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THE Poor Law Orders

GLEN

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A SELECTION

FROM THE

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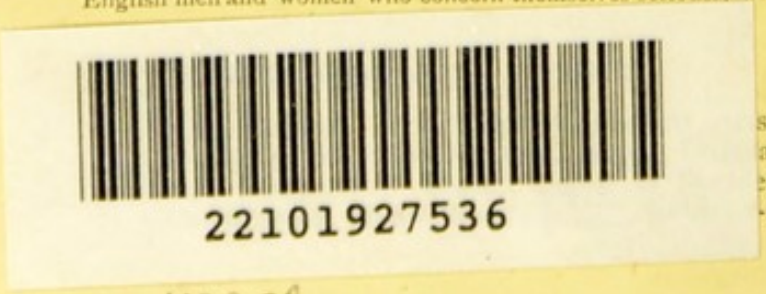
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RELATING TO

THE POOR LAW

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THE

General Orders

OF

THE POOR LAW COMMISSIONERS,

THE POOR LAW BOARD,

AND

The Local Government Board

RELATING TO THE POOR LAW;

With Explanatory Notes elucidating the Orders, Tables of Statutes, Cases, and Index.

BY THE LATE

WILLIAM CUNNINGHAM GLEN,

BARRISTER-AT-LAW,

Formerly Principal of the Legal Department of the Local Government Board and their Senior Legal Assistant,

AND BY

THE EDITOR OF THE PRESENT EDITION.

ELEVENTH EDITION

BY

REGINALD CUNNINGHAM GLEN, M.A., LL.B.

of the North-Eastern Circuit,

BARRISTER-AT-LAW.

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EDITOR'S NOTE TO THE ELEVENTH EDITION OF THE POOR LAW ORDERS.

Since the last edition of this work was published the mode in which the election of Guardians of the Poor is conducted has been entirely altered, owing to the passing of the Local Government Act, 1894. Fresh Orders relating to the election of Guardians, both within and without the Metropolis, were consequently issued by the Local Government Board, which until the present year were temporary. Such Orders dealt merely with the elections of Guardians in the year in which they were issued; and it was not until the commencement of the present year that permanent Orders were issued, which until altered will regulate all future elections of Guardians. A revision of the work edited by my late father and myself was therefore necessary in order to render it efficient, and I have, in the present edition, substituted the Orders by which elections of Guardians are now regulated for those contained in the previous edition. At the same time I have added to the collection of Orders such other General Orders of the Local Government Board as have been issued by that Board since the year 1887. Such Orders have been noted up, and the notes to those Orders which were contained in the previous edition have been carefully revised. Owing to my father's death I have been left without that advice and direction which his long and intimate association with the Local Government Board, and with all matters connected with the Poor Law, rendered so valuable. But I trust that the work will nevertheless continue to be appreciated by Boards of Guardians and their officers, for whose use it is specially designed.

The work contains the whole of the General Poor Law Orders of the Poor Law Commissioners, the Poor Law Board, and the Local Government Board, which have been issued down to the

time of publication, and which are now in force. It also contains references to some Special Orders on the same subjects as those to which the General Orders relate. It supplies, in respect of the Poor Law Orders, those interpretations and references in elucidation of their meaning which the Poor Law Commissioners had in view, with reference to the Statute Law, when they said : "It is convenient that some competent authority should expound the intention of the Legislature to the public, by distributing the provisions of Acts of Parliament into smaller portions, arranged according to the subject-matter, and by accompanying them with such interpretations and references as may tend to elucidate their meaning."

With the exception that the Orders relating to the election of Guardians have, as in former editions, been placed at the commencement of the work, and with the exception that the Orders relating exclusively to the Metropolis have been placed together, the Orders will be found in chronological order. A Chronological Table of the Orders, which has been carefully prepared by Mr. A. A. Bethune, of the Inner Temple and of the North-Eastern Circuit, will be found after the Table of Contents, which it is hoped may assist in referring to the work. The Tables of Cases and Statutes, and also the Index, have been thoroughly revised and completed by Mr. Bethune, to whom I am indebted for much valuable assistance in carrying the present edition through the press.

Until the Vaccination Bill, which is now before the Committee of the House of Commons, becomes law it will be necessary to retain amongst the Orders those which are still in force with respect to vaccination. Upon the Bill becoming law there is every reason to believe that the Local Government Board will issue fresh Vaccination Orders which will supersede those now in force. When this takes place it is intended to issue such Orders in a supplementary form ; and it was not considered advisable to delay the publication of the work until such Orders might be issued. The Orders contained in this work not being accessible to the public at large, I have endeavoured to make the collection as complete as possible ; and I trust that my endeavours have been successful. In conclusion, my hope is that the present edition may meet with as favourable a reception and prove as useful as those editions which my father and I edited during his lifetime.

R. CUNNINGHAM GLEN.

New Court, Temple.
July, 1898.

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After the work had been sent to press the Vaccination Act, 1898, received the Royal assent. It has therefore been inserted with an introduction in the Appendix A, which will be found immediately after page 1400. During the progress of the work through the press the Paupers' Conveyance (Expenses) Order, 1898, rescinding the previous Order of February 26, 1880, which had already been printed, was issued. Both Orders will be found in the work, but the references in the Index are to the later Order.

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GENERAL ORDER. — GUARDIANS (OUTSIDE LONDON). — RULES AS TO NOMINATION AND ELECTION.

(Dated 1st January, 1898.)

To the County Council of every ADMINISTRATIVE COUNTY in ENGLAND and WALES ;—

To the Mayor, Aldermen, and Burgesses of every County Borough in England and Wales ;—

To the Board of Guardians of every Poor Law Union in England and Wales which is co-extensive with or contains an Urban Parish ;—

To the Clerk to the Guardians of every such Poor Law Union as aforesaid ;—

To the Clerk to the District Council of every Urban District other than a Borough ;—[1]

And to all others whom it may concern.[2]

---

[1] In the circular letter dated January 1, 1898, and addressed to Clerks to Guardians, the Local Government Board stated, with reference to the above Order, that :

The Board have hitherto in each year issued an Order under the powers conferred upon them by the Local Government Act, 1894, prescribing Rules for the ordinary election of Guardians in that year. They think, however, that the time has now come when a permanent Order might be issued prescribing Rules which shall apply to all elections of Guardians, and they have issued an Order accordingly.

The new Order prescribes Rules not only for the elections held in any year to fill any ordinary vacancies in the Guardians, but also for the first election of any additional Guardians, and for the first election of any Guardians to be elected for any Urban Parish which may hereafter be constituted. The Order also prescribes Rules for every election which may be held to fill a casual vacancy in the office of Guardian. Except as regards any election the proceedings in respect of which have been already commenced, the Guardians Outside London (Additional Guardians) Election Order, 1895, and the Guardians (Outside London) Casual Vacancies Election Order, 1895, have been rescinded.

Under Rule 1 of the new Order, you will be the Returning Officer for the purposes of any election held under it, unless you are unable or unwilling to

[2] See note [2] page 3.

act. If such should be the case as regards any ordinary election of Guardians to be held in the present year, the Guardians should, as early as practicable, appoint some other person to act.

The Board may draw attention to Rule 12 of the Order, under which polls for the election of Guardians and of Urban District Councillors are, under certain circumstances, to be taken together. They may also draw attention to the corresponding provision in Rule 12 of the Order which they have issued prescribing Rules for the election of Urban District Councillors for any urban district other than a borough. Under Rule 13 of the Election of Guardians Order, the Returning Officer at the election of Urban District Councillors will, when the polls for the two elections are to be taken together, be the Deputy Returning Officer for the purposes therein mentioned in relation to the poll for the election of Guardians for the Parish.

By Rules 5 and 25 (2) of that Order duties are imposed on the Overseers of any Parish for which an election is held. When sending to the Overseers forms of nomination paper and the copies of the Notice referred to in Rule 25 (2), you should draw their attention to the duties which devolve upon them in relation to these matters.

The Board may draw attention to the Tables in the First Schedule to the Order, in which the times for the proceedings at any election of Guardians are prescribed or defined. As regards any ordinary election to be held this year, the times for the proceedings will be as follows :—

1. Notice of Election . . .	Not later than Friday, March 11.
2. Receipt of Nomination Papers .	Not later than 12 o'clock at noon on Thursday, March 17.
3. Sending Notice of Decision as to Validity of Nomination Papers	Not later than Friday, March 18.
4. Making out Statement as to persons nominated	Not later than Saturday, March 19.
5. Withdrawal of Candidates .	Not later than 12 o'clock at noon on Tuesday, March 22.
6. Notice of Poll	Five clear days at least before the day of Election.
7. Day of Election . . .	Monday, April 4, or such other day not being earlier than Saturday, April 2, or later than Wednesday, April 6, as may for special reasons be fixed by the County Council.

Two copies of the Order as to the Election of Guardians and also of that as to the Election of Urban District Councillors are enclosed, and the Board request that if you do not intend to act as Returning Officer, you will send them, together with this letter, to the person appointed in your place. The Orders will be placed on sale, so that further copies may, if required, be purchased from Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C., either directly or through any bookseller.

By the Expiring Laws Continuance Act, 1897, the Local Government Elections Act, 1896, has been continued in force under December 31, 1898. Hence if any default arises during the present year with respect to any election of Guardians or to the first meeting after the ordinary election of Guardians, or if from an election not being held, or being defective, or otherwise, the Board of Guardians has not been properly constituted, the County Council may by order make any appointment or do anything which appears to them necessary or expedient for the proper holding of any such election or meeting, and properly constituting the Board of Guardians, and may, if it appears to them necessary,

WHEREAS by Section 20 of the Local Government Act, 1894, which is included in Part II. of that Act, it is, amongst other things, enacted as follows :—

"20. As from the appointed day the following provisions "shall apply to boards of Guardians :—

* * * * *

"(2) A person shall not be qualified to be elected or to be a "Guardian for a poor law union unless he is a parochial elector "of some Parish within the union, or has during the whole of "the twelve months preceding the election resided in the

---

direct the holding of an election or meeting, and fix the dates for any such election or meeting.

At the same time that the foregoing circular letter was issued a circular letter was also issued by the Local Government Board to the Clerks to County Councils in which the Board pointed out the importance of the hours during which the poll is to be open being fixed by the County Council in the case of any new Parish or Urban District if there is no Order in force fixing the hours of the poll; and stated that in every instance the poll must be open between the hours of six and eight o'clock in the evening.

The Board also took the opportunity of stating that any Order made by the County Council under section 1 of the Local Government Elections Act, 1896, which is continued in force until December 31, 1898, by the Expiring Laws Continuance Act, 1897, may modify the provisions of the Local Government Act, 1894, and the enactments applied by, or Rules framed under that Act, so far as may appear to the County Council necessary or expedient for carrying the Order into effect; and that section 1 (2) of the Act of 1896 expressly provides that a County Council may delegate their powers under the section to a Committee, and the Board pointed out the importance of this power being exercised by the County Council. That cases had come under the Board's notice in the year 1897 in which advantage could not be taken of the powers conferred by the Act, because the difficulty to be met arose in the interval between the meetings of the particular County Council, and no committee had been empowered to deal with such matters.

[2] In rural districts, although it is enacted by sec. 20 (1) of the Local Government Act 1894 (56 & 57 Vict. c. 73) that "there shall be no *ex officio* or nominated Guardians," by sec. 24 (3) it is enacted that "the district Councillors for any parish or other area in any such district shall be the representatives of that parish or area on the Board of Guardians, and when acting in that capacity shall be deemed to be Guardians of the Poor, and Guardians as such shall not be elected for that parish or area."

The General Orders containing the rules which regulate the nomination and election of district Councillors are therefore inserted after the Orders relating to the election of Guardians in urban Parishes, and such orders are followed by the Orders which regulate the election of Guardians in London. All these Orders have been placed at the commencement of the work, as they deal solely with the conduct of the election of Guardians. The General Consolidated Order of July 24, 1847, is placed next in the order of precedence, and the other Orders follow in chronological order.

"union, or in the case of a Guardian for a Parish wholly or "partly situate within the area of a borough, whether a county "borough or not, is qualified to be elected a councillor for that "borough, and no person shall be disqualified by sex or marriage "for being elected or being a Guardian. So much of any enact- "ment, whether in a public general or local and personal Act, "as relates to the qualification of a Guardian shall be repealed :

"(3) The parochial electors of a Parish shall be the electors "of the Guardians for the Parish, and, if the Parish is divided "into wards for the election of Guardians, the electors of the "Guardians for each ward shall be such of the parochial "electors as are registered in respect of qualifications within "the ward :

"(4) Each elector may give one vote and no more for each of "any number of persons not exceeding the number to be elected :

"(5) The election shall, subject to the provisions of this "Act, be conducted according to rules framed under this Act "by the Local Government Board."

And whereas by Section 30 of the said Act, which is included in Part II. thereof, it is enacted as follows :—

"30. The provisions of this Part of this Act respecting "Guardians shall apply to the administrative county of London "and to every county borough."

And whereas by Section 48 of the said Act it is, amongst other things, enacted as follows :—

"48.—(2) Rules framed under this Act by the Local "Government Board in relation to elections shall, notwithstand- "ing anything in any other Act, have effect as if enacted in "this Act, and shall provide, amongst other things,—

"(i) for every candidate being nominated in writing by two "parochial electors as proposer and seconder and no more ;

"(ii) for preventing an elector at an election for a union or "for a district not a borough from subscribing a nomina- "tion paper or voting in more than one parish or other "area in the union or district ;

* * * * * *

"(iv) for fixing or enabling the county council to fix the "day of the poll and the hours during which the poll is "to be kept open, so, however, that the poll shall always be "open between the hours of six and eight in the evening;

"(v) for the polls at elections held at the same date and in "the same area being taken together, except where this "is impracticable;

"(vi) for the appointment of returning officers for the elections."

"(3) At every election regulated by rules framed under this "Act, the poll shall be taken by ballot, and the Ballot Act, 1872,[1] "and the Municipal Elections (Corrupt and Illegal Practices) "Act, 1884, and sections seventy-four and seventy-five and "Part IV. of the Municipal Corporations Act, 1882, as "amended by the last-mentioned Act (including the penal "provisions of those Acts) shall, subject to adaptations, "alterations, and exceptions made by such rules, apply in like "manner as in the case of a municipal election. Provided that—

"(*a*) section six of the Ballot Act, 1872,[2] shall apply in the "case of such elections, and the returning officer may, in "addition to using the schools and public rooms therein "referred to free of charge, for taking the poll, use the "same, free of charge, for hearing objections to nomination papers and for counting votes; and

"(*b*) section thirty-seven of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall apply as if "the election were an election mentioned in the First "Schedule to that Act.[3]

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[1] By Rule 26, *post*, p. 32, only such of the provisions of the Ballot Act, 1872, as are set out in the third Schedule to the Order shall apply to the election of Guardians, and such provisions are to apply as adapted and altered by such Schedule. Rule 27, *post*, p. 33, applies, subject to the adaptations and alterations made by Schedule 4 of the Order, the provisions of the Municipal Corporations Act, 1882, which are set out in the Schedule. None of the provisions of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, are set out in the Order.

[2] Section 6 of the Ballot Act, 1872, will be found set out in the Second Schedule to the Order, *post*, p. 52.

[3] By the section referred to the provisions of the Act of 1884, which pro-

"(4) The provisions of the Municipal Corporations Act, 1882, "and the enactments amending the same, with respect to the "expenses of elections of councillors of a borough, and to the "acceptance of office, * * * re-eligibility "of holders of office, and the filling of casual vacancies, and "section fifty-six of that Act shall, subject to the adaptations, "alterations, and exceptions made by the said rules, apply in "the case of Guardians.[1] * * *

"Provided that—

* * * * *

"(*b*) nothing in the enactments applied by this section shall "authorise or require a returning officer to hold an elec- "tion to fill a casual vacancy which occurs within six "months before the ordinary day of retirement[2] from the "office in which the vacancy occurs, and the vacancy "shall be filled at the next ordinary election ; and

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hibit payment to, or the incurring of expense by or on behalf of, a candidate at an election, on account of, or in respect of, the conduct or management of the election, and those which relate to the time for sending in and paying claims, and those which relate to the maximum amount of election expenses, or the return or declaration respecting election expenses, are not to apply to elections of Guardians.

[1] The provisions of the Municipal Corporations Act, 1882, which have been adapted and altered so as to apply to elections of Guardians, will be found in the Appendix to the Order. Section 56 of the Act has been altered, and is adapted to elections of Guardians in the manner specified in Rule 10, *post*, p. 18.

[2] Section 20 (6) of the Local Government Act, 1894, enacts that: "The term "of office of a Guardian shall be three years, and one third, as nearly as may "be, of every Board of Guardians shall go out of office on the fifteenth day of "April in each year, and their places shall be filled by the newly elected "Guardians. Provided as follows:—

"(*a*) Where the county council, on the application of the Board of "Guardians of any union in their county, consider that it would be expedient "to provide for the simultaneous retirement of the whole of the Board of "Guardians for the union, they may direct that the members of the Board "of Guardians for that union shall retire together on the fifteenth day "of April in every year, and such order shall have full effect, and where "a union is in more than one county, an order may be made by a joint com- "mittee of the councils of those counties; (*b*) Where at the passing of this "Act the whole of the Guardians of any union, in pursuance of an order "of the Local Government Board, retire together at the end of every third "year, they shall continue so to retire, unless the county council, or a joint "committee of the county councils, on the application of the Board of "Guardians or of any district council of a district wholly or partially within "the union, otherwise direct."

With regard to the triennial election of Guardians in London see *post*, p. 132.

"(*c*) the rules may provide for the incidence of the charge "for the expenses of the elections of Guardians being the "same as heretofore."

And whereas by the Guardians Outside London (Additional Guardians) Election Order 1895, and the Guardians (Outside London) Casual Vacancies Election Order, 1895, We prescribed Rules for the first Election of any additional Guardians for any Urban Parish in England and Wales, and the first Election of a Guardian or Guardians to be appointed for any Urban Parish which might thereafter be constituted, and for every Election to be held to fill a casual vacancy in the office of Guardian in any Urban Parish in England and Wales :—

Now Therefore, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do hereby rescind the said Guardians Outside London (Additional Guardians) Election Order, 1895, and the said Guardians (Outside London) Casual Vacancies Election Order, 1895, except as regards any Election the proceedings in respect of which have been already commenced ;

And We do hereby order that, subject to any directions which may be given by Us, and until We otherwise order, the following Rules [1] shall apply to, and shall be observed in connection with,

---

[1] Orders and Regulations of the Poor Law Board, and therefore now of the Local Government Board also (see 34 & 35 Vict. c. 70), may be proved in any Court of Justice and in any legal proceeding whatsoever, in all or any of the modes mentioned in sec. 2 of the Documentary Evidence Act, 1868 (31 & 32 Vict. c. 37), as amended by the Documentary Evidence Act, 1882 (45 Vict. c. 9), *i.e.*—

(1) By the production of a copy of the Gazette purporting to contain such Order or Regulation ;

(2) By the production of a copy of such Order or Regulation purporting to be printed by the Government printer, or under the superintendence or authority of Her Majesty's Stationery Office ;

(3) By the production of a copy or extract purporting to be certified to be true by any Commissioner of the Poor Law Board, or any Secretary or Assistant Secretary of the said Board.

The Local Government Board Act, 1871 (34 & 35 Vict. c. 70), s. 5, provides that any rule, order, or regulation of the Local Government Board shall be valid if made under the seal of the Board and signed by the president or one of the *ex-officio* members of the Board, and countersigned by a secretary or assistant secretary ; and the production of such *primâ facie* evidence, if any, of the rules, orders, or regulations as is required by the Documentary Evidence Act, 1868, with respect to the rules, orders, or regulations of the Poor Law

Elections of Guardians [1] as hereinafter set forth ; that is to say,—

(*a*) The Election held in any year to fill any ordinary vacancies in the Guardians for any Urban Parish [2] in England and Wales ;

(*b*) The first Election of any additional Guardians for any such Urban Parish [2] or Parishes, and the first Election of a Guardian or Guardians to be elected for any such Urban Parish which may hereafter be constituted ; and

(*c*) Every Election which may be held to fill a casual vacancy in the office of Guardian in any such Urban Parish.[2]

Board, shall, until the contrary is shown, be a sufficient proof that any such rule, order, or regulation of the Local Government Board was duly made.

[1] The term "Guardians" is defined by Section 100 of the Local Government Act, 1888, which definition is applied to the term where used in the Local Government Act, 1894, by Section 75 (1) of that Act, as meaning "Guardians elected "under the Poor Law Amendment Act, 1834, and the Acts amending the same, and "includes Guardians or other bodies of persons performing under any local Act "the like functions to Guardians under the Poor Law Amendment Act, 1834."

An election held in any year to fill any ordinary vacancies in the Guardians for Urban Parishes in the Poor Law Union, including any first election of Guardians or election to fill a casual vacancy in the office of Guardian for any Urban Parish in the Union which can be held at the time of the election to fill such ordinary vacancies, is called in the Order an "ordinary election" (*see* Art. 36, *post*, p. 38). When an election is not the ordinary election, such modifications as may be necessary are to be made in the forms contained in the second Schedule to this Order (*see* Art. 37, *post*, p. 39).

[2] For the meaning of the expression "urban parish," see Art. 36, *post*, p. 38. Where a Parish is divided into wards for the election of Guardians, the rules in the Order are to apply to each ward as if it were a Parish ; and an elector is not permitted to vote in more than one ward ; see Rule 31, *post*, p. 37.

By the Divided Parishes and Poor Law Amendment Act, 1882 (45 & 46 Vict. c. 58), s. 8, it is enacted that any wards already formed or hereafter to be formed by the Local Government Board under the Public Health Act, 1872, or the Public Health Act, 1875, for the election of Guardians of the poor, and the number of Guardians to be elected for such wards respectively, may be altered from time to time by that board as they may think fit.

A similar power is conferred upon county councils by the Local Government Act, 1894 (56 & 57 Vict. c. 73), s. 60 (1), which enacts that "(1) the council of each "county may, from time to time by order, fix or alter the number of Guardians "or rural district councillors to be elected for each parish within their county, "and for those purposes may exercise powers of adding Parishes to each other "and dividing Parishes into wards similar to those which, by the Acts relating "to the relief of the poor, are, for the purpose of the election of Guardians, vested "in the Local Government Board.

"2. The council of each county may, for the purpose of regulating the retire-"ment of Guardians or rural district councillors, in cases where they retire by "thirds, and in order that as nearly as may be one-third of the persons elected as "Guardians for the union, and one-third of the persons elected as rural "district councillors for the district, shall retire in each year, direct in which

Returning Officer.

1.—(1) The Clerk to the Guardians of the Poor Law Union in which the Parish is situate or with which it is co-extensive shall be the Returning Officer.[1]

"year or years of each triennial period the Guardians or district councillors "for each parish, ward, or other area in the union or rural district shall retire.

"3. Where a poor law union is situate in more than one county, the power "under this section of fixing or altering the number of Guardians or rural "district councillors, and of regulating the retirement of Guardians and of district "councillors, shall be exercised by a joint committee of the councils of the "counties concerned, but if any of those councils do not, within two months after "request from any other of them, appoint members of such joint committee, the "members of the committee actually appointed shall act as the joint committee.

"Provided that if any other order under this sub-section is, within six weeks "after the making thereof, objected to by any of the councils concerned, or by "any committee of any of those councils authorised in that behalf, it shall be of "no effect until confirmed by the Local Government Board.

"4. Where under any local and personal Act Guardians of a poor law union "are elected for districts, whether called by that name or not, the provisions of "this Act with respect to the election of Guardians shall apply as if each of the "districts were a Parish.

"5. The Board of Guardians of a union elected in pursuance of this Act shall "save as otherwise provided by an Order of the Local Government Board, made "on the application of those Guardians, have the same powers and duties under "any local and personal Act as the existing Board of Guardians.

"6. Nothing in this Act shall alter the constitution of the Corporation of the "Guardians of the poor within the city of Oxford, or the election or qualification "of the members thereof, except those members who are elected by the ratepayers "of Parishes."

The powers vested in the Local Government Board with reference to the division of parishes into wards are contained in Section 12 of the Divided Parishes and Poor Law Amendment Act, 1876 (39 & 40 Vict. c. 61), which enacts that "the Local Government Board may by their order divide any Parish "into wards for the election of Guardians, and determine the number of Guardians "to be elected for every such ward, having due regard to the value of the rate-"able property therein; and each such ward shall for the purposes of such "election be deemed to be a separate Parish, except so far as the said Board "may otherwise order."

[1] A fine not exceeding 100*l.* is imposed by Section 75 of the Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50), for the neglect or refusal of a returning officer or deputy returning officer to conduct or declare an election of Guardians of the poor in the manner provided by the Orders of the Local Government Board. See that section, *post*, p. 65, as applied by Rule 27 (1), *post*, p. 33.

Where the poll for the Election of Guardians for any Parish is under Rule 12, *post*, p. 20, to be taken together with the poll for the Election of Urban District Councillors for the Parish, Art. 12 (3) of the Urban District Councillors Election Order, 1898, provides as follows:—"The Returning Officer for the "Election of Urban District Councillors shall act as the Deputy Returning "Officer at any poll for the election of Guardians, if the polls for the two "elections are to be taken together."

By Art. 1 of the same Order it is provided as follows:—

(1.) The Clerk to the Urban District Council shall be the Returning Officer.

(2) If the Clerk is unwilling to act as Returning Officer, or if the office of Clerk is vacant at the time when any duty relative to the election has to be performed by the Returning Officer, or if the Clerk from illness or other sufficient cause is unable to perform such duty, the Guardians shall appoint some other person to act as Returning Officer or to perform such of the duties of the Returning Officer as then remain to be performed, as the case may be.

(3) The Returning Officer shall appoint some place within the Union or in the neighbourhood thereof as an office for the purpose of the election.

(4) Subject to the provisions of Rule 13,[1] the Returning Officer may, in writing, appoint one or more fit persons to be his deputy or deputies for all or any of the purposes relating to the election of Guardians, and shall appoint such a deputy in the case and for the purposes mentioned in Rule 21 (1) of this Order. A Deputy Returning Officer whether appointed under this Rule or by Rule 13 shall have all the powers, duties, and liabilities of the Returning Officer in relation to the matters in respect of which he is deputy.[2]

(2.) If the clerk is unwilling to act as Returning Officer, or if the office of clerk is vacant at the time when any duty relative to the election has to be performed by the Returning Officer, or if the clerk from illness or other sufficient cause is unable to perform such duty, the Urban District Council shall appoint some other person to act as Returning Officer or to perform such of the duties of the Returning Officer as then remain to be performed, as the case may be.

(3.) In any case which does not come within either paragraph (1) or paragraph (2) of this Rule, the Returning Officer shall be a person appointed by the County Council.

(4.) The Returning Officer shall appoint an office for the purpose of the election.

(5.) The Returning Officer may, in writing, appoint a fit person to be his deputy for all or any of the purposes relating to the Election of Urban District Councillors. A Deputy Returning Officer shall have all the powers, duties, and liabilities of the Returning Officer in relation to the matters in respect of which he is appointed as deputy.

[1] That is to say, subject to the substitution where the poll for the election of Guardians for a Parish and a poll for the election of Urban District Councillors are to be taken together under Rule 12, *post*, p. 20, of the returning officer at the latter election for the returning officer mentioned in this rule.

[2] Where the poll for the election of Guardians of the poor for the Parish is to be taken together with the poll for the election of Urban District Councillors, under Rule 12, *post*, p. 20, the returning officer at the latter election is

Day of Election.

2.—(1) The day of the election of Guardians in the Parish shall be that prescribed or defined for the purpose by the First Schedule to this Order.

(2) Provided that, in any Urban District other than a Borough, the day of the election of Guardians and of Urban District Councillors shall be the same. [1]

Notice of Election.

3. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall prepare and sign a notice of the election of Guardians in the Parish or Parishes in the Poor Law Union for which an election is to be held, and shall cause public notice to be given of the same in accordance with Rule 33 of this Order in each such Parish. The notice shall be in the Form No. 1 in the Second Schedule to this Order, or in a form to the like effect.[2]

Nomination of Candidates.

4.—(1) Each candidate for election as a Guardian shall be nominated in writing.[3]

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to be the deputy returning officer for the purposes mentioned in Rule 1 (4) and Rules 14 to 19 inclusive of the Orders; see Rule 13 (1), *post*, p. 21. The purposes mentioned are those of the custody and opening of the ballot boxes, the counting and recounting of the votes, the declaration of the candidate or candidates to whom the largest number of votes has been given, and the deciding any question as to any ballot paper. No person is to be appointed by a returning officer to act as his deputy for the purposes of an election who has been employed by any other person in or about the election, in Sch. 1, Rule 49, *post*, p. 62, of the Ballot Act, 1872, as applied by Rule 25, *post*, p. 31.

[1] By Art. 2 (1) of the Urban District Councillors Election Order, 1898, it is provided that in any Urban Districts the day of the election of Urban District Councillors and Guardians shall be the same. With regard to the taking of the polls for the election of Guardians and Urban District Councillors together, see Art. 12, *post*, p. 20.

[2] The notice is to be published by posting it on or near the principal door of each church and chapel in the Parish, and in some conspicuous place or places within the Parish, see Rule 33, *post*, p. 38.

[3] A nomination paper once sent in to the clerk or to the person appointed to receive it, cannot be withdrawn; and a person having once nominated the full number of persons he is entitled to nominate, *i.e.* the number to be elected as Guardians for the particular Parish, united Parishes, or ward, cannot by a subsequent document nominate other persons; for the power to nominate is

(2) The nomination paper shall state the name of the Parish or other area for which the candidate is nominated, the surname

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exhausted by the first nomination, and he cannot afterwards stultify his act any more than he can withdraw his nomination.

The qualifications for election as a Guardian are now regulated by Section 20 of the Local Government Act, 1894, which enacts as follows :—

(1) There shall be no *ex-officio* or nominated Guardians;

(2) A person shall not be qualified to be elected or to be a Guardian for a poor law union unless he is a parochial elector of some Parish within the union, or has during the whole of the twelve months preceding the election resided in the union, or in the case of a Guardian for a Parish wholly or partly situate within the area of a borough, whether a county borough or not, is qualified to be elected a councillor for that borough, and no person shall be disqualified by sex or marriage for being elected or being a Guardian. So much of any enactment, whether in a public, general, or local and personal Act, as relates to the qualification of a Guardian shall be repealed ;

(3) The parochial electors of a Parish shall be the electors of the Guardians for the Parish, and, if the Parish is divided into wards for the election of Guardians, the electors of the Guardians for each ward shall be such of the parochial electors as are registered in respect of qualifications within the ward;

(1) A Board of Guardians may elect a chairman or vice-chairman or both, and not more than two other persons, from outside their own body, but from persons qualified to be Guardians of the union, and any person so elected shall be an additional Guardian and member of the Board.

The qualifications for election as a Councillor of a borough are prescribed by Sections 11 & 12 of the Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50). Section 11 of that Act enacts that :—

(2) A person shall not be qualified to be elected or to be a councillor, unless he—

(*a*) Is enrolled and entitled to be enrolled as a burgess, or

(*b*) Being entitled to be so enrolled in all respects except that of residence, is resident beyond seven miles, but within fifteen miles of the borough, and is entered in the separate non-resident list directed by this Act to be made;

And —

(*c*) In either of these cases is seized or possessed of real or personal property or both, to the value or amount, in the case of a borough having four or more wards, of one thousand pounds, or in case of any other borough, of five hundred pounds, or is rated to the poor rate in the borough, in the case of a borough having four or more wards, on the annual value of thirty pounds, and in the case of any other borough of fifteen pounds.

(3) Provided that every person shall be qualified to be elected and to be a councillor, who is, at the time of election, qualified to elect to the office of councillor; which last-mentioned qualification for being elected shall be alternative for and shall not repeal or take away any other qualification.

(4) But if a person qualified under the last foregoing proviso ceases for six months to reside in the borough, he shall cease to be qualified under that proviso, and his office shall become vacant, unless he was at the time of his election and continues to be qualified in some other manner.

By Section 9 of the Municipal Corporations Act, 1882, it is enacted that :—

(2) A person shall not be entitled to be enrolled as a burgess unless he is qualified as follows :—

(*a*) Is of full age ; and

(*b*) Is on the fifteenth of July in any year, and has been during the whole

and other name or names in full of the candidate, and his place of abode and description, and whether he is qualified as a parochial elector of some Parish within the Poor Law Union, or by having during the whole of the twelve months preceding the election resided in the Union, or, in the case of a Parish or United Parishes wholly or partly situate within the area of a Borough, by being qualified to be elected a Councillor for that Borough. It shall be signed by two parochial electors of the Parish or other area, as proposer and seconder, and no more, and shall state their respective places of abode. It shall be in

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of the then last preceding twelve months, in occupation, joint or several, of any house, warehouse, counting-house, shop, or other building (in this Act referred to as the qualifying property) in the borough; and

(*c*) Has during the whole of those twelve months resided in the borough, or within seven miles thereof; and

(*d*) Has been rated in respect of the qualifying property to all poor rates made during those twelve months for the Parish wherein the property is situate; and

(*e*) Has on or before the twentieth of the same July paid all such rates, including borough rates (if any), as have become payable by him in respect of the qualifying property up to the then last preceding fifth of January.

(3) Every person so qualified shall be entitled to be enrolled as a burgess, unless he—

(*a*) Is an alien; or

(*b*) Has within the twelve months aforesaid received union or parochial relief or other alms; or

(*c*) Is disentitled under any Act of Parliament.

By Section 12 of the Municipal Corporations Act, 1882, a person is disqualified for being elected a councillor if and while he

(*a*) Is an elective auditor or a revising assessor, or holds any office or place of profit, other than that of mayor or sheriff, in the gift or disposal of the Council; or

(*b*) Is in holy orders, or the regular minister of a dissenting congregation; or

(*c*) Has directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by, or on behalf of, the Council.

(2) But a person shall not be so disqualified, or be deemed to have any share or interest in such a contract or employment, by reason only of his having any share or interest in—

(*a*) Any lease, sale, or purchase of land, or any agreement for the same; or

(*b*) Any agreement for the loan of money, or any security for the payment of money only; or

(*c*) Any newspaper in which any advertisement relating to the affairs of the borough or council is inserted; or

(*d*) Any company which contracts with the Council for lighting or supplying with water or insuring against fire any part of the borough; or

(*e*) Any railway company, or any company incorporated by Act of Parliament or Royal charter, or under the Companies Act, 1862.

the Form set out in the notice in the Form No. 1 in the Second Schedule to this Order, or in a form to the like effect.[1]

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[1] "A person ceasing to hold the office of Guardian shall, unless disqualified "to hold the office, be re-eligible," see s. 37 of the Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50, *post*, p. 67). Parochial electors are "the persons "registered in such portions either of the Local Government register of electors, "or of the parliamentary register of electors as relates to the Parish." [The Local Government Act, 1894, s. 2 (1).] The "local government register" is "as "respects an administrative county in England or Wales, other than a county "borough, the county register, and as respects a county borough or other "municipal borough, the burgess roll," and the "parliamentary register of "electors" is the "register of persons entitled to vote at any parliamentary "election." (The Interpretation Act, 1889, 52 & 53 Vict. c. 63, s. 17.) For the persons entitled to be registered as local government or as parliamentary electors, see the note to s. 2 of the Local Government Act, 1894, in Jenkin's *Law relating to Parish Councils*, second edition, pp. 4 and 5, published by Knight & Co.

By Section 43 of the Local Government Act, 1894, it is enacted that for the purposes of the Act "a woman shall not be disqualified by marriage for being "on any local government register of electors, or for being an elector of any "local authority, provided that a husband and wife shall not both be qualified "in respect of the same property;" and by Section 44 (1) of the same Act it is enacted that "any person whose name is not in that register," *i.e.* the register of the parochial electors of the Parish, "shall not be entitled to . . . vote as a "parochial elector, and any person whose name is in that register shall be "entitled to . . . vote as a parochial elector unless prohibited from voting by "this or any other Act of Parliament."

Sex affords no ground of disqualification for election as a Guardian; see section 20 (2) of the Local Government Act, 1894, *ante*, p. 12. A married woman who owns but does not occupy property in a Parish being, however, debarred by such want of occupancy from getting on the local government register; and being debarred by her sex from getting on the parliamentary register, cannot be placed on the register of parochial electors, *Drax* v. *Ffooks*, 74 L.T., N.S. 43, (1896); 1 Q. B., 238; 44 W.R., 393; 60 J.P., 214; 1 Smith, 40.

An alien cannot be a Guardian of the poor, nor can he vote at an election of Guardians, inasmuch as Section 2 of the Naturalization Act, 1870 (33 & 34 Vict. c. 14), provides that the provisions of that Section shall not qualify an alien for any office, or for municipal, parliamentary, or other franchise, or entitle an alien to any right or privilege as a British subject, except as to property.

Persons in receipt of relief, too, are prohibited from voting at elections of Guardians by 39 & 40 Vict. c. 61, s. 14, which enacts that: "No person shall "vote in such election who shall be in receipt of relief given to himself or his "wife or child, or who shall have been in receipt of such relief on any day "during the year last preceding such election." A certificate from the Clerk to the Guardians is sufficient evidence of a person having received relief. Payment of elementary school fees for poor parents does not disqualify them from voting at an election of Guardians, 39 & 40 Vict. c. 79, s. 10.

By the Bankruptcy Act, 1883 (46 & 47 Vict. c. 52), s. 32, a debtor who is adjudged a bankrupt is disqualified for being elected to or holding or exercising the office of Guardian of the poor, unless the adjudication of bankruptcy is annulled or he obtains from the court his discharge with a certificate to the effect that his bankruptcy was caused by misfortune without any misconduct on his part.

By Section 34 of the Act, if a person is adjudged bankrupt whilst holding the office of Guardian, his office thereupon becomes vacant.

(3) The name of more than one candidate shall not be inserted in any one nomination paper

(4) A parochial elector shall not sign more nomination papers than there are Guardians to be elected for the Parish or other area in the Poor Law Union for which the election is to be held. He shall not sign a nomination paper for any Parish or other area unless he is registered as a parochial elector in respect of a qualification therein. Neither shall he sign nomination papers for more than one Parish or other area in the Union.

(5) If any parochial elector shall sign nomination papers for more than one Parish or other area in the Union, or shall

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No disqualification arising by virtue of Section 32 is, however, to exceed a period of five years from the date of any discharge granted under or by virtue of the Act of 1883, or the Bankruptcy Act, 1890 ; see Section 9 of the latter Act. By section 14 of 5 & 6 Vict. c. 57, no person during the time for which he may serve or hold the office of assistant overseer of any Parish, nor any paid officer engaged in the administration of the laws for relief of the poor, nor any person who, having been a paid officer, shall have been dismissed within five years previously from such office, under the provisions of the said first recited Act (*i.e.* 4 & 5 Will. IV. c. 76) shall be capable of serving as a Guardian ; and no person receiving any fixed salary or emolument from the poor rates in any Parish or union shall be capable of serving as a Guardian in such Parish or union.

The clerk of a highway board and of a school board was held not to be disqualified for the office of Guardian of the poor by virtue of 5 & 6 Vict. c. 57, s. 14, on the ground that his salary was paid out of the poor rate ; see Reg. *v.* Rawlins ; Reg. *v.* Dibben, 15 Q.B.D. 382 ; 52 L.T. N.S. 436 ; 50 J.P. 5 ; 54 L.J. Q.B., 557.

By Section 2 of 33 & 34 Vict. c. 23, which Act abolished attainder and forfeiture on conviction for felony, every person convicted of felony, for which he shall be sentenced to death, or penal servitude or any term of imprisonment with hard labour, or exceeding twelve months, vacates any corporate office held by him, and is rendered incapable of exercising any right of suffrage, unless he is pardoned under the great seal, until he shall have suffered the punishment to which he shall have been sentenced or which shall have been substituted for it. A conviction for misdemeanour does not, however, work this disability.

A person convicted or reported for a corrupt practice at an election for a public office is prohibited from voting, see 46 & 47 Vict. c. 51, s. 37, *post*, p. 35.

Parish or other Area.—Where a Parish is situate in more than one county, it shall, for the purposes of this Order, be deemed to be wholly situate in the county which, according to the census last published, contains the larger part of its population ; see Rule 30, *post*, p. 37.

By Rule 31, *post*, p. 37, wherever a Parish is divided into wards for the election of Guardians, the Rules in this Order are to apply to each ward as if it were a Parish. In such cases each of the nominators must be parochial electors of the ward for which the candidate is nominated by them.

By Section 44 (3) of the Local Government Act, 1894, it is enacted that "the lists and register of electors in any Parish shall be framed in parts for "wards of urban districts and Parishes in such manner that they may be conveniently used as lists for polling at elections for any such wards."

sign a number of nomination papers larger than the number of Guardians to be elected for the Parish or other area, such of the nomination papers signed by him as relate to the first Parish or other area for which a nomination paper signed by him is received by the Returning Officer shall alone be valid, and of the nomination papers signed by him which relate to that Parish or other area such as are first received by the Returning Officer up to the number of Guardians to be so elected shall alone be valid. Provided that, for the purposes of this paragraph, nomination papers not properly filled up and signed shall be excluded.[1]

NOMINATION PAPERS TO BE PROVIDED.

5. The Returning Officer shall provide nomination papers and shall furnish the Overseers of the Parish with a supply thereof. Any parochial elector may obtain nomination papers from either the Returning Officer or the Overseers free of charge.[2]

TIME FOR SENDING IN NOMINATION PAPERS.

6. Every nomination paper shall be sent to the Returning Officer so that it shall be received at his Office within the time prescribed for that purpose by the First Schedule to this Order. A nomination paper received after that time shall not be valid. The Returning Officer shall note on each nomination paper whether it was received before or after that time.

DEALING WITH NOMINATIONS BY RETURNING OFFICER.

