act of Parliament made and passed in the Third and Fourth Years of the Reign of their late Majesty 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 registered, 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 the 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 Increase 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 Paritioners of the Parish, at some Vestry or other publick Meeting of the said Paritioners, or to Two of the Overseers of the Poor of such Parish, and was by them refused to be relieved,

3 W. & M.
c. II. § II.

No Poor to be
relieved till Oath
made of reason-
able Cause,

lied, 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 Justice of Peace shall think fit to order to be relieved, shall be entered 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
Cause continues.

Penalty.

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

Justices dwelling
out of a County,
may grant War-
rants, &c.

Proviso.

[As to Commitment by Justices of Peace of Liberties and Corporations, 15 G. 2. c. 24.— And see this Section explained as to Justices for Counties acting in any City being a County of itself, &c. 28 G. 3. c. 49. § 4.]

IV. And

Churchwardens,
&c. may purchase,
&c. Houses to lodge or employ
Poor in.

Poor refusing to
be lodged, &c.
not entitled to
Relief.

One Parish, &c.
too small, Two
may unite, &c.

Refusing to be
maintained.

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 Main'tenance 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 Churchwardens 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

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 Churchwardens 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 Churchwardens 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.

[This Section, as to maintaining or hiring out the Labour of the Poor by Contract, in certain Cases repealed, 22 G. 3. c. 83. § 1. Power of Justices to visit Workhouses, 30 G. 3. c. 49. Overseers, &c. with Approbation of Justice or Justices may relieve Poor at their own Houses, 36 G. 3. c. 23. § 1, 2, 3.—And Person with whom Contract made must be resident in the Parish contracting or where the Poor shall be maintained, 45 G. 3. c. 54. § 1, 2.]

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 Inhabitation therein.

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.

VII. And whereas there was a Clause in the Statute made in the Eighth and Ninth Year of His late Majesty King *William* the Third, intituled, *An Act for the supplying some Defects in the Law for the Relief of the Poor of this Kingdom*, whereby it was en-

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

Settlement to
be as before
Removal.

Settlement ac-
quired by Pur-
chase.

Paying Taxes to
Scavenger, no
Settlement.

8 & 9 W. 3. c. 30.

§ 6.

acted, 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 *Nassborough* 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.

Justices of St. Peter and Hundred of Nassborough may determine Appeals.

Notice 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 Churchwardens or Overseers of the Poor of such Parish or Place, who shall make such Appeal, unto the Churchwardens 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.

Relief on undue Removals.

IX. And for the preventing of 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, *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom.*

229 W. 3. c. 30.