

Full costs.

plaintiff or plaintiffs become nonsuited, or discontinue his, her, or their action or actions, then the defendant or defendants shall have and recover full costs; for the recovery whereof he shall have the same remedy as any other defendant or defendants, in any other case, hath or have by law.

CAP. XXXIX.

An act for the better regulation of the parish poor children, of the several parishes therein mentioned, within the bills of mortality.

Preamble.

Children born in, or received into, any workhouse or parish house, within the several parishes here mentioned,

are to be nursed, and taken care of, as follows; viz.

Such of them as are under 6 years of age, to be sent in the country, not less than 3 miles off;

those under 2 years, not suckled by the mother, not less than 5 miles off;

WHEREAS it would greatly tend to the preservation of the lives of the infant parish poor of the several parishes hereafter mentioned, and be of public utility, if the officers of such parishes were compelled by law to send such infant poor into the country to be nursed, for a certain time; and proper persons appointed guardians in each parish, to inspect into the management and usage of such infants: And whereas the keeping registers of such infant poor, until they shall respectively arrive at the age of fourteen years, be placed out apprentice, or otherwise disposed of, would be a further means of preserving the lives of such infants: 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 all and every child and children who, on or before the first day of *July*, one thousand seven hundred and sixty seven, was or were born in, or received into, any workhouse or parish-house; or which shall thereafter be born in any workhouse or parish-house, or received by any select vestries, governors, directors, or managers, appointed for the management of parochial affairs, or by any church-wardens, overseers of the poor, or other officer or officers authorized by the several parishes following, or any of them, respectively; that is to say, The seventeen parishes without the walls of *London*; the twenty three parishes in *Middlesex* and *Surrey*, being within the bills of mortality, and the liberty of the tower of *London*; and the ten parishes within the city and liberty of *Westminster*; shall be nursed and taken care of in manner as hereafter mentioned.

II. And be it further enacted by the authority aforesaid, That all such children, under the age of six years, who, upon the said first day of *July*, shall be under the care of vestries, governors, directors, or managers, of the poor, or parish officers, shall, within fourteen days after the said time, be sent into the country, to a distance not less than three miles from any part of the cities of *London* and *Westminster*; there to be nursed and maintained at the charge of their respective parishes.

III. And be it further enacted by the authority aforesaid, That all children who shall, from and after the said first day of *July*, be born in, or shall be received into, workhouses or parish-houses belonging to the said parishes, not being suckled by the mother,

mother, under the age of two years, shall, within fourteen days after their birth or reception, be sent into the country, to a distance not less than five miles from any part of the said cities of *London* or *Westminster*; and all children received into such workhouses or parish-houses above the age of two years, and under the age of six years, shall, within fourteen days after their reception, be sent into the country, to a distance not less than three miles from any part of the said cities of *London* or *Westminster*; there to be nursed and maintained in manner herein after directed.

and those above 2, and under 6 years of age, not less than 3 miles off.

IV. And be it further enacted by the authority aforesaid, That for the nursing and maintenance of each child so put out as aforesaid, the respective sums following shall be paid; that is to say, For the first six years of their age, a sum not less than two shillings and six pence; and from that time until such child shall be put out apprentice, or return to the workhouse, a sum not less than two shillings *per week*; and shall also, over and above the said charge of nursing and maintaining each child, pay to every nurse who shall have received any child of or under the age of nine months (the said child being alive, and having been treated properly, and to the satisfaction of the guardians hereafter mentioned, or the major part of them, assembled at any meeting appointed by this act) after having been under her care twelve months, a sum not less than ten shillings, as a reward for her pains and care taken in the nursing of such child: And the governors, directors, managers, or overseers of the poor, of the respective parishes from whence such children shall be so sent to nurse, shall find good, proper, and sufficient cloathing for each and every of them respectively; and shall defray the expences of conveyance, medicines, burials, and all other necessary expences incurred on account of the said children; and shall keep, in a book or books to be provided for that purpose, separate, regular, and exact accounts of all expences incurred in relation thereto.

Weekly rates to be paid for their nursing and maintaining, till apprenticed, or returned to the workhouse. Conditional reward to nurses for their care.

Cloathing to be furnished, and all other incidental expences defrayed, by the parish, and separate accounts to be kept thereof.