7.—(1) The Returning Officer shall number the nomination papers in the order in which they are received by him ; and the

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[1] It is a misdemeanour punishable by imprisonment for any term not exceeding six months with or without hard labour to forge or fraudulently deface or fraudulently destroy any nomination paper, or to deliver to the returning officer any forged nomination paper, knowing it to be forged. An attempt to commit any of these offences is also a misdemeanour punishable in the same way ; see 45 & 46 Vict. c. 50, s. 74.

[2] *Nomination Papers.*—Section 8 of the Ballot Act, 1872 (35 & 36 Vict. c. 33), *post*, p. 53, as adapted pursuant to Rule 26, *post*, p. 32, requires the returning officer to provide such nomination papers as may be necessary for effectually conducting the election ; and Section 11 of the same Act as so adapted (*post*, p. 53) imposes a penalty not exceeding 100*l.* for omitting such duty.

first valid nomination paper received for a candidate shall be deemed to be the nomination of that candidate.

(2) The Returning Officer shall, as soon as practicable after the receipt of any nomination paper, examine the same, and decide whether it has or has not been properly filled up and signed by two parochial electors of the Parish or other area, and whether it is or is not invalid under Rule 4 (5) or Rule 6. His decision that a nomination paper has been so filled up and signed and is not invalid as aforesaid shall be final, and shall not be questioned in any proceeding whatever.[1]

(3) If the Returning Officer shall decide that a nomination paper is invalid, he shall put a note on it to this effect, stating the grounds of his decision, and he shall sign such note.

(4) After deciding that the nomination of any candidate is valid, or (except where a nomination of any candidate has been decided to be valid) that a nomination paper for the candidate is invalid, the Returning Officer shall, not later than the day prescribed for that purpose by the First Schedule to this Order, send, by post or otherwise, notice of his decision to the candidate.

Statement as to Persons nominated.

8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall make out a Statement in the Form No. 2 in the Second Schedule to this Order, or in a form to the like effect, containing the names, places of abode, and descriptions of the persons nominated as Guardians for the Parish or the several Parishes in the Poor Law Union for which an election is to be held, and also containing a notice of his decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not. He shall forthwith cause a copy thereof to be suspended in the Board Room of the Guar-

[1] "Parochial electors" and "Parish or other area," see as to these the note to Rule 4 (2), *ante*, p. 14.

Nomination papers are not to be invalidated by any misnomer or inaccurate description of the person or place named therein, provided the description is such as to be commonly understood; see Rule 35, *post*, p. 38, and the note thereto.

dians, and another to be affixed on the principal external gate or door of every Workhouse of the Union, and, if the Board Room of the Guardians is not situate at any such Workhouse, on the external gate or door of the building in which the Board Room of the Guardians is comprised.[1]

Withdrawal of Candidate.

9. Any candidate may withdraw his candidature by delivering or causing to be delivered at the Office of the Returning Officer within the time prescribed for that purpose by the First Schedule to this Order, a notice in writing of such withdrawal, signed by him.

Relation of Nomination to Election.

10. Section 56 of the Municipal Corporations Act, 1882, shall be altered and adapted in its application to the election of Guardians in the Parish so as to provide as follows :—[2]

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[1] Under the Order of February 14, 1877, which formerly regulated the election of Guardians, the Returning Officer was required to insert in the voting papers the names of the candidates in alphabetical order; and the Local Government Board held that if the names were not so inserted, the election would be null and void. Nothing is said in the rules themselves of the present Order as to the mode in which the names of candidates are to be inserted in the lists of nominations which are to be made out by the Returning Officer. But in the notice of poll, Form No. 5, in the schedule to the Order, *post*, p. 46, notice is to be given, *inter alia*, "that the names in alphabetical order" of the candidates for election are as therein set out.

The schedule referred to requires that the nomination shall be received at the office of the Returning Officer not later than twelve o'clock at noon on the prescribed day. See the Form of Notice of Election, *post*, p. 41. If, then, a nomination paper, though posted before that hour, does not reach the office of the Returning Officer until after that hour, it will be too late (see *Reg.* v. *Stairstone*, 21 L.J.M. C. 145; 18 Q.B. 388; and *Bishop* v. *Helps*, 2 C.B. 45). A mere error in the date of the nomination paper will not invalidate it, if in other respects there is no objection to it, as to form or time of delivery. A misnomer or inaccurate description of any person or place named in a nomination paper is not to invalidate the nomination if the description of the person or place is such as to be commonly understood; see Rule 35, *post*, p. 38.

[2] Section 56 of the Municipal Corporations Act, 1882, is expressly applied to elections of Guardians by Section 48 (4) of the Local Government Act 1894, subject to such adaptations, alterations, and exceptions as may be made by rules framed under the Act by the Local Government Board.

It enacts as follows, viz.:—

(1) If the number of valid nominations exceeds that of the vacancies, the councillors shall be elected from among the persons nominated.

(2) If the number of valid nominations is the same as that of the vacancies, the persons nominated shall be deemed to be elected.

(3) If the number of valid nominations is less than that of the vacancies,

(1) If the number of candidates who receive valid nominations, and who do not withdraw their candidature under Rule 9, exceeds that of the persons to be elected as Guardians, the Guardians shall be elected from amongst the persons nominated.

(2) If the number of valid nominations does not exceed the number of Guardians to be elected, or if by the withdrawal of any candidate as provided by Rule 9, the number of candidates for the Parish is reduced to a number not exceeding the number to be elected, or if the number of candidates is otherwise so reduced, the Returning Officer shall, as early as practicable, give public notice in the Parish in accordance with Rule 33 of this Order to the effect that no poll will be taken, and that the candidates, or the remaining candidates, as the case may be, will be declared to be elected ; and also, in the case of the ordinary election,[1] if the number of such candidates is less than the number of Guardians to be elected, that such of any retiring Guardians for the Parish as were highest on the poll at their election, or, if the poll was equal or there was no poll, as shall have been selected for that purpose by the Returning Officer by lot to make up the required number, will be declared to be deemed to be re-elected.

(3) If there is no valid nomination, the Returning Officer shall, as early as practicable, give public notice in the

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the persons nominated shall be deemed to be elected, and such of the retiring councillors for the borough or ward as were highest on the poll at their election, or, if the poll was equal, or there was no poll, as are selected for that purpose by the mayor shall be deemed to be re-elected to make up the required number.

(4) If there is no valid nomination, the *retiring councillors shall be* deemed to be re-elected.

Non-acceptance of office by a person elected or deemed to be re-elected creates a casual vacancy ; see s. 40 (3) of the Municipal Corporations Act, 1882, *post*, p. 68, as adapted and applied by Rule 26, *post*, p. 32. With regard to the filling of casual vacancies, see sub-sections 1 & 2 of Section 40, and also Section 66 of the Act of 1882, *post*, p. 68.

[1] For the meaning of the expression "ordinary election," *see* Art. 36, *post*, p. 38.

Parish in accordance with Rule 33 of this Order that no poll will be taken, and, in the case of the ordinary election, that the retiring Guardians will be declared to be deemed to be re-elected.

(4) The Returning Officer shall forthwith send, by post or otherwise, a copy of any notice under this Rule to each of the persons who will be declared to be elected or to be deemed to be re-elected.

(5) The notice shall be in the Form No. 3 or the Form No. 4, as the case may be, in the Second Schedule to this Order, or in a form to the like effect.

Day and Hours of Poll.

11.—(1) The poll, if any, shall be held on the day of election as prescribed or defined by the First Schedule to this Order, and the hours during which the poll shall be open shall be such as shall be fixed by the County Council by any general or special order, or if no such order is in force in the Parish, then such hours as were applicable at the last ordinary election of Guardians or Urban District Councillors, so, however, that the poll shall always be open between the hours of six and eight in the evening.

(2) Provided that in any Urban District other than a Borough the hours during which any poll shall be open for the election of Guardians and Urban District Councillors shall be the same.

When Polls to be taken together.[1]

12.—(1) If any Parish is co-extensive with an Urban District for which an election of Urban District Councillors is to be

[1] Art. 12 of the Urban District Councillors Election Order, 1898, provides that:—

(1) If the Urban District or any Ward or Wards of the District is or are co-extensive with a Parish or United Parishes for which an election of Guardians is to be held, or with any Ward or Wards of such a Parish, or if the District is not divided into Wards, such District, or if it is divided into Wards, any one Ward of the District, includes the whole of such Parish, United Parishes, or Ward of a Parish, the poll for the election of Urban District Coun-

held other than a Borough, or with any Ward or Wards of any such Urban District, or is wholly comprised in any such District which is not divided into Wards or in any one Ward of such a District which is divided into Wards, the poll for the election of Guardians for the Parish and any poll for the election of Urban District Councillors shall be taken together.

(2) If the County Council shall be of opinion in any other case that the polls for the election of Guardians and for the election of Urban District Councillors can conveniently be taken together, they may give directions accordingly to the Returning Officers for the two elections, and the polls for such elections shall thereupon be taken together.

WHEN RETURNING OFFICER FOR URBAN DISTRICT COUNCILLORS IS TO BE DEPUTY RETURNING OFFICER FOR GUARDIANS.

13.—(1) If, as provided by paragraph (1) of Rule 12 of this Order, or as directed by the County Council under paragraph (2) of that Rule, the poll for the election of Guardians for the Parish and any poll for the election of Urban District Councillors are to be taken together, the Returning Officer at the election of Urban District Councillors for the Urban District shall be the Deputy Returning Officer for the purposes hereinafter mentioned in relation to the poll for the election of Guardians for the Parish. Such Deputy Returning Officer shall be substituted for the Returning Officer in Rules 1 (4), 14, 15, 16, 17, 18, and 19 of this Order, and shall act as Deputy Returning Officer for the purposes therein-mentioned.[1]

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cillors for the District, and any poll for the election of Guardians for the Parish, United Parishes, or Ward shall be taken together.

(2) If the County Council shall be of opinion, in any other case, that the polls for the election of Urban District Councillors and for the election of Guardians can conveniently be taken together, they may give directions accordingly to the Returning Officers for the two elections, and the polls for such elections shall thereupon be taken together.

(3) The Returning Officer for the election of Urban District Councillors shall act as the Deputy Returning Officer at any poll for the election of Guardians, if the polls for the two elections are to be taken together.

With regard to who the Returning Officer for the election of Urban District Councillors is, see the note to Art 1 (1) *ante*.

[1] The Returning Officer at the election of Urban District Councillors is the

(2) Immediately after the time prescribed under Rule 9 of this Order as the latest time for the withdrawal of candidates, the Returning Officer shall send to each Returning Officer for the election of Urban District Councillors who is Deputy Returning Officer as aforesaid, a Statement of the persons validly nominated as Guardians for the Parish who have not withdrawn their candidatures, giving the surname and other name or names in full of each such candidate, and his place of abode and description, and the names of his proposer and seconder, and their respective places of abode.[1]

Polling District.[2]

14.—(1) (*a*) If the Parish is divided into Wards for the election of Urban District Councillors, including the

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clerk to the Urban District Council; *see* Art. 1 (1) of the Urban District Councillors Election Order, 1898, in the note to Art. 1 (1), *ante*.

[1] With regard to the statement of valid nominations, see the note to Art. 8, *ante*.

[2] Art. 13 of the Urban District Councillors Order, 1898, provides that:—

(1.) (*a*) Any Parish, or where a Parish is united with another Parish for the election of Guardians, the United Parishes, shall, if wholly comprised in the Urban District, be a Polling District, or be subdivided into Polling Districts for the election of Urban District Councillors, if a poll for the said elections and a poll for the election of Guardians are to be taken together.

(*b*) If any Parish is divided into Wards for the election of Guardians, paragraph (*a*) of this Rule shall apply with the substitution of "Ward" for "Parish."

(*c*) Provided that if any Parish, United Parishes, or Ward of a Parish for the election of Guardians is or are divided into Polling Districts for the election of County Councillors, the whole of each Polling District being comprised in the Parish, United Parishes, or Ward, and the lists of parochial electors are made out in separate parts for such Polling Districts, each District shall, if a poll for the election of Urban District Councillors and a poll for the election of Guardians are to be taken together, be a Polling District for the election of Urban District Councillors.

(*d*) Subject as aforesaid, the Returning Officer may, if he thinks fit, divide the District into Polling Districts for the election of Urban District Councillors, but each District shall consist of an area for which a separate list of parochial electors will be available.

(*e*) The Polling Districts for the election of Urban District Councillors and of any Guardians, when the polls for the two elections are to be taken together, shall be the same.

(2.) If the District is divided into Polling Districts, each parochial elector shall give his vote in the Polling District in which the property in respect of which he is entitled to vote is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of the Polling Districts in which it is situate.

Councillors of a Borough, the whole of each such Ward being comprised in the Parish, and the lists of parochial electors are made out in separate parts for such Wards, each Ward shall be a Polling District for the election of Guardians.[1]

(*b*) If the Parish is not so divided, but is divided into Polling Districts for the election of County Councillors, or if it is not divided into such Polling Districts, but is divided into Polling Districts for the election of the Councillors of a Borough, the whole of each such District being comprised in the Parish, and the lists of parochial electors are made out in separate parts for such Districts, each District shall be a Polling District for the election of Guardians.

(*c*) If neither paragraph (*a*) nor paragraph (*b*) of this Rule applies to the Parish, the Returning Officer may, if he thinks fit, divide the Parish into Polling Districts for the election of Guardians, but each district shall consist of an area for which a separate list of parochial electors will be available.[2]

(*d*) The Polling Districts for the election of Guardians and of any Urban District Councillors, when the polls for the two elections are taken together, shall be the same.

(2) If the Parish is divided into Polling Districts each parochial elector shall give his vote in the Polling District in which the property in respect of which he is entitled to vote is situate, and if it is situate in more than one Polling District, he may vote in any one (but in one only) of the Polling Districts in which it is situate.[3]

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[1] As to the division of Parishes into wards, see the note on p. 8, *ante*.

[2] *Returning Officer.*—Where the poll for the election of Guardians is by Rule 12, *ante*, p. 20, to be taken together with the election of Urban District Councillors, the Returning Officer at the election of Urban District Councillors for the Urban District is to be substituted for the Returning Officer for the purposes of this Rule.

[3] See also Rule 20, *post*, p. 28, with regard to the voting in one place only.

In answer to inquiries addressed to the Local Government Board as to whether an elector for a Union can vote in more than one Parish or other area

Polling Places and Stations.

15.—(1) The Returning Officer shall determine the number and situation of the polling places and polling stations.[1]

Provided as follows :—

(*a*) No premises licensed for the sale of intoxicating liquor shall be used for a polling station ;

(*b*) The polling stations for the election of Guardians and of any Urban District Councillors, when the polls for the two elections are taken together, shall be the same ; [2]

(*c*) Where the number of parochial electors in the Parish, or (if the Parish is divided into Polling Districts) in any Polling District is not more than five hundred, only one Polling Station shall, unless the County Council otherwise direct, be provided for the Parish or Polling District ; and so on for each additional five hundred parochial

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in the union, that Board stated in a circular letter of December 10, 1894, that in their opinion an elector cannot vote in more than one Parish or ward in the same Union for the election of Guardians. In connection with this matter the Board drew attention to the provision in Section 48 (2, ii) of the Local Government Act, 1894, and stated that the second question which, by Rules 20 and 32 of the above Order, the Presiding Officer at a polling station was authorised, and in certain circumstances required, to put to an elector, was intended to give effect to this provision; and that if an elector on being asked whether he has already voted at the election replies in the affirmative, a ballot paper should not be given to him. The Board added that it was of opinion that an elector may vote at the election of Guardians in more than one Union, if he is duly qualified, and that he may vote at the election of Guardians for one Parish in a Union and at the election of Rural District Councillors for another Parish in the Union.

[1] *Returning Officer.*—See the note to Rule 14 (1 *c*), *ante*, p. 22.

By Section 8 of the Ballot Act, 1872, *post*, p. 53, as adapted and applied by Rule 26, *post*, the Returning Officer is required to provide such polling stations as may be necessary for conducting the election. He may use free of charge for taking the poll at an election of Guardians any room in a school receiving a grant out of moneys provided by Parliament, and any room maintained at the expense of a local rate, subject to his making good any damage done to such room and to his defraying any expense incurred by the person or body of persons having control over the room on account of its being so used; see Section 6 of the Ballot Act, 1872, *post*, p. 52, as adapted and applied by Rule 26, *post*, p. 32.

The use of a room in an unoccupied house for taking a poll at an election of Guardians is not to render any person liable to be rated or to pay any rate for such house, *ib.*

[2] The Urban District Councillors Election Order, 1898, Art. 14 (*b*), is in the same terms as paragraph (*b*) of Art. 15 of the above Order, except that the words "Guardians" and "Urban District Councillors" are transposed.

electors, or for any less number of parochial electors, over and above the last five hundred.[1]

Notice of Poll.

16.—(1) If a poll has to be taken, the Returning Officer shall, within the time prescribed for that purpose by the First Schedule to this Order, give public notice thereof in accordance with Rule 33 of this Order. The notice shall specify—

(*a*) the day and hours fixed for the poll ;

(*b*) the number of Guardians to be elected for the Parish ;

(*c*) the names, place of abode, and description of each candidate for the Parish whom he has decided to be nominated by a valid nomination paper, and who has not withdrawn his candidature ;

(*d*) the names of the proposer and seconder who signed the nomination paper of each candidate ;

(*e*) a description of the polling districts, if any ; and

(*f*) the situation and allotment of the polling places and polling stations, and the description of the persons entitled to vote thereat.

(2) The notice shall be in the Form No. 5 in the Second Schedule to this Order, or in a form to the like effect.

(3) If polls are to be taken together in the Parish as to the election of both Guardians and Urban District Councillors, the Returning Officer may, if he thinks fit, give one notice only for both polls, and such notice shall be in the Form No. 6 in the Second Schedule to this Order, or in a form to the like effect.[2]

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[1] Art. 14 (*c*) of the Urban District Councillors Election Order, 1898, is the same as Art. 15 (*c*) of the above Order, except that the words "Urban District" are substituted for the word "Parish" wherever it occurs.

[2] Art. 15 (3) of the Urban District Councillors Order, 1898, provides that:—"If polls are to be taken together in the District as to the election of both Urban District Councillors and Guardians, the Returning Officer may, if he thinks fit, give one notice only for both polls, and such notice shall be in the Form No. 6 in the second schedule to this Order, or in a Form to the like effect." The Form referred to is similar to the Form No. 6 in the second schedule to the above Order.

PRESIDING OFFICERS.

17. The Returning Officer, or some person appointed by him for the purpose, shall preside at each polling station. The person presiding at any polling station shall be called the Presiding Officer. Provided that at any polling station the same person shall act as Presiding Officer for the elections of Guardians and Urban District Councillors, the polls for which are to be taken together.[1]

COMPARTMENTS OF POLLING STATIONS.—BALLOT PAPERS.

18. The Returning Officer shall furnish every polling station with a sufficient number of compartments in which the voters

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[1] An article in the same terms as Art. 17 of the above Order, except that the words "Guardians" and "Urban District Councillors" are transposed, is contained in Art. 16 of the Urban District Councillors Order, 1898.

The Returning Officer and every officer, clerk, or agent authorised to attend at a polling station is required before the opening of the poll to make a statutory declaration of secrecy in the presence, if he is the Returning Officer, of a Justice of the Peace, or if he is any other officer or an agent, of a Justice of the Peace or of the Returning Officer; see Rule 54 in the first schedule to the Ballot Act, 1872, *post*, p. 62, as adapted and applied by Rule 26, *post*, p. 32. For the form in which the declaration is to be made, see *post*, p. 64. The note to such form states that the Returning Officer may make one declaration in respect of all the Parishes for which he acts. The infringement of the secrecy of the ballot is punishable upon summary conviction by imprisonment for any term not exceeding six months, with or without hard labour; see Section 4 of the Ballot Act, 1872, *post*, p. 52.

The Returning Officer may order any constable in or near the polling station to remove any person who misconducts himself in the station or fails to obey his lawful orders, and no person who has been so removed shall be allowed to enter the polling station again during the day without the permission of the Returning Officer; see Section 9 of the Ballot Act, 1872, *post*, p. 53.

The Presiding Officer has the power by law belonging to a deputy returning officer in a parliamentary election of adjourning the poll; see Section 10 of the Ballot Act, 1872, *post*, p. 53; that is to say, if the poll is interrupted by riot or open violence, he may adjourn the poll to the following day, and afterwards from day to day, until the interruption or obstruction has ceased. Should a Sunday, Good Friday, or Christmas Day intervene, it is to be passed over. When such an adjournment takes place the Presiding Officer is forthwith to give notice of the adjournment to the Returning Officer (2 & 3 Will. IV. c. 45, s. 70; 5 & 6 Will. IV. c. 36, s. 8; 16 & 17 Vict. c. 15, s. 3).

The Presiding Officer and any clerk appointed by the Returning Officer to attend at a polling station has power to ask the questions prescribed by Rules 20 (2) and 32 (2), *post*, pp. 28 and 37, and to administer the oath prescribed by Rule 27 of the 1st Schedule to the Ballot Act, 1872, *post*, p. 57; see Section 10 of the Act of 1872, *post*, p. 53.

The Presiding Officer is enabled to do any act he is required or authorised to do at a polling station, by means of the clerks appointed to assist him,

can mark their votes screened from observation, and shall furnish each Presiding Officer with such number of ballot papers as may be necessary for effectually taking the poll at the election.[1]

Polling Agents.

19. If there are only two candidates, each of them may, in writing, appoint a polling agent for each polling station, who may be paid or unpaid. If there are more than two candidates, any number of them, being not less than one-third of the whole number of candidates, may, in writing, appoint one polling agent for each polling station, who may be paid or unpaid. Any such appointment shall be delivered at the Office of the Returning Officer not less than two clear days before the day of the poll. Except as aforesaid, no polling agent, whether paid or unpaid, shall be appointed for the purposes of the election.[2]

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except the arrest, exclusion, or ejection of any person at or from the station; see Rule 50 of the first schedule to the Ballot Act, 1872, *post*, p. 62.

[1] Rules regulating the procedure for taking the poll will be found in Section 2 of the Ballot Act, 1872, *post*, p. 50; see also the Rules as to the poll at an election of Guardians in the first schedule to the Ballot Act, 1872, *post*, p. 55, as adapted and applied by Rule 26, *post*, p. 32. Section 3 of that Act (*post*, p. 51) prescribes what are offences in respect of ballot papers and ballot boxes, and the punishment for the commission of any such offences. Section 4, *post*, p. 52, requires secrecy with respect to the voting at the poll and prescribes the punishment enforceable on summary conviction for the infringement of such secrecy; and Section 12, *post*, p. 54, prevents a voter at an election of Guardians from being required, in any legal proceeding to question the election or return, to state for whom he voted.

A form of ballot paper with directions as to its printing will be found prescribed in the second schedule to the Ballot Act, 1872, *post*, p. 63; a form of directions for the guidance of voters, to be printed and placarded outside every polling station and in every compartment of such stations; and forms of statutory declaration of secrecy and of declaration of inability to read.

[2] With regard to the transmission to the Returning Officer of the names and addresses of agents appointed under Rule 19, see Rule 52, *post*, p. 62.

Provision is made by Rule 53, *post*, p. 62, for the appointment of an agent in the place of any agent who dies or becomes incapable of acting during the election.

Before the opening of the poll, an agent appointed under Rule 19 is required to make a statutory declaration of secrecy; see Rule 54, *post*, p. 62.

The non-attendance of an agent at the time and place at which any Act or thing is required or authorised to be done is not to invalidate in any way the Act or thing done; see Rule 55, *post*, p. 62.

Returning officers and officers appointed by them in connection with the election of Guardians for any Parish and their partners and clerks are prohibited

PROHIBITION OF VOTING IN MORE THAN ONE PARISH.—QUESTIONS TO ELECTOR.

20.—(1) An elector shall not vote in more than one Parish in the Poor Law Union.

(2) The Presiding Officer may, and if required by any parochial elector of the Parish or any polling agent appointed under Rule 19 shall, put to any elector at the time of his applying for a ballot paper, but not afterwards, the following questions, or one of them, and no other :—[1]

(*a*) Are you the person entered in the parochial register for this Parish [*or* Ward] as follows [*read the whole entry from the register*] ? [2]

(*b*) Have you already voted at the present election of Guardians in this or any other Parish or Ward in the Union ? [3]

(3) A person required to answer either of these questions shall not receive a ballot paper or be permitted to vote until he has answered it.[4]

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from acting as agent for any candidate at such election. Any officer acting notwithstanding the prohibition will be guilty of misdemeanour ; see Section 11 of the Ballot Act, 1872, *post*, p. 53, as adapted and applied by Rule 25, *post*, p. 31.

A candidate may himself undertake any duties which might have been performed by an agent, and where he has not appointed an agent, he may be present at the counting of the votes ; see Rule 51, *post*, p. 62. Before acting pursuant to the rule, the candidate must make the statutory declaration as to secrecy required by Rule 54 ; see the proviso to Rule 51, added in the Order of February, 1897, *post*, p. 62.

[1] Sub-rule 1 of the corresponding rule of the Order issued in February 1897, provided that an elector shall not vote in more than one Parish in the Poor Law Union ; and Rule 31 (2), *post*, p. 37, prohibits a person from voting in more than one ward. See also the note to Rule 14 (2), *ante*, p. 22.

[2] A person guilty of personation of a voter at the election of Guardians is punishable under Sections 86 to 89 of the Parliamentary Votes Registration Act, 1843, which are applied by Section 24 of the Ballot Act, 1872, *post*, p. 54, as adapted by Rule 25, *post*, p. 31.

[3] Where a person applies for a ballot paper after another person has voted as the elector he represents himself to be, the Presiding Officer is to administer the oath and proceed as prescribed by Rule 27 of the Rules for elections of Guardians, *post*, p. 57.

[4] With regard to the voting by persons incapacitated by blindness or other physical cause, by Jews when the poll is taken on a Saturday, and by voters who are unable to read, see Rule 26 of the Rules for elections of Guardians, *post*, p. 56.

If a voter inadvertently spoils a ballot paper, he may obtain a fresh one upon

Counting the Votes.

21.—(1) If the poll for the election of Guardians for the Parish and any poll for the election of Urban District Councillors are not to be taken together,[1] the Returning Officer, if he does not himself count the votes, shall appoint some person to act as deputy Returning Officer for the Parish as regards the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given. The person so appointed shall, in addition to his other powers and duties, have all the powers and duties of the Returning Officer in relation to the matters aforesaid, and to the decision of any question as to any ballot paper and otherwise as to the ballot papers. The Returning Officer shall not himself count the votes in more than one Urban Parish in the Union.[2]

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satisfying the Presiding Officer that the paper was spoilt inadvertently, and the Presiding Officer is to act as directed by Rule 28 of the Rules for elections of Guardians, *post*, p. 57.

[1] Art. 20 (2) of the Urban District Councillors Election Order, 1898, provides that:—"If the polls for the election both of Urban District Councillors and Guardians are taken together, the same person shall discharge the duties referred to in paragraph (1) of this Rule in relation to both elections." The duties referred to in paragraph 1 are:—the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given, and the decision of any question as to any ballot paper and otherwise as to the ballot papers. Paragraph 3 of the Rule provides that "the votes shall be counted in the District or in some place near thereto as soon as practicable after the close of the poll."

[2] Any room in a school receiving a grant from Parliament may be used free of charge by the Returning Officer for counting the votes at an election of Guardians. The Presiding Officer is, however, to make good any damage that may be done to the room and is to defray any expense incurred by those having control over the room owing to its use for such purpose; see Section 6 of the Ballot Act, 1872, *post*, p. 52, as applied by Rule 25, *post*, p. 31.

As soon as practicable after the close of the poll the Presiding Officer is to seal in separate packets, and deliver to the Returning Officer or Deputy Returning Officer, by whom the votes are to be counted unless he is such officer himself, each ballot box with the unused and spoilt ballot papers, the tendered ballot papers, the marked copies of the register of parochial electors, the counterfoils of the ballot papers, the tendered votes list, and the list of votes marked by him with a statement of the number of votes marked and the

(2) Where the Returning Officer for the election of Urban District Councillors is the Deputy Returning Officer for the election of Guardians as provided in paragraph (1) of Rule 13 of this Order, he shall also be Deputy Returning Officer for the purposes referred to in paragraph (1) of this Rule.

(3) The votes for each Parish shall be counted as soon as practicable after the close of the poll.

Equality of Votes.

22. If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer or Deputy Returning Officer who counts the votes may, if a parochial elector of the Parish, give such additional vote in writing, but shall not otherwise be entitled to vote at the election. If in such a case the Returning Officer, or Deputy Returning Officer, as the case may be, is not a parochial elector of the Parish, or is unwilling to vote, he shall determine by lot which of the candidates whose votes are equal shall be elected.

Who to be deemed to fill Casual Vacancies at Ordinary Election.

23. In the event of one or more casual vacancies being filled up at the ordinary election, where there is a poll, the persons elected by the fewest votes shall be deemed elected to fill such vacancies. Should there be an equality of votes

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declarations of inability to read; see Rule 29 of the Rules for elections of Guardians, *post*, p. 57. These packets are to be accompanied by the ballot paper account, as to which see Rule 30, p. 58.

The counting of the votes is to be conducted in manner prescribed by Rules 31 to 37 of the Rules for elections of Guardians, *post*, pp. 58 to 59.

In order to assist him in counting the votes the Returning Officer may in addition to the clerks employed by him appoint competent persons for that purpose under Rule 48 of the Rules for elections of Guardians, *post*, p. 62.

Each candidate is entitled to be represented by an agent at the counting of the votes; see Rule 31, *post*, p. 37; and where no agent is appointed the candidate himself may attend, or he may, when an agent has been appointed, himself take the place of such agent at the counting of the votes; see Rule 51 of the Rules for elections of Guardians, *post*, p. 62.

between such persons the Guardians shall determine by ballot which of such persons shall be deemed elected to fill the casual vacancy. If the persons elected to fill the casual vacancies will hold office for different periods, the person elected by the fewest votes, or, if the votes were equal, the persons selected by the Guardians by ballot from the persons so elected shall hold office for the shorter period. Where there is no poll the person or persons to be deemed to be elected to fill the casual vacancy or vacancies shall be determined by the Guardians by ballot.

Declaration of Result of Poll.

24.—(1) The declaration of the result of the poll shall be in the Form No. 7 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Returning Officer or Deputy Returning Officer, as the case may be, making the declaration shall forthwith cause a copy of it to be affixed on the front of the building in which the votes have been counted. If the declaration is made by a Deputy Returning Officer, he shall forthwith send it to the Returning Officer.[1]

Publication of Result of Elections.

25.—(1) The Returning Officer shall prepare and sign a Notice of the result of the elections in all the Urban Parishes in the Poor Law Union for which elections are held, and shall by such notice declare to be elected, or to be deemed to be re-elected, the persons who, under Rule 10, are to be declared to be elected, or to be deemed to be re-elected, without a poll

[1] An election is not to be invalidated by reason of any defect in the title or appointment of the Returning Officer or Deputy Returning Officer, or by reason of any mere compliance with the rules in the first schedule to the Ballot Act, 1872, or this Order, or by reason of any mistake in the use of the forms in the second schedule to that Act or in this Order, if it appears that the election was conducted in accordance with the principles laid down in the body of the Act of 1872 and of the Local Government Act, 1894, and that such non-compliance or mistake did not affect the result of the election ; see Section 13 of the Ballot Act, 1872, *post*, p. 54, as applied by Rule 26, *post*, p. 32.

being taken. The notice shall be in the Form No. 8 in the Second Schedule to this Order, or in a form to the like effect.[1]

(2) The Returning Officer shall cause a copy of the Notice to be suspended in the Board Room of the Guardians. He shall also send a sufficient number of copies of the Notice to the overseers of all the Urban Parishes in the Union for which elections were held, and the Overseers shall cause public notice to be given thereof in accordance with Rule 33 of this Order. The Returning Officer shall also send copies of the Notice to the persons elected or deemed to be elected.

Application and Adaptation of Ballot Act, 1872.

26. The provisions of the Ballot Act, 1872, which, with adap-

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[1] A person elected or deemed to be re-elected to the office of Guardian is, unless exempt from service as a Guardian of the poor, or unless he was nominated and elected without his consent to his nomination having previously been obtained, liable to a fine of such amount, not exceeding £50, as may be determined by the regulations of the Board of Guardians, of which he is elected or deemed to be re-elected a member, should he not accept the office within a month after he receives the notice prescribed by this rule; see Section 48 (4) of the Local Government Act, 1894, and Section 34 (1) of the Municipal Corporations Act, 1882, *post*, p. 66, as applied by Rule 27, *post*, p. 33. When there are no regulations prescribing the amount of the fine, sub-section 2 prescribes a fine of £20. Persons exempt from serving as Guardians are lunatics, imbeciles, persons incapacitated by deafness, blindness, or other permanent infirmity of body; *ib.* Section 34 (3); Aliens, see 33 & 34 Vict. c. 14, s. 2, *ante*, p. 14; and persons in receipt of relief; see 39 & 40 Vict. c. 61, s. 14, *ante*, p. 14. Under Section 34 (3) of the Municipal Corporations Act, 1882, as adapted by Rule 27 of the above Order, *post*, p. 33, in addition to the above exceptions, any person who having already served the office of Guardian claims exemption within ten days after being declared to be deemed to be re-elected, is exempt from serving as a Guardian.

The fine for non-acceptance of office is recoverable summarily; see Section 34 (4) of the Municipal Corporations Act, 1882, *post*, p. 66. Where a person is elected or deemed to be re-elected in more than one area in the Union for which the election was held, he is not to accept office in respect of more than one area, and upon his accepting office in respect of one area he is not to be liable to any fine for not accepting office in respect of any other area; see *ib.* (5).

Before acting as a Guardian of the poor, a person elected or deemed to be re-elected is required to make a declaration before two Guardians of the poor of the Union for which he was elected or deemed to be re-elected or before the clerk to the Guardians of that Union, in the form prescribed by Section 35 of the Municipal Corporations Act, 1882, *post*, p. 67, as applied to elections of Guardians by Rule 27, *post*, p. 33; see also Section 239 (1) of the Act of 1882, *post*, p. 67.

Should any person act as a Guardian of the poor without having first made such declaration, he will each time he so acts be liable to a fine not exceeding £20, which will be recoverable by action; see Section 41 (1) of the Municipal Corporations Act, 1882, *post*, p. 67, as applied by Rule 27, *post*, p. 33.

tations and alterations are set out in the Third Schedule to this Order, and only such provisions of that Act, shall, subject to such adaptations and alterations, apply to the election of Guardians in like manner as in the case of a municipal election. Provided as follows :—

(*a*) Such application shall be subject to the provisions of this Order.

(*b*) If polls are taken together in the Parish as to an election of Guardians and Urban District Councillors, one ballot box may, if the Returning Officer thinks fit, be used for the two elections ; but if separate ballot boxes are used for the two elections respectively, no vote for any Guardian shall be rendered invalid by the ballot paper being placed in the box intended for the reception of ballot papers for Urban District Councillors.[1]

(*c*) The ballot papers used at the election of Guardians shall be of a different colour from that of any ballot papers used in the election of any Urban District Councillors in the Parish when the polls for the two elections are taken together.[2]

ADAPTATION OF MUNICIPAL CORPORATIONS ACT, 1882.

27.—(1) The provisions of Sections 74 and 75 of the Municipal Corporations Act, 1882, which with adaptations and alterations are set out in the Fourth Schedule to this Order, and such of the provisions of that Act, as relate to the acceptance

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[1] A provision in the same terms as that contained in this paragraph is contained in Art. 25 (*b*) of the Urban District Councillors Order, 1898, except that there the words "for the election of Urban District Councillors and Guardians" are substituted for the words "in the Parish as to an election of Guardians and Urban District Councillors," and the words "Urban District Councillor" are substituted for the word "Guardian," and the word "Guardians" for the words "Urban District Councillors" in the latter part of the paragraph.

[2] Art. 25 (*c*) of the Urban District Councillors Election Order, 1898, contains a provision in the same terms as that contained in Art. 26 (*c*) of the above Order, except that the words "Urban District Councillors" are substituted therein for the word "Guardians," and the word "Guardians" for the words "Urban District Councillors."

of office, re-eligibility of holders of office, and filling of casual vacancies, and are, with adaptations and alterations, set out in the Fifth Schedule to this Order, shall, subject to such adaptations and alterations, apply to the election of Guardians and to the persons elected or deemed to be re-elected thereat.

(2) In the application of Part IV. of the Municipal Corporations Act, 1882 (relating to Corrupt Practices and Election Petitions), as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

(*a*) Such application shall be subject to the provisions of this Order.

(*b*) References to the election of Guardians shall be substituted for references to a municipal election or to an election to a corporate office. "Parish or United Parishes" and in Section 93 (2) "Poor Law Union" shall be substituted for "Borough," "Poor Rate of the Parish or Poor Rates of the United Parishes" shall be substituted for "Borough Fund or Borough Rate," "Returning Officer" shall be substituted for "Town Clerk," and "voter" shall mean "a parochial elector or a person who votes or claims to vote at an election of Guardians."

(*c*) In the application of sub-section (2) of Section 89, such sub-section shall be adapted and altered so as to read as follows :—

"(2) The security shall be to the amount of Fifty "Pounds, unless in any case the High Court or "a Judge thereof, on summons, order that the "same shall be to a lesser amount, or to a larger "amount not exceeding Three Hundred Pounds, "and shall be given in the prescribed manner "either by a deposit of money or by recognizance "entered into by not more than four sureties, or "partly in one way and partly in the other."

ADAPTATION OF THE MUNICIPAL ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) ACT, 1884.

28. In the application of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

(1) Such application shall be subject to the provisions of this Order.

(2) The expressions "Parish or United Parishes," "Returning Officer at election of Guardians," and "Poor Rate of the Parish or Poor Rates of the United Parishes" shall be deemed to be substituted in the Act for "Borough," "Town Clerk," and "Borough Fund or Rate" respectively.

(3) The expression "corporate office" in the Act shall mean "the office of Guardian," and "a municipal election" shall mean "an election of one or more Guardians;" and the expressions "municipal election court," "municipal election list," and "municipal election petition" shall be construed accordingly.

(4) So much of Section 13 of the Act as permits one polling agent to be employed in each polling station shall not apply, except so far as the employment of polling agents is permitted by Rule 19 of this Order.

(5) An election petition complaining of the election on the ground of an illegal practice may be presented at any time within six weeks after the day of election.

(6) A petition relating to the election of a Guardian for a Parish may be tried at any place within the Poor Law Union in which the Parish is situate.

(7) In Section 34 "Burgess Roll" shall mean "Register of Parochial Electors."

(8) Section 37 of the Act shall be read as if a reference to an election of Guardians was substituted for a reference to any of the elections mentioned in the First Schedule to the Act.

EXPENSES.

29.—(1) Any sum which may be payable to the Returning Officer in respect of his services in taking a poll in the Parish, or in respect of expenses incurred in relation to such poll, shall be defrayed by the Guardians of the Poor Law Union, and shall be charged to the Parish in their accounts.

(2) Any other sum which may be payable to the Returning Officer in respect of his services in the conduct of the election, or in respect of expenses incurred in relation to the election, shall be defrayed by the Guardians, and shall be charged to the Parish, except that where any such sum shall be payable in respect of two or more Parishes the same shall be apportioned between them according to the number of Parochial electors registered in such Parishes respectively.

(3) If polls for the election of Guardians and Urban District Councillors are taken together, one-half of any expenses which may be payable in respect of the two polls jointly, including the remuneration of any officers employed in the conduct thereof, shall be deemed to have been incurred in relation to the poll for the election of Guardians, and shall be defrayed accordingly.[1]

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[1] The Urban District Councillors Election Order, 1898, Art. 28 (2) contains a provision in the same terms as that contained in Art. 29 (3) of the above Order, except that the words "Urban District Councillors" are substituted for the word "Guardians" wherever that word occurs, and the word "Guardians" is substituted for the words "Urban District Councillors."

Section 48 (4) of the Local Government Act, 1894, applies to elections of Guardians the provisions of the Municipal Corporations Act, 1882, and the enactments amending the same, with respect to the expenses of elections of Councillors of a borough, subject however to the adaptations, alterations, and exceptions made by rules framed by the Local Government Board thereunder.

By sub-section 7 of Section 48 of the Local Government Act, 1894, it is enacted that the expenses of any election under the Act shall not exceed the scale fixed by the County Council, and if at the beginning of one month before the first election under the Act a County Council have not framed any such scale for their county, the Local Government Board may frame a scale for the county, and the scale so framed shall apply to the first election, and shall have effect as if it had been made by the County Council, but shall not be alterable until after the first election.

By a General Order of November 20, 1894, *post*, p. 185, the Local Government Board declared that the scale of expenses in the schedule to such Order shall, for the purposes of any election under the Local Government Act, 1894, be fixed for each county and county borough in England and Wales

Parish in more than one County.

30. If the Parish is situate in more than one County it shall for the purposes of this Order be deemed to be wholly situate in the County which, according to the Census last published, contains the larger part of its population.

Wards.

31.—If the Parish is divided into Wards for the election of Guardians, the Rules in this Order shall apply to each of such Wards as if it were a Parish :

Provided as follows :—

(*a*) If a Parish is so divided, an elector shall not be permitted to vote in more than one Ward.

(*b*) Any sum which, in pursuance of this Rule and of Rule 29, would be charged to any Ward shall be charged to the Parish in which the Ward is situate.

United Parishes.

32.—(1) If the Parish is united with any other Parish for the election of Guardians the Rules in this Order shall, subject as hereinafter mentioned, apply to such Parishes as if such Parishes formed the Parish.

(2) In the case of any such United Parishes the questions which under Rule 20 the Presiding Officer may, and if required by any parochial elector or by any Polling Agent appointed under Rule 19 shall, put to any elector shall be as follows :—

(*a*) Are you the person entered in the parochial register for one of the United Parishes, viz. the Parish of , as follows [*read the whole entry from the register*] ?

(*b*) Have you already voted at the present election of Guardians in either of the United Parishes of

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in which, on November 20, 1894, no scale framed under Section 48 of the Act of 1894 was in force, and for the purposes of any election under that Act in any such county or county borough to which any such scale in force in the county or county borough does not extend.

and , or in any other Parish or Ward in the Union?

