ANNO QUINQUAGESIMO SECUNDO.

GEORGII III. REGIS.

CAP. CLX.

An Act to enable Juſtices of the Peace to order parochial Relief to Priſoners confined under Meſne Proceſs for Debt in ſuch Gaols as are not County Gaols. [29th *July* 1812.]

WHEREAS great Diſtreſs is ſuffered by poor Perſons confined under Meſne Proceſs for Debt in ſuch Gaols as are not County Gaols, in conſequence of their not receiving any Allowance whereon to ſubſiſt during the Time of ſuch Confinement: 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 it ſhall be lawful for any One Juſtice of the Peace acting for the County, Riding, or Diviſion wherein any Gaol which is not a County Gaol is ſituated, to order the Overſeers of the Poor of the Pariſh, Townſhip, or Place wherein any ſuch Gaol (which is not a County Gaol) ſhall be ſituated, to relieve any poor Perſon who ſhall be confined in ſuch Gaol under Meſne Proceſs for Debt, and who ſhall appear to ſuch Juſtice to be unable to ſupport himſelf or herſelf, and who ſhall have applied for Relief to ſuch Overſeers as aforeſaid. Juſtice to order Parochial Relief to Debtors in ſuch Gaols as are not County Gaols.

II. Provided always, and be it further enacted, That the Sum to be given for the Relief of any ſuch poor Perſon ſhall not exceed Sixpence *per Diem*, during the Time of his or her Confinement in ſuch Gaol under Meſne Proceſs for Debt. Limiting the Sum.

III. And

Legal Settlement of Debtor to be ascertained.

III. And be it further enacted, That the Overseers of the Poor of any such Parish, Township, or Place to whom any such Application for Relief shall be made as aforesaid, if they shall doubt whether such poor Person is legally settled in such Parish, Township, or Place, shall cause him or her to be examined upon Oath before One or more Justice or Justices of the Peace, touching his or her last legal Settlement, upon which Examination it shall be lawful for Justices to make an Order for the Removal of such poor Person to the Place of his last legal Settlement, and to suspend the Execution of such Order of Removal during the Time of such Person being confined in such Gaol under such Mesne Process, which Suspension of the same shall be indorsed on the said Order, and signed by such Justices, and the subsequent Permission to execute the same shall be also indorsed on the said Order, and signed by such Justices, or by any other Two Justices of the Peace acting for the same County, Riding, or Division.

Order of Removal to be suspended while Debtor is imprisoned,

and to be served on the Overseers of the Poor of his Parish,

IV. Provided always, and be it enacted, That a Copy of the Order of Removal, and of the Order for suspending the Execution of the same as aforesaid, shall, as soon as may be after the making thereof respectively, be served upon the Overseers of the Poor of the Parish, Township, or Place in which such poor Person shall by such Order of Removal be adjudged to be legally settled.

who shall repay the Expence attending the Pauper.

V. And be it further enacted, That although such poor Person shall not have been actually removed in pursuance of such Order of Removal as aforesaid, it shall be lawful for any Justice of the Peace to direct the Overseers of the Poor of the Parish, Township, or Place in which such Pauper is adjudged to be settled, to repay to the Overseers of the Poor of the Parish, Township, or Place wherein such Gaol shall be situated, all the Charges proved upon Oath of any such Overseers of the Parish, Township, or Place where the Gaol is situated, to have been incurred in granting Relief to such Pauper during the Time of his Confinement and the Suspension of such Order, not exceeding Sixpence *per Diem*; and if the Overseers of the Parish, Township, or Place to which such Order of Removal shall be made, or any or either of them, shall refuse or neglect to pay any such Sum so advanced as aforesaid within Twenty-one Days after Demand thereof, and shall not within the same Time give Notice of Appeal as is herein-after mentioned, it shall be lawful for One Justice of the Peace, by Warrant under his Hand and Seal, to cause the Money so directed to be paid as aforesaid to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay the same, and also such Costs attending the same, not exceeding Forty Shillings, as such Justice shall direct; and if the Parish, Township, or Place to which the Removal was ordered to be made, be without the Jurisdiction of the Justice of Peace issuing the Warrant, then such Warrant shall be transmitted to any Justice of the Peace having Jurisdiction within such Parish, Township, or Place as aforesaid, who upon Receipt thereof is hereby authorized and required to indorse the same for Execution: Provided nevertheless, that if the Sum so ordered to be paid on account of such Costs and Charges exceed the Sum of Five Pounds, the Party or Parties aggrieved by such Order may appeal to the next General Quarter Sessions for the County, Riding, or Division in which such Gaol is situated, against the same, as they may do against an Order for the Removal of