V. And, in order the more effectually to guard against all dangerous consequences which may arise to the said children from false parsimony, negligence, inadvertency, or the annual change of parish officers, be it further enacted by the authority aforesaid, That five noblemen or gentlemen, inhabitants of each parish, shall, within fourteen days after the said first day of *July*, be appointed and chosen, under the title or denomination of *Guardians of the parish poor children*; two or more of which said guardians shall be chosen out of the select vestry, or out of the governors, directors, or managers of the poor of each parish; and where there is no select vestry, governors, directors, or managers; then the said five guardians to be chosen and appointed out of the noblemen and gentlemen inhabitants of each parish; and the election to be made upon *Tuesday*, or some other day in *Easter week*, by the inhabitants having right to assemble in vestry: And in case there shall be no noblemen or gentlemen, or not be a sufficient number of such noblemen or gentlemen who will accept of the office of guardians: then the said guardians, or so many as shall

Five guardians of the parish poor children to be chosen.

Where any shall refuse to act, or shall resign, or die, a further choice to be made.

be wanting to make up the number of five, shall be chosen out of the principal and most respectable inhabitants : and if any of the parties so chosen shall refuse to act, or shall afterwards resign their guardianship, or shall die ; that then, and in either of the said cases, a further choice shall be made in the same manner as before mentioned, within fourteen days after such refusal, resignation, or death, of so many as shall be necessary to complete the number.

First guardians to continue in office till the year 1770 ;

VI. And be it further enacted by the authority aforesaid, That such noblemen, gentlemen, or principal inhabitants, who shall, in consequence of this act, be first chosen and appointed guardians of the parish poor children, shall continue and remain in their respective offices till the day in *Easter* week, in the year one thousand seven hundred and seventy, of the inhabitants meeting for the choice of guardians as aforesaid ; and that the guardians then chosen, or at any time thereafter to be chosen, shall remain in their respective offices for the term of three years then next ensuing : and that all appointments of guardians in future, shall be once in three years only ; except in cases of death, resignation, or refusal as aforesaid.

Future guardians to remain 3 years in office.

Churchwardens and overseers disqualified from being elected guardians. Power and duty of guardians.

VII. Provided always, That no churchwarden, or overseer of the poor, shall be elected into the said office of a guardian.

Evils complained of by them, how to be remedied.

VIII. And be it further enacted by the authority aforesaid, That the said guardians, or any one of them, shall have free admittance to visit and see the said parish poor children, and inform themselves fully concerning their state and condition ; and the said guardians shall also have full liberty to examine, and have free access to, all registers, books, and accounts, relating to the said children : and in case of any neglect or improper conduct, whereby the life or health of a child may appear to the said guardians, or to any one of them, to be in danger, to report the same to the select vestry, governors, directors, or managers, or to the churchwardens or overseers of the poor : and if the said vestry, governors, directors, or managers, churchwardens, or overseers, or some or one of them, do not take the most efficacious measures to remedy the evil complained of ; that then it shall be lawful to and for the said guardians, or any one of them, to inform one or more of his Majesty's justices of the peace, and give evidence of the facts ; and the said justice or justices of the peace is and are hereby empowered to give such orders and directions therein, as he or they shall think most proper.

A meeting of the guardians to be summoned every 6 weeks : Two make a quorum. Power given them singly, or jointly, to call in the churchwardens or overseers.

IX. And be it further enacted, That the said guardians shall be summoned, by the vestry clerk, at least once in six weeks, to meet at the vestry-room, or, where there is no vestry-room, in other convenient place ; and two of the said guardians shall make a *quorum*, either of them having the liberty of calling in one of the churchwardens or overseers ; and when only one of the said guardians is present, he shall have the liberty of calling in two of the churchwardens or overseers, who shall attend him accordingly ; and when any number of the said five guardians shall meet, they shall have the liberty of calling in two of the

the churchwardens or overseers, as the majority of them shall think proper.