(3) Any sum which, in pursuance of this Rule and of Rule 29, would be charged to the United Parishes, shall be divided between them in proportion to the number of parochial electors registered in such Parishes respectively.

PUBLICATION OF NOTICES.

33. Any public notice required by this Order shall be given by posting the same on or near the principal door of each Church and Chapel in the Parish, and in some conspicuous place or places within the Parish.

MARK INSTEAD OF SIGNATURE.

34. In place of any signature required by this Order, it shall be sufficient for the signatory to affix his mark, if the same is witnessed by two parochial electors.

MISNOMER.—INACCURATE DESCRIPTIONS.

35. No misnomer or inaccurate description of any person or place named in any notice or nomination paper under this Order shall hinder the full operation of such notice or paper with respect to that person or place, provided the description of that person or place is such as to be commonly understood.

DEFINITION OF "URBAN PARISH" AND "ORDINARY ELECTION."

36. In this Order the expression "Urban Parish" means a Parish situate in one or more Urban Districts, including any Municipal Borough, whether a County Borough or not, and shall be deemed to include the Hamlet of Penge, in the Administrative County of London; and the expression "Ordinary Election" means the election held in any year to fill any ordinary vacancies in the Guardians for Urban Parishes in the Poor Law Union, and includes any first Election of Guardians or election to fill a casual vacancy in the office of Guardian for any Urban Parish in the Poor Law Union which can be held at the time of the election to fill such ordinary vacancies.

Adaptation of Forms to Elections other than the Ordinary Election.

37. If the election is not the ordinary election, such modifications as may be necessary shall be made in the Forms contained in the Second Schedule to this Order.

This Order may be cited as the "Guardians (Outside London) Election Order, 1898."

FIRST SCHEDULE.

a.—Times for the Proceedings at the ordinary Election of Guardians in any Year.

Proceeding	Time
1. Notice of Election . . .	Not later than the second Friday in March, or, if the first Monday in April is Easter Monday, the first Friday in March.
2. Receipt of Nomination Papers .	Not later than twelve o'clock at noon on the following Thursday.
3. Sending notice of decision as to validity of Nomination Papers .	Not later than the following Friday.
4. Making out Statement as to persons nominated	Not later than the following Saturday.
5. Withdrawal of Candidates . .	Not later than twelve o'clock at noon on the following Tuesday.
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election	The first Monday in April, or, if that is Easter Monday, the last Monday in March; or, in either case, such other day not being earlier than the preceding Saturday, or later than the following Wednesday, as may for special reasons be fixed by the County Council.

b.—Times for the Proceedings at First Elections of Guardians, or at Elections to fill Casual Vacancies, if not held at the time of the ordinary Election.

Proceeding	Time
1. Notice of Election . . .	Not later than fourteen days before day of Election.
2. Receipt of Nomination Papers .	Not later than twelve o'clock at noon on the fourth day after the day on which the Notice of Election was given.
3. Sending notice of decision as to validity of Nomination Papers	Not later than the day after the last day for the receipt of Nomination Papers.
4. Making out Statement as to persons nominated . . .	
5. Withdrawal of Candidates . .	Not later than twelve o'clock at noon on the fourth day after the last day for the receipt of Nomination Papers.
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election	In the case of First Elections:— Such day as may be fixed by the Returning Officer, but so that, subject to any special provision in the Order assigning any additional Guardians or constituting the new Parish, as the case may be, it shall not be later than six weeks from the date when such Order comes into operation. In the case of Elections to fill Casual Vacancies:— Such day as may be fixed by the Clerk to the Guardians, in pursuance of Section 66 of the Municipal Corporations Act, 1882, as altered and adapted by the Fifth Schedule to this Order.

SECOND SCHEDULE.

NOTE.—*If the Election is not the ordinary Election, such modifications as may be necessary should be made in the Forms in this Schedule* (*Rule* 37).

FORM No. 1.

Notice of Election.

UNION.

ELECTION OF GUARDIANS

for the several Parishes United Parishes and Wards of Parishes, [*as the case may be*] situate in the above-named Union, for which Guardians are to be elected in the year 18 .

NOTICE IS HEREBY GIVEN THAT—

*1. The day of election of Guardians for the said Parish United Parishes and Wards of Parishes, [*as the case may be*] will be , the day of , 18 .

2. The number of Guardians to be elected for the said Parishes United Parishes and Wards, [*as the case may be*] is as follows:—†

3. Each candidate for election as a Guardian must be nominated in writing, and the nomination paper must be sent to me, so that it shall be received at (which is my office for the purposes of the election) not later than twelve o'clock at noon on , the day of , 18 .

4. A parochial elector must not sign more nomination papers than there are Guardians to be elected for the Parish *or* United Parishes *or* Ward, [*as the case may be*], and he must not sign a nomination paper for any Parish or United Parishes or Ward unless he is registered as a parochial elector in respect of a qualification therein. Neither must he sign nomination papers for more than one Parish *or* group of United Parishes *or* Ward in the Union.

5. Forms of nomination paper may be obtained, free of charge, either from me at the above-named office, or from the Overseers of the Parish [*or* either of the United Parishes] for which a nomination is proposed to be made.

6. The nomination paper must be in the following form, or in a form to the like effect:—

* If the day of election is not the same for all the Parishes, United Parishes, and Wards, adapt form accordingly.

† Insert here the names of the Parishes, United Parishes, and Wards of Parishes, with the number of Guardians to be elected for each. A tabular form may be used if preferred.

FORM OF NOMINATION PAPER.

UNION.

ELECTION OF GUARDIANS

for the Parish of [*or* for the United Parishes of , *or* for the Ward of the Parish of] in the year 18 .

We, the undersigned, being respectively parochial electors of the said Parish [*or* United Parishes *or* Ward], do hereby nominate the undermentioned person as a candidate at the said Election.

Names of Candidate.		Place of Abode.	Description.	How qualified (specify qualification according to direction in Instruction 5).
Surname.	Other Names in full.			
1.	2.	3.	4.	5.

Signature of PROPOSER _____

Place of Abode _____

_____

Signature of SECONDER _____

Place of Abode _____

_____

Instructions for filling up Nomination Paper.[1]

1. The surname of only one candidate for election must be inserted in Column 1.
2. The other names of the candidate must be inserted in full in Column 2.
3. Insert in Column 3 the place of abode of the candidate.
4. In Column 4 state the occupation, if any, of the candidate. If the candidate has no occupation, insert some such description as "gentleman," or "married woman," or "spinster," or "widow," as the case may be.
5. If the candidate is a parochial elector of some Parish within the Union (that is, if his or her name is registered in the Register of parochial electors of such Parish) insert in Column 5 "Parochial Elector of Parish of ." If

[1] These Instructions form part of the Nomination Paper.

the candidate is not a parochial elector of some Parish in the Union, but he or she has, during the whole of the twelve months preceding the election, resided in the Union, insert in Column 5 "Residence." If, in the case of a Parish or of United Parishes wholly or partly situate within the area of a borough, the candidate is qualified to be elected a councillor for that borough, insert in Column 5, "Qualified to be elected Councillor of Borough of ." If the candidate has more than one of these qualifications, it will be sufficient to insert in Column 5 one of his or her qualifications, but more may be inserted.

6.—(1) The paper must be signed by two parochial electors of the Parish [*or* United Parishes *or* Ward], and no more; by one as proposer, and by the other as seconder. The places of abode of the Proposer and Seconder must also be inserted. Instead of signing, the Proposer or Seconder may affix his mark if it is witnessed by two parochial electors.[1]

(2) A parochial elector must not sign more nomination papers than there are Guardians to be elected for the Parish [*or* United Parishes *or* Ward], and he must not sign a nomination paper for any Parish [*or* United Parishes *or* Ward] unless he is registered as a parochial elector in respect of a qualification therein. Neither must he sign a nomination paper in more than one Parish [*or* group of United Parishes *or* Ward] in the Union.

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7. Not later than , the day of , 18 , I shall cause a copy of a statement containing the names, places of abode, and descriptions of the persons nominated for the office of Guardian for the said Parishes, United Parishes and Wards, and also containing a notice of my decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not, to be suspended in the Board Room of the Guardians of the Union in which the said Parishes, United Parishes and Wards are situate, and another to be affixed on the principal external gate or door of every Workhouse of the Union [and of the building in which the Board Room of the Guardians is comprised].*

8. Any candidate nominated for election may not later than twelve o'clock at noon on , the day of , 18 , withdraw his candidature by delivering or causing to be delivered

* If the Board Room is at the Workhouse, omit these words.

[1] With regard to the meaning of the expression "parochial electors," see the note to Rule 4 (2), *ante* p. 14.

at my office for the purposes of the election a notice in writing of such withdrawal signed by him.

† If the day of election is not the same for all the Parishes, United Parishes and Wards, adapt form accordingly.

†9. If the number of candidates who are validly nominated for any Parish, United Parishes or Ward, and whose candidature is not withdrawn, exceeds that of the persons to be elected, a poll will be taken on , the day of , 18 , of which due notice will be given.

Dated this day of , 18 .

Returning Officer.

Office for purpose of election.

FORM No. 2.

Statement as to Persons nominated.

UNION.

The following is a statement as to the persons nominated for election as Guardians for the several Urban Parishes, United Parishes and Wards of Parishes, [*as the case may be*] in the above-named Union, for which an election is to be held in the year 18 .

Parishes [United Parishes and Wards].	Persons nominated.			Decision of Returning Officer that Candidate has not been nominated by a valid Nomination Paper.
	Names (Surnames first).	Places of Abode.	Descriptions.	
1.	2.	3.	4.	5.

The Candidates opposite whose names no entry is made in Column 5 have been validly nominated.

Dated this day of , 18 .

Returning Officer.

Office for purpose of election.

FORM No. 3.

Notice that no Poll will be taken.

UNION.

PARISH OF [*or* Ward of the Parish of , *or* United Parishes of].

WHEREAS the following candidates have been duly nominated for election as Guardians for the said Parish [*or* Ward *or* United Parishes]:—
[*Insert names, places of abode, and descriptions of candidates.*]

And whereas the number of those
[*or* And whereas the said [*insert name or names*] has [*or* have] since withdrawn his [*or* their] candidature [*or if some other event has occurred causing a person to cease to be a candidate state what it is*], and the number of the remaining candidates is [equal to or less than] the number of persons, namely,
to be elected as Guardians for the said Parish [*or* Ward *or* United Parishes], I do hereby give notice that a Poll will not be taken, and that the said
[*insert names*]
will be declared elected as Guardians for the said Parish [*or* Ward *or* United Parishes],* and also that [*insert names*]
retiring Guardians for the said Parish [*or* Ward *or* United Parishes] will be declared to be deemed to be re-elected.

Dated this day of , 18 .

Returning Officer.

* If the number of candidates or remaining candidates is equal to the number to be elected, or if the Election is a first Election or is to fill a casual vacancy, omit from * to the end of the sentence.

FORM No. 4.

Notice where no Candidates are nominated.

UNION.

PARISH of [*or* Ward of the Parish of , *or* United Parishes of].

I do hereby give notice that no candidate has been duly nominated for election as a Guardian for the said Parish [*or* Ward *or* United Parishes],* and that [*insert names*]
the retiring Guardians for the said Parish [*or* Ward *or* United Parishes] will be declared to be deemed to be re-elected.

Dated this day of , 18 .

Returning Officer.

* If the Election is a first Election, or is to fill a casual vacancy, omit from * to the end of the sentence.

FORM No. 5.

Notice of Poll.

[This form is for use where a Poll is taken for the election of Guardians only.]

UNION.

ELECTION OF GUARDIANS

for the above Union in the year 18 .

PARISH of [*or* Ward of the Parish of , *or* United Parishes of]

NOTICE IS HEREBY GIVEN—

1. That a Poll for the election of Guardians for the above-named Parish [*or* Ward *or* United Parishes] will be held on the day of , 18 , between the hours of and .
2. That the number of Guardians to be elected for the Parish [*or* Ward *or* United Parishes] is
3. That the names in alphabetical order, places of abode, and descriptions of the Candidates for election, and the names of their respective Proposers and Seconders are as follows :—

Names of Candidate (Surname first).*	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

* Insert particulars as to each Candidate for the Parish or Ward or United Parishes, whose nomination is valid, and who has not withdrawn his candidature.

†4.—(1) That each elector must vote in the Polling District in which the property in respect of which he votes is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of such Polling Districts.

(2) The Polling Districts are as follows :—

†5. The situation and allotment of the Polling Places and Polling Stations and the description of the persons entitled to vote thereat are as follows :—

† If the Parish or Ward or United Parishes are not divided into Polling Districts for the purposes of the Election, paragraph 4 should be omitted.

‡ If only one Polling Place or Station, adapt form accordingly.

6. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election will be (*insert colour*).

Dated this day of , 18 .

Returning Officer *or*
Deputy Returning Officer.

Office for purpose of election.

FORM No. 6.

Notice of Poll.

[This form may be used where polls are taken together for the election of Urban District Councillors and Guardians.] [1]

ELECTION OF URBAN DISTRICT COUNCILLORS AND GUARDIANS for the URBAN DISTRICT OF [*or* for the Ward of the Urban District of], and for the PARISH OF [*or* for the Ward of the Parish of , *or* for the United Parishes of] in the year 18 .

NOTICE IS HEREBY GIVEN—

1. That polls for the election of Urban District Councillors and of Guardians for the above-named District [*or* Ward] and Parish [*or* Ward *or* United Parishes] will be held on the day of , 18 , between the hours of and .
2. That the number of Urban District Councillors to be elected for the District [*or* Ward] is
3. That the number of Guardians to be elected for the Parish [*or* Ward *or* United Parishes [2]] is
4. That the names in alphabetical order, places of abode, and descriptions of the Candidates for election, and the names of their respective Proposers and Seconders are as follows:—

AS URBAN DISTRICT COUNCILLORS.

Names of Candidate (Surname first).	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

[1] A similar form is prescribed by the Urban District Councillors Election Order, 1898, for use where polls are taken together for the election of Urban District Councillors and Guardians.

[2] In the form of notice of poll prescribed by the Urban District Councillors Election Order, 1898, the words "or United Parishes" are omitted.

AS GUARDIANS.

Names of Candidate (Surname first).	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

*If the District, Parish, or Ward, *or* United Parishes are not divided into Polling Districts for the purposes of the Election, paragraph 5 should be omitted.

† If only one Polling Place or station, adapt form accordingly.

*5.—(1) That each elector must vote in the Polling District in which the property in respect of which he votes is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of such Polling Districts.

(2) The Polling Districts are as follows:—

†6. The situation and allotment of the Polling Places and Polling Stations and the description of the persons entitled to vote thereat are as follows:—

7. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election of Urban District Councillors will be [*insert colour*], and in the election of Guardians will be [*insert colour*].

Dated this day of , 18 .

Returning Officer
for the election of Urban District Councillors, and
Deputy Returning Officer for the election of Guardians.

Office for purpose of election.

FORM No. 7.

Declaration of Result of Poll.

UNION.

ELECTION OF GUARDIANS
for the above Union in the year 18 .
PARISH OF [*or* Ward of the Parish of
or United Parishes of].

I, the undersigned, being the Returning Officer [*or* Deputy Returning Officer duly authorised in that behalf] at the poll for the election of

Guardians for the said Parish [*or* Ward, *or* United Parishes] held on the day of , 18 , do hereby give notice that the number of votes recorded for each candidate at the election is as follows:—

Names of Candidates.		Places of Abode.	Number of Votes recorded.
Surnames.	Other Names.		

And I do hereby declare that the said are duly elected Guardians for the said Parish [*or* Ward, *or* United Parishes].

Dated this day of , 18 .

Returning Officer,
[*or* Deputy Returning Officer].

FORM No. 8.

Notice of Result of Elections.

UNION.

ELECTION OF GUARDIANS

for the above-named Union in the year 18 .

I, the undersigned, being the Returning Officer at the election of Guardians for the said Union, do hereby give notice that the candidates whose names are entered in Column 6 of the Statement hereunder, opposite to the names of Parishes, Wards, or United Parishes in which polls have been taken have been declared duly elected Guardians; and I hereby declare that the persons whose names are entered in the said column [or in Column 7] opposite to the names of Parishes, Wards, and United

Parishes where no polls have been taken were duly elected [*or* are deemed to be re-elected*] Guardians for the same.

* If the Election is a first Election, or is to fill a casual vacancy, omit these words and column 7.

Parishes, Wards, and United Parishes. 1.	Names of Candidates.		Places of Abode. 4.	Number of Votes recorded. 5.	Names of Candidates elected. 6.	Names of retiring Guardians deemed to be re-elected. 7.
	Surnames. 2.	Other Names. 3.				

Dated this day of , 18 .

Returning Officer.

THIRD SCHEDULE.

PROVISIONS OF THE BALLOT ACT, 1872, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF GUARDIANS.

PROCEDURE AT ELECTIONS OF GUARDIANS.

Poll at Elections.

2. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the Presiding Officer") after having shown to him the official mark at the back.

If in the register of parochial electors for a Parish, the same number is placed opposite to the name of more than one parochial elector, the

Returning Officer shall put a distinguishing mark on each part of the register which contains numbers used in other parts of the register, and when the number of any voter on any part of the register is entered on the counterfoil of a ballot paper, the mark on that part shall also be entered thereon.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the Returning Officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given. The decision of the Returning Officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Offences.

Offences in respect of Ballot Papers and Ballot Boxes.

3. Every person who—

(1) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper; or

(2) Without due authority supplies any ballot paper to any person; or

(3) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

(4) Fraudulently takes out of the polling station any ballot paper; or

(5) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanor, and be liable, if he is a Returning Officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the Returning Officer at such election, as well as the property in the counterfoils.

Infringement of Secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of parochial electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, agent, and person, in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he has marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

Use of School and Public Room for Poll.

6. The Returning Officer at an election of Guardians may use, free of charge, for the purpose of taking the poll or for counting the votes at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on

account of its being used for the purpose of taking the poll or for counting the votes as aforesaid.

The use of any room in an unoccupied house for taking the poll shall not render any person liable to be rated or to pay any rate for such house.

Duties of Returning and Election Officers.

General Powers and Duties of Returning Officer.

8. Subject to the provisions of this Act, every Returning Officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of parochial electors, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting the election.

Every deputy returning officer shall, in so far as he acts as Returning Officer, be deemed to be included in the term Returning Officer.

Keeping of Order in Station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the Presiding Officer, he may immediately, by order of the Presiding Officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the Returning Officer to remove him; and the person so removed shall not, unless with the permission of the Presiding Officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Powers of Presiding Officer and Administration of Oaths, &c.

10. For the purpose of the adjournment of the poll, a Presiding Officer shall have the power by law belonging to a deputy returning officer in a parliamentary election; and any Presiding Officer and any clerk appointed by the Returning Officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any Returning Officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of Officers for Misconduct.

11. Every Returning Officer, Presiding Officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention

of this Act shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

No Returning Officer or officer appointed by him in connection with the election of Guardians for any Parish, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as a Guardian. If any Returning Officer or officer appointed by him, or the partner or clerk of any such officer, shall so act he shall be guilty of a misdemeanor.

Miscellaneous.

Prohibition of Disclosure of Vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with Rules.

13. No election shall be declared invalid by reason of a defect in the title or appointment of the Returning Officer or deputy returning officer, or of a non-compliance with the rules contained in the First schedule to this Act or in the Guardians (outside London) Election Order, 1898, or any mistake in the use of the forms in the Second Schedule to this Act or in the said Order, if it appears to the tribunal having cognisance of the question that the election was conducted in accordance with the principles laid down in the body of this Act and of the Local Government Act, 1894, and that such non-compliance or mistake did not affect the result of the election.

Personation.

Definition and Punishment of Personation.

24. The following enactments shall be made with respect to personation at an election of Guardians:

It shall be the duty of the Returning Officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is Returning Officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

Sections 86 to 89, both inclusive, of the Parliamentary Voters Registration Act, 1843, shall apply to personation at an election of Guardians in the same manner as they apply to a person who knowingly personates

and falsely assumes to vote in the name of another person as mentioned in the said Act, but with the substitution of the words "any parochial elector or any agent appointed under the Guardians (Outside London) Election Order, 1898," for "any such agent as appointed as aforesaid" or for any reference to any such agent, and of "the Presiding Officer" for "the Returning Officer or his respective deputy."

EFFECT OF SCHEDULES.

28. The schedules to this Act, and the notes thereto, and directions therein shall be construed and have effect as part of this Act.

SCHEDULES TO ACT.

FIRST SCHEDULE TO ACT.

RULES FOR ELECTIONS OF GUARDIANS.

The Poll.

15. At every polling place the Returning Officer shall, subject to the provisions of the Guardians (Outside London) Election Order, 1898, provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling places, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

20. The Returning Officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret.

21. The Presiding Officer appointed to preside at each station shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with

the same surname) of their other names: it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The Presiding Officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector, together with the distinguishing mark, if any, of the part of the register in which the number occurs shall, as required by Section 2 of this Act as adapted, be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The Presiding Officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as hereinafter mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked shall be entered on a list, in this Act called "the list of votes marked by the Presiding Officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling,

before the Presiding Officer, who shall attest it in the form hereinafter mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the Presiding Officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions permitted by the Guardians (Outside London) Election Order, 1898, to be asked of voters at the time of polling, and upon taking an oath in the form hereinafter set out, which the Presiding Officer shall administer, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and, instead of being put into the ballot box, shall be given to the Presiding Officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the Returning Officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called "the tendered votes list."

The oath shall be administered in the following form:—

"You do swear that you are the same person whose name appears as *A. B.* on the Register of Parochial Electors for the Parish of [*or* Ward of the Parish of], and that you have not already voted at the present election of Guardians in this or any other Parish or Ward in the Union.

"So help you God."

Provided that any person entitled to affirm in lieu of taking an oath may affirm in the following form:—

"I, *A. B.*, do solemnly, sincerely, and truly declare and affirm that I am the same person whose name appears as *A. B.* on the Register of Parochial Electors for the Parish of [*or* Ward of the Parish of], and that I have not already voted at the present election of Guardians in this or any other Parish or Ward in the Union."

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the Presiding Officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the Presiding Officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a "spoilt ballot paper"), and the spoilt ballot paper shall be immediately cancelled.

29. The Presiding Officer of each station, as soon as practicable after

the close of the poll, shall make up into separate packets sealed with his seal,—

(1) Each ballot box in use at his station, unopened but with the key attached; and

(2) The unused and spoilt ballot papers placed together; and

(3) The tendered ballot papers; and

(4) The marked copies of the register of parochial electors, and the counterfoils of the ballot papers; and

(5) The tendered votes list, and the list of votes marked by the Presiding Officer, and a statement of the number of the voters whose votes are so marked by the Presiding Officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the Returning Officer or deputy returning officer by whom the votes are to be counted, unless he is himself such officer.

30. The packets shall be accompanied by a statement made by such Presiding Officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. Each candidate may appoint an agent to attend the counting of the votes.

32. The Returning Officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The Returning Officer, his assistants and clerks, the agents of the candidates, any person to whom Rule 51 of this Schedule applies, and no other person, except with the sanction of the Returning Officer, may be present at the counting of the votes.

34. If a poll has been taken as to the election of Guardians only, before the Returning Officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. If polls have been taken at the same date for the election both of Guardians and of urban district councillors, before the Returning Officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open one of the ballot boxes, and taking out the papers therein, shall separate those relating to the election of Guardians from any relating to

the election of urban district councillors, and shall count and record the number of ballot papers relating to each election. He shall then secure the ballot papers relating to each election by placing them in separate packets under his own seal, and the seals of such of the agents of the candidates as desire to affix their seals, and shall proceed in like manner with any other ballot boxes and the papers therein. When all the ballot boxes and papers therein have been so dealt with, he shall open all the packets of ballot papers relating to one election, and shall mix all such papers together, and shall proceed to count the votes, keeping the papers relating to any other election sealed up until he has completed such counting. He shall afterwards deal in manner aforesaid with the packets and papers relating to the other election or elections.

The Returning Officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The Returning Officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding, if and so far as he thinks it necessary, the hours between the close of the poll and nine o'clock on the succeeding morning. During the excluded time the Returning Officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The Returning Officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The Returning Officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark ;
2. Voting for more candidates than entitled to ;
3. Writing or mark by which voter could be identified ;
4. Unmarked or void for uncertainty ;

and shall on request allow any agents of the candidates to copy such statement. If the votes are counted by a deputy returning officer he shall, with the declaration of the result of the poll, report to the Returning Officer the number of ballot papers rejected and not counted by him, under the above heads, and no such statement as aforesaid shall be drawn up by the Returning Officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it.

37. Upon the completion of the counting, the Returning Officer shall

seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each Presiding Officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The Returning Officer shall draw up a statement as to the result of such verification, and shall, on request, allow any agents of the candidates to copy it.

If the votes are counted by a deputy returning officer, he shall report to the Returning Officer the result of the verification, and no such statement as aforesaid shall be drawn up by the Returning Officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it. He shall with his report send to the Returning Officer the sealed packets of counted and rejected ballot papers, and the unopened sealed packets which he has received from any Presiding Officer.

38. Lastly, the Returning Officer shall carefully preserve for the period hereinafter mentioned all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the Presiding Officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the Parish for which such election was held.

39. The Returning Officer shall retain for six months all documents relating to an election of Guardians, and then, unless otherwise directed by an order of the county court having jurisdiction in the Parish or in any part thereof, or of any tribunal in which the election is questioned, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Returning Officer, except under the order of the county court or tribunal aforesaid, to be granted by such court or tribunal on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the court or tribunal making the same may think expedient, and shall be obeyed by the Returning Officer.

41. No person shall, except by order of the county court having

jurisdiction in the Parish or any part thereof, or of any tribunal having cognisance of any question relating to the election, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Returning Officer. Such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court or tribunal making the order may think expedient: Provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents in the custody of a Returning Officer, in pursuance of this Act, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may have been or may hereafter be prescribed by the council of the county or county borough in which the Parish is situate, and the Returning Officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may have been or may hereafter be made by the county council.

43. Where an order is made for the production by the Returning Officer of any document in his possession relating to any specified election of Guardians the production by such officer or his agent of the document ordered, in such manner as may be directed by such order, or by an order of the court having power to make such first-mentioned order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Returning Officer or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *primâ facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

43. (*a*) There shall be an appeal from any order of the county court under these rules in like manner as in other cases in such court.

General Provisions.

47. If the Returning Officer presides at any polling station, the provisions of this Act relating to a Presiding Officer shall apply to such Returning Officer with the necessary modifications as to things to be done by the

Returning Officer to the Presiding Officer, or the Presiding Officer to the Returning Officer.

48. The Returning Officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a Returning Officer for the purposes of an election who has been employed by any other person in or about the election.

50. The Presiding Officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his, if appointed under Rule 31 of this schedule, might have undertaken, and may, if he does not appoint such an agent, be present at the counting of the votes, or may himself take the place of such agent. Provided that any person acting under this Rule may, at any time, before so acting, make the statutory declaration as to secrecy required by Rule 54 of this Schedule, but he shall not so act until he has made such declaration.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the Returning Officer one clear day at the least before the opening of the poll; and the Returning Officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the Returning Officer may be delivered at or sent by post to such address.

53. If any person appointed an agent for the purposes of attending a polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, another agent may be appointed in his place, and notice shall forthwith be given to the Returning Officer in writing of the name and address of any agent so appointed.

54. Every Returning Officer, and every officer, clerk, or agent authorised to attend at a polling station, and also every officer, clerk, or agent authorised to attend at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the Returning Officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the Returning Officer; but no such Returning Officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer

to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in any wise invalidate the act or thing done.

SECOND SCHEDULE TO ACT.

Note.—The forms contained in this Schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Form of Ballot Paper.

Form of Front of Ballot Paper.

Counterfoil No.

ELECTION OF GUARDIANS.

1	BROWN (John Brown, of Water Lane, Agricultural Labourer.)	
2	GREEN (Robert Green, of Mudford, Shoemaker.)	
3	JONES (William David Jones, of Claygate Farm, Farmer.)	
4	MERTON (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Wilts, gentleman.)	
5	ROBINSON (Henry Robinson, of High Street, Grocer.)	
6	SMITH (Mary Elizabeth Smith, of Lavender Cottage, married woman.)	

NOTE:—
The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

Form of Back of Ballot Paper.

No.

Election of Guardians for Parish [*or* United Parishes *or* Ward of Parish].

18 .

Note.—The number on the ballot paper is to correspond with that on the counterfoil.

Directions as to Printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters [as shown in the form], and the names, places of abode, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for candidates as Guardians.

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the Presiding Officer and then, in the presence of the Presiding Officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than candidates, or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election of Guardians for the Parish of [*or* United Parishes of *or* Ward of the Parish of], do anything forbidden by section four of the Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration. One declaration may be made by the Returning Officer in respect of all the Parishes for which he is Returning Officer.

Form of Declaration of inability to read.

I, *A. B.*, of , being numbered on the Register of Parochial Electors for the Parish of , do hereby declare that I am unable to read.

A. B. his mark

day of , 18 .

I, the undersigned, being the Presiding Officer for the polling station for the Parish of [*or* United Parishes of *or* Ward of the Parish of], do hereby certify that the above declaration, having been first read to the above-named *A. B.*, was signed by him in my presence with his mark.

Signed, *C. D.*,

Presiding Officer for polling station for the Parish of [*or* United Parishes of *or* Ward of the Parish of]

day of , 18 .

FOURTH SCHEDULE.

SECTIONS 74 AND 75 OF THE MUNICIPAL CORPORATIONS ACT, 1882, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF GUARDIANS.

Offences in relation to Nomination Papers.

74.—(1) If any person forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the Returning Officer any forged nomination paper, knowing it to be forged, he shall be guilty of a misdemeanor, and shall be liable to imprisonment for any term not exceeding six months, with or without hard labour.

(2) An attempt to commit any such offence shall be punishable as the offence is punishable.

Neglect of Duty by Returning Officer or Deputy Returning Officer.

75.—(1) If a person who has undertaken to act as Returning Officer, or deputy returning officer, at an election of Guardians, neglects or refuses to conduct or declare the election in manner provided by the Local Government Act, 1894, and the Guardians (Outside London) Election

Order, 1898, he shall for every such offence be liable to a fine not exceeding one hundred pounds, recoverable by action.

(2) An action under this section shall not lie after three months from the neglect or refusal.

FIFTH SCHEDULE.

PROVISIONS OF THE MUNICIPAL CORPORATIONS ACT, 1882, WITH RESPECT TO THE ACCEPTANCE OF OFFICE, RE-ELIGIBILITY OF HOLDERS OF OFFICE, AND FILLING OF CASUAL VACANCIES, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF GUARDIANS.

Obligation to accept Office or pay Fine.

34.—(1) Every qualified person elected or deemed to be re-elected to the office of Guardian, unless exempt under this section or otherwise by law, either shall accept the office by making and subscribing the declaration required by this Act within one month after notice of being elected or deemed to be re-elected, or shall in lieu thereof be liable to pay to the Board of Guardians a fine of such amount, not exceeding fifty pounds, as the Guardians by regulations determine, and such fine shall be placed to the credit of the Parish for which the person was elected.

(2) If there are no regulations determining fines, the fine shall be twenty pounds.

(3) The persons exempt under this section are—

any person disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, and any person who, having within five years before the day of election served the office of Guardian for the parish or other area, claims exemption within ten days after notice of election or of being declared to be deemed to be re-elected.

(4) A fine payable under this section shall be recoverable summarily.

(5) If a person is either elected or deemed to be re-elected Guardian in more than one Parish or other area in the poor law union for which the election is held, he shall not accept office in respect of more than one of such areas, and if he accepts office or pays the fine for non-acceptance of office in respect of one of such areas he shall not be liable to a fine for non-acceptance of office in respect of any other such areas.

(6) Any person who has been nominated and elected without his consent to his nomination being previously obtained, shall not be liable to a fine under this section.

Declaration on Acceptance of Office.

35. A person elected or deemed to be elected to the office of Guardian shall not, until he has made and subscribed before two Guardians of the Poor Law Union, or the clerk to the Guardians of the Union, or, if he is absent from the United Kingdom, before a British Consul, a declaration in the following form or in a form to the like effect, act in the office except in administering that declaration :—

FORM OF DECLARATION ON ACCEPTANCE OF OFFICE.

I, *A. B.*, having been elected Guardian for the Poor Law Union of in respect of the Parish of [*or* of the United Parishes of and , *or* of the Ward of the Parish of], hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.

Dated this day of , 189 .

This declaration was made and subscribed before us.*

Guardians of the above-named Union { _____ _____

* If the declaration is made and subscribed before the clerk, or a Consul, adapt form accordingly.

Power to receive Declaration.

239.—(1) Members of the Board of Guardians or the clerk or a British Consul shall have authority to receive the declaration required to be made by a Guardian without any commission or authority other than this Act.

(2) The declaration, if made before a British Consul, shall be forthwith sent to the Clerk to the Guardians.

Penalty on acting in Office without making Declaration.

41.—(1) If any person acts in the office of Guardian without having made the declaration by this Act required, he shall for each offence be liable to a fine not exceeding twenty pounds, recoverable by action.

Re-eligibility of Office-holders.

37. A person ceasing to hold the office of Guardian shall, unless disqualified to hold the office, be re-eligible.

Filling of Casual Vacancies.

40.—(1) On a casual vacancy in the office of Guardian, an election shall be held in accordance with the Guardians (Outside London) Election Order, 1898; and the person elected shall hold the office until the

time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

(2) In case of more than one casual vacancy in the office of Guardian being filled at the same election, not being the ordinary election, the Guardian elected by the smallest number of votes shall be deemed to be elected in the place of him who would regularly have first gone out of office, and the Guardian elected by the next smallest number of votes shall be deemed to be elected in the place of him who would regularly have next gone out of office, and so with respect to the others; and if there has not been a contested election, or if any doubt arises, the order of rotation shall be determined by the Board of Guardians.

(3) Non-acceptance of office by a person elected, or deemed to be re-elected, creates a casual vacancy.

Time for filling Casual Vacancies.

66.—(1) On a casual vacancy in the office of Guardian, the election shall be held within one month after notice in writing of the vacancy has been given to the chairman of the Board of Guardians or to the clerk by two Guardians.

(3) The day of election shall be fixed by the clerk to the Guardians.

(4) Nothing in this Act shall authorise or require a Returning Officer to hold an election to fill a casual vacancy which occurs within six months before the ordinary day of retirement from the office in which the vacancy occurs, and the vacancy shall be filled at the next ordinary election.

Given under the Seal of Office of the Local Government Board, this First day of January in the year One thousand eight hundred and ninety-eight.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—RURAL DISTRICT COUNCILLORS.—RULES AS TO NOMINATION AND ELECTION.[1]

(Dated 1st January, 1898.)

To the County Council of every ADMINISTRATIVE COUNTY in ENGLAND and WALES except the Administrative County of London ;

To the Rural District Council of every Rural District in England and Wales ;—

To the Clerk to every such Rural District Council as aforesaid ;—

And to all others whom it may concern.[2]

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[1] Although Section 20 (1) of the Local Government Act, 1894, enacts that "there shall be no *ex-officio* or nominated Guardians," Section 24 (3) of that Act enacts that "the District Councillors for any Parish or other area in a rural district shall be the representatives of that Parish or area on the Board of Guardians, and when acting in that capacity shall be deemed to be Guardians of the poor, and Guardians as such shall not be elected for that Parish or area." It is therefore necessary to set out here the Orders of the Local Government Board which regulate the election of Rural District Councillors.

[2] The Rural District Councillors Election Order, 1898, was accompanied by a circular letter dated January 1, 1898, and addressed by the Local Government Board to the Clerks to Rural District Councils, containing the following statements, viz.:—

"The Board have hitherto in each year issued an Order under the powers conferred upon them by the Local Government Act, 1894, prescribing Rules for the ordinary election of Rural District Councillors in that year. They think, however, that the time has now come when a permanent Order might be issued prescribing Rules which shall apply to all elections of Rural District Councillors, and they have issued an Order accordingly.

"The new Order prescribes Rules not only for the elections held in any year to fill any ordinary vacancies in the Rural District Councillors, but also for the first election of any additional Rural District Councillors, and for the first election of any Councillors to be elected for any Rural Parish which may hereafter be constituted. The Order also prescribes Rules for every election which may be held to fill a casual vacancy in the office of Rural District Councillor, and, except as regards any election the proceedings in respect of which have been already commenced, the Rural District Councillors (Additional Councillors) Election Order, 1895, and the Rural District Councillors Casual Vacancies Election Order, 1895, are rescinded.

"Under Rule 1 of the Order, you will be the Returning Officer for the purposes of any election held under it, unless you are unable or unwilling to act. If such should be the case as regards any ordinary election to be held in the District in the present year, the Rural District Council should, as early as practicable, appoint some other person to act, but the same person must in all cases be the Returning Officer at the election of the Rural District Councillors and of any Parish Councillors to be elected at the same time in the Parish.

"By Rules 5 and 23 (3) of the Order, duties are imposed on the Overseers of any Parish for which an election is held. When sending to the Overseers forms of nomination paper and the copies of the Notice referred to in Rule 23 (3), you should draw their attention to the duties which devolve upon them in relation to these matters.

"The Board may refer to the Tables in the First Schedule to the Order, in which the times for the proceedings at any election of Rural District Councillors are prescribed or defined. As regards any ordinary election to be held this year, the times for the proceedings will be as follows:—

1. Notice of Election. . . .	Not later than Friday, March 11.
2. Receipt of Nomination Papers .	Not later than 12 o'clock at noon on Thursday, March 17.
3. Sending Notice of Decision as to validity of Nomination Papers .	Not later than Friday, March 18.
4. Making out Statement as to persons nominated . . .	Not later than Saturday, March 19.
5. Withdrawal of Candidates . .	Not later than 12 o'clock at noon on Tuesday, March 22.
6. Notice of Poll	Five clear days at least before the day of Election.
7. Day of Election	Monday, April 4, or such other day not being earlier than Saturday, April 2, or later than Wednesday, April 6, as may for special reasons be fixed by the County Council.

"The Board have also issued a permanent Order prescribing Rules for the annual elections of Parish Councillors. Under Rule 20 of the Order, you, as Clerk to the Rural District Council, will be the Returning Officer for the purposes of the election in any Parish in the District for which Parish Councillors are to be elected, unless you are unable or unwilling to act. If such should be the case as regards any ordinary election to be held in the present year, the Rural District Council should, as early as practicable, appoint some other person to act, but the same person must, as already pointed out, in all cases be the Returning Officer at the election of the Parish Councillors and of any Rural District Councillors to be elected at the same time in any Parish.

"You should at the earliest date practicable give notice to the Clerk to the Parish Council, or if there is no such Clerk to the Overseers of the Parish, as to whether you will yourself act as Returning Officer, or whether some other person has been appointed to act, and if so, as to his name and address.

"As regards the dates for the several proceedings in connection with a poll at any annual election of Parish Councillors, the Board may draw attention to the First Schedule to the Parish Councillors Election Order. In the present year the latest time for the withdrawal of candidates after the Parish Meeting will be 12 o'clock at noon on Tuesday, March 22, and the day of the poll will be Monday, April 4, or such other day not being earlier than Saturday, April 2, or later than Wednesday, April 6, as may for special reasons be fixed by the County Council.

WHEREAS by Section 20 of the Local Government Act, 1894, it is, amongst other things, enacted as follows :—

"20. As from the appointed day the following provisions "shall apply to Boards of Guardians :—

* * * * *

"(2.) A person shall not be qualified to be elected or to be a "Guardian for a Poor Law Union unless he is a parochial "elector of some Parish within the Union, or has during the "whole of the twelve months preceding the election resided in "the Union, or in the case of a Guardian for a Parish wholly or

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"Two copies of the Order as to the election of Rural District Councillors and also of that as to the election of Parish Councillors are enclosed, and the Board request that if you do not intend to act as Returning Officer, you will send them, together with this letter, to the person appointed in your place. The Orders will be placed on sale, so that further copies may, if required, be purchased from Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C., either directly or through any bookseller.

"I am directed to add that by the Expiring Laws Continuance Act, 1897, the Local Government Elections Act, 1896, has been continued in force until December 31, 1898. Hence if any difficulty arises during the present year with respect to any election of Parish or Rural District Councillors, or to the first meeting after the ordinary election of such Councillors, or if from an election not being held, or being defective, or otherwise, the Parish or Rural District Council has not been properly constituted, the County Council may by order make any appointment or do anything which appears to them necessary or expedient for the proper holding of any such election or meeting, and properly constituting the Council, and may, if it appears to them necessary, direct the holding of an election or meeting, and fix the dates for any such election or meeting."

At the same time that the foregoing circular letter was issued a circular letter was also issued by the Local Government Board to the Clerks to County Councils, in which the Board pointed out the importance of the hours during which the poll is to be open being fixed by the County Council in the case of any new Parish if there is no Order in force fixing the hours of the poll; and in which the Board stated that in every instance the poll must be open between the hours of six and eight o'clock in the evening.

The Board also took the opportunity of stating that any Order made by the County Council under Section 1 of the Local Government Elections Act, 1896, which is continued in force until December 31, 1898, by the Expiring Laws Continuance Act, 1897, may modify the provisions of the Local Government Act, 1894, and the enactments applied by, or Rules framed under, that Act, so far as may appear to the County Council necessary or expedient for carrying the Order into effect; and that Section 1 (2) of the Act of 1896 expressly provides that a County Council may delegate their powers under the section to a Committee, and the Board pointed out the importance of this power being exercised by the County Council. That cases had come under the Board's notice in the year 1897, in which advantage could not be taken of the powers conferred by the Act, because the difficulty to be met arose in the interval between the meetings of the particular County Council, and no committee had been empowered to deal with such matters.