In case of Refusal, the Money advanced to be levied by Distress.

poor Perſons by any Law now in being, and if the Court of Quarter Seſſions ſhall be of Opinion that the Sum ſo awarded be more than of Right ought to have been directed to be paid, ſuch Court may and is hereby directed to ſtrike out the Sum contained in the ſaid Order, and inſert the Sum which in the Judgement of the ſaid Court ought to be paid, and in every ſuch Caſe the ſaid Court of Quarter Seſſions ſhall direct that the ſaid Order ſo amended ſhall be carried into Execution by the ſaid Juſtices by whom the Order was originally made, or either of them, by ſuch other Juſtice or Juſtices as the ſaid Court ſhall direct.

Appeal allowed to Quarter Seſſion.

VI. Provided always, and be it further enacted, That it ſhall be lawful for the Overſeers of the Poor of the Pariſh, Townſhip, or Place wherein ſuch poor Perſon ſhall, by ſuch Order of Removal, be adjudged to be legally ſettled, to appeal againſt ſuch Order to the next General Quarter Seſſions of the Peace for the County, Riding, or Diviſion in which ſuch Gaol is ſituated, holden after the Service of the Copy of ſuch Order of Removal, in caſe ſuch Copy ſhall have been ſerved upon ſuch Overſeers Twenty-one Days before the holding of ſuch Quarter Seſſions, but in caſe the ſame ſhall not be ſerved Twenty-one Days before the holding of ſuch next General Quarter Seſſions, then the Appeal may be to the next ſucceeding General Quarter Seſſions holden for the ſaid County, Riding, or Diviſion, and upon ſuch Appeal the like Proceedings may be had as are obſerved in other Caſes of Appeals againſt Orders of Removal of poor Perſons by any Law now in being: Provided always, that in caſe ſuch Order of Removal and Suſpenſion is not appealed againſt in Manner aforeſaid, or if upon Appeal ſuch Order ſhall be confirmed, ſuch poor Perſon ſhall be deemed and taken to be legally ſettled in the Pariſh, Townſhip, or Place in which he ſhall by ſuch Order of Removal be adjudged to be legally ſettled.

In caſe the Pauper has no legal Settlement in England or Wales, the Allowance ſhall be paid out of the County Rate.

VII. And be it further enacted, That in caſe any poor Perſon applying for Relief under the Proviſions of this Act ſhall, upon his Examination as to his laſt legal Settlement, be found not to be legally ſettled in any Pariſh, Townſhip, or Place within *England* and *Wales*, it ſhall be lawful for any one Juſtice of the Peace to order the Overſeers of the Poor of the Pariſh, Townſhip, or Place wherein the Gaol is ſituated (in which ſuch poor Perſon ſhall be confined under Meſne Proceſs for Debt) to relieve ſuch poor Perſon with a Sum not exceeding Sixpence *per Diem* out of the Funds in their Hands applicable to the Relief of the Poor, which Sum ſhall be reimburſed to the Overſeers of the Poor of the ſaid Pariſh, Townſhip, or Place, for the Uſe of ſuch Funds, out of the County Rate, by the Treaſurer of the County, Riding, or Diviſion in which ſuch Pariſh, Townſhip, or Place ſhall be ſituated, at the Expiration of the Confinement of ſuch poor Perſon upon ſuch Meſne Proceſs as aforeſaid.

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