X. And whereas in many parishes the said select vestries, governors, directors, or managers, churchwardens, or overseers of the poor, may find it inconvenient and difficult, through want of regular correspondence with proper persons in the country, to supply them with nurses, and also to take the charge of inspecting nurseries in such a manner as shall prove effectual to the preservation of the lives of the said children; be it therefore enacted by the authority aforesaid,

That the said select vestries, governors, directors, or managers, churchwardens, or overseers of the poor, shall be at liberty to send their said parish poor children, or any of them, being under the age of six years as aforesaid, to the hospital for the maintenance and education of exposed and deserted young children; and it shall and may be lawful to and for the governors and guardians of the said hospital, for the time being, to receive such children; and the said select vestries, governors, directors, managers, churchwardens, or overseers of the poor, are hereby impowered to agree with the said governors and guardians for that purpose, upon such terms, and in such manner, as shall be adequate to the support and maintenance of each child.

Liberty granted, of sending parish poor children, under 6 years of age, to the Foundling Hospital,

upon such terms as shall be agreed on:

XI And be it enacted by the authority aforesaid, That the terms so agreed upon, and the sums agreed to be paid for the admission, maintenance, and education, of such parish poor children as shall be sent to the said hospital, shall be paid by the overseer or overseers of the poor for the time being, out of the poors rate of each parish respectively: and in case any sum or sums of money agreed between the said select vestries, governors, directors, or managers, churchwardens, or overseers, and the governors and guardians of the said hospital, or any five of them in committee, shall not be paid, by such overseer or overseers, to the person or persons who shall be authorized by the said governors and guardians to receive the same; it shall and may be lawful to and for any one or more of his Majesty's justices of the peace for the counties of *Middlesex* or *Surrey*, the city and liberty of *Westminster*, or liberties of the *Tower Hamlets*, respectively, to summon the overseer or overseers who shall refuse or neglect to make such payment, and to order immediate payment to be made of so much as shall appear to such justice or justices to be due, together with such costs and charges as may have been incurred by the said governors and guardians in consequence of such refusal or neglect: and if the overseer or overseers shall refuse or neglect to obey the order of such justice or justices, the sum directed to be paid thereby shall be recovered by distress and sale of the goods and chattles of such overseer or overseers, together with the costs attending such distress and sale; rendering the overplus (if any) to the owner.

The charge to be defrayed out of the poor rates;

and if not duly paid,

any justice may summon the overseers,

and order immediate payment, with the charges incurred;

and, on refusal, may levy the same by distress and sale.

XII. And be it further enacted by the authority aforesaid, That at the time of the death, discharge, or apprenticeship, of any such parish poor child, a certificate thereof shall be sent, by the secretary of the said governors and guardians, to the vestry clerk, The death, discharge, or apprenticeship, of any child, to be or certified to the

vestry clerk
of the parish.

Hospital ac-
count to be
kept with each
parish distinct.

Parish chil-
dren, and
foundlings,
to be appren-
tic'd for not
more than 7
years, or till
21 years of
age.

Apprentice
fee not to be
less than 4l.
2s. and to be
paid at two
payments.

Act 2 Geo. 3.

Particular re-
gisters to be
provided by
each parish,
according as
they come
within the fol-
lowing de-
scription.

or overseers of the poor, of such parish to which the said child did belong.

XIII. And be it further enacted by the authority aforesaid, That the hospital account shall be kept with each parish distinct, in a proper book or books, with marginal columns, according to the schedule annexed, marked (A); and that such book or books, or true copies thereof, shall be signed by the secretary of the hospital.

XIV. *And whereas it often disturbs the peace of domestic life, checks marriage, and discourages industry, to place out parish boys to the age of twenty four years; therefore, in order to remedy the same,* be it enacted by the authority aforesaid, That it shall and may be lawful to place or bind out boys as well as girls apprentices, by the respective parish officers for the time being, and also by the governors and guardians of the hospital for the maintenance and education of exposed and deserted young children, for the term of seven years, or till they shall attain their respective ages of twenty one years, and no longer.

XV. *And whereas the sums of twenty shillings to forty shillings now usually given with a child placed out by the parishes, are by no means adequate to the procuring such masters and mistresses as are in general fit and proper: and whereas there is a general neglect in the moral and religious instruction of apprentices; and some pecuniary encouragement may excite masters and mistresses to discharge their duty, in this respect, towards young persons who are thus intrusted in their care;* be it therefore further enacted by the authority aforesaid, That from and after the said first day of July, one thousand seven hundred and sixty seven, no such parish child shall be bound out an apprentice with a sum less than four pounds two shillings as an apprentice fee; forty shillings whereof to be paid to the master or mistress within seven weeks after executing the indentures, and the remaining forty two shillings to be paid after such apprentice shall have served three years of his or her apprenticeship.