"partly situate within the area of a borough, whether a county "borough or not, is qualified to be elected a Councillor for that "borough, and no person shall be disqualified by sex or marriage "for being elected or being a Guardian. So much of any enact- "ment, whether in a public general or local and personal Act, as "relates to the qualification of a Guardian shall be repealed :

"(3.) The parochial electors of a Parish shall be the electors "of the Guardians for the Parish, and, if the Parish is divided "into Wards for the election of Guardians, the electors of the "Guardians for each Ward shall be such of the parochial "electors as are registered in respect of qualifications within the "Ward :

"(4.) Each elector may give one vote and no more for each "of any number of persons not exceeding the number to be "elected :

"(5.) The election shall, subject to the provisions of this Act, "be conducted according to rules framed under this Act by the "Local Government Board."

And whereas by Section 24 of the said Act it is, amongst other things, enacted as follows :—

"24.—(1) The district council of every rural district shall "consist of a chairman and councillors, and the councillors shall "be elected by the Parishes or other areas for the election of "Guardians in the district.

"(2) The number of councillors for each Parish or other area "in a rural district shall be the same as the number of Guardians "for that Parish or area.

"(3) The district councillors for any Parish or other area in "a rural district shall be the representatives of that Parish or "area on the Board of Guardians, and when acting in that "capacity shall be deemed to be Guardians of the Poor, and "Guardians as such shall not be elected for that Parish or area.

"(4) The provisions of this Act with respect to the qualifica- "tion, election, and term of office and retirement of Guardians,[1]

[1] With regard to the duration of the term of office of Guardians of the Poor, see note (2) to Section 48 (4, *b*) of the Local Government Act, 1894, in

"and to the qualification of the chairman of the Board of "Guardians, shall apply to district councillors and to the chair- "man of the district council of a rural district, and any person "qualified to be a Guardian for a union comprising the district "shall be qualified to be a district councillor for the district."

And whereas by Section 48 of the said Act it is, amongst other things, enacted as follows:—

"48.—(2.) Rules framed under this Act by the Local "Government Board in relation to elections shall, notwith- "standing anything in any other Act, have effect as if enacted "in this Act, and shall provide, amongst other things,—

"(i.) for every candidate being nominated in writing by two "parochial electors as proposer and seconder and no "more;

"(ii.) for preventing an elector at an election for a Union or "for a district not a borough from subscribing a nomina- "tion paper or voting in more than one Parish or other "area in the Union or district;

* * * * *

"(iv.) for fixing or enabling the County Council to fix the day "of the poll and the hours during which the poll is to be "kept open, so, however, that the poll shall always be "open between the hours of six and eight in the "evening;

"(v.) for the polls at elections held at the same date and in "the same area being taken together, except where this "is impracticable;

"(vi.) for the appointment of Returning Officers for the "elections.

"(3.) At every election regulated by rules framed under this "Act the poll shall be taken by ballot, and the Ballot Act, 1872,[1]

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the preamble to the Guardians (Outside London) Election Order, 1894, *ante*, p. 6.

[1] By Rule 24, *post*, only such of the provisions of the Ballot Act, 1872, as are set out in the Third Schedule to the Order shall apply to the election of Rural District Councillors, and such provisions are to apply as adapted and altered by such Schedule. Rule 25, *post*, applies, subject to the adaptations and alterations made by Schedule 4 of the Order, the provisions of the Municipal

"and the Municipal Elections (Corrupt and Illegal Practices)
"Act, 1884, and sections seventy-four and seventy-five and
"Part IV. of the Municipal Corporations Act, 1882, as amended
"by the last-mentioned Act (including the penal provisions of
"those Acts) shall, subject to adaptations, alterations, and
"exceptions made by such Rules, apply in like manner as in the
"case of a municipal election. Provided that—

"(*a*) section six of the Ballot Act, 1872, shall apply in the "case of such elections, and the returning officer may, in "addition to using the schools and public rooms therein "referred to free of charge, for taking the poll, use the "same, free of charge, for hearing objections to nomina- "tion papers and for counting votes; and

"(*b*) section thirty-seven of the Municipal Elections (Corrupt "and Illegal Practices) Act, 1884, shall apply as if the "election were an election mentioned in the First "Schedule to that Act.

"(4) The provisions of the Municipal Corporations Act, 1882,
"and the enactments amending the same, with respect to the
"expenses of elections of councillors of a borough, and to the
"acceptance of office, * * * re-eligibility of holders of office,
"and the filling of casual vacancies, and section fifty-six of that
"Act shall, subject to the adaptations, alterations, and
"exceptions made by the said Rules, apply in the case of Guar-
"dians and of District Councillors of a county district not a
"borough.

* * * * *

"Provided that— * * *

"(*b*) Nothing in the enactments applied by this Section shall "authorise or require a Returning Officer to hold an "election to fill a casual vacancy which occurs within six "months before the ordinary day of retirement from the "office in which the vacancy occurs, and the vacancy shall "be filled at the next ordinary election; and

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Corporations Act, 1882, which are set out in the Schedule. None of the provisions of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, are set out in the Order.

"(*c*) the rules may provide for the incidence of the charge for "the expenses of the elections of Guardians being the "same as heretofore."

And whereas by the Rural District Councillors (Additional Councillors) Election Order, 1895, and the Rural District Councillors Casual Vacancies Election Order, 1895, We prescribed Rules for the first election of any additional Rural District Councillors for any Rural Parish in England and Wales, and the first election of a Rural District Councillor or Councillors to be appointed for any Rural Parish which might thereafter be constituted and for every election to be held to fill a casual vacancy in the office of Rural District Councillor in any Rural Parish in England and Wales:

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do hereby rescind the said Rural District Councillors (Additional Councillors) Election Order, 1895, and the said Rural District Councillors Casual Vacancies Election Order, 1895, except as regards any Election the proceedings in respect of which have been already commenced.

And We do hereby order that, subject to any directions which may be given by Us, and until we otherwise order, the following Rules[1] shall apply to, and shall be observed in connection with, elections of Rural District Councillors as hereinafter set forth; that is to say,—

(*a*) the election held in any year to fill any ordinary vacancies in the Rural District Councillors for any Rural Parish[2] in England and Wales;

(*b*) the first election of any additional Rural District Councillors for any Rural Parish or Parishes in England and Wales,

[1] See the note (1) to the Guardians (Outside London) Election Order, 1894, *ante*, p. 7.

[2] Where a Parish is divided into wards for the election of Rural District Councillors, the Rules in this Order are to apply, unless otherwise provided, to each of such wards as if it were a Parish; see Rule 30 (1), *post*, p. 98. With regard to the division of Parishes into wards, see note (2) to the Guardians (Outside London) Election Order, 1898, *ante*, p. 8.

If a Parish is united with any other Parish for the election of Rural District Councillors, the Rules of this Order are to apply as if such Parishes formed the Parish; see Rule 30 (1), *post*, p. 99.

and the first election of a Rural District Councillor or Councillors to be elected for any such Rural Parish which may hereafter be constituted ; and

(*c*) every election which may be held to fill a casual vacancy in the office of Rural District Councillor in any Rural Parish in England and Wales.

RETURNING OFFICER.

1.—(1) The Clerk to the Rural District Council of the Rural District in which the Parish is situate or with which it is co-extensive [1] shall be the Returning Officer, or, if there is more than one such Clerk, then the person who acts as such Clerk for the purposes of the Public Health Act, 1875.

(2) If the Clerk is unwilling to act as Returning Officer, or if the office of Clerk is vacant at the time when any duty relative to the election has to be performed by the Returning Officer, or if the Clerk from illness or other sufficient cause is unable to perform such duty, the Rural District Council shall appoint some other person to act as Returning Officer or to perform such of the duties of the Returning Officer as then remain to be performed, as the case may be, but the same person shall in all cases be the Returning Officer at the election of the Rural

[1] A fine not exceeding 100*l.* is imposed by Section 75 of the Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50), for the neglect or refusal of a Returning Officer or deputy returning officer to conduct or declare an election of Rural District Councillors in the manner provided by the Local Government Act, 1894, and this Order; see that section, *post*, p. 128, as applied by Rule 25, *post*, p. 94.

Section 81 of the Local Government Act, 1894, transferred to the Rural District Council the existing officers of authorities other than justices whose powers and duties were transferred by the Act to District Councils. Under Section 25 of the Act the powers and duties of a Highway Authority in the district, and of the Rural Sanitary authority were transferred to the Rural District Council. The effect of these provisions was in some cases to give to the Rural District Council more clerks than one.

Under Art. 20 (2) of the Parish Councillors Election Order, 1898, "the "same person shall in all cases be the Returning Officer at the election of the "Parish Councillors, and of any Rural District Councillors to be elected at the "same date in the Parish"; and under Art. 20 (6) of the Parish Councillors Election Order, 1898, "the same person shall act as Deputy Returning Officer "in respect of the election both of Parish Councillors and of any Rural District "Councillors to be elected at the same date in the Parish."

District Councillors and of any Parish Councillors to be elected at the same date in the Parish.

(3) The Returning Officer shall appoint some place within the Union or Rural District in which the Parish is situate as an Office for the purposes of the election.

(4) The Returning Officer may, in writing, appoint a fit person to be his deputy for all or any of the purposes relating to the election of Rural District Councillors, and shall appoint such a deputy in the case and for the purposes mentioned in Rule [19] of this Order. A Deputy Returning Officer shall have all the powers, duties, and liabilities of the Returning Officer in relation to the matters in respect of which he is appointed as deputy.[1]

(5) The same person shall act as Deputy Returning Officer in respect of the election both of Rural District Councillors and of any Parish Councillors to be elected at the same date in the Parish.

Day of Election.

2.—(1) The day of the election of Rural District Councillors in the Parish shall be that prescribed or defined for the purpose by the First Schedule to this Order.

(2) Provided that the day of election of Rural District Councillors in the Parish and the day of the poll for the election of any Parish Councillors to be elected at the same date in the Parish shall be the same.

Notice of Election.

3.—(1) Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall prepare and sign a notice of the election of Rural District Councillors, in the Parish or Parishes in which the election is to be held, and shall cause notice to be given of the

[1] By Rule 49 of Schedule 1 of the Ballot Act, 1872, *post*, p. 124, as applied by Rule 24, *post*, p. 94, no person is to be appointed by a Returning Officer for the purposes of an election who has been employed by any other person in or about the election.

same in accordance with Rule 31 of this Order in each such Parish. The notice shall be in the Form No. 1 in the Second Schedule to this Order, or in a form to the like effect.

NOMINATION OF CANDIDATES.

4.—(1) Each candidate for election as a Rural District Councillor shall be nominated in writing.[1]

(2) The nomination paper shall state the name of the Parish or other area for which the candidate is nominated, the surname, and other name or names in full of the candidate, and his place of abode and description, and whether he is qualified as a parochial elector of some Parish within the Poor Law Union in which the Rural District or the part of the Rural District containing the Parish or other area is comprised, or by having during the whole of the twelve months preceding the election resided in the Union, or by being qualified to be a Councillor for a Borough wholly or partly situate within the Union. It shall be signed by two parochial electors of the Parish or other area, as proposer and seconder, and no more, and shall state their respective places of abode. It shall be in the Form set out in the Notice in the Form No. 1 in the Second Schedule to this Order, or in a form to the like effect.[2]

(3) The name of more than one candidate shall not be inserted in any one nomination paper.

(4) A parochial elector shall not sign more nomination papers than there are Rural District Councillors to be elected for the Parish or other area in the Rural District for which the election is to be held. He shall not sign a

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[1] See the note to Rule 4 (1) of the Guardians (Outside London) Election Order, 1898, *ante*, p. 11.

[2] Section 24 (4) of the Local Government Act, 1894, applies to Rural District Councillors the provisions of that Act with respect to the qualification of Guardians, with regard to which see the note to Rule 4 (1) of the Guardians (Outside London) Election Order, 1898, *ante*, p. 12.

nomination paper for any Parish or other area [1] unless he is registered as a parochial elector in respect of a qualification therein. Neither shall he sign nomination papers for more than one Parish or other area in the Rural District.

(5) If any parochial elector shall sign nomination papers for more than one Parish or other area in the Rural District, or shall sign a larger number of nomination papers than the number of Rural District Councillors to be elected for the Parish or other area,[1] such of the nomination papers signed by him as relate to the first Parish or other area for which a nomination paper signed by him is received by the Returning Officer shall alone be valid, and of the nomination papers signed by him which relate to that Parish or other area [1] such as are first received by the Returning Officer up to the number of Rural District Councillors to be so elected shall alone be valid. Provided that for the purposes of this paragraph nomination papers not properly filled up and signed shall be excluded.[2]

NOMINATION PAPERS TO BE PROVIDED.

5. The Returning Officer shall provide nomination papers, and shall furnish the Overseers of the Parish with a supply thereof. Any parochial elector may obtain nomination papers from either the Returning Officer or the Overseers free of charge.[3]

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[1] *Parish or other Area.*—Rule 28, *post*, provides that a Parish situate in more than one administrative County is, for the purposes of the Order, to be deemed to be wholly situate in that County which, according to the census last published, contains the larger part of its population.

Rule 29, *post*, provides that when a Parish is divided into wards for the election of Rural District Councillors, the Rules of this Order are to apply, unless otherwise provided, to each of such wards as if it were a Parish; and by Section 44 (3) of the Local Government Act, 1894, it is enacted that "the "lists and register of electors in any Parish shall be framed in parts for wards "of Parishes in such manner that they may be conveniently used as lists for "polling at elections for any such wards."

[2] See the note to Rule 4 (5) of the Guardians (outside London) Election Order, 1898, *ante*, p. 15.

[3] Section 8 of the Ballot Act, 1872 (35 & 36 Vict. c. 33), *post*, p. 115, as

TIME FOR SENDING IN NOMINATION PAPERS.

6. Every nomination paper shall be sent to the Returning Officer so that it shall be received at his Office within the time prescribed for that purpose by the First Schedule to this Order. A nomination paper received after that time shall not be valid. The Returning Officer shall note on each nomination paper whether it was received before or after that time.

DEALING WITH NOMINATIONS BY RETURNING OFFICER.

7.—(1) The Returning Officer shall number the nomination papers in the order in which they are received by him; and the first valid nomination paper received for a candidate shall be deemed to be the nomination of that candidate.

(2) The Returning Officer shall, as soon as practicable after the receipt of any nomination paper, examine and decide whether it has or has not been properly filled up and signed by two parochial electors of the Parish or other area, and whether it is or is not invalid under Rule 4 (5) or Rule 6. His decision that a nomination paper has been so filled up and signed, and is not invalid as aforesaid, shall be final, and shall not be questioned in any proceeding whatever.[1]

(3) If the Returning Officer shall decide that a nomination paper is invalid, he shall put a note on it to this effect, stating the grounds of his decision, and he shall sign such note.

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adapted by Rule 24, *post*, p. 94, requires the Returning Officer to provide such nomination papers as may be necessary for effectually conducting the election. By Section 11 of the same Act, *post*, p. 116, a penalty not exceeding 100*l*. is imposed for wilfully omitting such duty.

[1] With regard to the expressions in this sub-rule "Parochial electors," and "Parish or other area," see the note to Rule 7 (2) of the Guardians (Outside London) Election Order, 1898, *ante*, p. 17.

Rule 33, *post*, p. 100, provides that no misnomer or inaccurate description of any person or place named in any nomination paper is to hinder the full operation of such paper with respect to that person or place provided the description can be understood.

(4) After deciding that the nomination of any candidate is valid, or (except where a nomination of any candidate has been decided to be valid) that a nomination paper for the candidate is invalid, the Returning Officer shall, not later than the day prescribed for that purpose by the First Schedule to this Order, send, by post or otherwise, notice of his decision to the candidate.

STATEMENT AS TO PERSONS NOMINATED.

8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall make out a Statement in the Form No. 2 in the Second Schedule to this Order, or in a form to the like effect, containing the names, places of abode, and descriptions of the persons nominated as Rural District Councillors for the Parish or the several Parishes for which the election is to be held, and also containing a notice of his decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not. He shall forthwith cause a copy thereof to be suspended in the Board Room of the Guardians of the Poor Law Union in which any of these Parishes are situate, and another to be affixed on the principal external gate or door of every Workhouse of such Union, and, if the Board Room of the Guardians is not situate at any such Workhouse, on the external gate or door of the building in which the Board Room is comprised.[1]

[1] Under the Order of February 24, 1877, which formerly regulated the election of Guardians, the names of the candidates at such elections were required to be inserted in the voting papers in alphabetical order, and the Local Government Board held that if they were not so inserted the election would be null and void. The present Order is silent as to the mode in which the names are to be inserted in the statement made out under this Rule, but in the Notice of Poll Form No. 5 in the Schedule to the Order, *post*, p. 108, the names of candidates for election are required to be inserted therein in alphabetical order.

The Returning Officer is to give notice that nomination papers are to be sent to him so that they will be received at his office not later than twelve o'clock at noon on the prescribed day; see the form of notice of election in the second schedule to this Order, *post*, p. 103. If, then, a nomination paper, though

Withdrawal of Candidate.

9. Any candidate may withdraw his candidature by delivering or causing to be delivered at the Office of the Returning Officer within the time prescribed for that purpose by the First Schedule to this Order, a notice in writing of such withdrawal, signed by him.

Relation of Nomination to Election.

10. Section 56 of the Municipal Corporations Act, 1882, shall be altered and adapted in its application to the election of Rural District Councillors in the Parish so as to provide as follows :—

(1) If the number of candidates who receive valid nominations and who do not withdraw their candidature under Rule 9, exceeds that of the persons to be elected as Rural District Councillors, the Councillors shall be elected from amongst the persons nominated.

(2) If the number of valid nominations does not exceed the number of Rural District Councillors to be elected, or if by the withdrawal of any candidate, as provided by Rule 9, the number of candidates for the Parish is reduced to a number not exceeding the number to be elected, or if the number of candidates is otherwise so reduced, the Returning Officer shall, as early as practicable, give public notice[1] in the Parish in accordance with Rule 31 of this Order to the effect that no poll will be taken, and that the candidates, or the remaining candi-

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posted before that hour, does not reach the office of the Returning Officer until after the hour specified in the notice, it will be too late (see *Reg.* v. *Stairstone*, 21 L.J.M.C. 145; 18 Q.B. 388, and *Bishop* v. *Helps*, 2 C.B. 45). A mere error in the date of the nomination paper will not invalidate it, nor will any misnomer or inaccurate description of any person or place named in such paper, provided the description of the person or place is such as to be commonly understood; see Rule 33, *post*, p. 100.

[1] The notice is to be published by posting it on or near the principal door of each church and chapel in the Parish, and in some conspicuous place or places within the Parish; see Rule 31, *post*, p. 99.

dates, as the case may be, will be declared to be elected ; and also, in the case of the ordinary election,[1] if the number of such candidates is less than the number of Rural District Councillors to be elected, that such of any retiring Councillors for the Parish as were highest on the poll at their election, or, if the poll was equal or there was no poll, as shall have been selected for that purpose by the Returning Officer by lot to make up the required number, will be declared to be deemed to be re-elected.

(3.) If there is no valid nomination, the Returning Officer shall, as early as practicable, give public notice in the Parish in accordance with Rule 31 of this Order that no poll will be taken, and, in the case of the ordinary election, that the retiring Councillors will be declared to be deemed to be re-elected.

(4.) The Returning Officer shall forthwith send, by post or otherwise, a copy of any notice under this Rule to each of the persons who will be declared to be elected, or to be deemed to be re-elected.

(5.) The notice shall be in the Form No. 3 or the Form No. 4, as the case may be, in the Second Schedule to this Order, or in a form to the like effect.

Day and Hours of Poll.

11.—(1) The poll, if any, shall be held on the day of election as prescribed or defined by the First Schedule to this Order, and the hours during which the poll shall be open shall be such as shall be fixed by the County Council by any general or special order, or if no such order is in force in the Parish, then such hours as were applicable at the last ordinary election [1] of Parish Councillors or Rural District

[1] For the meaning of the expression "ordinary election," *see* Rule 34, *post.*

Councillors in the Parish, so, however, that the poll shall always be open between the hours of six and eight in the evening.

(2) Provided that the hours during which any poll shall be open for the election of Rural District Councillors and of any Parish Councillors for the Parish shall be the same.[1]

POLLING DISTRICTS.

12.—(1) (*a*) If the Parish is divided into Polling Districts for the election of County Councillors or of Parish Councillors, the whole of each such district being comprised in the Parish, and the lists of parochial electors are made out in separate parts for such districts, each district shall be a Polling District for the election of Rural District Councillors.

(*b*) If the Parish is not so divided, but is divided into Wards for the election of Parish Councillors, each Ward shall be a Polling District for the election of Rural District Councillors.[2]

(*c*) If neither paragraph (*a*) nor paragraph (*b*) of this Rule applies to the Parish, the Returning Officer may, if he thinks fit, divide the Parish into Polling Districts for the election of Rural District Councillors, but each district shall consist of an area for which separate lists of parochial electors will be available : Provided that the Parish shall not be divided into Polling Districts, if the population thereof, according to the Census last published, is not three hundred or upwards.

(*d*) The Polling Districts for the election of Rural District Councillors and of any Parish Councillors to be elected at the same date in the Parish shall be the same.[3]

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[1] A similar provision is contained in Art. 21 (3) of the Parish Councillors Election Order, 1898.

[2] With regard to the division of Parishes into wards, see the note (2) to the Guardians (Outside London) Election Order, 1898, *ante*, p. 8.

[3] A similar provision to this is contained in Art. 22 (1, *d*) of the Parish Councillors Election Order, 1898.

(2) If the Parish is divided into Polling Districts, each parochial elector shall give his vote in the Polling District in which the property in respect of which he is entitled to vote is situate, and if it is situate in more than one Polling District, he may vote in any one (but in one only) of the Polling Districts in which it is situate.[1]

Polling Places and Stations.

13.—The Returning Officer shall determine the number and situation of the polling places and polling stations.[2]

Provided as follows :—

(*a*) No premises licensed for the sale of intoxicating liquor shall be used for a polling station ;

(*b*) The same polling stations shall be used for the election of Rural District Councillors and of any Parish Councillors to be elected at the same date in the Parish ;[3]

(*c*) Where the number of parochial electors in the Parish, or (if the Parish is divided into Polling Districts) in any Polling District, is not more than five hundred, only one polling station shall, unless the County Council otherwise direct, be provided for the Parish or Polling District ; and so on for each additional five

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[1] With regard to voting in one place only, see also Rule 18, *post*, p. 89. See also the note to Rule 14 (2) of the Guardians (Outside London) Election Order, 1898, *ante*, p. 23.

[2] Section 8 of the Ballot Act, 1872, *post*, p. 115, which is adapted and applied to elections of Rural District Councillors by Rule 24, *post*, p. 94, requires the Returning Officer to provide, *inter alia*, such polling stations as may be necessary for effectually conducting any election held pursuant to this Order. Under Section 6 of the Act of 1872, *post*, p. 115, he may use, free of charge, for the purpose of taking the poll or counting the votes at any such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of a local rate. Should any damage be done to a room so used, the Returning Officer is to defray any expense incurred by the persons having control over the room on account of such use. The same section enacts that the use of a room in an unoccupied house, for the purpose of taking the poll, is not to render any person liable to be rated or to pay any rate for the house.

[3] A similar provision is contained in Art. 23 (*b*) of the Parish Councillors Election Order, 1898.

hundred parochial electors, or for any less number of parochial electors over and above the last five hundred.

NOTICE OF POLL.

14.—(1) If a poll has to be taken, the Returning Officer shall within the time prescribed for that purpose, by the First Schedule to this Order, give public notice thereof in accordance with Rule 31 of this Order. The notice shall specify—

(*a*) the day and hours fixed for the poll ;

(*b*) the number of Rural District Councillors to be elected for the Parish ;

(*c*) the names, place of abode, and description of each candidate for the Parish whom he has decided to have been nominated by a valid nomination paper, and who has not withdrawn his candidature ;

(*d*) the names of the proposer and seconder who signed the nomination paper of each candidate ;

(*e*) a description of the polling districts, if any ; and

(*f*) the situation and allotment of the polling places and polling stations, and the description of the persons entitled to vote thereat.

(2) The notice shall be in the Form No. 5 in the Second Schedule to this Order, or in a form to the like effect.

(3) If polls are to be taken in the Parish as to the election of both Rural District Councillors and Parish Councillors, the Returning Officer may, if he thinks fit, give one notice only for both polls, and such notice shall be in the Form No. 6 in the Second Schedule to this Order, or in a form to the like effect.[1]

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[1] A similar provision to that contained in Art. 14 (3) is contained in Art. 26 (3) of the Parish Councillors Election Order, 1898.

PRESIDING OFFICERS.

15. The Returning Officer, or some person appointed by him for the purpose, shall preside at each polling station. The person presiding at any polling station shall be called the Presiding Officer.[1]

Provided as follows :—

(*a*) At any polling station the same person shall act as Presiding Officer for the election of Rural District Councillors and of any Parish Councillors to be elected at the same date in the Parish.

(*b*) In making appointments under this Rule the Returning Officer shall, as far as practicable, secure the services of suitable persons resident in the Parish, so as to diminish expense.[2]

COMPARTMENTS OF POLLING STATIONS.—BALLOT PAPERS.

16. The Returning Officer shall furnish every polling station with a sufficient number of compartments in which the voters can mark their votes screened from observation, and shall furnish each Presiding Officer with such number of ballot papers as may be necessary for effectually taking the poll at the election.[3]

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[1] The Returning Officer and every officer, clerk, or agent authorised to attend at a polling station is required, before the opening of the poll, to make a statutory declaration of secrecy in the presence, if he is the Returning Officer, of a Justice of the Peace, and if he is any other officer or an agent, of a Justice of the Peace or of the Returning Officer; see Rule 54 in the first Schedule to the Ballot Act, 1872, *post*, p. 124, as adapted and applied to elections of Rural District Councillors by Rule 24, *post*, p. 118. For the form in which the declaration is to be made, see *post*, p. 127. It will be seen that the form contains a note that one declaration may be made by the Returning Officer in respect of all the Parishes for which he is Returning Officer. Should the secrecy of the ballot be infringed, the punishment is imprisonment for any term not exceeding six months, with or without hard labour; see Section 4 of the Ballot Act, 1872, *post*, p. 114.

Further, with regard to the powers of Returning Officers, see the note to Rule 17 of the Guardians (Outside London) Election Order, 1898, *ante*, p. 26.

[2] A provision similar to that contained in Art. 15 of the above Order is contained in Art. 27 of the Parish Councillors Election Order, 1898.

[3] Rules regulating the procedure for taking the poll are prescribed by Section 2 of the Ballot Act, 1872, *post*, p. 112, which is adapted and applied to

Polling Agents.

17. If there are only two candidates, each of them may, in writing, appoint a polling agent for each polling station, who may be paid or unpaid. If there are more than two candidates, any number of them, being not less than one-third of the whole number of candidates, may, in writing, appoint one polling agent for each polling station, who may be paid or unpaid. Any such appointment shall be delivered at the Office of the Returning Officer not less than two clear days before the day of the poll. Except as aforesaid, no polling agent, whether paid or unpaid, shall be appointed for the purposes of the election.[1]

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elections of Rural District Councillors by Rule 24, *post*, p. 94. See also the Rules in the first schedule to that Act, *post*, p. 117. By Section 3 of the Act of 1872, *post*, p. 113, the offences in respect of ballot papers and ballot boxes are prescribed together with the punishment enforceable upon summary conviction for the commission of any such offences. Secrecy is imposed by Section 4 of the Act, *post*, p. 114, with respect to the voting at the poll, and the Section prescribes the punishment for the infringement of the secrecy. By Section 12 no person who has voted at an election of Rural District Councillors shall, in any legal proceedings to question the election or return, be required to state for whom he has voted.

In the second schedule to the Ballot Act, 1875, *post*, p. 125, which is adapted and applied to elections of Rural District Councillors by Rule 24, *post*, p. 94, a form of ballot paper, with directions as to its printing, will be found, also a form of directions for the guidance of voters to be printed and placarded outside every polling station, and in every compartment of such a station. Forms of statutory declaration of secrecy and of declaration of inability to read will also be found in the schedule.

[1] The names and addresses of agents appointed under Rule 18 are to be transmitted to the Returning Officer one clear day at least before the opening of the poll. Should the name and address of any agent not be so transmitted, the Returning Officer may refuse to admit him to the counting of the votes; see Rule 52, *post*, p. 124. The same Rule provides that any notice required to be given to an agent by the Returning Officer may be delivered at or sent by post to the address so transmitted. Should an agent die or become incapable of acting during the election, another may be appointed under Rule 53, *post*, p. 124. Before the poll is opened any agent appointed under Rule 18 is required by Rule 54, *post*, p. 124, to make a statutory declaration of secrecy, for the form of which see *post*, p. 127.

Rule 55, *post*, p. 125, provides that the non-attendance of an agent at the time and place at which any act or thing is required or authorised to be done, is not to invalidate in any way the act or thing done.

No Returning Officer or officer appointed by him in connection with the election of Rural District Councillors for any rural district, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as a Rural District Councillor. Should any such person so act he will be guilty of a misdemeanor; see Section 11 of

PROHIBITION OF VOTING IN MORE THAN ONE PARISH—QUESTIONS TO ELECTOR.

18.—(1) An elector shall not vote in more than one Parish in the District.

(2) The Presiding Officer may, and if required by any parochial elector of the Parish, or any polling agent appointed under Rule 17 shall, put to any elector at the time of his applying for a ballot paper, but not afterwards, the following questions, or one of them, and no other :—[1]

(*a*) Are you the person entered in the parochial register for this Parish [*or* Ward] as follows [*read the whole entry from the register*] ?[2]

(*b*) Have you already voted at the present election of Rural District Councillors in this or any other Parish or Ward in the Rural District of ?[3]

(3) A person required to answer either of these questions shall not receive a ballot paper or be permitted to vote until he has answered it.[4]

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the Ballot Act, 1872, *post*, p. 116, as adapted and applied to elections of Rural District Councillors by Rule 24, *post*, p. 94.

Rule 51, *post*, p. 124, allows a candidate to himself undertake the duties which any agent appointed by him might have undertaken, and enables him, should he not have appointed an agent, to be present at the counting of the votes. Before acting pursuant to the Rule, however, the candidate must make the statutory declaration as to secrecy required by Rule 54; see the proviso added to Rule 51, *post*, p. 124.

[1] Where a Parish is divided into wards, Rule 29 (*a*), *post*, p. 98, prohibits any elector voting in more than one ward.

[2] The punishment for the offence of personation of a voter at an election of Rural District Councillors is provided for by Sections 86 to 89 of the Parliamentary Voters Registration Act, 1843, which are applied to such election by Section 24 of the Ballot Act, 1872, *post*, p. 117, and Rule 24 of this Order, *post*, p. 94.

[3] Where a person applies for a ballot paper after another person has voted as the elector whom he represents himself to be, the Presiding Officer is to administer the oath and proceed as directed by Rule 27 of the schedule to the Ballot Act, 1872, *post*, p. 119.

[4] With regard to the voting of persons incapacitated by blindness or other physical cause, by Jews where the poll is taken on a Saturday, and by voters who are unable to read, see Rule 26 of the schedule to the Ballot Act, 1872, *post*, p. 118. Should a voter inadvertently spoil a ballot paper, he may obtain a fresh one upon satisfying the Presiding Officer that the paper was spoilt inadvertently, and the Presiding Officer is in such case to act as directed by Rule 28, *post*, p. 119.

Counting the Votes.

19.—(1) The Returning Officer, when he does not act as a Presiding Officer at any polling station for the Parish, shall appoint the Presiding Officer or some one of the Presiding Officers to act as Deputy Returning Officer for the Parish, as regards the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate and of the election of the candidate or candidates to whom the largest number of votes has been given. The person so appointed shall, in addition to his other powers and duties, have all the powers and duties of the Returning Officer in relation to the decision of any question as to any ballot paper and otherwise as to the ballot papers. Provided that, if the Parish is divided into Wards for the election either of Rural District Councillors or of Parish Councillors, but not for both elections, or, if the Parish is so divided for both elections, and the Wards are not the same for both elections, one Deputy Returning Officer shall act under this Rule for the whole of the Parish.[1]

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[1] Any room in a school receiving a grant from Parliament may be used free of charge by the Returning Officer for counting the votes at an election of Guardians, and any room the expense of maintaining which is payable out of any local rate; but any damage done to the room by so using it is to be made good by the Returning Officer; see Section 6 of the Ballot Act, 1872, *post*, p. 115, as applied by Rule 24, *post*, p. 94.

The Presiding Officer is to seal in separate packets each ballot box as soon as practicable after the close of the poll, and is to deliver it to the Returning Officer or deputy returning officer, by whom the votes are to be counted, unless he is such officer himself, together with the unused and spoilt ballot papers, the tendered ballot papers, the marked copies of the register of parochial electors, the counterfoils of the ballot papers, the tendered votes list and the list of votes marked by him with a statement of the number of votes marked and the declarations of inability to read; see Rule 29 of the schedule to the Ballot Act, 1872, *post*, p. 120. These packets are to be accompanied by the ballot paper account, as to which see Rule 30, *ib.* The counting of the votes is to be conducted in the manner prescribed by Rules 31 to 37 of the schedule to the Ballot Act, 1872, *post*, pp. 120 and 122.

In order to assist him in counting the votes the Returning Officer may, in addition to the clerks employed by him, appoint competent persons for that purpose under Rule 48, *post*, p. 124.

Each candidate is entitled to be represented by an agent at the counting of the votes; see Rule 31, *post*, p. 99; and where no agent is appointed the

(2) The same person shall act as Deputy Returning Officer in respect of the election both of Rural District Councillors and of any Parish Councillors to be elected at the same date for the Parish.[1]

(3) The votes shall be counted in the Parish or in some place near thereto as soon as practicable after the close of the poll.

Equality of Votes.

20. If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer or Deputy Returning Officer, as the case may be, may, if a parochial elector of the Parish, give such additional vote in writing, but shall not otherwise be entitled to vote at the election. If in such a case the Returning Officer or Deputy Returning Officer, as the case may be, is not a parochial elector of the Parish, or is unwilling to vote, he shall determine by lot which of the candidates whose votes are equal shall be elected.

Who to be deemed to fill Casual Vacancies at Ordinary Election.

21. In the event of one or more casual vacancies being filled at the ordinary election, where there is a poll, the persons elected by the fewest votes shall be deemed elected to fill such vacancies. Should there be an equality of votes between such persons, the Rural District Council shall determine by ballot which of such persons shall be deemed elected to fill the casual vacancy. If the persons elected to fill the casual vacancies will hold office for different periods, the person elected by the fewest votes, or if the

candidate himself may attend, or he may, where an agent has been appointed, himself take the place of such agent at the counting of the votes ; see Rule 51, *post*, p. 124.

[1] Art. 31 (2) of the Parish Councillors Election Order, 1898, also provides that the same person shall act as Deputy Returning Officer in respect of the election both of Parish Councillors and of any Rural District Councillors to be elected at the same date for the Parish.

votes were equal the person selected by the Rural District Council by ballot from the persons so elected shall hold office for the shorter period. Where there is no poll the person or persons to be deemed to be elected to fill the casual vacancy or vacancies shall be determined by the Rural District Council by ballot.

Declaration of Result of Poll.

22.—(1) The declaration of the result of the poll shall be in the Form No. 7 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Returning Officer or Deputy Returning Officer, as the case may be, making the declaration shall forthwith cause a copy of it to be affixed on the front of the building in which the votes have been counted. If the declaration is made by a Deputy Returning Officer, he shall forthwith send it to the Returning Officer.[1]

Publication of Result of Elections.

23.—(1) The Returning Officer shall prepare and sign in duplicate a notice of the result of the elections in all the Parishes for which elections are held, and shall by such notice declare to be elected or to be deemed to be re-elected the persons who, under Rule 10, are to be declared to be elected or to be deemed to be re-elected, without a poll being taken. The notice shall be in the Form No. 8 in the Second Schedule to this Order, or in a form to the like effect.

(2) One of these notices shall be sent by the Returning

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[1] An election is not to be invalidated by reason of any defect in the title or appointment of the Returning Officer or deputy returning officer, or by reason of any non-compliance with the Rules in the first schedule to the Ballot Act, 1872, or this Order, or by reason of any mistake in the use of the forms in the second schedule to that Act, or in this Order, if it appears that the election was conducted in accordance with the principles laid down in the body of the Act of 1872, and of the Local Government Act, 1894, and that such non-compliance or mistake did not affect the result of the election; see Section 13 of the Ballot Act, 1872, *post*, p. 116, as adapted and applied to elections of Rural District Councillors by Rule 24, *post*, p. 94.

Officer, as early as practicable, to the Clerk to the Rural District Council, and the other to the Clerk to the Guardians of the Union comprising the Rural District or the part of a Rural District; and copies of the notice shall be sent by the Returning Officer to the persons elected or deemed to be re-elected.

(3) The Returning Officer shall also send a sufficient number of copies of the notice to the Overseers of all the Parishes in the Rural District for which elections are held, and the Overseers of every such Parish shall cause public notice to be given thereof in accordance with Rule 31 of this Order.[1]

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[1] Every qualified person elected to the office of Rural District Councillor is, unless exempt by reason of his being disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, or otherwise by law from service as a Rural District Councillor, or unless he has been elected without his consent to his nomination being previously obtained, required either to accept office within one month after notice of election or to pay to the District Council a fine of such amount not exceeding 50*l.* as the District Council by regulations determine; see Section 48 (4) of the Local Government Act, 1894, *ante*, p. 74, and Section 34 of the Municipal Corporations Act, 1882, *post*, p. 128, as adapted and applied to elections of Rural District Councillors by Rule 25, *post*, p. 94. When there are no regulations fixing the amount of the fine for non-acceptance of office, sub-section 2 of the last-mentioned section determines the fine at 20*l.* Persons are also exempt from serving as Rural District Councillors who, having already served the office of Rural District Councillor for the Parish or other area, claim exemption within ten days after notice of being declared to be deemed to be re-elected; see Section 34 (3) of the Act of 1882, as adapted and applied to elections held under the Rural District Councillors Election Order, 1897, *post*, p. 128. The fine for non-acceptance of office is recoverable summarily; see Section 34 (4), *post*, p. 129.

When a person is elected in more than one Parish or other area in the rural district for which the election is held, he is not to accept office in respect of more than one of such areas, and if he accepts office or pays the fine for non-acceptance of office in respect of one of such areas, he is not to be liable to a fine for non-acceptance of office in respect of any other of such areas. *Ib.* 5.

Before acting as a Rural District Councillor a person elected or deemed to be re-elected is required to make a declaration before two members of the District Council or to the clerk to the District Council, in the form prescribed by Section 35 of the Municipal Corporations Act, 1882, *post*, p. 129, as applied to elections of Rural District Councillors by Rule 25, *post*, p. 94; see also Section 239 (1) of the Act of 1882, *post*, p. 129.

Should any person act as a Rural District Councillor without having first made such declaration, he will, each time he so acts, be liable to a fine not exceeding 20*l.*, which will be recoverable by action; see Section 41 (1) of the Municipal Corporations Act, 1882, *post*, p. 129, as applied by Rule 25, *post*, p. 94.

APPLICATION AND ADAPTATION OF BALLOT ACT, 1872.

24. The provisions of the Ballot Act, 1872, which, with adaptations and alterations, are set out in the Third Schedule to this Order, and only such provisions of that Act, shall, subject to such adaptations and alterations, apply to the election of Rural District Councillors in like manner as in the case of a municipal election.

Provided as follows :—

(1) Such application shall be subject to the provisions of this Order.

(2) If an election of Rural District Councillors and of any Parish Councillors is held in the Parish at the same date, one ballot box may, if the Returning Officer thinks fit, be used for the two elections ; but, if separate ballot boxes are used for the two elections respectively, no vote for any Rural District Councillor shall be rendered invalid by the ballot paper being placed in the box intended for the reception of ballot papers for Parish Councillors.[1]

(3) The ballot papers used at the election of Rural District Councillors for the Parish shall be of a different colour from that of any ballot papers used in the election of Parish Councillors held in the Parish at the same date.

ADAPTATION OF MUNICIPAL CORPORATIONS ACT, 1882.

25.—(1) The provisions of Sections 74 and 75 of the Municipal Corporations Act, 1882, which, with adaptations and alterations, are set out in the Fourth Schedule to this Order, and such of the provisions of that Act as relate to the acceptance of office, re-eligibility of holders of office,

[1] A corresponding provision to that which is contained in Art. 24 (2) of the above Order with regard to elections of Parish Councillors and of Rural District Councillors held at the same time is contained in Art. 35 (2) of the Parish Councillors Election Order, 1898.

and filling of casual vacancies, and are, with adaptations and alterations, set out in the Fifth Schedule to this Order, shall, subject to such adaptations and alterations, apply to the election of Rural District Councillors and to the persons elected or deemed to be re-elected thereat.

(2) In the application of Part IV. of the Municipal Corporations Act, 1882 (relating to Corrupt Practices and Election Petitions), as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

(*a*) Such application shall be subject to the provisions of this Order.

(*b*) References to the election of Rural District Councillors shall be substituted for references to a municipal election or to an election to a corporate office. "Parish or United Parishes," and in Section 93 (2) "Poor Law Union" shall be substituted for "Borough," "Poor Rate of "the Parish or Poor Rates of the United "Parishes" shall be substituted for "Borough "Fund or Borough Rate," the "Returning "Officer" shall be substituted for the "Town "Clerk," and "voter" shall mean "a parochial "elector, or a person who votes or claims to vote "at an election of Rural District Councillors."

ADAPTATION OF THE MUNICIPAL ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) ACT, 1884.

26. In the application of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

(1) Such application shall be subject to the provisions of this Order.

(2) The expressions "Parish or United Parishes," "Returning Officer of Rural District Councillors," and "Poor Rate of the Parish or Poor Rates of the

"United Parishes" shall be deemed to be substituted in the Act for "Borough," "Town Clerk," and "Borough Fund or Rate," respectively.

(3) The expression "corporate office" in the Act shall mean "the office of Rural District Councillor," and "a municipal election" shall mean "an election of "one or more Rural District Councillors"; and the expressions "municipal election court," "municipal "election list," and "municipal election petition" shall be construed accordingly.

(4) So much of Section 13 of the Act as permits one polling agent to be employed in each polling station shall not apply, except so far as the employment of polling agents is permitted by Rule 17 of this Order.

(5) An election petition complaining of the election on the ground of an illegal practice, may be presented at any time within six weeks after the day of election.

(6) A petition relating to the election of a Rural District Councillor for a Parish may be tried at any place within the Poor Law Union in which the Parish is situate.

(7) Nothing in the Act shall render it unlawful to hold a meeting for the purpose of promoting or procuring the election of a candidate to the office of Rural District Councillor on any licensed or other premises not situate in an Urban Sanitary District or in the Administrative County of London.

(8) In Section 34 of the Act "Burgess Roll" shall mean "Register of Parochial Electors."

(9) Section 37 of the Act shall be read as if a reference to an election of Rural District Councillors was substituted for a reference to any of the elections mentioned in the First Schedule to the Act.

EXPENSES.

27.—(1) Any sum which may be payable to the Returning Officer in respect of his services in taking a poll in the Parish, or in respect of expenses incurred in relation to such poll, shall be defrayed by the Rural District Council of the District, and shall be charged to the Parish in their accounts and shall be raised in like manner as any sums payable by the Parish in respect of the general expenses of the Rural District Council.

(2) Any other sum which may be payable to the Returning Officer in respect of his services in the conduct of the election, or in respect of expenses incurred in relation to the election, shall be defrayed by the Rural District Council of the District, and shall be charged in their accounts as follows :—

(*a*) If the election is the ordinary election, as general expenses :

(*b*) In the case of any election under this Order not held at the time of the ordinary election, to the Parish ; in which case any such sum shall be raised in like manner as any sums payable by the Parish in respect of the general expenses of the Rural District Council : Provided that where any such sum shall be payable in respect of two or more Parishes, the same shall be apportioned between them according to the number of parochial electors registered in such Parishes respectively.

(3) If a poll for the election of Rural District Councillors and of any Parish Councillors is taken at the same date in the Parish, one-half of any expenses which may be payable in respect of the two polls jointly, including the remuneration of any officers employed in the conduct thereof, shall be deemed to have been incurred in relation

to the poll for the election of Rural District Councillors and shall be defrayed accordingly.[1]

IF PARISH IN MORE THAN ONE COUNTY.

28.—If the Parish is situate in more than one Administrative County, it shall for the purposes of this Order be deemed to be wholly situate in the County which, according to the Census last published, contains the larger part of its population.

WARDS.

30.—(1) If the Parish is divided into Wards for the election of Rural District Councillors, the Rules in this Order shall, except as otherwise provided, apply to each of such Wards as if it were a Parish.

Provided as follows :—

(*a*) If the Parish is so divided, an elector shall not be permitted to vote in more than one Ward.

(*b*) Any sum which in pursuance of this Rule and of Rule 27 would be charged to any Ward shall be charged

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[1] By Section 48 (4) of the Local Government Act, 1894, *ante*, p. 74, the provisions of the Municipal Corporations Act, 1882, and the enactments amending the same, with respect to the expenses of elections of Councillors of a borough, are applied, subject to the adaptations, alterations, and exceptions made by rules framed by the Local Government Board, to elections of Rural District Councillors; and by sub-section 7 of Section 48 it is enacted that the expenses of any election under the Act shall not exceed the scale fixed by the County Council, and if at the beginning of one month before the first election under the Act a County Council have not framed any such scale for their county, the Local Government Board may frame a scale for the county, and the scale so framed shall apply to the first election, and shall have effect as if it had been made by the County Council, but shall not be alterable until after the first election. Accordingly, by a general Order of November 20, 1894, *post*, p. 185, the Local Government Board declared that the scale of expenses in the schedule to such Order shall, for the purposes of any election under the Local Government Act, 1894, be fixed for each county in which, on November 20, 1894, no scale framed under Section 48 of the Act of 1894 was in force, and for the purposes of any election under that Act in any such county to which any such scale in force in the county does not extend.

A similar provision to that contained in Art. 27 (3) with regard to the manner in which the expenses of a poll for the election of Parish Councillors are to be defrayed, where such poll is taken at the same date as that upon which the poll for the election of Rural District Councillors is taken, is contained in Art. 38 (2) of the Parish Councillors Election Order, 1898.

to the Parish in which the Ward is situate and shall be raised accordingly.

UNITED PARISHES.

30.—(1) If the Parish is united with any other Parish for the election of Rural District Councillors the Rules in this Order shall, subject as hereinafter mentioned, apply as if such Parishes formed the Parish.

(2) The questions which under Rule 18 the Presiding Officer may, and if required by any parochial elector, or any polling agent appointed under Rule 17 shall, put to any elector shall be as follows :—

(*a*) Are you the person entered in the parochial register for one of the United Parishes, viz. the Parish of as follows [*read the whole entry from the register*] ?

(*b*) Have you already voted at the present election of Rural District Councillors in either of the United Parishes of and , or in any other Parish or Ward in the Rural District of ?

(3) Any sum which in pursuance of this Rule and of Rule 27 would be charged to the United Parishes shall be divided between them in proportion to the number of parochial electors registered in such Parishes respectively, and shall be raised accordingly.

PUBLICATION OF NOTICES.

31. Any public notice required by this Order shall be given by posting the same on or near the principal door of each church and chapel in the Parish, and in some conspicuous place or places within the Parish.

MARK INSTEAD OF SIGNATURE.

32. In place of any signature required by this Order, it shall be sufficient for the signatory to affix his mark, if the same is witnessed by two parochial electors.

MISNOMER.—INACCURATE DESCRIPTIONS.

33. No misnomer or inaccurate description of any person or place named in any notice or nomination paper under this Order shall hinder the full operation of such notice or paper with respect to that person or place, provided the description of that person or place is such as to be commonly understood.

DEFINITION OF "RURAL PARISH" AND "ORDINARY ELECTION."

34. In this Order the expression "Rural Parish" means a Parish situate in a Rural District; and the expression "Ordinary election" means the election held in any year to fill any ordinary vacancies in the Rural District Councillors for the District, and includes any first election of Rural District Councillors for the Parish or election to fill a casual vacancy in the office of Rural District Councillor for the Parish which can be held at the time of the election to fill such ordinary vacancies.

ADAPTATION OF FORMS TO ELECTIONS OTHER THAN THE ORDINARY ELECTION.

35. If the election is not the ordinary election, such modifications as may be necessary shall be made in the Forms contained in the Second Schedule to this Order.

This Order may be cited as the "Rural District Councillors Election Order, 1898."

FIRST SCHEDULE.

a.—Times for the Proceedings at the ordinary Election of Rural District Councillors in any Year.

Proceeding	Time
1. Notice of Election . . .	Not later than the second Friday in March, or, if the first Monday in April is Easter Monday, the First Friday in March.
2. Receipt of Nomination Papers .	Not later than twelve o'clock at noon on the following Thursday.
3. Sending notice of decision as to validity of Nomination Papers.	Not later than the following Friday.
4. Making out Statement as to persons nominated	Not later than the following Saturday.
5. Withdrawal of Candidates . .	Not later than twelve o'clock at noon on the following Tuesday.
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election	The first Monday in April, or, if that is Easter Monday, the last Monday in March; or, in either case, such other day not being earlier than the preceding Saturday, or later than the following Wednesday, as may for special reasons be fixed by the County Council.

b.—Times for the Proceedings at First Elections of Rural District Councillors, or at Elections to fill Casual Vacancies, if not held at the time of the ordinary Elections.

Proceeding	Time
1. Notice of Election . . .	Not later than fourteen days before the day of Election.
2. Receipt of Nomination Papers .	Not later than twelve o'clock at noon on the fourth day after the day on which the Notice of Election was given.
3. Sending notice of decision as to validity of Nomination Papers	Not later than the day after the last day for the Receipt of Nomination Papers.
4. Making out Statement as to persons nominated . .	
5. Withdrawal of Candidates . .	Not later than twelve o'clock at noon on the fourth day after the last day for the receipt of Nomination Papers.
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election	In the case of First Elections:— Such day as may be fixed by the Returning Officer, but so that, subject to any special provision in the Order assigning any additional Councillors or constituting the new Parish, as the case may be, it shall not be later than six weeks from the date when such Order comes into operation. In the case of Elections to fill Casual Vacancies:— Such day as may be fixed by the Clerk to the District Council, in pursuance of Section 66 of the Municipal Corporations Act, 1882, as altered and adapted by the Fifth Schedule to this Order.

SECOND SCHEDULE.

Note.—If the election is not the ordinary election,[1] such modifications as may be necessary should be made in the Form in this Schedule (Rule 35).

[1] For the meaning of the expression "ordinary election," see Rule 34, *ante*, p. 100.

FORM No. 1.

Notice of Election.

RURAL DISTRICT OF

ELECTION OF RURAL DISTRICT COUNCILLORS

for the several Parishes, United Parishes and Wards of Parishes, [*as the case may be*] hereinafter mentioned.

NOTICE IS HEREBY GIVEN THAT—

*1. The day of election of Rural District Councillors for the said Parishes, United Parishes and Wards of Parishes, [*as the case may be*] will be , the day of , 18 .

2. The number of Rural District Councillors to be elected for the said Parishes, United Parishes and Wards, [*as the case may be*] is as follows:—†

3. Each candidate for election as a Rural District Councillor must be nominated in writing, and the nomination paper must be sent to me, so that it shall be received at (which is my office for the purposes of the election) not later than twelve o'clock at noon on , the day of , 18 .

4. A parochial elector must not sign more nomination papers than there are Rural District Councillors to be elected for the Parish or United Parishes or Ward, [*as the case may be*] and he must not sign a nomination paper for any Parish or United Parishes or Ward unless he is registered as a parochial elector in respect of a qualification therein. Neither must he sign nomination papers for more than one Parish or group of United Parishes or Ward in the Rural District.

5. Forms of nomination paper may be obtained, free of charge, either from me at the above-named office, or from the Overseers of the Parish (*or* either of the United Parishes) for which a nomination is proposed to be made.

6. The nomination paper must be in the following form, or in a form to the like effect:—

* If the day of election is not the same for all the Parishes, United Parishes, and Wards, adapt form accordingly.

† Insert here the names of the Parishes, United Parishes, and Wards of Parishes, with the number of Rural District Councillors to be elected for each. A tabular form may be used if preferred.

FORM OF NOMINATION PAPER.

RURAL DISTRICT OF

ELECTION OF RURAL DISTRICT COUNCILLORS

for the Parish of [*or* for the United Parishes

of , *or* for the Ward of the Parish of] in the year 18 .

We, the undersigned, being respectively parochial electors of the said Parish (*or* United Parishes *or* Ward), do hereby nominate the undermentioned person as a candidate at the said Election.

Names of Candidate.		Place of Abode.	Description.	How qualified (specify qualification according to direction in Instruction 5).
Surname.	Other Names in full.			
1.	2.	3.	4.	5.

Signature of Proposer _____

Place of Abode _____

_____

Signature of Seconder _____

Place of Abode _____

_____

Instructions for filling up Nomination Papers.[1]

1. The surname of only one candidate for election must be inserted in Column 1.
2. The other names of the candidate must be inserted in full in Column 2.
3. Insert in Column 3 the place of abode of the candidate.
4. In Column 4 state the occupation, if any, of the candidate. If the candidate has no occupation, insert some such description as

[1] These Instructions form part of the nomination paper.

"gentleman," or "married woman," or "spinster," or "widow," as the case may be.

5 If the candidate is a parochial elector of some Parish within the Union in which the Rural District or the part of the Rural District comprising the Parish is situate (that is, if his or her name is registered in the Register of parochial electors of such Parish) insert in Column 5 "Parochial Elector of Parish of ." If the candidate is not a parochial elector of some Parish in that Union, but he or she has, during the whole of the twelve months preceding the election, resided in the Union, insert in Column 5 "Residence." If the candidate is not a parochial elector of some Parish within the Union, and has not during the whole of the twelve months preceding the election resided in the Union, but he is qualified to be elected a councillor for some municipal borough wholly or partly situate in the Union, insert in Column 5 "Qualified to be elected Councillor of Borough of ." If the candidate has more than one of these qualifications, it will be sufficient to insert in Column 5 one of his or her qualifications, but more may be inserted.

6.—(1) The paper must be signed by two parochial electors of the Parish (*or* United Parishes *or* Ward), and no more; by one as proposer, and by the other as seconder. The places of abode of the Proposer and Seconder must also be inserted. Instead of signing, the proposer or seconder may affix his mark, if it is witnessed by two Parochial Electors.

(2) A parochial elector must not sign more nomination papers than there are Rural District Councillors to be elected for the Parish (*or* United Parishes *or* Ward), and he must not sign a nomination paper for any Parish (*or* United Parishes, *or* Ward) unless he is registered as a parochia elector in respect of a qualification therein. Neither must he sign a nomination paper in more than one Parish (*or* group of United Parishes *or* Ward) in the Rural District.

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7. Not later than , the day of , 18 , I shall cause a copy of a statement containing the names, places of abode and descriptions of the persons nominated for the office of Rural District Councillor for the said Parishes, United Parishes and Wards, and also containing a notice of my decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not, to be suspended in the Board

Room of the Guardians of the Union in which the said Parishes, United Parishes and Wards, are situate, and another to be affixed on the principal external gate or door of every Workhouse of the Union (and of the building in which the Board Room of the Guardians is comprised).*

* If the Board room is at the Workhouse omit these words.

8. Any candidate nominated for election may not later than twelve o'clock at noon on , the day of , 18 , withdraw his candidature by delivering or causing to be delivered at my office for the purposes of the election a notice in writing of such withdrawal signed by him.

† If the day of the election is not the same for all the Parishes, United Parishes, and Wards, adapt form accordingly.

†9. If the number of candidates who are validly nominated for any Parish, United Parishes *or* Ward, and whose candidature is not withdrawn, exceeds that of the persons to be elected, a poll will be taken on the day of , 18 , of which due notice will be given.

Dated this day of , 18 .

_____

Returning Officer.

_____

Office for purpose of election.

FORM NO. 2.

Statement as to Persons nominated.

RURAL DISTRICT OF

The following is a statement as to the persons nominated for election as Rural District Councillors for the several Parishes, United Parishes and Wards of Parishes [*as the case may be*] in the above-named Rural District, for which an election is to be held in the year 18 .

Parishes [United Parishes and Wards].	Persons nominated.			Decision of Returning Officer that Candidate has not been nominated by a valid Nomination Paper.
	Names (Surnames first).	Places of Abode.	Descriptions.	
1.	2.	3.	4.	5.

The Candidates opposite whose names no entry is made in Column 5 have been validly nominated.

Dated this day of , 18 .

Returning Officer.

Office for purpose of election.

FORM No. 3.

Notice that no Poll will be taken.

RURAL DISTRICT OF

PARISH OF [*or* Ward of the Parish of *or* United Parishes of].

WHEREAS the following candidates have been duly nominated for election as Rural District Councillors for the said Parish (*or* Ward *or* United Parishes):—(*Insert names, places of abode, and descriptions of candidates*).

And whereas the number of those [*or* And whereas (*insert name or names*) has (*or* have) since withdrawn his (*or* their) candidature (*or if some other event has occurred causing a person to cease to be a candidate state what it is*), and the number of the remaining] candidates is (equal to *or* less than) the number of persons, namely , to be elected as Rural District Councillors for the said Parish (*or* Ward *or* United Parishes),

I do hereby give notice that a Poll will not be taken, and that (*insert names*) will be declared elected as Rural District Councillors for the said Parish (*or* Ward *or* United Parishes)*, and also that (*insert names*) retiring Rural District Councillors for the said Parish (*or* Ward *or* United Parishes), will be declared to be deemed to be re-elected.

Dated this day of , 18 .

Returning Officer.

* If the number of candidates or remaining candidates is equal to the number to be elected, or if the election is a first election or is to fill a casual vacancy, omit from * to the end of the sentence.

FORM No. 4.

Notice where no Candidates are nominated.

RURAL DISTRICT OF

PARISH OF [*or* Ward of the Parish of , *or* United Parishes of].

I do hereby give notice that no candidate has been duly nominated for election as a Rural District Councillor for the said Parish [*or* Ward *or* United Parishes],* and that [*insert names*] the retiring Rural District Councillors for the said Parishes [*or* Ward *or* United Parishes] will be declared to be deemed to be re-elected.

Dated this day of , 18 .

_____

Returning Officer.

* If the Election is a first Election, or is to fill a casual vacancy, omit from * to the end of the sentence.

FORM No. 5.

Notice of Poll.

(This form relates to a Poll for the election of Rural District Councillors only.)

RURAL DISTRICT OF

ELECTION OF RURAL DISTRICT COUNCILLORS for the above District in the year 18 .

PARISH OF (*or* Ward of the Parish of *or* United Parishes of).

NOTICE IS HEREBY GIVEN—

1. That a Poll for the election of Rural District Councillors for the above-named Parish (*or* Ward *or* United Parishes) will be held on the day of , 18 , between the hours of and .
2. That the number of Rural District Councillors to be elected for the Parish (*or* Ward *or* United Parishes) is
3. That the names in alphabetical order, places of abode, and descriptions of the Candidates for election, and the names of their respective Proposers and Seconders are as follows :—

Names of Candidate (Surname first).*	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

* Insert particulars as to each Candidate for the Parish or Ward or United Parishes whose nomination is valid, and who has not withdrawn his candidature.

†4.—(1) That each elector must vote in the Polling District in which the property in respect of which he votes is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of such Polling Districts.

(2) The Polling Districts are as follows :—

† If the Parish or Ward or United Parishes are not divided into Polling Districts for the purposes of the Election, paragraph 4 should be omitted.

‡5. The situation and allotment of the Polling Places and Polling Stations and the description of the persons entitled to vote thereat are as follows :—

‡ If only one Polling Place or Station, adapt form accordingly.

6. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election will be (*insert colour*).

Dated this day of , 18 .

Returning Officer.

Office for purpose of election.

FORM No. 6.

Notice of Poll.[1]

[This form relates to a poll for the election of Parish Councillors and Rural District Councillors for the same area.]

ELECTION OF PARISH AND RURAL DISTRICT COUNCILLORS for the PARISH OF [*or* for the Ward of the Parish of] in the year 18 .

NOTICE IS HEREBY GIVEN—

1. That polls for the election of Parish and Rural District Councillors for the above-named Parish [*or* Ward] will be held on the day of , 18 , between the hours of and .
2. That the number of Parish Councillors to be elected for the Parish [*or* Ward] is .
3. That the number of Rural District Councillors to be elected for the Parish [*or* Ward] is .
4. That the names in alphabetical order, places of abode, and descriptions of the Candidates for election, and the names of their respective Proposers and Seconders are as follows :—

[1] The same form as that here prescribed is prescribed by the Parish Councillors Election Order, 1898, for use at Elections of Parish Councillors, see Art. 26 (3) and Sch. 2 Form No. 5 of that Order.

As Parish Councillors.

Names of Candidate (Surname first).*	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

* Insert particulars as to each Candidate whose name was put to the Parish Meeting, and who has not withdrawn his candidature.

As Rural District Councillor[s].

Names of Candidate (Surname first).	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

† If the Parish or Ward is not divided into Polling Districts for the purposes of the election, paragraph 5 should be omitted.

†5. (1) That each elector must vote in the Polling District in which the property in respect of which he votes is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of such Polling Districts.

(2) The Polling Districts are as follows :—

‡ If only one Polling Place or Station, adapt form accordingly.

‡6. The situation and allotment of the Polling Places and the description of the persons entitled to vote thereat and at the several Polling Stations are as follows :—

7. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election of Parish Councillors will be [*insert colour*], and in the election of Rural District Councillors will be [*insert colour*].

Dated this day of , 18 .

Returning Officer.

Office for purpose of election.

FORM No. 7.

Declaration of Result of Poll.

RURAL DISTRICT OF

ELECTION OF RURAL DISTRICT COUNCILLORS
in the year 18 .

PARISH OF [*or* Ward of the Parish of
or United Parishes of].

I, the undersigned, being the Returning Officer [*or* Deputy Returning Officer duly authorised in that behalf] at the poll for the election of Rural District Councillors for the said Parish [*or* Ward *or* United Parishes] held on the day of , 18 , do hereby give notice that the number of votes recorded for each candidate at the election is as follows:—

Names of Candidates.		Places of Abode.	Number of Votes recorded.
Surnames.	Other Names.		

And I do hereby declare that the said

are duly elected Rural District Councillors for the said Parish [*or* Ward *or* United Parishes].

Dated this day of , 18 .

Returning Officer,
[*or* Deputy Returning Officer].

FORM No. 8.

Notice of Result of Elections.

RURAL DISTRICT OF

ELECTION OF RURAL DISTRICT COUNCILLORS
in the year 18 .

I, the undersigned, being the Returning Officer at the election of Rural District Councillors for the said District, do hereby give notice that

the candidates whose names are entered in Column 6 of the statement hereunder, opposite to the names of Parishes, Wards, and United Parishes in which polls have been taken, have been declared duly elected Rural District Councillors; and I hereby declare that the [persons] whose names are entered in the said column [or in column 7] * opposite to the names of Parishes, Wards, and United Parishes where no polls have been taken were duly elected [or are to be deemed to be re-elected] * Rural District Councillors for the same.

* If the Election is a first election or is to fill a casual vacancy, omit these words and column 7.

Parishes, Wards, and United Parishes.	Names of Candidates.		Places of Abode.	Number of Votes recorded.	Names of Candidates elected.	Names of retiring Councillors deemed to be re-elected.
	Surnames.	Other Names.				
1.	2.	3.	4.	5.	6.	7.

Dated this day of , 18 .

Returning Officer.

[THIRD] SCHEDULE.

Provisions of the Ballot Act, 1872, as adapted and altered in their Application to the Election of Rural District Councillors.

Procedure at Elections of Rural District Councillors.

Poll at Elections.

2. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall

have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the Presiding Officer") after having shown to him the official mark at the back.

If in the register of parochial electors for a Parish the same number is placed opposite to the name of more than one parochial elector, the Returning Officer shall put a distinguishing mark on each part of the register which contains numbers used in other parts of the register, and when the number of any voter on any part of the register is entered on the counterfoil of a ballot paper the mark on that part shall also be entered thereon.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the Returning Officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given. The decision of the Returning Officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Offences.

Offences in respect of Ballot Papers and Ballot Boxes.

3. Every person who—

(1) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper; or

(2) Without due authority supplies any ballot paper to any person; or

(3) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

(4) Fraudulently takes out of the polling station any ballot paper; or

(5) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanor, and be liable, if he is a Returning Officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the Returning Officer at such election, as well as the property in the counterfoils.

Infringement of Secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of parochial electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

USE OF SCHOOL AND PUBLIC ROOM FOR POLL.

6. The Returning Officer at an election of Rural District Councillors may use, free of charge, for the purpose of taking the poll or for counting the votes at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll or for counting the votes as aforesaid.

The use of any room in an unoccupied house for the purpose of taking the poll shall not render any person liable to be rated or to pay any rate for such house.

DUTIES OF RETURNING AND ELECTION OFFICERS.

General Powers and Duties of Returning Officer.

8. Subject to the provisions of this Act, every Returning Officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of parochial electors and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting the election.

Keeping of Order in Station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the Presiding Officer, he may immediately, by order of the Presiding Officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the Returning Officer to remove him ; and the person so removed shall not, unless with the permission of the Presiding Officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Powers of Presiding Officer and Administration of Oaths, &c.

10. For the purpose of the adjournment of the poll a Presiding Officer shall have the power by law belonging to a deputy returning officer in a Parliamentary election ; and any Presiding Officer and any clerk appointed

by the Returning Officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any Returning Officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of Officers for Misconduct.

11. Every Returning Officer, Presiding Officer, and Clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act, shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

No Returning Officer or officer appointed by him in connexion with the election of Rural District Councillors for any rural district, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as a Rural District Councillor. If any Returning Officer or officer appointed by him, or the partner or clerk of any such officer, shall so act, he shall be guilty of a misdemeanor.

MISCELLANEOUS.

Prohibition of Disclosure of Vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with Rules.

13. No election shall be declared invalid by reason of a defect in the title or appointment of the Returning Officer or deputy returning officer or of a non-compliance with the rules contained in the First Schedule to this Act or in the Rural District Councillors Election Order, 1898, or any mistake in the use of the forms in the Second Schedule to this Act or in the said Order, if it appears to the tribunal having cognisance of the question that the election was conducted in accordance with the principles laid down in the body of this Act and of the Local Government Act, 1894, and that such non-compliance or mistake did not affect the result of the election.

PERSONATION.

Definition and Punishment of Personation.

24. The following enactments shall be made with respect to personation at an election of Rural District Councillors:

It shall be the duty of the Returning Officer to institute a prosecution against any person whom he may believe to have been guilty of persona-

tion, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is Returning Officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

Sections 86 to 89, both inclusive, of the Parliamentary Voters Registration Act, 1843, shall apply to personation at an election of Rural District Councillors in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Act, but with the substitution of the words "any parochial elector or any agent appointed under the Rural District Councillors Election Order, 1898," for "any such agent so appointed as aforesaid" or for any reference to any such agent, and of "the Presiding Officer" for "the Returning Officer or his respective deputy."

EFFECT OF SCHEDULES.

28. The schedules to this Act, and the notes thereto, and directions therein shall be construed and have effect as part of this Act.

SCHEDULES TO ACT.

FIRST SCHEDULE TO ACT.

RULES FOR ELECTIONS OF RURAL DISTRICT COUNCILLORS.

The Poll.

15. At every polling place the Returning Officer shall, subject to the provisions of the Rural District Councillors Election Order, 1898, provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

20. The Returning Officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret.

21. The Presiding Officer appointed to preside at each station shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names: it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The Presiding Officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector, together with the distinguishing mark, if any, of the part of the register in which the number occurs shall, as required by Section 2 of this Act as adapted, be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The Presiding Officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or on the application before sunset (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as hereinafter mentioned that he is unable to read, shall in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot

paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the Presiding Officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the Presiding Officer, who shall attest it in the form hereinafter mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the Presiding Officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions permitted by the Rural District Councillors Election Order, 1898, to be asked of voters at the time of polling, and upon taking an oath in the form hereinafter set out, which the Presiding Officer shall administer, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called "a tendered ballot paper") shall be of a colour differing from the other ballot papers, and, instead of being put into the ballot box, shall be given to the Presiding Officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the Returning Officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called "the tendered votes list."

The oath shall be administered in the following form:—

"You do swear that you are the same person whose name appears as *A. B.* on the Register of Parochial Electors for the Parish of [*or* Ward of the Parish of], and that you have not already voted at the present election of Rural District Councillors in this or any other Parish or Ward in the Rural District.

"So help you God."

Provided that any person entitled to affirm in lieu of taking an oath may affirm in the following form:—

"I, *A. B.*, do solemnly, sincerely, and truly declare and affirm that I am the same person whose name appears as *A. B.* on the Register of Parochial Electors for the Parish of [*or* Ward of the Parish of], and that I have not already voted at the present election of Rural District Councillors in this or any other Parish or Ward in the Rural District."

28. A voter who has inadvertently dealt with his ballot paper in such

manner that it cannot be conveniently used as a ballot paper, may, on delivering to the Presiding Officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the Presiding Officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called "a spoilt ballot paper"), and the spoilt ballot paper shall be immediately cancelled.

29. The Presiding Officer of each station, as soon as practicable after the close of the poll, shall make up into separate packets sealed with his seal,—

(1) Each ballot box in use at his station, unopened but with the key attached; and

(2) The unused and spoilt ballot papers, placed together; and

(3) The tendered ballot papers; and

(4) The marked copies of the register of parochial electors, and the counterfoils of the ballot papers; and

(5) The tendered votes list, and the list of votes marked by the Presiding Officer, and a statement of the number of the voters whose votes are so marked by the Presiding Officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the Returning Officer, or deputy returning officer, by whom the votes are to be counted, unless he is himself such officer.

30. The packets shall be accompanied by a statement made by such Presiding Officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as "the ballot paper account."

Counting Votes.

31. Each candidate may appoint an agent to attend the counting of the votes.

32. The Returning Officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The Returning Officer, his assistants and clerks, the agents of the candidates, any person to whom Rule 51 of this Schedule applies, and no other person, except with the sanction of the Returning Officer, may be present at the counting of the votes.

34. If a poll has been taken as to the election of Rural District Councillors only, before the Returning Officer proceeds to count the votes

he shall, in the presence of the agents of the candidates, open each ballot box, and taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. If polls have been taken at the same date for the election both of Rural District Councillors and of Parish Councillors, before the Returning Officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open one of the ballot boxes and taking out the papers therein shall separate those relating to the election of Rural District Councillors from any relating to the election of Parish Councillors, and shall count and record the number of ballot papers relating to each election. He shall then secure the ballot papers relating to each election by placing them in separate packets under his own seal, and the seals of such of the agents of the candidates as desire to affix their seals, and shall proceed in like manner with any other ballot boxes and the papers therein. When all the ballot boxes and the papers therein have been so dealt with, he shall open all the packets of ballot papers relating to one election, and shall mix all such papers together, and shall proceed to count the votes, keeping the papers relating to any other election sealed up until he has completed such counting. He shall afterwards deal in manner aforesaid with the packets and papers relating to the other election or elections.

The Returning Officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The Returning Officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding, if and so far as he thinks it necessary, the hours between the close of the poll and nine o'clock on the succeeding morning. During the excluded time the Returning Officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The Returning Officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The Returning Officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark;
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;

4. Unmarked or void for uncertainty ;

and shall on request allow any agents of the candidates to copy such statement. If the votes are counted by a deputy returning officer he shall, with the declaration of the result of the poll, report to the Returning Officer the number of ballot papers rejected and not counted by him, under the above heads, and no such statement as aforesaid shall be drawn up by the Returning Officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it.

37. Upon the completion of the counting, the Returning Officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each Presiding Officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes lists, and shall reseal each sealed packet after examination. The Returning Officer shall draw up a statement as to the result of such verification, and shall, on request, allow any agents of the candidates to copy it.

If the votes are counted by a deputy returning officer, he shall report to the Returning Officer the result of the verification, and no such statement as aforesaid shall be drawn up by the Returning Officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it. He shall, with his report, send to the Returning Officer the sealed packets of counted and rejected ballot papers, and the unopened sealed packets which he has received from any Presiding Officer.

38. Lastly, the Returning Officer shall carefully preserve for the period hereinafter mentioned all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the Presiding Officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the Parish for which such election was held.

39. The Returning Officer shall retain for six months all documents relating to an election of Rural District Councillors, and then, unless otherwise directed by an order of the county court having jurisdiction in the Rural District or in any part thereof, or of any tribunal in which the election is questioned, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Returning Officer, except under the order of the county

court or tribunal aforesaid, to be granted by such court or tribunal, on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return ; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the court or tribunal making the same may think expedient, and shall be obeyed by the Returning Officer.

41. No person shall, except by order of the county court having jurisdiction in the Rural District or any part thereof, or of any tribunal having cognisance of any question relating to the election, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Returning Officer. Such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court or tribunal making the order may think expedient: Provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents in the custody of a Returning Officer in pursuance of this Act, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may have been or may hereafter be prescribed by the council of the county in which the parish is situate, and the Returning Officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be made by the County Council.

43. Where an Order is made for the production by the Returning Officer of any document in his possession relating to any specified election of Rural District Councillors, the production by such officer or his agent of the document ordered, in such manner as may be directed by such Order, or by an Order of the Court having power to make such first-mentioned Order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Returning Officer or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *primâ facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had

affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

43. (*a*) There shall be an appeal from any Order of the county court under these rules in like manner as in other cases in such court.

General Provisions.

47. If the Returning Officer presides at any polling station, the provisions of this Act relating to a Presiding Officer shall apply to such Returning Officer with the necessary modifications as to things to be done by the Returning Officer to the Presiding Officer, or the Presiding Officer to the Returning Officer.

48. The Returning Officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a Returning Officer for the purposes of an election who has been employed by any other person in or about the election.

50. The Presiding Officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his, if appointed under Rule 31 of this schedule, might have undertaken, and may, if he does not appoint such an agent, be present at the counting of the votes, or may himself take the place of such agent. Provided that any person acting under this Rule may at any time before so acting make the statutory declaration required by Rule 54 of this schedule, but he shall not so act until he has made such declaration.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the Returning Officer one clear day at the least before the opening of the poll; and the Returning Officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the Returning Officer may be delivered at or sent by post to such address.

53. If any person appointed an agent for the purposes of attending a polling station, or at the counting of the votes, dies, or becomes incapable of acting during the time of the election, another agent may be appointed in his place, and notice shall forthwith be given to the Returning Officer in writing of the name and address of any agent so appointed.

54. Every Returning Officer, and every officer, clerk or agent authorised to attend at a polling station, and also every officer, clerk, or

agent authorised to attend at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the Returning Officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the Returning Officer; but no such Returning Officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

Second Schedule to Act.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Form of Ballot Paper.

Form of Front of Ballot Paper.

Counterfoil No.

ELECTION OF RURAL DISTRICT COUNCILLORS.

1	ADAMS (Walter Adams, of Green Farm, Farmer.)
2	HIGGINS (William Henry Higgins, of Mudford, Agricultural Labourer.)
3	MERTON (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Wilts, Gentleman.)
4	PRITCHARD (Jane Pritchard, of Rose Villa, Married Woman.)

Note:—*The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.*

Form of Back of Ballot Paper.

No.

Election of Rural District Councillors for Parish [*or* United Parishes, *or* Ward of Parish]

18 .

Note.—The number on the ballot paper is to correspond with that in the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, and the names, places of abode, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for candidates as Rural District Councillors.

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back of the Presiding Officer, and then, in the presence of the Presiding Officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than candidates, or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election of Rural District Councillors for the Parish of [*or* United Parishes of , *or* Ward of the Parish of], do anything forbidden by section four of The Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration. One declaration may be made by the Returning Officer in respect of all the parishes for which he is Returning Officer.

Form of Declaration of inability to read.

I, *A. B.*, of , being numbered on the Register of Parochial Electors for the Parish of do hereby declare that I am unable to read.

A. B., his mark.

day of , 18 .

I, the undersigned, being the Presiding Officer for the polling station for the Parish of [*or* United Parishes of , *or* Ward of the Parish of], do hereby certify that the above declaration, having been first read to the above-named *A. B.*, was signed by him in my presence with his mark.

Signed, *C. D.*,
Presiding Officer for polling station for the Parish of [*or* United Parishes of *or* Ward of the Parish of].

day of , 18 .

FOURTH SCHEDULE.

SECTIONS 74 AND 75 OF THE MUNICIPAL CORPORATIONS ACT, 1882, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF RURAL DISTRICT COUNCILLORS.

Offences in relation to Nomination Papers.

74.—(1) If any person forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the Returning Officer any

forged nomination paper, knowing it to be forged, he shall be guilty of a misdemeanor, and shall be liable to imprisonment for any term not exceeding six months, with or without hard labour.

(2) An attempt to commit any such offence shall be punishable as the offence is punishable.

Neglect of Duty by Returning Officer or Deputy Returning Officer.

75.—(1) If a person who has undertaken to act as Returning Officer, or deputy returning officer, at an election of Rural District Councillors, neglects or refuses to conduct or declare the election in manner provided by the Local Government Act, 1894, and the Rural District Councillors Election Order, 1898, he shall for every such offence be liable to a fine not exceeding one hundred pounds, recoverable by action.

(2) An action under this section shall not lie after three months from the neglect or refusal.

FIFTH SCHEDULE.

PROVISIONS OF THE MUNICIPAL CORPORATIONS ACT, 1882, RELATING TO THE ACCEPTANCE OF OFFICE, RE-ELIGIBILITY OF HOLDERS OF OFFICE, AND FILLING OF CASUAL VACANCIES AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF RURAL DISTRICT COUNCILLORS.

Obligation to accept Office or pay Fine.

34.—(1) Every qualified person elected or deemed to be re-elected to the office of Rural District Councillor, unless exempt under this section or otherwise by law, either shall accept the office by making and subscribing the declaration required by this Act within one month after notice of being elected or deemed to be re-elected, or shall, in lieu thereof, be liable to pay to the district council a fine of such amount, not exceeding fifty pounds, as the district council by regulations determine. And such fine shall be placed to the credit of the Parish for which the person fined was elected.

(2) If there are no regulations determining fines, the fine shall be twenty pounds.

(3) The persons exempt under this section are—

Any person disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, and any person who having within five years before the day of election served the office of rural district councillor for the parish or other area, claims exemption within ten days after notice of election or of being declared to be deemed to be re-elected.

(4) A fine payable under this section shall be recoverable summarily.

(5) If a person is elected Rural District Councillor in more than one Parish or other area in the Rural District for which the election is held, he shall not accept office in respect of more than one of such areas, and if he accepts office or pays the fine for non-acceptance of office in respect of one of such areas, he shall not be liable to a fine for non-acceptance of office in respect of any other of such areas.

(6) Any person who has been elected without his consent to his nomination being previously obtained shall not be liable to a fine under this section.

Declaration on Acceptance of Office.

35. A person elected or deemed to be re-elected to the office of Rural District Councillor shall not, until he has made and subscribed before two members of the district council, or the clerk to the district council, or if he is absent from the United Kingdom, before a British Consul, a declaration in the following form or in a form to the like effect, act in the office except in administering that declaration:—

FORM OF DECLARATION ON ACCEPTANCE OF OFFICE.

I, *A. B.*, having been elected Rural District Councillor for the Rural District of , in respect of the Parish of [*or* of the United Parishes of and , *or* of the Ward of the Parish of], hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.

Dated this day of 18 .

This declaration was made and subscribed before us*

Members of the District Council of the above-named District. _____

_____

_____

* If the declaration is made and subscribed before the Clerk, or a Consul, adapt form accordingly.

Power to receive Declaration.

239.—(1) Members of the district council or the clerk or a British Consul shall have authority to receive the declaration required to be made by a Rural District Councillor without any commission or authority other than this Act.

(2) The declaration, if made before a British Consul, shall be forthwith sent to the clerk to the District Council.

Penalty on acting in Office without making Declaration.

41.—(1) If any person acts in the office of Rural District Councillor

without having made the declaration by this Act required, he shall for each offence be liable to a fine not exceeding twenty pounds, recoverable by action.

Re-eligibility of Office-holders.

37. A person ceasing to hold the office of Rural District Councillor shall, unless disqualified to hold the office, be re-eligible.

Filling of Casual Vacancies.

40.—(1) On a casual vacancy in the office of Rural District Councillor, an election shall be held in accordance with the Rural District Councillors Election Order, 1898; and the person elected shall hold the office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

(2) In case of more than one casual vacancy in the office of Rural District Councillor being filled at the same election, the councillor elected by the smallest number of votes shall be deemed to be elected in the place of him who would regularly have first gone out of office, and the Councillor elected by the next smallest number of votes shall be deemed to be elected in the place of him who would regularly have next gone out of office, and so with respect to the others; and if there has not been a contested election, or if any doubt arises, the order of rotation shall be determined by the District Council.

(3) Non-acceptance of office by a person elected or deemed to be re-elected creates a casual vacancy.

Time for filling Casual Vacancies.

66.—(1) On a casual vacancy in the office of Rural District Councillor, the election shall be held within one month after notice in writing of the vacancy has been given to the chairman of the District Council or to the clerk by two councillors.

(3) The day of election shall be fixed by the clerk to the District Council.

(4) Nothing in this Act shall authorise or require a Returning Officer to hold an election to fill a casual vacancy which occurs within six months before the ordinary day of retirement from the office in which the vacancy occurs, and the vacancy shall be filled at the next ordinary election.

Given under the Seal of Office of the Local Government Board, this First day of January, in the year One thousand eight hundred and ninety-eight.

L. S.

HENRY CHAPLIN, *President*.

HUGH OWEN, *Secretary*.

GENERAL ORDER.—GUARDIANS (LONDON).—RULES AS TO NOMINATION AND ELECTION, 1898.

(Dated 21st January, 1898.)

To the County Council of the Administrative County of London ;—[1]

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[1] In the Administrative County of London there are thirty Boards of Guardians of Parishes or Unions; and under the above enactment the London County Council has issued Orders in respect of 19 of such Parishes or Unions for the simultaneous retirement of the Guardians at the expiration of every period of three years; and in respect of 9 of such Parishes or Unions the London County Council has issued Orders for the triennial retirement of the Guardians. In each of such Parishes or Unions the Guardians of the Poor go out of office on April 15, 1898. In the remaining two Parishes or Unions, namely, the Parish of St. Marylebone and the united Parishes of St. Giles and St. George, Bloomsbury, Orders issued by the Local Government Board under 4 & 5 Will. IV. c. 76, s. 41, were in force at the passing of the Local Government Act, 1894. In the case of the Parish of St. Marylebone the Order provided for the simultaneous retirement of all the Guardians on April 15, 1900, while in the case of the Parishes of St. Giles and St. George, Bloomsbury, the Order provides for the simultaneous retirement of the Guardians on April 15, 1898.

The following is a list of the Orders regulating the period of service of Guardians in the Administrative County of London, with the dates when such Orders were made, viz. :—

Orders of the London County Council for the simultaneous Retirement of Guardians.

Union or Parish.	Date of Order.
Chelsea Parish	November 27, 1894.
City of London Union	" " "
Greenwich "	December 11, 1894.
Hackney "	November 27, 1894.
Hampstead "	" " "
Holborn "	" " "
Lambeth "	" " "
Lewisham "	" " "
Mile End Old Town Parish	" " "
Poplar Union	" " "
St. George-in-the-East Parish	" " "
St. Leonard, Shoreditch, Parish	" " "
St. Matthew, Bethnal Green "	" " "
St. Pancras Parish	" " "
St. Saviour's Union	" " "
Stepney "	" " "
Strand "	" " "
Whitechapel "	" " "
Woolwich "	" " "

To the Board of Guardians of every Poor Law Union, wholly situate within the said County ;—

To the Clerk to the Guardians of every such Poor Law Union as aforesaid ;—

And to all others whom it may concern.[1]

ORDERS OF THE LONDON COUNTY COUNCIL FOR THE TRIENNIAL RETIREMENT OF GUARDIANS.