XVI. *And whereas the act of the second of his present Majesty, intituled, "An act for the keeping regular, uniform, and annual registers, of all parish poor infants under a certain age within the bills of mortality" requires no account of the children after the age of four years;* be it therefore further enacted by the authority aforesaid, That the respective vestries, governors, directors, managers, overseers of the poor, or other officer or officers, of the several and respective parishes herein before mentioned, or some or one of them, shall, and they are hereby directed and required, on or before the said first day of July, to provide, or cause to be provided, at the expence of their respective parishes wherein there is or shall be a work-house, hospital, or other house or place provided for the maintenance of the poor, a book of royal paper, which shall be ruled with distinct columns, and the title of each column shall be wrote or printed in such page agreeable to the schedule hereunto annexed, marked (B); and the book belonging to each respective parish,

parish, wherein there is not nor shall be any such workhouse, hospital-house, or place, shall in every page be ruled with distinct columns, and the title of each column shall be wrote or printed in such page agreeable to the schedule hereunto annexed, marked (C); any thing in the said act of the second year of his present Majesty's reign, or any other act or acts of parliament, to the contrary thereof in any wise notwithstanding.

XVII. And be it further enacted by the authority aforesaid, That there shall be mentioned, at the foot of each register, the gross number of the children, remaining in the hands of mothers who have been relieved by the respective parishes during the course of the year, not entered in the register; and the the number of such who are known to be remaining alive.

Entry to be made at the foot of each register.

XVIII. And be it further enacted by the authority aforesaid, That the abstract of the register of the said infant poor shall be according to the schedule hereunto annexed, marked (D).

Form of the abstract of the register of the infant poor.

XIX. And be it further enacted by the authority aforesaid, That the names of all the parish poor children who shall be alive, under the care of any governors, directors, managers, churchwardens, or overseers of the poor, on the first day of *July* next ensuing, shall be entered in the said registers, and shall be continued on, and transferred from year to year, in the said register, 'till their death, or discharge to parents or friends, or 'till they are respectively placed out apprentice; and that the day of placing them out, and the time of their servitude, shall be entered in the said registers as above mentioned.

Manner of conducting their registers.

XX. And be it further enacted by the authority aforesaid, That a full list of all apprentices placed out by the respective parishes shall be made out by the vestry clerks, or other proper officer, and delivered, in the month of *February* in every year, to the company of parish clerks; the same to be written on royal paper according to the schedule annexed, marked (E) to be bound up and deposited by the company of parish clerks; and the said company shall make out an abstract thereof, distinguishing the number placed out from each parish, and how many of them were born in the work-house or parish-house; and shall cause the same to be printed; and shall send six fair copies of the said abstract to each parish respectively.

Annual list to be made out by each parish of the children apprenticed, and delivered to the company of parish clerks.

Abstract thereof to be printed, and delivered to each parish.

XXI. And be it further enacted by the authority aforesaid, That the first annual register of the said infant poor, and also the first annual lists of apprentices, hereby intended and directed to be kept, shall commence on the said first day of *July*, and shall end on the thirty first day of *December* ensuing; and, after that time, the said annual register and lists shall commence the first day of *January*, and end the thirty first day of *December* following.

Registers and lists to commence and end annually at a certain time.

XXII. And be it further enacted by the authority aforesaid, That all expences incident to and attending the nursing, maintenance, education, placing out apprentice, or otherwise relating to the matters herein contained, the manner whereof is not herein particularly ordered and directed, shall be paid out of

General expences not otherwise provided for, to be paid out of the poor's rates.

the monies arising from the poors rates of the respective parishes wherein such expences shall be incurred.

Penalty on
parish officers,
and others,
neglecting
their duty.