Union or Parish.	Date of Order.
Camberwell Parish	February 12, 1895.
Fulham Union	January 29, 1895.
Islington Parish	January 22, 1895.
Paddington „	„ „ „
St. George's Union	February 12, 1895.
St. Mary Abbot, Kensington, Parish	October 23, 1894.
St. Olave's Union	February 26, 1895.
Wandsworth and Clapham Parishes	„ „ „
Westminster Union	May 28, 1895.

ORDERS OF THE LOCAL GOVERNMENT BOARD.

Parish	Date of Order.
St. Giles and St. George, Bloomsbury, Parishes	March 13, 1891.
St. Marylebone Parish	„ „ „

By Section 20 (6, *a*) of the Local Government Act, 1894, it is enacted that: "When the County Council, on the application of the Board of Guardians of "any Union in their County, consider that it would be expedient to provide for "the simultaneous retirement of the whole of the Board of Guardians for the "Union, they may direct that the members of the Board of Guardians for that "Union shall retire together on the fifteenth day of April in every third year, and "such Order shall have full effect, and where a Union is in more than one "county, an Order may be made by a Joint Committee of the Councils of those "counties ;" and by sub-section 6 (*b*) of the same section it is enacted that: "When, at the passing of this Act the whole of the Guardians of any Union, in "pursuance of an Order of the Local Government Board, retire together at the "end of every third year, they shall continue so to retire, unless the County "Council, or a Joint Committee of the County Councils, on the application of "the Board of Guardians or of any District Council of a district wholly or "partially within the Union, otherwise direct."

The Administrative County of London comprises the Parishes and places situate within the Metropolis, that is to say, the City of London and the Parishes and places mentioned in Schedules A, B, and C of the Metropolis Management Act, 1855 (18 & 19 Vict. c. 120), as amended by subsequent Acts; see Section 40 (1) and (2) and Section 100 of the Local Government Act, 1888 (51 & 52 Vict. c. 41). The Acts which amend the Act of 1855 are the following, viz.: the Metropolis Management Act, 1885 (48 & 49 Vict. c. 33), the Metropolis Management (Battersea and Westminster) Act, 1887 (50 & 51 Vict. c. 17), and the Metropolis Management (Plumstead and Hackney) Act, 1893 (56 & 57 Vict. c. 55, s 33).

[1] The Order here recites the same provisions of Section 48 of the Local Government Act, 1894, as are recited in the preamble to the Guardians (Outside London) Election Order, 1894, *ante*, p. 4, except that it omits to recite sub-section 2 (v) of the section.

In applying note (1) to sub-section 3 thereof to the present Order, the references should be to Rules 23 and 24, *post*, p. 152, and in note (4) to sub-section 4 of the Section 48 the reference should be to Rule 10 of the present Order, *post*, p. 143.

With the above Order was issued, by the Local Government Board, the following circular letter, dated January 21, 1898, and addressed to the Clerks to Guardians in the Administrative County of London, viz.:—"I am directed by the Local Government Board to state that in pursuance of the powers conferred upon them by the Local Government Act, 1894, they have issued an Order prescribing Rules for the election of Guardians in the Parishes in the Administrative County of London.

"The Order prescribes Rules not only for the ordinary elections this year and for similar elections in any future year, but also for the first election of any additional Guardians. The Order further prescribes Rules for every election which may be held to fill a casual vacancy in the office of Guardian, and the Guardians (London) Casual Vacancies Election Order, 1895, has been rescinded.

"Under Rule 1 of the new Order, you will be the Returning Officer for the purposes of any election held under it, unless you are unable or unwilling to act. If such should be the case as regards the ordinary election of Guardians this year, the Guardians should, as early as practicable, appoint some other person to act.

"The Board may draw attention to the Tables in the First Schedule to the Order, in which the times for the proceedings at any election of Guardians are prescribed or defined. As regards the ordinary election to be held this year, the times for the proceedings will be as follows:—

1. Notice of Election . . .	Not later than Friday, March 11.
2. Receipt of Nomination Papers .	Not later than 12 o'clock at noon on Thursday, March 17.
3. Sending Notice of Decision as to Validity of Nomination Papers .	Not later than Friday, March 18.
4. Making out Statement as to persons nominated . . .	Not later than Saturday, March 19.
5. Withdrawal of Candidates . .	Not later than 12 o'clock at noon on Tuesday, March 22.
6. Notice of Poll	Five clear days at least before the day of Election.
7. Day of Election	Monday, April 4, or such other day not being earlier than Saturday, April 2, or later than Wednesday, April 6, as may for special reasons be fixed by the London County Council.

"The ordinary election of Guardians in London will be held quite independently of that of Vestrymen and Auditors. In the latter case the ordinary election is required by law to be held in the month of May.

"As regards the hours during which any Poll which may have to be taken is to be kept open, the Board may refer to Rule 11 of the Order, which provides that the hours shall be such as shall be fixed by the London County Council by any general or Special Order, or if no such Order is in force in the Parish, then such hours as were applicable at the last ordinary election of Guardians, so, however, that the Poll shall always be open between the hours of six and eight in the evening. At the last ordinary election of Guardians in London, the Poll was required to be kept open from 8 o'clock in the morning to 10 o'clock in the evening. Consequently, subject to any Order which may be made by the London County Council, any Poll at the ensuing election must be kept open from 8.0 a.m. to 10.0 p.m.

"Provision has been made in the new Order to meet cases where either the number of valid nominations of candidates for election as Guardians for a Parish is less than the number of persons to be elected, or there are no valid nominations. Section 48 (4) of the Local Government Act, 1894, directs that Section 56 of the Municipal Corporations Act, 1882, shall, subject to adaptations, alterations, and exceptions made by the Board's Rules, apply to the election of Guardians, and the latter section contains provisions for the continuance in office of some or all of the retiring representatives in cases such as those above mentioned. The Board have, by Article 10 of the Order, adapted these provisions to the election of Guardians, and it will be seen that paragraph (2) of that Article provides that, under such circumstances as those referred to, the Returning Officer is to include in the Notice which he is directed by that paragraph to give, a statement to the effect that such of the retiring Guardians for the Parish as were highest on the poll at their election, or if the poll was equal or there was no poll, as shall have been selected for that purpose by the Returning Officer, by lot, to make up the required number, will be declared to be deemed to be re-elected. In cases in which it is necessary that the Returning Officer should make a selection by lot, he must, of course, do so before this Notice is issued.

"It will be requisite that any person who is deemed to be re-elected should accept office in the same manner as if he had been elected in the ordinary way, unless he is exempt, and Section 34 of the Municipal Corporations Act, 1882, has been modified by the Fifth Schedule to the Order so as to provide for this. It will be seen, however, that a person who has within five years before the day of election served the office of Guardian for the Parish or other area of election will be exempt from serving, if he claims exemption within 10 days after notice of election or of being declared to be deemed to be re-elected.

"Further provision is made by Rule 20 of the Order to meet cases of equality of votes between candidates, where the addition of a vote would entitle any of them to be declared elected. The first part of the Rule follows the provision on the subject in the Guardians (London) Election Order, 1894, and empowers the Returning Officer or Deputy Returning Officer who counts the votes, if he is a parochial elector of the Parish, to give such additional vote in writing, but prohibits his otherwise voting at the election. A new provision has now been added to the effect that if in such a case the Returning Officer or Deputy Returning Officer, as the case may be, is not a parochial elector of the Parish, or is unwilling to vote, he shall determine by lot which of the candidates whose votes are equal shall be elected.

"Two copies of the Order are enclosed, and the Board request that if you do not intend to act as Returning Officer, you will send them, together with this letter, to the person appointed in your place. The Order will be placed on sale, so that further copies may, if required, be purchased from Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C., either directly or through any bookseller.

"I am directed to add that by the Expiring Laws Continuance Act, 1897, the Local Government Elections Act, 1896, has been continued in force until December 31, 1898. Hence, if any default arises during the present year with respect to any election of Guardians or to the first meeting after the ordinary election of Guardians, or if from an election not being held, or being defective, or otherwise, the Board of Guardians has not been properly constituted, the London County Council may by Order make any appointment or do anything which appears to them necessary or expedient for the proper holding of any such election or meeting, and properly constituting the Board of Guardians, and may, if it appears to them necessary, direct the holding of an election or meeting, and fix the dates for any such election or meeting."

WHEREAS by Section 20 of the Local Government Act, 1894, which is included in Part II. of that Act, it is, amongst other things, enacted as follows :—

"20. As from the appointed day the following provisions "shall apply to Boards of Guardians :

* * * * *

"(2.) A person shall not be qualified to be elected or to be a "Guardian for a Poor Law Union unless he is a "parochial elector of some Parish within the Union, "or has during the whole of the twelve months pre- "ceding the election resided in the Union, * * * and "no person shall be disqualified by sex or marriage for "being elected or being a Guardian. So much of any "enactment, whether in a public general or local and "personal Act, as relates to the qualification of a "Guardian shall be repealed :

"(3.) The parochial electors of a Parish shall be the electors "of the Guardians for the Parish, and, if the Parish "is divided into wards for the election of Guardians, "the electors of the Guardians for each ward shall be "such of the parochial electors as are registered in "respect of qualifications within the ward :

"(4.) Each elector may give one vote and no more for each of "any number of persons not exceeding the number to "be elected :

"(5) The election shall, subject to the provisions of this Act, "be conducted according to Rules framed under thi "Act by the Local Government Board."

And whereas by Section 30 of the said Act, which is included in Part II. thereof, it is enacted as follows :—

"30. The provisions of this Part of this Act respecting "Guardians shall apply to the Administrative County of London.

"* * *."

And whereas by Section 48 of the said Act it is, amongst other things, enacted as follows :—

"48.—(2.) Rules framed under this Act by the Local

"Government Board in relation to elections shall, notwith-
"standing anything in any other Act, have effect as if enacted
"in this Act, and shall provide, amongst other things,—

"(i.) for every candidate being nominated in writing by two "parochial electors as proposer and seconder and no "more;

"(ii.) for preventing an elector at an election for a Union "or for a district not a borough from subscribing a "nomination paper or voting in more than one Parish "or other area in the Union or District;

* * * * *

"(iv.) for fixing or enabling the County Council to fix the "day of the poll and the hours during which the poll "is to be kept open, so, however, that the poll shall "always be open between the hours of six and eight "in the evening;

* * * * *

"(vi.) for the appointment of returning officers for the "elections."

"(3.) At every election regulated by rules framed under this "Act, the poll shall be taken by ballot, and the Ballot Act, "1872,[1] and the Municipal Elections (Corrupt and Illegal "Practices) Act, 1884, and sections seventy-four and seventy-"five and Part IV. of the Municipal Corporations Act, 1882, as "amended by the last-mentioned Act (including the penal "provisions of those Acts) shall, subject to adaptations, altera-"tions, and exceptions made by such Rules, apply in like "manner as in the case of a municipal election. Provided "that—

"(*a*) section six of the Ballot Act, 1872, shall apply in the

[1] By Rule 23 *post*, only such of the provisions of the Ballot Act, 1872, as are set out in the third schedule to the Order shall apply to the election of Guardians, and such provisions are to apply as adapted and altered by such schedule. Rule 24 applies, subject to the adaptations and alterations made by Schedule 4 of the Order, the provisions of the Municipal Corporations Act, 1882, which are set out in the Schedule. None of the provisions of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, are set out in the Order.

"case of such elections, and the Returning Officer may, "in addition to using the schools and public rooms "therein referred to free of charge, for taking the "poll, use the same, free of charge, for hearing objec- "tions to nomination papers and for counting votes; "and

"(*b*) section thirty-seven of the Municipal Elections (Corrupt "and Illegal Practices) Act, 1884, shall apply as if the "election were an election mentioned in the First "Schedule to that Act.

"(4.) The provisions of the Municipal Corporations Act, "1882, and the enactments amending the same, with respect to "the expenses of elections of councillors of a borough, and to "the acceptance of office, * * * re-eligibility of "holders of office, and the filling of casual vacancies, and "section fifty-six of that Act shall, subject to the adaptations, "alterations, and exceptions made by the said Rules, apply in the "case of Guardians. * * *

"Provided that—

* * * * *

"(*b*) nothing in the enactments applied by this section shall "authorise or require a Returning Officer to hold an "election to fill a casual vacancy which occurs within "six months before the ordinary day of retirement "from the office in which the vacancy occurs, and "the vacancy shall be filled at the next ordinary elec- "tion; and

"(*c*) the rules may provide for the incidence of the charge for "the expenses of the elections of Guardians being the "same as heretofore."

And whereas by the Guardians (London) Casual Vacancies Election Order, 1895, We prescribed Rules for every Election to be held to fill a casual vacancy in the office of Guardian in any Parish in the Administrative County of London:

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do hereby

rescind the said Guardians (London) Casual Vacancies Election Order, 1895; and We do hereby Order that the Election of Guardians in the present year in each Parish [1] in the Administrative County of London shall, subject to any directions which may be given by Us, and until We otherwise Order, the following Rules shall apply to, and shall be observed in connection with, Elections of Guardians as hereinafter set forth; that is to say,[2]—

(*a*) the election held in any year to fill any ordinary vacancies in the Guardians for any Parish in the Administrative County of London, except the Hamlet of Penge;

(*b*) the first election of any additional Guardian for any such Parish or Parishes; and

(*c*) every election which may be held to fill a casual vacancy in the office of Guardian in any such Parish.[3]

RETURNING OFFICER.

1.—(1) The Clerk to the Guardians of the Poor Law Union in which the Parish is situate or with which it is co-extensive shall be the Returning Officer.[4]

(2) If the Clerk is unwilling to act as Returning Officer, or if the office of Clerk is vacant at the time when any duty relative to the election has to be performed by the Returning Officer, or if the Clerk from illness or other sufficient cause is unable to perform such duty, the Guardians shall appoint some other person to act as

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[1] With regard to Parishes divided into Wards for the election of Guardians, see Rule 28, *post*, p. 155; and with regard to the division of Parishes into Wards, see note (2) to the Guardians (Outside London) Election Order, 1894, *ante*, p. 8.

With regard to Parishes united with other Parishes for the election of Guardians, see Rule 28, *post*, p. 155.

[2] See the note (1) to the corresponding provision of the Guardians (Outside London) Election Order, 1894, *ante*, p. 8.

[3] In the case of an election to fill a casual vacancy, the necessary modifications are to be made in the Forms contained in the Second Schedule to this Order; *see* Art. 33, *post*.

[4] A fine of 100*l*. is imposed by Section 75 of the Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50), for the neglect or refusal of a Returning Officer or deputy returning officer to conduct or declare an election of Guardians in the Administrative County of London in manner provided by the Local Government Act, 1894, and this Order; see that section, *post*, p. 181, as adapted and applied by Rule 24, *post*, p. 152.

Returning Officer or to perform such of the duties of the Returning Officer as then remain to be performed, as the case may be.

(3) The Returning Officer shall appoint some place within the Union or in the neighbourhood thereof as an Office for the purpose of the election.

(4) The Returning Officer may, in writing, appoint one or more fit persons to be his deputy or deputies for all or any of the purposes relating to the election of Guardians, and shall appoint such a deputy in the case and for the purposes mentioned in Rule 19 (1) of this Order. A Deputy Returning Officer shall have all the powers, duties, and liabilities of the Returning Officer in relation to the matters in respect of which he is deputy.[1]

Day of Election.

2. The day of the election of Guardians in the Parish shall be that prescribed or defined for the purpose by the First Schedule to this Order.

Notice of Election.

3. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall prepare and sign a notice of the election of Guardians in the Parish or Parishes in the Poor Law Union, for which an election is to be held, and shall cause public notice to be given of the same, in accordance with Rule 29 of this Order, in each such Parish. The notice shall be in the Form No. 1 in the Second Schedule to this Order, or in a form to the like effect.[2]

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[1] By Rule 49 of Schedule 1 of the Ballot Act, 1872, *post*, p. 177, as adapted and applied by Rule 23, *post*, p. 151, no person is to be appointed by a Returning Officer for the purposes of an election who has been employed by any other person in or about the election.

[2] With regard to the qualification of Guardians of the Poor see the note to Rule 4 (2) of the Guardians (Outside London) Election Order, 1894, *ante*, p. 13.

By Rule 27, *post*, p. 155, if a Parish is divided into Wards for the Election of Guardians, the Rules of this Order are to apply to each of such Wards as if it were a Parish; and by Section 44 (3) of the Local Government Act, 1894, "the

NOMINATION OF CANDIDATES.

4.—(1) Each candidate for election as a Guardian shall be nominated in writing.[1]

(2) The nomination paper shall state the name of the Parish or other area for which the candidate is nominated, the surname and other name or names in full of the candidate, and his place of abode and description, and whether he is qualified as a parochial elector of some Parish within the Poor Law Union, or by having during the whole of the twelve months preceding the election resided in the Union. It shall be signed by two parochial electors of the Parish or other area, as proposer and seconder, and no more, and shall state their respective places of abode. It shall be in the Form No. 2 in the Second Schedule to this Order, or in a form to the like effect.[2]

(3) The name of more than one candidate shall not be inserted in any one nomination paper.

(4) A parochial elector shall not sign more nomination papers than there are Guardians to be elected for the Parish or other area in the Poor Law Union for which the election is to be held. He shall not sign a nomination paper for any Parish or other area unless he is registered as a parochial elector in respect of a qualification therein. Nor shall he sign nomination papers for more than one Parish or other area in the Union.

(5) If any parochial elector shall sign nomination papers for more than one Parish or other area in the Union, or shall sign a number of nomination papers larger than the

" lists and register of electors in any Parish shall be framed in parts for Wards " of Parishes in such manner that they may be conveniently used as lists for " polling at elections for any such Wards."

If the Parish is united with any other Parish for the election of Guardians, the Rules in this Order shall, subject as in Art. 28, just mentioned, apply to such Parishes as if such Parishes formed the Parish.

[1] See the note to Rule 4 (1) of the Guardians (Outside London) Election Order, 1894, *ante*, p. 11.

[2] See the note to Rule 4 (2) of the Guardians (Outside London) Election Order, 1894, *ante*, p. 14.

number of Guardians to be elected for the Parish or other area, such of the nomination papers signed by him as relate to the first Parish or other area for which a nomination paper signed by him is received by the Returning Officer shall alone be valid, and of the nomination papers signed by him which relate to that Parish or other area such as are first received by the Returning Officer up to the number of Guardians to be so elected shall alone be valid. Provided that, for the purposes of this paragraph, nomination papers not properly filled up and signed shall be excluded.[1]

NOMINATION PAPERS TO BE PROVIDED.

5. The Returning Officer shall provide nomination papers, and any parochial elector may obtain nomination papers from him free of charge.[2]

TIME FOR SENDING IN NOMINATION PAPERS.

6. Every nomination paper shall be sent to the Returning Officer so that it shall be received at his Office within the time prescribed for that purpose by the First Schedule to this Order. A nomination paper received after that time shall not be valid. The Returning Officer shall note on each nomination paper whether it was received before or after that time.

DEALING WITH NOMINATIONS BY RETURNING OFFICER.

7.—(1) The Returning Officer shall number the nomination papers in the order in which they are received by him; and the first valid nomination paper received for a candi-

[1] See the note to Rule 4 (4) of the Guardians (Outside London) Election Order, 1894, *ante*, p. 16.

[2] By Section 8 of the Ballot Act, 1872, *post*, p. 169, as adapted and applied by Rule 23, *post*, p. 151, the Returning Officer is required to provide such nomination papers as may be necessary for effectually conducting the election; and by Section 11 of the same Act, *post*, p. 170, a penalty not exceeding 100*l.* is imposed for wilfully neglecting such duty.

date shall be deemed to be the nomination of that candidate.

(2) The Returning Officer shall, as soon as practicable after the receipt of any nomination paper, examine the same, and decide whether it has or has not been properly filled up and signed by two parochial electors of the Parish or other area, and whether it is or is not invalid under Rule 4 (5) or Rule 6. His decision that a nomination paper has been so filled up and signed and is not invalid as aforesaid shall be final, and shall not be questioned in any proceeding whatever.[1]

(3) If the Returning Officer shall decide that a nomination paper is invalid, he shall put a note on it to this effect, stating the grounds of his decision, and he shall sign such note.

(4) After deciding that the nomination of any candidate is valid, or (except where a nomination of any candidate has been decided to be valid) that a nomination paper for the candidate is invalid, the Returning Officer shall, not later than the day prescribed for that purpose by the First Schedule to this Order, send, by post or otherwise, notice of his decision to the candidate.

STATEMENT AS TO PERSONS NOMINATED.

8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall make out a statement in the Form No. 3 in the Second Schedule to this Order, or in a form to the like effect, containing the names, places of abode, and descriptions of the persons nominated as Guardians for the Parish or the several Parishes in the Poor Law Union, for which an

[1] With regard to the expressions "Parochial Electors" and "Parish or other area" used in this sub-rule, see the note to Rule 7 (2) of the Guardians (Outside London) Election Order, 1894, *ante*, p. 17. Rule 32, *post*, p. 157, provides that no misnomer or inaccurate description of any person or place named in any nomination paper is to hinder the full operation of such paper with respect to that person or place, provided the description is such as to be commonly understood.

election is to be held, and also containing a notice of his decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not. He shall forthwith cause a copy thereof to be suspended in the Board Room of the Guardians, and another to be affixed on or near to the external gate or door of the building in which the Board Room of the Guardians is comprised.

WITHDRAWAL OF CANDIDATE.

9. Any candidate may withdraw his candidature by delivering or causing to be delivered at the Office of the Returning Officer within the time prescribed for that purpose by the First Schedule to this Order, a notice in writing of such withdrawal, signed by him.

RELATION OF NOMINATION TO ELECTION.

10 Section 56 of the Municipal Corporations Act, 1882, shall be altered and adapted in its application to the election of Guardians in the Parish so as to provide as follows :—

(1) If the number of candidates who receive valid nominations, and who do not withdraw their candidature under Rule 9, exceeds that of the persons to be elected as Guardians, the Guardians shall be elected from amongst the persons nominated.

(2) If the number of valid nominations does not exceed the number of Guardians to be elected, or if by the withdrawal of any candidates as provided by Rule 9, the number of candidates for the Parish is reduced to a number not exceeding the number of persons to be elected, or if the number of candidates is otherwise so reduced, the Returning Officer shall, as early as practicable, give public notice in the Parish, in accordance with Rule 29 of this Order, to the

effect that no poll will be taken, and that the candidates, or the remaining candidates, as the case may be, will be declared to be elected; and also, in the case of the ordinary election,[1] if the number of such candidates is less than the number of Guardians to be elected, that such of the retiring Guardians for the Parish as were highest on the poll at their election, or, if the poll was equal or there was no poll, as shall have been selected for that purpose by the Returning Officer by lot to make up the required number, will be declared to be deemed to be re-elected.

(3.) If there is no valid nomination, the Returning Officer shall, as early as practicable, give public notice in the Parish in accordance with Rule 29 of this Order that no poll will be taken, and, in the case of the ordinary election, that the retiring Guardians will be declared to be deemed to be re-elected.

(4) The Returning Officer shall forthwith send, by post or otherwise, a copy of any notice under this Rule to each of the persons who will be declared to be elected or to be deemed to be re-elected.

(5) The notice shall be in the Form No. 4 or the Form No. 5, as the case may be, in the Second Schedule to this Order, or in a form to the like effect.

Day and Hours of Poll.

11. The poll, if any, shall be held on the day of election as prescribed or defined by the First Schedule to this Order, and the hours during which the poll shall be open shall be fixed by the London County Council by any general or special

[1] The expression "ordinary election" means the election held in any year to fill ordinary vacancies in the Guardians for the Parish, and includes any joint election of additional Guardians for the Parish which can be held at the time of the election to fill such ordinary vacancies.

Order, or, if no such Order shall be in force in the Parish, then such hours as were applicable at the last ordinary election of Guardians, so, however, that the poll shall always be open between the hours of six and eight in the evening.

Polling Districts.

12.—(1) The Returning Officer may, if he thinks fit, divide the Parish into Polling Districts for the election of Guardians, but each district shall consist of an area for which a separate list of parochial electors will be available.

(2) If the Parish is divided into Polling Districts, each parochial elector shall give his vote in the Polling District in which the property in respect of which he is entitled to vote is situate, and if it is situate in more than one Polling District, he may vote in any one (but in one only) of the Polling Districts in which it is situate.[1]

Polling Places and Stations.

13. The Returning Officer shall determine the number and situation of the polling places and polling stations.[2]

Provided as follows :—

(*a.*) No premises licensed for the sale of intoxicating liquor shall be used for a polling station ;

(*b.*) Where the number of parochial electors in the Parish, or (if the Parish is divided into Polling Districts) in any Polling District, is not more than seven hundred only one polling station shall, unless the London County Council otherwise direct, be provided for the Parish or

[1] With regard to voting in one place only, see also Rule 18, *post*, p. 148; and see the note to Rule 14 (2) of the Guardians (Outside London) Election Order, 1894, *ante*, p. 23.

[2] With regard to the provision of polling stations see Section 8 of the Ballot Act, 1872, *post*, p. 169, which is adapted and applied to elections held under this Order by Rule 23, *post*, p. 151. See also Section 6 of that Act, *post*, p. 168, as to the places which the Returning Officer may use for the purpose of taking the poll or counting the votes at any such election.

Polling District ; and so on for each additional seven hundred parochial electors, or for any less number of parochial electors over and above the last seven hundred.

NOTICE OF THE POLL.

14.—(1) If a poll has to be taken, the Returning Officer shall, within the time prescribed for that purpose by the First Schedule to this Order, give public notice thereof in accordance with Rule 29 of this Order. The notice shall specify—

(*a*) the day and hours fixed for the poll ;

(*b*) the number of Guardians to be elected for the Parish ;

(*c*) the names, place of abode, and description of each candidate for the Parish whom he has decided to be nominated by a valid nomination paper, and who has not withdrawn his candidature ;

(*d*) the names of the proposer and seconder who signed the nomination paper of each candidate ;

(*e*) a description of the Polling Districts, if any ; and

(*f*) the situation and allotment of the polling places and polling stations, and the description of the persons entitled to vote thereat.

(2) The notice shall be in the Form No. 6 in the Second Schedule to this Order, or in a form to the like effect.

PRESIDING OFFICERS.

15. The Returning Officer, or some person appointed by him for the purpose, shall preside at each Polling Station. The person presiding at any Polling Station shall be called the Presiding Officer.[1]

[1] The Returning Officer, and every officer, clerk, or agent authorised to attend at a polling station, is required before the opening of the poll to make a statutory declaration of secrecy in the presence, if he is the Returning Officer, of a Justice of the Peace, and if he is any other officer or an agent, of a justice of the peace or of the Returning Officer ; see Rule 54 in the First Schedule to the

COMPARTMENTS OF POLLING STATIONS.—BALLOT PAPERS.

16. The Returning Officer shall furnish every polling station with a sufficient number of compartments in which the voters can mark their votes screened from observation, and shall furnish each Presiding Officer with such number of ballot papers as may be necessary for effectually taking the poll at the election.[1]

POLLING AGENTS.

17. If there are only two candidates, each of them may, in writing, appoint a polling agent for each polling station, who may be paid or unpaid. If there are more than two candidates, any number of them, being not less than one-third of the whole number of candidates, may, in writing, appoint one polling agent for each polling station, who may be paid or unpaid. Any such appointment shall be delivered at the Office of the Returning Officer not less than two clear days before the day of the poll. Except as

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Ballot Act, 1872, *post*, p. 178, as adapted and applied to elections held under this Order by Rule 23, *post*, p. 151. For the form in which the Declaration is to be made, see *post*, p. 180. It will be seen that the form contains a note that one declaration may be made by the Returning Officer, in respect of all the Parishes for which he is Returning Officer. The punishment for infringement of the secrecy of the Ballot is imprisonment, for any term not exceeding six months, with or without hard labour; see Section 4 of the Ballot Act, 1872, *post*, p. 168.

Further with regard to the powers of Returning Officers, see the note to Rule 17 of the Guardians (Outside London) Election Order, 1894, *ante*, p. 26.

[1] Rules regulating the procedure for taking the poll are prescribed by Section 28 of the Ballot Act, 1872, *post*, p. 171, which is adapted and applied to elections held under this Order by Rule 23, *post*, p. 151. See also the Rules in the First Schedule to that Act, *post*, p. 171. By Section 3 of the Act, *post*, p. 167, the offences in respect of ballot papers and ballot boxes are specified together with the punishment enforceable upon summary conviction for the commission of any such offences. Secrecy is imposed by Section 4 of the Act, *post*, p. 168, with respect to the voting at the poll. Section 12 of the Ballot Act, 1872, *post*, p. 170, protects any person who has voted at an election held under this Order from being required to state for whom he has voted.

In Schedule 2 of the Ballot Act, 1872, *post*, p. 178, will be found a form o ballot paper with directions as to its printing, also a form of directions for the guidance of voters, which is to be printed and placarded outside every polling station, and in every compartment of such a station. Forms of statutory declaration of secrecy and of inability to read will also be found in that schedule, *post*, p. 180.

aforesaid, no polling agent, whether paid or unpaid, shall be appointed for the purposes of the election.[1]

PROHIBITION OF VOTING IN MORE THAN ONE PARISH.—QUESTIONS TO ELECTOR.

18.—(1) An elector shall not vote in more than one Parish in the Poor Law Union.

(2) The Presiding Officer may, and if required by any parochial elector of the Parish or any polling agent appointed under Rule 17 shall, put to any elector at the time of his applying for a ballot paper, but not afterwards, the following questions, or one of them, and no other :— [2]

(*a*) Are you the person entered in the parochial register for this Parish [*or* Ward] as follows [*read the whole entry from the register*] ? [3]

(*b*) Have you already voted at the present election of

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[1] The names and addresses of agents appointed under Rule 17 are to be transmitted to the Returning Officer one clear day at least before the opening of the poll. Should this not be done the Returning Officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted ; see Rule 52, *post*, p. 177. The same Rule provides that any notice required to be given to an agent by the Returning Officer may be delivered at or sent by post to the address so transmitted. Should an agent die or become incapable of acting during the election another may be appointed under Rule 53, *post*, p. 178. Before the poll is opened any agent appointed under Rule 17 is required by Rule 54, *post*, p. 178, to make a statutory declaration of secrecy. For the form of such declaration see *post*, p. 180. By Rule 55, *post*, p. 178, the non-attendance of an agent at the time and place at which any act or thing is required or authorised to be done is not to invalidate in any way the act or thing done. No Returning Officer or officer appointed by him in connexion with the election of Guardians for any Parish, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as a Guardian. Should any person so act he will be guilty of a misdemeanor; see Rule 11 of the Ballot Act, 1872, *post*, p. 170.

Rule 51, *post*, p. 177, allows a candidate to himself undertake the duties which any agent appointed by him might have undertaken, and, should he not have appointed an agent, to be present at the counting of the votes. Before acting pursuant to the Rule, however, the candidate must make the statutory declaration as to secrecy required by Rule 54.

[2] When a Parish is divided into Wards, Rule 27 (*a*), *post*, p. 155, prohibits any elector voting in more than one Ward.

[3] The punishment for the offence of personation of a voter at an election held under this Order is provided by Sections 86 to 89 of the Parliamentary Voters Registration Act, 1843, which are applied to elections held under this Order by Section 24 of the Ballot Act, 1872, *post*, p. 170.

Guardians in this or any other Parish or Ward in the Union ?[1]

(3) A person required to answer either of these questions shall not receive a ballot paper or be permitted to vote until he has answered it.[2]

COUNTING THE VOTES.

19.—(1) If the Returning Officer does not himself count the votes he shall appoint some person to act as Deputy Returning Officer for the Parish as regards the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given. The person so appointed shall, in addition to his other powers and duties, have all the powers and duties of the Returning Officer in relation to the matters aforesaid, and to the decision of any question as to any ballot paper and otherwise as to the ballot papers. The Returning Officer himself, except with the consent of the London County Council, shall only count the votes in one Parish which is not divided into Wards, or in not more than two Wards of a Parish which is divided into Wards.[3]

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[1] When a person applies for a ballot paper after another person has voted as the elector whom he represents himself to be, the Presiding Officer is to administer the oath and proceed as directed by Rule 27, *post*, p. 173.

[2] With regard to the voting of persons incapacitated by blindness or other physical cause and by voters who are unable to read, see Rule 26, *post*, p. 172. Should a voter inadvertently spoil a ballot paper he may obtain a fresh one upon satisfying the Presiding Officer that the paper was spoilt inadvertently, and the Presiding Officer is in such case to act as directed by Rule 28, *post*, p. 173.

[3] Any room in a school receiving a grant from Parliament may be used free of charge by the Returning Officer for counting the votes at an election of Guardians, and any room the expense of maintaining which is payable out of any local rate. But any damage done to the room in so using it is to be made good by the Returning Officer; see Section 6 of the Ballot Act, 1872, *post*, p. 168, as adapted and applied to elections held under this Order by Rule 23, *post*, p. 151. In order to assist him in counting the votes the Returning Officer may, in addition to the clerks employed by him, appoint competent persons for that purpose under Rule 48, *post*, p. 177. Each candidate is entitled

(2) The votes for each Parish shall be counted as soon as practicable after the close of the poll.

EQUALITY OF VOTES.

20. If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer or Deputy Returning Officer who counts the votes may, if a parochial elector of the Parish, give such additional vote in writing, but shall not otherwise be entitled to vote at the election.[1]

DECLARATION OF RESULT OF POLL.

21.—(1) The declaration of the result of the poll shall be in the Form No. 7 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Returning Officer or Deputy Returning Officer, as the case may be, making the declaration shall forthwith cause a copy of it to be affixed on the front of the building in which the votes have been counted. If the declaration is made by a Deputy Returning Officer, he shall forthwith send it to the Returning Officer.[2]

PUBLICATION OF RESULT OF ELECTIONS.

22.—(1) The Returning Officer shall prepare and sign a Notice of the result of the elections in all the Parishes in

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to be represented by an agent at the counting of the votes; see Rule 31, *post*, p. 174; and where no agent is appointed the candidate himself may attend, or where an agent has been appointed he may himself take the place of such agent at the counting of the votes; see Rule 51, *post*, p. 177. The counting of the votes is to be conducted in the manner prescribed by Rules 31 to 37, *post*, pp. 174 to 175. As to the proceedings of the Presiding Officer after the close of the poll, see Rules 29 and 30, *post*, pp. 173, 174.

[1] *Ante*, see note 3, p. 149.

[2] Elections held under this Order are not to be invalidated by reason of any defect in the title or appointment of the Returning Officer or deputy returning officer, or by reason of any non-compliance with the Rules in the First Schedule to the Ballot Act, 1872, or this Order, or by reason of any mistake in the use of the forms in the Second Schedule to that Act or in this Order, if it appears that the election was conducted in accordance with the principles laid down in the body of the Act of 1872 and of the Local Government Act, 1894, and that

the Poor Law Union for which elections are held, and shall by such Notice declare to be elected or to be deemed to be re-elected the persons who, under Rule 10, are to be declared to be elected or to be deemed to be re-elected without a poll being taken. The Notice shall be in the Form No. 8 in the Second Schedule to this Order, or in a form to the like effect.[1]

(2) The Returning Officer shall cause a copy of the Notice to be suspended in the Board Room of the Guardians, and he shall also cause public notice thereof to be given in accordance with Rule 29 of this Order. The Returning Officer shall also send copies of the Notice to the persons elected or deemed to be re-elected.[2]

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such non-compliance or mistake did not affect the result of the election; see Section 13 of the Ballot Act, 1872, *post*, p. 170, as adapted and applied to elections held under this Order by Rule 23.

[1] In applying this Rule to elections held to fill casual vacancies in the office of Guardian of the Poor in any Parish in the Administrative County of London, such modifications as shall be necessary shall be made in the Form; see Rule 33, *post*, p. 157.

[2] The notice is to be published as directed by Rule 29, *post*, p. 156.

Every qualified person elected to the office of Guardian, unless he is exempt by reason of his being disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, or otherwise by law from service as a Guardian, or unless he has been elected without his consent to his nomination being previously obtained, is required either to accept office within one month after notice of election or to pay to the District Council a fine of such amount not exceeding 50*l.* as the Guardians by regulations determine; see Section 48 (4) of the Local Government Act, 1894, *ante*, p. 32, and Section 34 of the Municipal Corporations Act, 1882, *post*, p. 182, as adapted and applied to elections held under this Order by Rule 24, *post*, p. 152. When there are no regulations fixing the amount of the fine for non-acceptance of office, subsection 2 of the last-mentioned section fixes the fine at 20*l.* This fine is recoverable summarily; see Section 34 (4) of the Act of 1882, *post*, p. 182.

When a person is elected Guardian in more than one Parish or other area in the Poor Law Union for which the election is held, he shall not accept office in respect of more than one of such areas, and if he accepts office or pays the fine for non-acceptance of office in respect of one of such areas, he will not be liable to a fine for non-acceptance of office in respect of any other of such areas. *Ib.* (5).

Before acting as a Guardian, a declaration in the form prescribed by Section 35 of the Municipal Corporations Act, 1882, *post*, p. 182, must be made by the Guardian. Should any person act as a Guardian without having made such declaration, he will be liable to a fine not exceeding 20*l.*, recoverable by action; see Section 41 of the Municipal Corporations Act, 1882, *post*, p. 183, as adapted and applied to elections held under this Order by Rule 24.

APPLICATION AND ADAPTATION OF BALLOT ACT, 1872.

23. The provisions of the Ballot Act, 1872, which, with adaptations and alterations are set out in the Third Schedule to this Order, and only such provisions of that Act, shall, subject to such adaptations and alterations and to the provisions of this Order, apply to the election of Guardians in like manner as in the case of a municipal election.

ADAPTATION OF MUNICIPAL CORPORATIONS ACT, 1882.

24.—(1) The provisions of Sections 74 and 75 of the Municipal Corporations Act, 1882, which, with adaptations and alterations, are set out in the Fourth Schedule to this Order, and such of the provisions of that Act as relate to the acceptance of office, re-eligibility of holders of office, and filling of casual vacancies, and are, with adaptations and alterations, set out in the Fifth Schedule to this Order, shall, subject to such adaptations and alterations, apply to the election of Guardians and to the persons elected or deemed to be re-elected thereat.

(2) In the application of Part IV. of the Municipal Corporations Act, 1882 (relating to Corrupt Practices and Election Petitions), as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect :—

(*a*) Such application shall be subject to the provisions of this Order.

(*b*) References to the election of Guardians shall be substituted for references to a municipal election or to an election to a corporate office. "Parish or United Parishes" and in Section 93 (2) "Poor Law Union" shall be substituted for "Borough," "Poor Rate of the Parish or Poor Rates of the United Parishes" shall be substituted for "Borough Fund or Borough Rate," "Returning Officer" shall be substituted for "Town Clerk,"

and "voter" shall mean "a parochial elector or a person who votes or claims to vote at an election of Guardians."[1]

(*c.*) In the application of sub-section (2) of Section 89 such sub-section shall be adapted and altered so as to read as follows:—

"(2.) The security shall be to the amount of "Fifty Pounds, unless in any case the "High Court or a Judge thereof, on "summons, order that the same shall be "to a lesser amount, or to a larger "amount not exceeding Three Hundred "Pounds, and shall be given in the "prescribed manner either by a deposit "of money or by recognisance entered "into by not more than four sureties, "or partly in one way and partly in the "other."

ADAPTATION OF THE MUNICIPAL ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) ACT, 1884.

25. In the application of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, the following adaptations and alterations shall have effect:—

(1) Such application shall be subject to the provisions of this Order.

(2) The expressions "Parish or United Parishes," "Returning Officer at election of Guardians," and "Poor Rate of the Parish or Poor Rates of the United Parishes" shall be deemed to be substituted in the Act for "Borough," "Town Clerk," and "Borough Fund or Rate," respectively.

(3) The expression "corporate office" in the Act shall

[1] By a General Order of January 17, 1895, *post*, p. 193, the Local Government Board directed that in the application of sub-section 2 of Section 89 of the Municipal Corporations Act, 1882, to elections of Guardians as well in London as outside, that sub-section is to be adapted and altered so as to read as directed by Rule 8 of the Order of 1895, *supra*.

mean "the office of Guardian," and "a municipal election" shall mean "an election of one or more Guardians;" and the expressions "municipal election court," "municipal election list," and "municipal election petition" shall be construed accordingly.

(4) So much of Section 13 of the Act as permits one polling agent to be employed in each Polling Station shall not apply, except so far as the employment of polling agents is permitted by Rule 17 of this Order.

(5) An election petition complaining of the election on the ground of an illegal practice may be presented at any time within six weeks after the day of election.

(6) A petition relating to the election of a Guardian for a Parish may be tried at any place within the Poor Law Union in which the Parish is situate.

(7) In Section 34 of the Act "Burgess Roll" shall mean "Register of Parochial Electors."

(8) Section 37 of the Act shall be read as if a reference to an election of Guardians was substituted for a reference to any of the elections mentioned in the First Schedule to the Act.

Expenses.

26.—(1) Any sum which may be payable to the Returning Officer in respect of his services in taking a poll in the Parish, or in respect of expenses incurred in relation to such poll, shall be defrayed by the Guardians of the Poor Law Union, and shall be charged to the Parish in their accounts.

(2) Any other sum which may be payable to the Returning Officer in respect of his services in the conduct of the election, or in respect of expenses incurred in relation to the election, shall be defrayed by the Guardians, and shall be charged—

(*a*) in the case of the ordinary election, to the Parish,

or if the Parish is included in a Union, to the Common Fund of the Union ;

(*b*) in the case of the first election of any additional Guardians, or of an election to fill a casual vacancy, to the Parish, except that where any such sum shall be payable in respect of two or more Parishes in a Union the same shall be apportioned between them according to the number of Parochial Electors registered in such Parishes respectively.[1]

WARDS.

27.—If the Parish is divided into Wards for the election of Guardians, the Rules in this Order shall apply to each of such Wards as if it were a Parish.

Provided as follows :—

(*a*) If the Parish is so divided, an elector shall not be permitted to vote in more than one Ward.

(*b*) Any sum which, in pursuance of this Rule and of Rule 26, would be charged to any Ward shall be charged to the Parish in which the Ward is situate.

UNITED PARISHES.

28.—(1) If the Parish is united with any other Parish for the election of Guardians, the Rules in this Order shall, sub-

[1] By Section 48 (4) of the Local Government Act, 1894, the provisions of the Municipal Corporations Act, 1882, and the enactments amending the same with respect to the expenses of elections of councillors of a Borough, are to apply, subject to the adaptations, alterations, and exceptions made by Rules framed by the Local Government Board, to elections of Guardians ; and by sub-section 7 of Section 48 it is enacted that the expenses of any election held under the Act shall not exceed the scale fixed by the County Council, and if at the beginning of one month before the first election under the Act, a County Council has not framed any such scale for its county, the Local Government Board may frame a scale for the county. The scale so framed was to apply to the first election, and was to have effect as if it had been made by the County Council, but was not to be alterable until after the first election. Accordingly, by a general Order of November 20, 1894, *post*, p. 185, the Local Government Board declared that the scale of expenses in the schedule to such Order shall for the purposes of any election under the Local Government Act, 1894, be fixed for each county in which, on November 20, 1894, no scale framed under Section 48 of the Act of 1894 was in force, and for the purposes of any election under that Act in any such County to which any such scale in force in the County does not extend.

ject as hereinafter mentioned, apply to such Parishes as if such Parishes formed the Parish.

(2) In the case of any such United Parishes the questions which under Rule 18 the Presiding Officer may, and if required by any parochial elector or by any polling agent appointed under Rule 17 shall, put to any elector shall be as follows :—

(*a*) Are you the person entered in the parochial register for one of the United Parishes, viz. the Parish of , as follows [*read the whole entry from the register*] ?

(*b*) Have you already voted at the present election of Guardians in either of the United Parishes of and , or in any other Parish or Ward in the Union ?

(3) Any sum which, in pursuance of this Rule and of Rule 26, would be charged to the United Parishes shall be divided between them in proportion to the number of parochial electors registered in such Parishes respectively.

PUBLICATION OF NOTICES.

29. Any public notice required by this Order shall be given by posting the same on or near the principal door of each Church and Chapel in the Parish, and in some conspicuous place or places within the Parish.

MARK INSTEAD OF SIGNATURE.

30. In place of any signature required by this Order, it shall be sufficient for the signatory to affix his mark, if the same is witnessed by two parochial electors.

MISNOMER.—INACCURATE DESCRIPTION.

31. No misnomer or inaccurate description of any person or place named in any notice or nomination paper under this Order shall hinder the full operation of such notice or paper with respect to that person or place, provided the description of that person or place is such as to be commonly understood.

DEFINITION OF "ORDINARY ELECTION."

32. In this Order the expression "Ordinary Election" means the election held in any year to fill ordinary vacancies in the Guardians for the Parish, and includes any first election of additional Guardians for the Parish which can be held at the time of the election to fill such ordinary vacancies.

ADAPTATION OF FORMS TO ELECTIONS TO FILL CASUAL VACANCIES.

33. In the case of an election to fill a casual vacancy, such modifications as may be necessary shall be made in the Forms contained in the Second Schedule to this Order.

This Order may be cited as the "Guardians (London) Election Order, 1898."

FIRST SCHEDULE.

a.—TIMES FOR THE PROCEEDINGS AT THE ORDINARY ELECTION OF GUARDIANS IN ANY YEAR.

Proceeding	Time
1. Notice of Election . . .	Not later than the second Friday in March, or if the first Monday in April is Easter Monday, the first Friday in March.
2. Receipt of Nomination Papers .	Not later than twelve o'clock at noon on the following Thursday.
3. Sending notice of decision as to validity of Nomination Papers.	Not later than the following Friday.
4. Making out Statement as to persons nominated.	Not later than the following Saturday.
5. Withdrawal of Candidates . .	Not later than twelve o'clock at noon on the following Tuesday.
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election . . .	The first Monday in April, or, if that is Easter Monday, the last Monday in March; or, in either case, such other day not being earlier than the preceding Saturday, or later than the following Wednesday, as may for special reasons be fixed by the London County Council.

b.—Times for the Proceedings at the first Election of any additional Guardians if not held at the time of the ordinary Election, or at Elections to fill Casual Vacancies.

Proceeding	Time
1. Notice of Election . . .	Not later than fourteen days before the day of Election.
2. Receipt of Nomination Papers .	Not later than twelve o'clock at noon on the fourth day after the day on which the Notice of Election was given.
3. Sending notice of decision as to validity of Nomination Papers 4. Making out Statement as to persons nominated . . .	Not later than the day after the last day for the receipt of Nomination Papers.
5. Withdrawal of Candidates . .	Not later than twelve o'clock at noon on the fourth day after the last day for the receipt of Nomination Papers.
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election	In the case of First Election of additional Guardians:— Such day as may be fixed by the Returning Officer, but so that, subject to any special provision in the Order assigning any additional Guardians, it shall not be later than six weeks from the date when such Order comes into operation. In the case of Elections to fill Casual Vacancies:— Such day as may be fixed by the Clerk to the Guardians, in pursuance of Section 66 of the Municipal Corporations Act, 1882, as altered and adapted by the Fifth Schedule to this Order.

SECOND SCHEDULE.[1]

Form No. 1.

Notice of Election.

Union.

Election of Guardians

for the several Parishes [United Parishes and Wards of Parishes,

[1] Note.—If the election is an election to fill a casual vacancy, such modifications as may be necessary should be made in the Forms in this Schedule.

as the case may be] situate in the above-named Union in the year 18 .

NOTICE IS HEREBY GIVEN THAT—

1.* The day of election of Guardians for the said Parishes, United Parishes, and Wards of Parishes, [*as the case may be*] will be , the day of , 18 .

2. The number of Guardians to be elected for the said Parish, United Parishes, and Wards, [*as the case may be*] is as follows:—†

3. Each candidate for election as a Guardian must be nominated in writing in the form prescribed by the Guardians (London) Election Order, 1898, or in a form to the like effect, and the nomination paper must be sent to me, so that it shall be received at (which is my office for the purpose of the election) not later than twelve o'clock at noon on , the day of , 18 .

4. A parochical elector must not sign more nomination papers than there are Guardians to be elected for the Parish or United Parishes or Ward [*as the case may be*], and he must not sign a nomination paper for any Parish or United Parishes or Ward unless he is registered as a parochial elector in respect of a qualification therein. Nor must he sign nomination papers for more than one Parish or group of United Parishes or Ward in the Union.

5. Forms of nomination paper may be obtained, free of charge, from me at the above-named office.

6. Not later than , the day of , 18 , I shall cause a copy of a statement containing the names, places of abode, and descriptions of the persons nominated for the office of Guardian for the said Parishes [United Parishes and Wards], and also containing a notice of my decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not, to be suspended in the Board Room of the Guardians of the Union in which the said Parishes [United Parishes and Wards] are situate, and another to be affixed on or near to the principal external gate or door of the building in which the Board Room of the Guardians is comprised.

7. Any candidate nominated for election may not later than twelve o'clock at noon on , the day of , 18 , withdraw his candidature by delivering or causing to be delivered at

* If the day of election is not the same for all the Parishes, United Parishes, and Wards, adapt Form accordingly.

† Insert here the names of the Parishes, United Parishes, and Wards of Parishes, with the number of Guardians to be elected for each. A tabular form may be used if preferred.

my office for the purpose of the election a notice in writing of such withdrawal signed by him.

* If the day of election is not the same for all the Parishes, United Parishes, and Wards, adapt form accordingly.

8.* If the number of candidates who are validly nominated for any Parish [United Parishes or Ward], and whose candidature is not withdrawn, exceeds that of the persons to be elected, a poll will be taken on , the day of , 18 , of which due notice will be given.

Dated this day of 18 .

Returning Officer.

Office for purpose of election.

FORM NO. 2.

NOMINATION PAPER.

UNION.

ELECTION OF GUARDIANS

for the Parish of [*or* for the United Parishes of , *or* for the Ward of the Parish of] in the year 18 .

We, the undersigned, being respectively parochial electors of the said Parish [*or* United Parishes *or* Ward], do hereby nominate the undermentioned person as a candidate at the said Election.

Names of Candidate.		Place of Abode.	Description.	How qualified (specify qualification according to direction in Instruction 5).
Surname.	Other Names in full.			
1.	2.	3.	4.	5.

Signature of PROPOSER

Place of Abode

Signature of SECONDER

Place of Abode

Instructions for filling up Nomination Paper.[1]

1. The surname of only one candidate for election must be inserted in Column 1.
2. The other names of the candidate must be inserted in full in Column 2.
3. Insert in Column 3 the place of abode of the candidate.
4. In Column 4 state the occupation, if any, of the candidate. If the candidate has no occupation, insert some such description as "gentleman," or "married woman," or "spinster," or "widow," as the case may be.
5. If the candidate is a parochial elector of some Parish within the Union (that is, if his or her name is registered in the Register of parochial electors of such Parish) insert in Column 5 "Parochial Elector of Parish of ." If the candidate is not a parochial elector of some Parish in the Union, but he or she has, during the whole of the twelve months preceding the election, resided in the Union, insert in Column 5 "Residence." If the candidate has both of these qualifications, it will be sufficient to insert in Column 5 one of his or her qualifications, but both may be inserted.

6.—(1) The paper must be signed by two parochial electors of the Parish [*or* United Parishes *or* Ward], and no more; by one as proposer, and by the other as seconder. The places of abode of the proposer and seconder must also be inserted. Instead of signing, the proposer or seconder may affix his mark if it is witnessed by two parochial electors.

(2) A parochial elector must not sign more nomination papers than there are Guardians to be elected for the Parish [*or* United Parishes *or* Ward], and he must not sign a nomination paper for any Parish [*or* United Parishes *or* Ward] unless he is registered as a parochial elector in respect of a qualification therein. Nor must he sign a nomination paper in more than one Parish [*or* group of United Parishes *or* Ward] in the Union.

FORM NO. 3.

Statement as to Persons Nominated.

UNION.

The following is a statement as to the persons nominated for election

[1] These instructions form part of the nomination paper.

as Guardians for the several Parishes, United Parishes, and Wards of Parishes, [*as the case may be*] in the above-named Union in the year 18 .

Parishes [United Parishes and Wards].	Persons nominated.			Decision of Returning Officer that Candidate has not been nominated by a valid Nomination Paper.
	Names (Surnames first).	Places of Abode.	Descriptions.	
1.	2.	3.	4.	5.

The Candidates opposite whose names no entry is made in Column 5 have been validly nominated.

Dated this day of , 18 .

Returning Officer.

Office for purpose of election.

FORM No. 4.

Notice that no Poll will be taken.

UNION.

PARISH OF [*or* Ward of the Parish of , *or* United Parishes of].

WHEREAS the following candidates have been duly nominated for election as Guardians for the said Parish [*or* Ward *or* United Parishes] :— [*Insert names, places of abode, and descriptions of candidates.*]

And whereas the number of those

[*or* And whereas the said [*insert name or names*] has [*or* have] since withdrawn his [*or* their] candidature [*or if some other event has occurred causing a person to cease to be a candidate state what it is*], and the number of the remaining] candidates is [equal to *or* less than] the number of persons, namely,

to be elected as Guardians for the said Parish [*or* Ward *or* United Parishes],

I do hereby give notice that a Poll will not be taken, and that the said [*insert names*] will be declared elected as Guardians for the said Parish [*or* Ward *or* United Parishes],* and also that [*insert names*] retiring Guardians for the said Parish [*or* Ward *or* United Parishes] will be declared to be deemed to be re-elected.

Dated this day of , 18 .

Returning Officer.

* If the number of candidates or remaining candidates is equal to the number to be elected, or if the election is to fill a casual vacancy, omit from * to the end of the sentence.

FORM No. 5.

Notice where no Candidates are nominated.

UNION.

PARISH OF [*or* Ward of the Parish of , *or* United Parishes of].

I do hereby give notice that no candidate has been duly nominated for election as a Guardian for the said Parish [*or* Ward *or* United Parishes],† and that [*insert names*] the retiring Guardians for the said Parish [*or* Ward *or* United Parishes] will be declared to be deemed to be re-elected.

† If the Election is to fill a casual vacancy, omit from † to the end of the sentence.

Dated this day of 18 .

Returning Officer.

FORM No. 6.

Notice of Poll.

UNION.

ELECTION OF GUARDIANS for the above Union in the year 18 .

PARISH OF [*or* Ward of the Parish of , *or* United Parishes of].

NOTICE IS HEREBY GIVEN—

1. That a Poll for the election of Guardians for the above-named Parish [*or* Ward *or* United Parishes] will be held on the day of , 18 , between the hours of , and .
2. That the number of Guardians to be elected for the Parish [*or* Ward *or* United Parishes] is

3. That the names in alphabetical order, places of abode, and descriptions of the Candidates for election, and the names of their respective Proposers and Seconders are as follows:—

Names of Candidate (Surname first).*	Place of Abode.	Description.	Names of Proposer (Surname first).	Names of Seconder (Surname first).

* Insert particulars as to each candidate for the Parish or Ward or United Parishes whose nomination is valid, and who has not withdrawn his candidature.

†4. (1) That each elector must vote in the Polling District in which the property in respect of which he votes is situate, and if it is situate in more than one Polling District he may vote in any one (but in one only) of such Polling Districts.

(2) The Polling Districts are as follows:—

† If the Parish or Ward or United Parishes are not divided into Polling Districts for the purposes of the election, paragraph 4 should be omitted.

‡5. The situation and allotment of the Polling Places and Polling Stations and the description of the persons entitled to vote thereat are as follows:—

‡ If only one Polling Place or Station, adapt form accordingly.

6. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election will be [*insert colour*].

Dated this day of , 18 .

Returning Officer [*or* Deputy Returning Officer].

Office for purpose of election.

FORM NO. 7.

Declaration of Result of Poll.

UNION.

ELECTION OF GUARDIANS

for the above Union in the year 18 .

PARISH OF [*or* Ward of the Parish of *or* United Parishes of].

I, the undersigned, being the Returning Officer [*or* Deputy Returning

fficer duly authorised in that behalf] at the poll for the election of Guardians for the said Parish [*or* Ward *or* United Parishes] held on the day of , 18 , do hereby give notice that the number of votes recorded for each candidate at the election is as follows:—

Names of Candidates.		Places of Abode.	Number of Votes recorded.
Surnames.	Other Names.		

And I do hereby declare that the said are duly elected Guardians for the said Parish [*or* Ward *or* United Parishes].

Dated this day of , 18 .

Returning Officer,
[*or* Deputy Returning Officer].

FORM No. 8.

Notice of Result of Elections.

UNION.

ELECTION OF GUARDIANS

for the above-named Union in the year 18 .

I, the undersigned, being the Returning Officer at the election of Guardians for the said Union, do hereby give notice that the candidates whose names are entered in Column 6 of the Statement hereunder, opposite to the names of Parishes, Wards, or United Parishes in which polls have been taken have been declared duly elected Guardians; and I hereby declare that the persons whose names are entered in the said column [*or* in Column 7*] opposite to the names of Parishes, Wards and United Parishes where no polls have been taken were duly elected [*or* are to be deemed to be re-elected*] Guardians for the same.

* If the Election is a first election of additional Guardians, or is to fill a casual vacancy, in modifying this Form omit these words and Column 7.

Parishes, Wards, and United Parishes.	Names of Candidates.		Places of Abode.	Number of Votes recorded.	Names of Candidates elected.	Names of retiring Guardians deemed to be re-elected.
	Surnames.	Other Names.				
1.	2.	3.	4.	5.	6.	7.

Dated this day of 18 .

Returning Officer.

THIRD SCHEDULE.

PROVISIONS OF THE BALLOT ACT, 1872, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF GUARDIANS.

PROCEDURE AT ELECTIONS OF GUARDIANS.

Poll at Elections.

2. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act

called "the Presiding Officer") after having shown to him the official mark at the back.

If in the register of parochial electors for a Parish, the same number is placed opposite to the name of more than one parochial elector, the Returning Officer shall put a distinguishing mark on each part of the register which contains numbers used in other parts of the register, and when the number of any voter on any part of the register is entered on the counterfoil of a ballot paper, the mark on that part shall also be entered thereon.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the Returning Officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given. The decision of the Returning Officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Offences.

Offences in respect of Ballot Papers and Ballot Boxes.

3. Every person who—

(1) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper; or

(2) Without due authority supplies any ballot paper to any person; or

(3) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

(4) Fraudulently takes out of the polling station any ballot paper; or

(5) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanor, and be liable, if he is a Returning Officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, and marking instruments at an election, the property in such boxes, papers, and instruments may be stated to be in the Returning Officer at such election, as well as the property in the counterfoils.

Infringement of Secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of parochial electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he has marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two Justices of the Peace, to imprisonment for any term not exceeding six months, with or without hard labour.

Use of School and Public Room for Poll.

6. The Returning Officer at an election of Guardians may use, free of charge, for the purpose of taking the poll or for counting the votes at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done

to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll or for counting the votes as aforesaid.

The use of any room in an unoccupied house for taking the poll shall not render any person liable to be rated or to pay any rate for such house.

Duties of Returning and Election Officers.

General Powers and Duties of Returning Officer.

8. Subject to the provisions of this Act, every Returning Officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of parochial electors, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting the election.

Every deputy returning officer shall, in so far as he acts as Returning Officer, be deemed to be included in the term Returning Officer.

Keeping of Order in Station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the Presiding Officer, he may immediately, by order of the Presiding Officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the Returning Officer to remove him; and the person so removed shall not, unless with the permission of the Presiding Officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a Justice of the Peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Powers of Presiding Officer and Administration of Oaths, &c.

10. For the purpose of the adjournment of the poll, a Presiding Officer shall have the power by law belonging to a deputy returning officer in a parliamentary election; and any Presiding Officer and any clerk appointed by the Returning Officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any Justice of the Peace and any Returning Officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of Officers for Misconduct.

11. Every Returning Officer, Presiding Officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

No Returning Officer or officer appointed by him in connexion with the election of Guardians for any Parish, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as a Guardian. If any Returning Officer or officer appointed by him, or the partner or clerk of any such officer, shall so act he shall be guilty of a misdemeanor.

MISCELLANEOUS.

Prohibition of Disclosure of Vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with Rules.

13. No election shall be declared invalid by reason of a defect in the title or appointment of the Returning Officer or deputy returning officer, or of a non-compliance with the rules contained in the First Schedule to this Act or in the Guardians (London) Election Order, 1898, or any mistake in the use of the forms in the Second Schedule to this Act or in the said Order, if it appears to the tribunal having cognisance of the question that the election was conducted in accordance with the prfnciples laid down in the body of this Act and of the Local Government Act, 1894, and that such non-compliance or mistake did not affect the result of the election.

PERSONATION.

Definition and Punishment of Personation.

24. The following enactments shall be made with respect to personation at an election of Guardians :

It shall be the duty of the Returning Officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is Returning Officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

Sections 86 to 89, both inclusive, of the Parliamentary Voters Registration Act, 1843, shall apply to personation at an election of Guardians in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Act, but with the substitution of the words "any parochial elector or any agent appointed under the Guardians (London) Election Order, 1898," for "any such agent so appointed as aforesaid" or for any reference to any such agent, and of "the Presiding Officer" for "the Returning Officer or his respective deputy."

EFFECT OF SCHEDULES.

28. The schedules to this Act, and the notes thereto, and directions therein shall be construed and have effect as part of this Act.

SCHEDULES TO ACT.

FIRST SCHEDULE TO ACT.

RULES FOR ELECTIONS OF GUARDIANS.

The Poll.

15. At every polling place the Returning Officer shall, subject to the provisions of the Guardians (London) Election Order, 1898, provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

20. The Returning Officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret.

21. The Presiding Officer appointed to preside at each station shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in

the order of their surnames, and (if there are two or more candidates with the same surname) of their other names: it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The Presiding Officer at any polling station just before the commencement of the poll shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector, together with the distinguishing mark, if any, of the part of the register in which the number occurs shall, as required by Section 2 of this Act as adapted, be marked on the counterfoil, and a mark shall be placed in the register and against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The Presiding Officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or of any voter who makes such a declaration as hereinafter mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the Presiding Officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the Presiding Officer, who shall attest it in the form hereinafter mentioned, and no fee, stamp, or other payment shall be charged in respect of such

declaration, and the said declaration shall be given to the Presiding Officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions permitted by the Guardians (London) Election Order, 1898, to be asked of voters at the time of polling, and upon taking an oath in the form hereinafter set out, which the Presiding Officer shall administer, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being put into the ballot box shall be given to the Presiding Officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the Returning Officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called "the tendered votes list."

The oath shall be administered in the following form:—

"You do swear that you are the same person whose name appears as *A. B.* on the Register of Parochial Electors for the Parish of [*or* Ward of the Parish of], and that you have not already voted at the present Election of Guardians in this or any other Parish or Ward in the Union.

So help you God."

Provided that any person entitled to affirm in lieu of taking an oath may affirm in the following form:—

"I, *A. B.*, do solemnly, sincerely, and truly declare and affirm that I am the same person whose name appears as *A. B.* on the Register of Parochial Electors for the Parish of [*or* Ward of the Parish of], and that I have not already voted at the present election of Guardians in this or any other Parish or Ward in the Union."

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the Presiding Officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the Presiding Officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

29. The Presiding Officer of each station, as soon as practicable after the close of the poll, shall make up into separate packets sealed with his seal,—

(1) Each ballot box in use at his station, unopened but with the key attached; and

(2) The unused and spoilt ballot papers, placed together; and

(3) The tendered ballot papers; and

(4) The marked copies of the register of parochial electors, and the counterfoils of the ballot papers; and

(5) The tendered votes list, and the list of votes marked by the Presiding Officer, and a statement of the number of the voters whose votes are so marked by the Presiding Officer under the heads "physical incapacity" and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the Returning Officer or deputy returning officer, by whom the votes are to be counted, unless he is himself such officer.

30. The packets shall be accompanied by a statement made by such Presiding Officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. Each candidate may appoint an agent to attend the counting of the votes.

32. The Returning Officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The Returning Officer, his assistants and clerks, the agents of the candidates, and no other person, except with the sanction of the Returning Officer, may be present at the counting of the votes.

34. Before the Returning Officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes.

The Returning Officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The Returning Officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding, if and so far as he thinks it necessary, the hours between

the close of the poll and nine o'clock on the succeeding morning. During the excluded time the Returning Officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The Returning Officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The Returning Officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark;
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates to copy such statement. If the votes are counted by a deputy returning officer he shall, with the declaration of the result of the poll, report to the Returning Officer the number of ballot papers rejected and not counted by him, under the above heads, and no such statement as aforesaid shall be drawn up by the Returning Officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in to copy it.

37. Upon the completion of the counting, the Returning Officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each Presiding Officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The Returning Officer shall draw up a statement as to the result of such verification, and shall, on request, allow any agents of the candidates to copy it.

If the votes are counted by a deputy returning officer, he shall report to the Returning Officer the result of the verification, and no such statement as aforesaid shall be drawn up by the Returning Officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it. He shall with his report send to the Returning Officer the sealed packets of counted and rejected ballot papers, and the unopened sealed packets which he has received from any Presiding Officer.

38. Lastly, the Returning Officer shall carefully preserve for the period hereinafter mentioned all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the Presiding Officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the Parish for which such election was held.

39. The Returning Officer shall retain for six months all documents relating to an election of Guardians, and then, unless otherwise directed by an order of the county court having jurisdiction in the Parish or in any part thereof, or of any tribunal in which the election is questioned, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Returning Officer, except under the order of the county court or tribunal aforesaid, to be granted by such court or tribunal on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such Order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the court or tribunal making the same may think expedient, and shall be obeyed by the Returning Officer.

41. No person shall, except by order of the county court having jurisdiction in the Parish or any part thereof, or of any tribunal having cognisance of any question relating to the election, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Returning Officer. Such Order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court or tribunal making the Order may think expedient: Provided that on making and carrying into effect any such Order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents in the custody of a Returning Officer, in pursuance of this Act, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the London County Council, and the Returning Officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be made by the County Council.

43. Where an Order is made for the production by the Returning Officer of any document in his possession relating to any specified election of Guardians the production by such officer or his agent of the document ordered, in such manner as may be directed by such Order, or by an Order of the court having power to make such first-mentioned Order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Returning Officer or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *primâ facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

43. (*a*) There shall be an appeal from any order of the county court under these rules in like manner as in other cases in such court.

General Provisions.

47. If the Returning Officer presides at any polling station, the provisions of this Act relating to a Presiding Officer shall apply to such Returning Officer with the necessary modifications as to things to be done by the Returning Officer to the Presiding Officer, or the Presiding Officer to the Returning Officer.

48. The Returning Officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a Returning Officer for the purpose of an election who has been employed by any other person in or about the election.

50. The Presiding Officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his, if appointed under Rule 31 of this Schedule, might have undertaken and may, if he does not appoint such an agent, be present at the counting of the votes, or may himself take the place of such agent. Provided that any person acting under this Rule may at any time, before so acting, make the statutory declaration as to secrecy required by Rule 54 of this Schedule, but he shall not so act until he has made such declaration.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the Returning

Officer one clear day at the least before the opening of the poll; and the Returning Officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the Returning Officer may be delivered at or sent by post to such address.

53. If any person appointed an agent for the purposes of attending a polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, another agent may be appointed in his place, and notice shall forthwith be given to the Returning Officer in writing of the name and address of any agent so appointed.

54. Every Returning Officer, and every officer, clerk, or agent authorised to attend at a polling station, and also every officer, clerk, or agent authorised to attend at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the Returning Officer, of a Justice of the Peace, and if he is any other officer or an agent of a Justice of the Peace or of the Returning Officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

Second Schedule to Act.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Form of Ballot Paper.

Form of Front of Ballot Paper.

Counterfoil No.

ELECTION OF GUARDIANS.

1	BROWN (John Brown, of 10 Albert Place, Accountant).	
2	GREEN (Robert Green, of 160 George Street, Shoemaker).	
3	JONES (William David Jones, of 96 Eldon Terrace, Barrister-at-law).	
4	MERTON (Hon. George Travis, commonly called Viscount Merton, of 66 Queen Square, gentleman).	
5	ROBINSON (Jane Ellen Robinson, of 26 Park Gardens, married woman).	
6	SMITH (Henry Smith, of 114 High Street, Grocer).	

NOTE:—
The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

Form of Back of Ballot Paper.

No.

Election of Guardians for Parish [*or* United Parishes
or
Ward of
Parish].

18 .

Note.—The number on the ballot paper is to correspond with that on the counterfoil.

Directions as to Printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, as shown in the form, and the names, places of abode, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for candidates as Guardians.

The voter will go into one of the compartments, and with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the Presiding Officer, and then, in the presence of the Presiding Officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than candidates, or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election of Guardians for the Parish of [*or* United Parishes of *or* Ward of the Parish of], do anything forbidden by Section Four of The Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration. One declaration may be made by the Returning Officer in respect of all the Parishes for which he is Returning Officer.

Form of Declaration of inability to read.

I, *A. B.*, of , being numbered on the Register of Parochial Electors for the Parish of , do hereby declare that I am unable to read.

A. B., his mark.

day of , 18 .

I, the undersigned, being the Presiding Officer for the polling station for the Parish of [*or* United Parishes of *or* Ward of the Parish of], do hereby certify, that the above declaration, having been first read to the above-named *A. B.*, was signed by him in my presence with his mark.

(Signed) *C. D.*,
Presiding Officer for polling station for the Parish of [*or* United Parishes of *or* Ward of the Parish of].
day of , 18 .

FOURTH SCHEDULE.

SECTIONS 74 AND 75 OF THE MUNICIPAL CORPORATIONS ACT, 1882, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF GUARDIANS.

Offences in Relation to Nomination Papers.

74.—(1) If any person forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the Returning Officer any forged nomination paper, knowing it to be forged, he shall be guilty of a misdemeanor, and shall be liable to imprisonment for any term not exceeding six months, with or without hard labour.

(2) An attempt to commit any such offence shall be punishable as the offence is punishable.

Neglect of Duty by Returning Officer or Deputy Returning Officer.

75.—(1) If a person who has undertaken to act as Returning Officer, or deputy returning officer, at an election of Guardians, neglects or refuses to conduct or declare the election in manner provided by the Local Government Act, 1894, and the Guardians (London) Election Order, 1898, he shall for every such offence be liable to a fine not exceeding one hundred pounds, recoverable by action.

(2) An action under this section shall not lie after three months from the neglect or refusal.

FIFTH SCHEDULE.

PROVISIONS OF THE MUNICIPAL CORPORATIONS ACT, 1882, WITH RESPECT TO THE ACCEPTANCE OF OFFICE, RE-ELIGIBILITY OF HOLDERS OF OFFICE, AND FILLING OF CASUAL VACANCIES, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF GUARDIANS.

Obligation to accept Office or pay Fine.

34.—(1) Every qualified person elected or deemed to be re-elected to the office of Guardian, unless exempt under this section or otherwise by law, either shall accept the office by making and subscribing the declaration required by this Act within one month after notice of being elected or deemed to be re-elected, or shall, in lieu thereof, be liable to pay to the Board of Guardians a fine of such amount, not exceeding fifty pounds, as the Guardians by regulations determine, and such fine shall be placed to the credit of the Parish for which the person was elected.

(2) If there are no regulations determining fines, the fine shall be twenty pounds.

(3) The persons exempt under this section are—

Any person disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, and any person who, having within five years before the day of election served the office of Guardian for the Parish or other area, claims exemption within ten days after notice of election or of being declared to be deemed to be re-elected.

(4) A fine payable under this section shall be recoverable summarily.

(5) If a person is either elected or deemed to be re-elected Guardian in more than one Parish or other area in the Poor Law Union for which the election is held, he shall not accept office in respect of more than one of such areas, and if he accepts office or pays the fine for non-acceptance of office in respect of one of such areas, he shall not be liable to a fine for non-acceptance of office in respect of any other of such areas.

(6) Any person who has been elected without his consent to his nomination being previously obtained shall not be liable to a fine under this section.

Declaration on Acceptance of Office.

35. A person elected to the office of Guardian shall not, until he has made and subscribed before two Guardians of the Poor Law Union, or the clerk to the Guardians of the Union, or, if he is absent from the United Kingdom, before a British Consul, a declaration in the following form or in a form to the like effect, act in the office except in administering that declaration :—

FORM OF DECLARATION ON ACCEPTANCE OF OFFICE.

I, *A. B.*, having been elected [or being deemed to be re-elected] Guardian for the Poor Law Union of in respect of the Parish of [*or* of the United Parishes of and , *or* of the Ward of the Parish of], hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.

Dated this day of , 18 .

This declaration was made and subscribed before us.*

Guardians of the above-named Union.

* If the declaration is made and subscribed before the Clerk or a Consul adapt form accordingly.

Power to receive Declaration.

239.—(1) Members of the Board of Guardians or the clerk shall have authority to receive the declaration required to be made by a Guardian without any commission or authority other than this Act.

(2) The declaration, if made before a British Consul, shall be forthwith sent to the clerk to the Guardians.

Penalty on acting in office without making Declaration.

41.—If any person acts in the office of Guardian without having made the declaration by this Act required, he shall for each offence be liable to a fine not exceeding twenty pounds, recoverable by action.

Re-eligibility of Office-holders.

37. A person ceasing to hold the office of Guardian shall, unless disqualified to hold the office, be re-eligible.

Filling of Casual Vacancies.

40.—(1) On a casual vacancy in the office of Guardian, an election shall be held in accordance with rules framed under the Local Government Act, 1898, and the person elected shall hold the office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

(2) In case of more than one casual vacancy in the office of Guardian being filled at the same election, the Guardian elected by the smallest number of votes shall be deemed to be elected in the place of him who would regularly have first gone out of office, and the Guardian elected by the next smallest number of votes shall be deemed to be elected in he place of him who would regularly have next gone out of

office, and so with respect to the others; and if there has not been a contested election, or if any doubt arises, the order of rotation shall be determined by the Board of Guardians.

(3) Non-acceptance of office by a person elected creates a casual vacancy.

Time for filling Casual Vacancies.

66.—(1) On a casual vacancy in the office of Guardian, the election shall be held within one month after notice in writing of the vacancy has been given to the chairman of the Board of Guardians or to the clerk by two Guardians.

(3) The day of election shall be fixed by the clerk to the Guardians.

(4) Nothing in this Act shall authorise or require a Returning Officer to hold an election to fill a casual vacancy which occurs within six months before the ordinary day of retirement from the office in which the vacancy occurs, and the vacancy shall be filled at the next ordinary election.

Given under the Seal of Office of the Local Government Board, this Twenty-first day of January, in the year One thousand eight hundred and ninety-eight.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—SCALE OF EXPENSES.—ELECTIONS UNDER LOCAL GOVERNMENT ACT, 1894.

(Dated 20th November, 1894.)

To the County Council of each Administrative County in England and Wales ;—

To the Mayor, Aldermen, and Burgesses of each County Borough in England and Wales ;—

To the Guardians of the Poor of each Poor Law Union in England and Wales ;—

To the Urban Sanitary Authority of each Urban Sanitary District in England and Wales which is not a Borough ;—

To the Returning Officers at the first elections under the Local Government Act, 1894, of Guardians, Urban District Councillors, Rural District Councillors, and Parish Councillors respectively ;—

To the Returning Officers at any Poll consequent on a Parish Meeting for any Rural Parish in England and Wales ;—

And to all others whom it may concern.

Whereas by sub-sections (7) and (8) of Section 48 of the said Act, it is enacted as follows :—

"48.—(7) The expenses of any election under this Act shall "not exceed the scale fixed by the county council, and if at the "beginning of one month before the first election under this Act "a county council have not framed any such scale for their "county, the Local Government Board may frame a scale for "the county, and the scale so framed shall apply to the first "election, and shall have effect as if it had been made by the "county council, but shall not be alterable until after the first "election.

"(8) This section shall, subject to any adaptations made by "the * * rules [as to elections under the Act], apply in "the case of every poll consequent on a Parish meeting, as if "it were a poll for the election of Parish councillors."

And whereas by sub-section (2) of Section 75 of the said Act it is provided as follows :—

"75.—(2) In this Act, unless the context otherwise requires—

* * * * *

"The expression 'county' includes a county borough, and "the expression 'county council' includes the council of a county "borough."

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do, by this Our Order, Declare that the Scale of Expenses in the Schedule hereto shall, for the purposes of any Election under the Local Government Act, 1894, and of any Poll consequent on any Parish Meeting, be fixed for each County and County Borough in England and Wales in which, on the date hereof, no Scale framed under Section 48 of the said Act is in force, and for the purposes of any Election under the said Act in any such County or County Borough, and of any Poll consequent on any Parish Meeting in any such County, to which Election or Poll any such scale in force in the County or County Borough does not extend.[1]

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[1] In the circular letter issued with this Order the Local Government Board stated "that the scale fixed by the Order prescribes the maximum payments, and that the charge within the scale should in each case depend on the circumstances." The Board also said that they had been led to understand that in some rural Parishes there were suitable persons who were willing to give their services as Presiding Officers, or polling clerks, or counting clerks, without remuneration or for a nominal remuneration, with the view of reducing the charge that would otherwise fall on the Parish in respect of the poll. "The Returning Officer will, of course, avail himself of the services of such persons as far as practicable."

SCHEDULE.

SCALE OF EXPENSES.

I.—DISBURSEMENTS.

PAYMENTS MADE FOR—

1. Use of Room or Building, including Lighting and Firing .	Actual and necessary cost, not exceeding for each Polling Station 10*s.*
2. Fitting up Rooms required for Poll or, when necessary, hiring or constructing a Polling Station with its Fittings and Compartments . . .	Actual and necessary cost.
3. Each Ballot Box required to be purchased	Actual and necessary cost.
4. Use of each Ballot Box, when hired	Actual and necessary cost, not exceeding 2*s.* 6*d.*
5. Printing and providing Ballot Papers	Actual and necessary cost, not exceeding for the first 500, 1*l.*; and for every 100, or fraction of 100, an addition of 1*s.*
6. Stationery at each Polling Station	Actual and necessary cost, not exceeding 2*s.* 6*d.*
7. Each Stamping Instrument, purchase, or hire, or alteration	Actual and necessary cost, not exceeding 10*s.*
8. Copies of the Register of Parochial Electors . . .	Actual and necessary cost.

9. Printing and providing Notices, Nomination Forms, and other Documents required in and about the Election or Poll and costs of publishing same .	Actual and necessary cost.
10. Returning Officer's travelling expenses, where necessary, to make arrangements for Poll .	By rail, 3rd Class; by road, where necessary actual cost, not exceeding 9*d.* a mile each way.
11. Conveyance of Ballot Boxes, Papers, &c., from Office to Polling Place	Actual and necessary cost (by Railway or Parcel Post where practicable).
12. Conveyance of Ballot Boxes from the Polling Stations to the place where the Ballot Papers are counted . .	By rail, actual fare, 3rd Class; by road, actual cost, not exceeding 1*s.* a mile.
13. For the services of Police where required	The sum actually charged.

	When the Poll is open for			
	12 hours or upwards.	Less than 12 hours but not less than 8 hours.	Less than 8 hours but not less than 6 hours.	Less than 6 hours.
	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
14. For each Presiding Officer, to include all duties as deputy returning officer and all expenses not exceeding . .	3 0 0	2 0 0	1 10 0	1 0 0
15. For the Clerk at a Polling Station, to include all expenses, not exceeding . .	1 0 0	0 15 0	0 12 6	0 10 0

16. For each person employed in Counting Votes, to include all expenses, not exceeding:—

	£ *s.* *d.*
In Urban Parishes . . .	0 10 0
In Rural Parishes . . .	0 5 0

Sums in addition to the maximum amount specified in 1 and 5 may be allowed to the Returning Officer by the Local Authority, if they are satisfied that there were exceptional circumstances which rendered necessary the incurring of an expense in excess of the amount specified.

Under 14 and 15 an additional allowance of 10*s.* shall be given for each night necessarily spent away from home.

In determining under 14 the charge for any Presiding Officer, regard should be had as to whether he acted as deputy returning officer in the counting of the votes, and whether the poll has been taken with respect to one election or to more than one.

The employment of a second Clerk at a polling station with the remuneration specified in 15 may be authorised by the local authority, if the services of such Clerk are considered by them to be requisite.

The above-mentioned allowances are to include the remuneration for all elections held on the same day.

In a Rural Parish where there is only one contested Election and the number of Parochial Electors does not exceed 200, the Returning Officer or his deputy will be allowed one Counting Clerk, and for every 200 additional Parochial Electors an additional Counting Clerk. Where there are contests for both District and Parish Councillors, additional Counting Clerks may be employed, provided that in no case shall the number exceed 4.

In an Urban Parish, the number of Counting Clerks charged for shall in no case exceed 1 for each 500 Parochial Electors.

II.—FOR SERVICES AND OTHER EXPENSES OF RETURNING OFFICERS.

Fee for conducting the election, giving the prescribed notices, preparing and supplying nomination papers and distributing, verifying, and adjudicating upon same, appointing deputy returning officers, arranging for or conducting the poll, counting the votes, declaring result and making return of same and generally performing all the duties which a Returning Officer is required to perform under the Local Government Act, 1894, or the Rules of the Local Government Board made thereunder, and including all disbursements and expenses other than those for which special provision has been hereinbefore made, as follows :—

RURAL DISTRICT COUNCILLORS AND PARISH COUNCILLORS.

Contested Elections.	Where 10 Parishes or under. For each.	Where between 10 and 20. For each beyond 10.	Where between 20 and 30. For each beyond 20.	Where 30 and upwards. For each beyond 30.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
For every Parish for which an Election is held—				
(*a*) Where the Election is for either a Rural District Councillor or Councillors only *or* for Parish Councillors only, not exceeding . . .	2 0 0	1 10 0	1 0 0	0 10 0
(*b*) Where the Elections are for a Rural District Councillor or Councillors *and* Parish Councillors on the same Day, not exceeding . . .	3 0 0	2 5 0	1 10 0	0 15 0

Additional Payments where a Parish is divided into Wards—

	£	s.	d.
In case (*a*), for each Ward	0	10	0
In case (*b*), for each Ward	0	15	0

Uncontested Elections.	For each Parish up to 10.	For each additional Parish.
	£ s. d.	£ s. d.
For every Parish for which an Election is held—		
(*a*) For a Rural District Councillor or Councillors . .	0 10 0	0 5 0
(*b*) For Parish Councillors . .	0 5 0	0 5 0

GUARDIANS.

A.—MUNICIPAL BOROUGHS.

Contested Elections.

	£	s.	d.
In a Parish within a Borough, for each 750 Parochial Electors within the Parish or Ward for which the Election is held, or fractional part of 750	2	0	0

Uncontested Elections.

In a Parish within a Borough not divided into Wards .	1	0	0
In a Parish within a Borough which is divided into Wards, for each Ward	0	10	0

B.—URBAN DISTRICTS OTHER THAN BOROUGHS.

Contested Elections.

In a Parish within an Urban District, for each 750 Parochial Electors within the Parish or Ward for which the Election is held, or fractional part of 750	2	0	0

Where a deputy returning officer acts under Article 13 of "The Guardians (Outside London) Election Order, 1894," he shall, in addition to the Fee allowed him as Presiding Officer, be entitled to be paid, as remuneration for his services as deputy returning officer, one-third of the amount allowed to the Returning Officer in respect of that district, to be paid by such Returning Officer out of his Fee.

Uncontested Elections.