XXIII. And be it further enacted by the authority aforesaid, That if any churchwarden, overseer of the poor, vestryman, clerk of the vestry, master of the work-house, master or warden of such company of parish clerks, or any clerk of such company, or any other person or persons, shall neglect his duty as directed in and by this act; such churchwarden, overseer of the poor, clerk of the vestry, or master of the work-house, master or warden of such company of parish clerks, or such clerk of such company, person or persons, shall, for every offence, forfeit and pay to the informer the sum of five pounds; to be recovered before any two or more of his Majesty's justices of the peace, and to be levied by distress and sale of the goods and chattles of the offender, by virtue of a warrant under the hands and seals of the justices before whom the same shall be recovered, directed to any constable or other peace officer; and if there shall be any overplus of the said forfeiture, the same shall be returned to the owner, after the charges of such distress and sale shall be deducted.

Publick act.

XXIV. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be, a public act; and be judicially taken notice of as such, by all judges, justices, and other persons whatsoever, without specially pleading the same.



SCHEDULE A.

C C H E D U L E A.

Exposed and Deferted young Children, with the Pa-
of the Seventh of His Majesty King George the Third)

Indistinct text, possibly a signature or stamp, located below the main title on the left page.

S C H E D U L E B.

e PARISH POOR CHILDREN, until they are Apprenticed out of from the
to the 31st Day of *December* of the Parish of (where there is
house) according to the Acts of Parliament of the Second and seventh of His Majesty King

F I N I S.

RE

Penalty
parish
and other
neglect
their

Public

If Money received with any Child, what sum (such sum not to be transferred from Year to Year.)	When died in the Work- house.	When sent from the Work- house, and by whom nursed till sent.	What Work Children past 6 Years of Age are im- ployed in, If can read r. If can say his or her pray- ers — r. p. If both r. p.	When sent to the Hospital for expoted and Deferted young Children.	If discharged from the Parish, to whom deli- vered, and where living. If removed or passed, to what place.	Nurse's Name, to whom delivered to be nursed. If at Wet Nurse — W. If a Dry Nurse — D. If a Nurse dies or is changed, write the Name of the new Nurse under the former. If nursed by the Mother, mark. } M.	Place where the Nurse lives, in what Place or near what Sign, so as to be found.	Price of nursing each Week.		Reward to Nur- ses.		If died at Nurse, when.	If past 6 Years of Age and brought to the Workhouse mark — W. If discharged, men- tion to whom, and where living; if apprenticed, men- tion Folio of the Register of Ap- prentices.
£. s. d.								£. s. d.					

SCHEDULE C.

ut, from the Day of to the 31st

S C H E D U L E D.

ual Registers of Parish Poor of the Bills of Mortality, from the Birth until apprenticed out.

Born under the Care of the Parish or Parish-h		Apprenticed out, or p	
Remain alive in the Country.		Total Died in the Country.	
Died in the Country under these Ages.		of whom were under these Ages.	
	Six Y		
	Two Y		
	Eighteen		
	Twelve M		
	Six Mo		
	Six Ye		
	Two Y		
	Six Mo		
Sent into the count			
N. B. As many as were nursed mark			
Removed, passed, and discharged or Mothers; if delivered to			
Remain alive in the Wor			
Of whom died under these Ages, nursed by Mothers and Nurser.			
	Above F		
	Four Y		
	Three Y		
	Two Y		
	Eighteen		
	Twelve M		
	Nine Mo		
	Six Mo		
	Three Mo		
Died under the Care of Nurser in hous			
Nursed by Nurser in the Wor			
Died under the Care of the Mother in parish-hou			
Nursed by the Mother in the w			
Money.	Rewards paid to Nurser as an Encouragement to take all possible Care of the Children.	Sum received with Children.	Number with whom Money was received.
Of whom were			
	Legitim		
	Casualti		
	Illegitim		
	Foundli		
whom were under these Ages.			
	Above Four		
	Four Ye		
	Three Y		
	Two Ye		
	Eighteen M		
	Twelve Mo		
	Nine Mo		

Penalty
parish
and ot
neglect
their d

but not in the Work-house
ouse.
out out to service.

Public

ry to be nursed,
within five Miles of London,
L.
to their Friends, Fathers,
the Mother, mark M.
khouse or Parish-house.
our Years.

Years.

Years.

Years.

Months.

Months.

Months.

Months.

Months.

in the Workhouse or Parish-
house.

rkhouse or Parish-house.

er in the Workhouse or Pa-
use.

orkhouse or Parish-house.

ate.

es.

ate

ngs.

Years.

Years.

Years.

Years.

Months.

Months.

SCHEDULE E.