	£	s.	d.
In a Parish within an Urban District not divided into Wards	1	0	0
In a Parish within an Urban District divided into Wards, for each Ward	0	10	0

URBAN DISTRICT COUNCILLORS.

Contested Elections.

In a Parish within an Urban District other than a Borough, for each 750 Parochial Electors within the Parish or Ward for which the Election is held, or fractional part of 750	2	0	0

UNCONTESTED ELECTIONS.

	£	s.	d.
In a Parish within an Urban District other than a Borough not divided into Wards	1	0	0
In a Parish within an Urban District other than a Borough divided into Wards, for each Ward	0	10	0

POLLS CONSEQUENT ON PARISH MEETINGS.

For every Poll consequent on a Parish Meeting where such Poll is not taken as to the election of Parish Councillors—

In a Parish with a population of 300 or upwards according to the Census of 1891, not exceeding	1	10	0
In a Parish with a population of less than 300 according to the same Census, not exceeding	1	0	0

The payment under this head is to cover all the services of the Returning Officer, including those of Presiding Officer, and if a Poll is taken on more than one question on the same day in any Parish, only one fee shall be charged.

For services preliminary to Poll, if a Poll is not taken in consequence of the withdrawal of any Candidates—

In a Parish with a population of 300 or upwards according to the Census of 1891	0	10	0
In a Parish with a population of less than 300 according to the same Census	0	5	0

Given under the Seal of Office of the Local Government Board, this Twentieth day of November, in the year One thousand eight hundred and ninety-four.

L.S.

G. SHAW LEFEVRE, *President.*

WALTER FOSTER, HUGH OWEN, *Secretaries.*

GENERAL ORDER. — ELECTION PETITIONS (SECURITY FOR COSTS).—ELECTIONS UNDER LOCAL GOVERNMENT ACT.

(Dated 17th January, 1895.)

To the Guardians of the Poor of each Poor Law Union in England and Wales co-extensive with or containing an Urban Parish ;—

To the Guardians of the Poor of each Poor Law Union wholly or partly situate in the Administrative County of London ;—

To the Urban District Council of each Urban District in England and Wales which is not a Borough ;—

To the Rural District Council of each Rural District in England and Wales ;—

To each Parish Council in England and Wales ;—

To the Vestries elected under the Metropolis Management Acts, 1855 to 1890, or any Act amending those Acts ;—

To the Woolwich Local Board of Health ;—

And to all others whom it may concern.

Whereas by sub-section (2) of Section 48 of the Local Government Act, 1894 (hereinafter called "the Act"), it is enacted, *inter alia*, that Rules framed under the Act by the Local Government Board in relation to elections shall, notwithstanding anything in any other Act, have effect as if enacted in the Act, and that at any election regulated by such Rules, Part IV. of the Municipal Corporations Act, 1882, as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall, subject to adaptations, alterations, and exceptions made by such Rules, apply in the like manner as in the case of a municipal election ;

And whereas by six several Orders dated the 13th, 22nd and

29th days of September, and the 3rd day of November, 1894, We, the Local Government Board, made Rules in relation to the first election of Parish Councillors, Rural District Councillors, Urban District Councillors, Guardians outside London, Guardians in London, Vestrymen and Auditors in London, and Members of the Woolwich Local Board of Health, and by an Order dated the 10th day of January, 1895, made Rules in relation to the election of Vestrymen in London, and of Members of the Woolwich Local Board of Health, to fill casual vacancies, and by such Orders respectively We declared that in the application to such elections of Part IV. of the Municipal Corporations Act, 1882, certain adaptations and alterations should have effect;

And whereas it is desirable that a further adaptation or alteration of Part IV. of the said Act should be made in the application thereof to such elections:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do, by this Our Order, Direct that the following Rule shall have effect:—

Article I.—In the application of sub-section (2) of Section 89 of the Municipal Corporations Act, 1882 (being one of the Sections contained in Part IV. of that Act) to elections of Parish Councillors, Rural District Councillors, Urban District Councillors, Guardians as well in London as outside, Vestrymen and Auditors in London, and Members of the Woolwich Local Board of Health, regulated by the said Rules, the said sub-section shall be adapted and altered so as to read as follows:—

"(2) The security shall be to the amount of Fifty Pounds, unless in any case the High Court or a Judge thereof, on summons, order that the same be to a lesser amount, or to a larger amount not exceeding Three Hundred Pounds, and shall be given in the prescribed manner either by a deposit of money or by recognisance entered into by not more than four sureties, or partly in one way and partly in the other."

Article II.—This Order may be cited as the Election Petitions (Security for Costs) Order, 1895.

Given under the Seal of Office of the Local Government Board, this Seventeenth day of January, in the year One thousand eight hundred and ninety-five.

L.S.

G. Shaw Lefevre, *President.*

Hugh Owen, *Secretary.*

TRIENNIAL RETIREMENT OF GUARDIANS.—THE LOCAL GOVERNMENT ACT, 1894.—ADMINISTRATIVE COUNTY OF LONDON.

To the Guardians of the Poor of The Union, in the County of London ;

To the Overseers of the Poor of the Parish of , being the Parishes comprised in and forming the said Union ; and

To all others whom it may concern.

Whereas it is provided by the Local Government Act, 1894, section 20, sub-section 6 (*a*), that where the County Council on the application of the Board of Guardians of any Union in their county consider that it would be expedient to provide for the simultaneous retirement of the whole of the Board of Guardians for the Union, they may direct that the members of the Board of Guardians for that Union shall retire together on the fifteenth day of April in every third year ;

And whereas the Union is wholly situate within the Administrative County of London ;

And whereas the Board of Guardians for the said Union have made application to the London County Council, being the County Council for the said Administrative County, for an Order providing for the simultaneous retirement of the whole of the Board of Guardians for the said Union, and the said County Council consider that it would be expedient to provide for such simultaneous retirement.

Now therefore, in pursuance of the powers given to Us by the said Local Government Act, 1894, We, the LONDON COUNTY COUNCIL, **do hereby order** as follows :—

The Members of the Board of Guardians for the said Union shall retire together on the day of 189 , and on the day of in every third year thereafter.

Dated the day of , 189 .

Sealed by order,

L.S.

Clerk of the London County Council.

TRIENNIAL SERVICE OF GUARDIANS.—PARISH OF .

(, 189 .)

To the Guardians of the Poor of the Parish of in the County of London ;—

To the Churchwardens and Overseers of the Poor of the said Parish ;—

And to all others whom it may concern.

Whereas by an Order dated the day of , , the Poor Law Board ordered that the laws for the relief of the Poor in the said Parish of should be administered by a Board of Guardians, consisting of Members, and further directed that, for the purpose of the Election of such Guardians, the said Parish should be divided into Wards, to be named respectively, The Ward, The Ward, The Ward, and the Ward ;

And whereas We, the Local Government Board, by a General Order dated the 14th day of February, 1877, addressed to the Guardians of the Poor of the said Parish, amongst others, prescribed Regulations relating to the Election of Guardians of the Poor in that Parish ;

And whereas application having been made to Us with the view of altering, from one year to three years, the period for which the Guardians of the Poor of the said Parish are elected to serve, We directed a Poll to be taken on the question, and a majority of the owners of property and ratepayers of the Parish, voting on the question, have consented to such alteration :

Now therefore, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby Order as follows :—

ARTICLE I.—From and after the day of in the year One thousand eight hundred and , the elective Guardians of the Poor for the said Parish of shall continue in office for three years, subject to the power to resign such office, and subject also to the provisions hereinafter contained.

ARTICLE II.—In the event of any vacancy occurring by death, resignation, or otherwise, during the currency of the term of office, or through failure to elect at any triennial election, any Guardian duly elected to fill such vacancy shall continue in office so long as the vacating Guardian or any Guardian who might have been elected at such triennial election would have been entitled to continue, and no longer.

ARTICLE III.—Any person entitled to continue for one year to act as Guardian under the provisions of Section 10 of the Poor Law Amendment Act, 1842, shall be entitled to continue so to act for two years in addition.

ARTICLE IV.—All such verbal alterations as are rendered necessary by this Order in the form to be used in any future Election of Guardians shall be made accordingly.

Given under the Seal of Office of the Local Government Board this day of , in the year One thousand eight hundred and .

L.S.

President.

, *Assistant Secretary.*

THE
GENERAL ORDER (CONSOLIDATED).

(Dated 24th July, 1847.)

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed :—

To the Churchwardens and Overseers of the several Parishes and places comprised within the said Unions ;

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and places comprised within the said Unions are situated ;—

And to all others whom it may concern.

We, the Poor Law Commissioners, in pursuance of the authorities vested in us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "An Act for the "Amendment and better Administration of the Laws relating to the "Poor in England and Wales," and by all other Acts amending the same, do hereby rescind every Order, whether general or special, heretofore issued by the Poor Law Commissioners to the Unions named in the schedule hereunto annexed, which relates to the several subjects herein provided for, except so far as the same may have related to the apprenticeship of any poor person not yet completed ; or may have required or authorised the appointment of any officer or the giving of any security, or the making of any contract not yet executed, or the making of any Orders by the Guardians for contributions and payments not yet obeyed, or may have defined the salaries of any officers, or have prescribed the districts within which the duties of any officer shall be performed, or may have provided for the class of paupers or their number to be received into any particular workhouse. * * *

And we do hereby order, direct, and declare, with respect to each of the said unions, as follows:—[1] * * *

MEETINGS OF THE GUARDIANS.[2]

Art. 28.—The Guardians shall upon the day of the week, and at the time of day, and at the place already appointed for holding the ordinary meetings, hold an ordinary meeting once at the least in every week or fortnight for the execution of their duties; and may, when they think fit, change the period, time, and place of such ordi-

[1] Articles 1 to 27 inclusive of this Order were repealed by the General Order relating to elections of February 14, 1877. That Order has been superseded by the Orders regulating the election of Guardians set out in the beginning of this work.

[2] The proceedings of the Guardians at meetings are now regulated by the same rules as govern the proceedings of urban authorities under the Public Health Act, 1875, these rules having been applied to meetings of Guardians by Section 59 (1) of the Local Government Act, 1894. In so far then as the rules contained in the above Order are inconsistent with the rules in the Schedule to the Public Health Act, 1875, they must be taken to be superseded by the latter rules.

Section 59 (1) of the Local Government Act, 1894 (56 & 57 Vict. c. 73), enacts that:—"Section 199 and Schedule 1 of the Public Health Act, 1875, so "far as that Schedule is unrepealed (which relate to the meetings of urban "authorities, and to the meetings and proceedings of Local Boards), shall apply "in the case of every . . . Board of Guardians, as if such . . . Board were "a Local Board, except that the chairman . . . of the Board may be elected "from outside the . . . Guardians."

Section 59 (4) of the Act provides that "Nothing in this Section shall "affect any powers of the Local Government Board with respect to the proceed-"ings of Guardians."

As to the election of a chairman, see Section 20 (7) of the Act of 1894, *post*, p. 203.

Section 199 of the Public Health Act, 1875 (38 & 39 Vict. c. 55), is as follows:—"Every urban authority (not being the council of a borough) shall hold "an annual meeting, and other meetings for the transaction of business under "this Act once, at least, in each month, and at such other times as may be "necessary for properly executing their powers and duties under this Act. "Meetings of Local Boards shall be held and the proceedings thereat shall be "conducted in accordance with the rules as to meetings and proceedings con-"tained in Schedule 1 to this Act."

Schedule 1 of the Public Health Act, 1875, so far as it is unrepealed by the Act of 1894, is as follows, viz.:—

(1) Rules applicable to Local Boards.

Rule 1. Every Local Board shall from time to time make regulations with respect to the summoning, notice, place, management and adjournment of their meetings, and generally with respect to the transaction and management of their business under this Act.

Rule 2. No business shall be transacted at any such meeting unless at least one-third of the full number of members be present thereat, subject to this qualification, that in no case shall a larger quorum than seven members be required.

nary meeting, with the consent of the Commissioners previously obtained.[1]

Art. 29.—The Guardians shall at the first meeting after the fifteenth day of April, elect out of the whole number of Guardians a

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Rule 3. Every Local Board shall from time to time at their annual meeting appoint one of their number to be chairman for one year at all meetings at which he is present.

Note.—See Rule 11 for the date of this meeting.

Rule 4. If the chairman so appointed dies, resigns, or becomes incapable of acting, another member shall be appointed to be chairman for the period during which the person so dying, resigning, or becoming incapable would have been entitled to continue in office, and no longer.

Rule 5. If the chairman is absent from any meeting at the time appointed for holding the same, the members present shall appoint one of their number to act as chairman thereat.

Rule 6. The names of the members present, as well as of those voting on each question, shall be recorded, so as to show whether each vote given was for or against the question.

Rule 7. Every question at a meeting shall be decided by a majority of votes of the members present, and voting on that question.

Rule 8. In case of an equal division of votes the chairman shall have a second or casting vote.

Rule 9. The proceedings of a Local Board shall not be invalidated by any vacancy or vacancies among their members, or by any defect in the election of such board, or in the election or selection or qualification of any members thereof.

Rule 10. Any minute made of proceedings at a meeting, and copies of any orders made or resolutions passed at a meeting, if purporting to be signed by the chairman of the meeting at which such proceedings took place or such orders were made or resolutions passed, or by the chairman of the next ensuing meeting, shall be received as evidence in all legal proceedings; and, until the contrary is proved, every meeting where minutes of the proceedings have been so made shall be deemed to have been duly convened and held, and all the proceedings thereat to have been duly had.

Rule 11. The annual meeting of a Local Board shall be held as soon as may be convenient after the fifteenth of April in each year.

Section 73 of the Local Government Act, 1894, enacts that:—"When the "day on which any thing is required by or in pursuance of this Act to be done is "Sunday, Christmas Day, or Good Friday, or a Bank-Holiday, that thing shall "be done on the next following day, not being one of the days above-mentioned." The annual meetings of Guardians being now regulated by the rules above set out in pursuance of Section 59 (1) of the Act of 1894, the provisions of Section 73 will apply should the day of the meeting fall on a Good Friday, a Sunday, or a Bank Holiday.

With respect to the division of Boards of Guardians into committees for the purposes of relief, and the appointment of district committees, see the respective Orders, *post*.

[1] In every case of a change of meeting, whether as regards the day or period, *i.e.*, from weekly to fortnightly, or the hour of meeting, the consent of the Local Government Board to the change must be obtained. "No meeting of a "Board of Guardians shall be held in premises licensed for the sale of intoxi- "cating liquor, except in cases where no suitable room is available for such "meeting either free of charge or at a reasonable cost," 56 & 57 Vict. c. 73, s. 61.

chairman and a vice-chairman, who, provided they be Guardians at the time, shall continue respectively to act as such chairman and vice-chairman for the year next ensuing.[1]

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[1] It is now enacted, however, by Section 20 (7) of the Local Government Act, 1894 (56 & 57 Vict. c. 73), that:—"A Board of Guardians may elect a "chairman or vice-chairman, or both, and not more than two other persons, "from outside their own body, but from persons qualified to be Guardians of "the Union, and any person so elected shall be an additional Guardian and "member of the board."

If the day of ordinary meeting fall on April 15, the old Guardians will meet on that day, and the new on the next day of meeting thereafter. The ordinary practice is for the chairman of the Guardians of the past year (if he still be entitled to act as Guardian) to take the chair at the commencement of the first meeting of the new Board of Guardians after April 15. If he then be re-elected chairman, he will then retain the chair; or, in the event of any other Guardian being appointed to the office, he will resign the chair to such Guardian, or to the vice-chairman who may be elected, if he be then present. As to the casting vote of the temporary chairman, see 12 & 13 Vict. c. 103, s. 19, *post*, p. 207.

At the first meeting after the annual election, the Guardians must appoint from among themselves any number, not less than six nor more than twelve, to be a committee, to be called the Assessment Committee of the Union, for the investigation and supervision of the valuation lists of the several Parishes in the Union (25 & 26 Vict. c. 103, s. 2, as amended by 56 & 57 Vict. c. 73, s. 59). The committee should be appointed at the first meeting after the 15th April, and not at any meeting of the Guardians prior to that date, even though at the time the annual election of Guardians may have been completed. By 25 & 26 Vict. c. 103, s. 8, "any Guardian of the Union may be present at any meeting of the committee, but shall not be entitled to take part in the proceedings thereof." This, however, does not confer a right to a Guardian who is not a member of the committee to be present at the deliberations of the committee upon any particular matter; for the committee can lawfully, if they think fit during any of their meetings, clear the room of all persons but members of the committee whilst they are deliberating on the decision to be given in any case which has been heard before them. When the committee have heard the whole of any case, they may either retire from the room to deliberate and return to it when their deliberations are concluded, or clear the room and close it during their deliberations, and re-open it afterwards for the admission of other persons. If the Guardians fail to make the appointment at such a meeting, a special Order of the Poor Law Board must be issued before the appointment can be made (s. 4). The provisions of s. 8 of the Union Assessment Committee Act, 1862, which required the first meeting of the committee to be held at the board room on a day to be fixed by the Guardians, only applied to the committee when first appointed, and not to the committees appointed in subsequent years. See Fry's Union Assessment Committee Acts, Tenth Edition, by the author of the present work, published by Knight & Co.

As regards Assessment Committees in Unions and parishes within the area of the Metropolis Management Act, reference must be made to the Metropolis (Valuation) Act, 1869, 32 & 33 Vict. c. 67. See the Tenth Edition (by W. C. Glen), of Lumley's Union Assessment Committee Acts.

As regards the appointment of managers of the Metropolitan Asylum District and the Metropolitan Sick Asylum Districts, a reference must be made to the Metropolitan Poor Act, 1867 (by W. C. Glen), and the Orders of the Poor Law Board issued to the respective districts. The Guardians of Unions in school

Art. 30.—The Guardians at any time may elect two vice-chairmen, and if such vice-chairmen be appointed at the same time, the Guardians shall determine their precedence; according to which precedence one of the said vice-chairmen shall thenceforth preside and act as in the case when only one vice-chairman is elected.[1]

Art. 31.—If a chairman or a vice-chairman ceases to be a Guardian, or refuse, or become incapable[2] to act as chairman or vice-chairman before the expiration of the term of office, the Guardians shall, within one month after the occurrence of the

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districts are to elect members whose term of office may have expired, to represent them at the Board of Management on one of the two ordinary meetings before the 25th March.

By a General Order dated the 12th September, 1894, the Local Government Board ordered that, "Notwithstanding anything contained in any of the Orders "above referred to" (*i.e.* Orders primarily issued prescribing the qualification of managers in the school districts named in the Schedule to the Order of 1894), "the qualification, without which no person shall be eligible to serve as an "elective member of the board of management of any school district named in "the Schedule to this Order, shall, from and after the date of this Order, consist "in being rated within such school district to the relief of the poor upon an "annual rateable value of not less than five pounds." The school districts named "in the Schedule to the Order are the following: Central London, Farnham and Hartley, Wantage, Forest Gate, Kensington and Chelsea, North Surrey, Reading, and Wokingham, South-east Shropshire, South Metropolitan, Walsall and West Bromwich, and West London.

Dispensing Committees in the Metropolis are to be appointed at the first meeting of the Guardians after the 15th April. See the General Order of the 22nd April, 1871, *post*.

[1] No provision is made for the appointment of vice-chairmen by the Rules in Schedule 1 of the Public Health Act, 1875, which Section 59 (1) of the Local Government Act, 1894, applies to the proceedings of Guardians, the fifth of such Rules providing that in the absence of the chairman the members present at a meeting shall appoint one of their number to act as chairman at the meeting. Section 59 (2) of the Local Government Act, 1894, enacts that:—"any Board of "Guardians may, if they think fit, appoint a vice-chairman to hold office during "the term of office of the chairman, and the vice-chairman shall, in the absence "or during the inability of the chairman, have the powers and authority of the "chairman." This power of appointment obviously supersedes that which was conferred by Art. 30, the provisions of which must now be considered to be obsolete. The vice-chairman elected by the Guardians need not be a member of the Board of Guardians, but he must be a person qualified to be a Guardian of the Union. See Section 20 (7) of the Local Government Act, 1894.

[2] So far as the chairman is concerned, this Article appears to be superseded by Rule 4 of Schedule 1 of the Public Health Act, 1875, which is applied to the proceedings of Guardians by Section 59 (1) of the Local Government Act, 1894. By that Rule, if the chairman dies, resigns, or becomes incapable of acting, another member shall be appointed to be chairman for the period during which the person so dying, resigning, or becoming incapable would have been entitled to continue in office, and no longer. The expression "become incapable" has reference to incapacity arising from physical or mental infirmity, and not from the absence of the chairman at a distance from the union.

vacancy, refusal, or incapacity, elect some other Guardian to be chairman or vice-chairman, as the case may be.[1]

Art. 32.—Whereas no act of any meeting of the Guardians will be valid unless three Guardians be present and concur therein; if three Guardians be not present at any meeting, the clerk shall make an entry of that fact in the minute-book, and the time for holding such meeting shall be deemed to have expired as soon as the said entry shall have been made. But one hour at least shall be allowed to elapse from the time fixed for the commencement of the meeting, before such entry shall be made.[2]

Art. 33.—If three or four or more Guardians be present at any ordinary meeting, such three, or the majority of such four or more Guardians, may adjourn the same to the day of the next ordinary meeting, or to some other day previous to the next ordinary meeting.

Art. 34.—An extraordinary meeting of the Guardians may be summoned to be held at any time, upon the requisition of any two Guardians, addressed to the clerk. Every such requisition shall be

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[1] This article is directory only as to time. The article does not require that notice of the election should be given, but it is generally desirable that notice should be given. It is not necessary that the vice-chairman should resign his office to enable him to be elected chairman; his acceptance of the latter office would vacate that of vice-chairman.

[2] The 4 & 5 Will. IV. c. 76, s. 38, provides that, "except where otherwise ordered by the Poor Law Commissioners, and also except for the purpose of consenting to the dissolution or alteration of any Union, or any addition thereto, or to the formation of any Union for the purposes of settlement or rating, no Guardian of any such board as aforesaid (*i.e.* Board of Guardians), shall have power to act in virtue of such office except as a member, and at a meeting of such board." And further, that "No act of any such meeting (*i.e.* of a Board of Guardians) shall be valid unless three members shall be present and concur therein." Therefore if the meeting consist of only three Guardians, no act can be done by it if the Guardians are not unanimous. By Rule 2 of Schedule 1 of the Public Health Act, 1875, which is applied to proceedings at meetings of Guardians by Section 59 (1) of the Local Government Act, 1894, "no business shall be transacted at any such meeting unless at least one-third of the full number of members be present thereat, subject to this qualification, that in no case shall a larger quorum than seven members be required." Where then the number of members of the board is nine or less, the provisions of 4 & 5 Will. IV. c. 76, s. 38, will still apply. But where the number of members is more than nine the provisions of Rule 2 will apply. It may here be added, that it is illegal to pay any Guardian of the poor out of any Parish rate or fund for attending to the discharge of his duty as Guardian. Neither can they be lawfully repaid out of the poor rates any expenses which they may personally incur in attending the meetings of the Guardians.

made in writing, in the Form (F.) hereunto annexed, and no business other than the business specified in the said requisition shall be transacted at such extraordinary meeting.[1]

Art. 35.—Notice of every change in the period, time, or place of holding any meeting, and notice of the adjournment of any meeting, and notice of every extraordinary meeting, shall be given in writing to every Guardian. Every such notice shall be respectively in the Forms (G.), (H.), and (I.), hereunto annexed, and shall be given or sent by the clerk to every Guardian, or left at his place of abode two days, if practicable, before the day appointed for the meeting to which it relates.

Art. 36.—If any case of emergency arise, requiring that a meeting of the Guardians should immediately take place, they, or any three of them, may meet at the ordinary place of meeting, and take such case into consideration, and may make an order thereon.

PROCEEDINGS OF THE GUARDIANS.

Art. 37.—At every meeting the chairman, or in his absence a vice-chairman, shall preside; but if at the commencement of any meeting the chairman and vice-chairman or vice-chairmen be absent, the Guardians present shall elect one of themselves to preside at such meeting as chairman thereof, until the chairman or a vice-chairman take the chair.[2]

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[1] Under Art. 36 a meeting of emergency is to be held "at the ordinary place of meeting;" and though Art. 34 does not in terms require it, it would be proper that an extraordinary meeting should also be held at the ordinary place of meeting. At any rate it is open to much doubt whether an extraordinary meeting held at any other place would be legal.

[2] Rule 5 of the Rules in Schedule 1 of the Public Health Act, 1875, which are applied to the proceedings at meetings of Guardians by Section 59 (1) of the Local Government Act, 1894, provides that in the absence of the chairman the members present shall appoint one of their number to act as chairman. Inasmuch, however, as Section 20 (7) of the Act of 1894, provides for the election by the Guardians of a vice-chairman, the term "chairman" in the Rule referred to presumably includes a vice-chairman in its meaning. If this be so there is no inconsistency between the provisions of Art. 37 and Rule 5, and the two may be read together. The Guardian elected as presiding chairman will sign the minutes of the last ordinary and of any other meeting, if they are read whilst he is in the chair. [See Art. 41 (firstly) and note (1), p. 66]. The chairman can of course, like any other Guardian, move a resolution for adoption by the Guardians, or propose an amendment to or second a resolution brought forward by some other Guardian. It may be added, that if the regular chairman of the Guardians be present at the commencement of any meeting, it is incumbent upon him to fill the chair so long as he is present; and that he

Art. 38.—Every question at any meeting consisting of more than three Guardians shall be determined by a majority of the votes of the Guardians present thereat, and voting on the question ; and when there shall be an equal number of votes on any question, such question shall be deemed to have been lost.[1]

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cannot vacate it, and act as an ordinary member of the Board of Guardians at the meeting. So, if the vice-chairman takes the chair in the absence of the chairman, he may, if he think fit so to do, continue in the chair, though the chairman may come to the meeting after the chair has been occupied by the vice-chairman. If a temporary chairman be presiding, and the chairman or vice-chairman afterwards come in, and neither of them take the chair, the proceedings of the Guardians will nevertheless be legal, for the presiding chairman may continue in the chair *until* the chairman or a vice-chairman take the chair.

As to the duty of a chairman to preserve order at a meeting, and to remove disorderly persons therefrom, see *Lucas* v. *Mason*, 33 L. T. N.S. 13 ; 44 L. J. Exch. 145.

[1] In the Consolidated Orders issued to unions formed since 1847, this article stops at voting "on the question." Rule 7 of the Rules in Schedule 1 of the Public Health Act, 1875, applied to proceedings at meetings of Guardians by Section 59 (1) of the Local Government Act, 1894, provides that "every question at a meeting shall be decided by a majority of votes of the members present, and voting on that question." Rule 8 provides that "in case of an equal division of votes the chairman shall have a second or casting vote." By 12 & 13 Vict. c. 103, s. 19, "in the case of an equality of votes upon any question at a meeting of the Guardians of any Union or Parish, the presiding chairman at such meeting shall have a second or casting vote." The presiding chairman is entitled to have his vote on any question recorded in the same manner as the vote of any other Guardian present at the meeting ; and if the votes are then found to be equal, he will be entitled to give a second or casting vote. If the chairman has not already voted, and the votes are found to be equal, he may give his casting vote ; and it is immaterial whether he has previously voted or not. If, however, before voting at all, the chairman declare the numbers, he cannot afterwards give a vote making them equal, and then a casting vote deciding the question. See 9 O. C. 184. Further upon this subject see note to Art. 155, *post*. The votes are taken by a show of hands, and the result declared by the chairman after counting them ; and it would seem, therefore, that a scrutiny of the votes then given cannot be made unless the result is called in question at the time, and the chairman then acquiesces in the correctness of it. In taking the votes of the Guardians, the Poor Law Board think that the following should be the course of proceeding : When the question is put to the meeting, the chairman should take the votes of the Guardians present by a show of hands, and then declare the motion to be adopted or rejected, as the case may be. The Board think that if any Guardian disputes the correctness of the chairman's decision, he is entitled to claim to have the names of the Guardians called over, and each Guardian's vote taken down by the clerk with the view of counting them, and thus of testing the accuracy of that decision ; if the result of that counting should be to reverse the chairman's decision, the Board think that the question must be determined by the counting of the votes consequent upon the taking down of the names ; but that any Guardian will be entitled to claim the vote of any Guardian who has held up his hand upon one side of the question to be counted on that side, even though, on calling the names, he may have given his vote the other way. This is in conformity with

the practice of the House of Commons, where the rules are the result of long experience and are of recognised utility. (56 O. C., N.S. 78.) Nevertheless, Guardians sometimes determine a question before them by taking the votes of the members voting by ballot; and having regard to the case of *Shaw* v. *Thompson*, L. R. 3 Ch. D. 233; 45 L. J. Ch. 827, at the present day there does not seem to be anything illegal in the Guardians so voting. The judgment in *Faulkner* v. *Elger*, 4 B. & C. 449, to the effect that an election by ballot is illegal, being based on the ground that it does not afford an opportunity for a scrutiny, is not now applicable, when Acts of Parliament have been passed regulating municipal and parliamentary elections, which free voting by ballot from these objections.

There are no legal authorities which bind the chairman to the adoption of any particular course with regard to the manner in which amendments to an original motion shall be put to the meeting. The most convenient course appears to be for the chairman to allow of only one amendment to be moved at the same time to an original motion; and if it be lost, then to allow other amendments to be moved in succession, until all the amendments are disposed of. If they are all rejected, the original motion should then be put; but if an amendment be carried, it should then be put as an original motion, upon which an amendment may be again moved.

After a division of the Board of Guardians on any motion duly proposed and seconded, the number of Guardians who voted for and against the motion should be recorded on the minutes; but it is not necessary that the names of the Guardians who voted should be entered on the minutes. The chairman, if he intends to vote on the question before the Board of Guardians, should give his vote immediately after he has counted the votes of the other Guardians, and before he declares the numbers voting on each side from the chair. If he then finds that the votes are equal, he should give a second or casting vote. If, however, he should declare the numbers voting before he gives any vote himself, the Poor Law Board have stated that they think that in such case the chairman's votes are not entitled to count. (44 O. C. N.S. 184.)

The following is a later decision of the Poor Law Board bearing on this point:—The clerk of Croydon Union stated that a resolution was carried by six votes to five; but the Guardians doubted the correctness of this mode of stating the result of the voting, and wished to receive the opinion of the Poor Law Board. Before the chairman's vote was given, the number of votes for and against the motion was equal; and as the chairman did not give a second vote, the clerk considered that the chairman's vote could not be properly called a casting vote. In reply, the Board stated that they thought the clerk correct. A casting vote, they said, may signify one of two things, either the single vote of a person who only votes in the case of an equality, or the double vote of a person who first votes with the rest, and then upon an equality creates a majority by giving a second vote. In the present instance the vote given by the chairman in his capacity as Guardian was a casting vote in the former of these senses, as it turned an equality of votes into a majority. (57 O. C. N.S. 84.)

The general practice of meetings held for the discharge of public business is that when a resolution has been passed disposing of any question before the meeting, the same question cannot be afterwards re-opened at that meeting; but there is no rule of law bearing absolutely upon the point; and, although it is possible that the re-opening of a question absolutely decided may, in some special case, be necessary, and therefore lawful at the same meeting, the chairman of the meeting would act most judiciously if he proceeded according to the general practice at meetings for the transaction of public business, and declined to allow a decided question to be re-opened at the same meeting.

There is no right to demand a poll in questions which come before and are

Art. 39.—No resolution agreed to or adopted by the Guardians shall be rescinded or altered by them, unless some Guardian shall have given to the Board seven days' notice of a motion to rescind or alter such resolution, which notice shall be forthwith entered on

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to be decided by the major part of the members of an elective body. So held by Day and Charles, J.J., in *Reg.* v. *the Vestry of Tooting Graveney, Surrey*, *Times* newspaper, 10th May, 1892; *s.c. nom. Reg.* v. *Tooting Churchwardens.* (56 J. P. N. 324.)

If a motion intended to be submitted to the Guardians be illegal in its nature if carried, or if an illegal amendment to a legal motion be made, the chairman is not bound to submit either to the vote. (3 O. C. 38.)

Further with regard to the votes of the Guardians, see note to Article 155, *post*. It may here be stated that a Guardian must discharge the duties of his office in person, and that it is not competent for him to appoint a deputy to act for him, or to vote for him by proxy, on any question at a meeting of the Guardians.

The notice is to be given at a meeting of the Guardians, and not to be sent to the clerk to be circulated by him to each individual Guardian. If notice is so given and entered on the minutes, no further notice to individual Guardians is requisite.

The Guardians are bound to discuss questions arising as to the honesty of their servants, and are therefore entitled to privilege in respect of any such discussions which may take place at their meetings so long as no malice is displayed in what is said. Ratepayers of the Union being interested in such discussions the presence of any of them at meetings where they take place will not remove the privilege, nor will the presence of reporters at such meetings, even though they may not be ratepayers of the Union. At a meeting of a Board of Guardians, of which the plaintiff had been the clerk, the defendant, a member of the Board, in the course of a discussion concerning the plaintiff's accounts, made certain defamatory statements concerning the plaintiff, without malice and *bonâ fide*, believing that what he said was true. In accordance with the regular custom of the Board reporters were present at the meeting. The Court of Appeal held that the privilege which would have attached to the statements, if made in the presence of Guardians only, was not taken away by the presence at the meeting of reporters or persons other than Guardians. *Pittard* v. *Oliver* (1891) 1 Q. B. 474; 64 L. T. N.S. 758; 55 J. P. 100. See, however, with regard to the publication in newspapers of statements made at meetings of Board of Guardians, *Purcell* v. *Sowler*, *post*, p. 211.

The following letter of the Local Government Board on the object of reporting the proceedings of the Boards of Guardians was published in the *Times* newspaper of the 15th June, 1876:—"Though they believe that in general Boards of Guardians do not admit reporters for newspapers to their meetings, there is no provision in law or any order which prevents an individual member from making notes of the Guardians' proceedings at their meetings, and using them as he thinks proper. At the same time, if the matter discussed be of a nature to affect the character of any person, the Board believe the publication of it would not be privileged: and if it be one which the Guardians generally think it would be inexpedient as regards the interests of the Union to be published, the individual member of the Board who should make it public would, in the opinion of the Board, incur a serious responsibility if mischief should ensue from its publication." Further on this subject see note (1), *post*, p. 211.

the minutes by the clerk.[1] Provided always, that this regulation shall not extend to any resolution which immediately concerns the allowance of relief to any person, or the punishment of any pauper, or to any resolution which the Commissioners may request the Guardians to reconsider or amend, or to any question of emergency.[2]

Art. 40.—The Guardians may, from time to time (as occasion may require) appoint a committee to consider and report on any special subject, and such committee may meet at such times and places as to them may seem convenient; but no act or decision of any such committee shall of itself be deemed to be the act of the Guardians.[3]

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[1] Thus if a notice to rescind a resolution be given at a meeting of the Guardians held on a Monday, the day for bringing the motion on for discussion will be the following Monday, as seven days' notice means one day inclusive and the other exclusive. (See *Reg.* v. *JJ. of West Riding*, 4 B. & A. 685, and *Reg.* v. *JJ. of Salop*, 8 A. & E. 173.) Any other notices of motion need not be entered on the minutes by the clerk, unless a special direction be given by the Guardians in that behalf. (See note to Art. 155.) An absent Guardian may give a notice of motion through the medium of a Guardian who is present at the meeting.

An officer's salary cannot be increased without a notice of motion pursuant to this Article: for such a proceeding would be tantamount to a rescission of the resolution fixing the salary sought to be increased.

[2] A general resolution of the Guardians with reference to the relief of a certain class of paupers cannot be departed from, except after notice in conformity with Article 39.

In many Unions it is now the practice of the clerk to send to the whole of the Guardians agenda papers of the special business intended to be brought before the Board at each meeting. And there is nothing in this Order to prohibit his so doing, and the attendant expenses being paid by the Guardians. It is the practice of all Metropolitan Vestries and Boards of Works.

[3] The Guardians may, however, by a resolution adopting any report which may be made to them by a committee, constitute the recommendations in such report an act or decision of the Guardians. It must be understood that a committee appointed under this Article is to be composed of a selected number of Guardians, and not of the whole Board. As regards the appointment of district committees for the purposes of relief, see the 5 & 6 Vict. c. 57, s. 7. Under this Article a Settlement and Poor Removal Committee may be appointed, but the committee must be careful in such case not to exercise any of the functions of the Board of Guardians in regard to the proceedings for obtaining orders of removal.

In every case of an inquiry, or appeal as to the Union in which a pauper lunatic is settled, the Guardians, clerks of the Guardians, and relieving officers of every Union interested in the inquiry or appeal, and every person duly authorised by them respectively, shall at all reasonable times be allowed free access, in the presence of the medical attendant, to the lunatic to examine him as to the premises. See Section 312 of the Lunacy Act, 1890. (53 Vict. c. 5.)

As to Boards of Guardians removing the poor to their places of settle-

Art. 41.—At every ordinary meeting of the Guardians the business shall, as far as may be convenient, be conducted in the following order :—[1]

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ment, see 28 & 29 Vict. c. 79, ss. 1, 2, and 39 & 40 Vict. c. 61, s. 25, and the Orders of the Local Government Board on the subject, *post*. With regard to the duties of Guardians as to the maintenance of pauper lunatics, see 53 Vict. c. 5, ss. 286–298.

The Guardians cannot delegate to a committee appointed under this Article the opening and selection of tenders for supplies. This must be done by the whole Board of Guardians under Art. 47, *post*.

Committees appointed by an outgoing Board of Guardians cannot legally meet or transact any business after April 15, when the new Board comes into office.

As regards the Metropolis, the General Order dated July 29, 1884, with regard to relief committees, *post*, may be referred to.

The subject of Poor Law Conferences may here be mentioned by a reference to the Statute 46 Vict. c. 11, and the General Order of the Local Government Board dated September 17, 1883, *post*. Also the 48 Vict. c. 22, as to Conferences of local authorities ; and the Order of the Local Government Board on the subject in Glen's "Law of Public Health, &c." 11th edition.

A committee may appoint a chairman to act as such at all their meetings, they may appoint a chairman to preside at each meeting as they may think fit.

[1] The order of business indicated by this Article is not obligatory on the Guardians, but it will in general be found convenient.—*Instr. Letter*, 1842. See also 44 O.C. N.S. 184. The order of business so far as it is not provided for by the regulations depends upon the pleasure of the Guardians present at the meeting.

It may be here stated that strangers have no right to be present at the meetings of the Guardians; the Guardians may, however, if they think fit, permit any person to be present at their meetings. On a stranger being directed to withdraw, he must do so forthwith; and if he refuse, the Guardians may use necessary force to remove him, and to that end may call in the aid of a police officer.

The publication in a newspaper of an account of a meeting of a Board of Guardians at which a report or statement was made by the chairman of the Workhouse Visiting Committee, which alleged acts of misconduct on the part of the workhouse medical officer in neglecting to attend on several occasions when sent for to pauper patients, is not privileged. By the court, the administration of the poor laws throughout the country was matter of public interest, but the occasion was not one which justified the publication. The meetings of Poor Law Guardians are not necessarily public; the report was only an *ex parte* statement grievously affecting the character of a medical officer, and might or might not be true, and the Guardians would have done well not to have admitted strangers. (*Purcell* v. *Sowler*, L. R. 2 C. P. D. 215; 46 L. J. C. P. 308, affirming the decision of the Common Pleas Division in *Purcell* v. *Sowler*, L. R. 1 C. P. D. 781).

With regard to the publication in newspapers of the proceedings of Guardians, see now the Law of Libel Amendment Act, 1888 (51 & 52 Vict. c. 64), s. 4, which enacts that :—

"A fair and accurate report published in any newspaper of the proceedings "of a public meeting, or (except where neither the public nor any newspaper "reporter is admitted) of any meeting of a vestry, town council, schoolboard, "Board of Guardians, board or local authority formed or constituted under the "provisions of any Act of Parliament, or of any committee appointed by any of

Art. 41.—Firstly. The minutes of the last ordinary meeting, and of any other meeting which may have been held since such ordinary meeting, shall be read to the Guardians; and, in order that such minutes may be recognized as a record of the acts of the Guardians at their last meeting, they shall be signed by the chairman presiding at the meeting at which such minutes are read, and an entry of the same having been so read, shall be made in the minutes of the day when read.[1]

" the above-mentioned bodies . . . shall be privileged, unless it shall be proved " that such report or publication was published or made maliciously.

" Provided that nothing in this section shall authorise the publication of " any blasphemous or indecent matter: Provided also, that the protection " intended to be afforded by this section shall not be available as a defence in " any proceedings if it shall be proved that the defendant has been requested " to insert in the newspaper in which the report or other publication com- " plained of appeared, a reasonable letter or statement by way of contradiction " or explanation of such report or other publication, and has refused or neg- " lected to insert the same: Provided further, that nothing in this section con- " tained shall be deemed or construed to limit or abridge any privilege now by " law existing, or to protect the publication of any matter not of public concern "and the publication of which is not for the public benefit.

" For the purposes of this section 'public meeting' shall mean any " meeting *bonâ fide*, and lawfully held for a lawful purpose, and for the " furtherance or discussion of any matter of public concern, whether the " admission thereto be general or restricted."

[1] The minutes are intended to be a true record of the proceedings of the Board, and the confirmation of the minutes by the succeeding Boards will merely authenticate the accuracy of the record, without affecting the acts of the previous meeting, which in general require no subsequent confirmation.—*Instr. Letter.* The minutes are to be signed by the chairman presiding at the meeting at which they are read, whether he was or was not the chairman presiding at the previous meeting.

The minutes should always be copied into the fair minute book in the intervals between the meetings of the Guardians, and be ready to be laid before the Board at the following meeting for the purpose of being read, and afterwards signed by the presiding chairman of that meeting.

As already observed, the reading over of the minutes of the proceedings of the Guardians at the succeeding meeting, and their signature by the chairman, are only intended to authenticate the entry as being a faithful record of what took place at the meeting to which they relate.

Art. 41 requires that the minutes shall be read; and though it is competent for any Guardian at the reading of them to call in question the correctness of the entry, he cannot raise any discussion upon points determined in the resolutions as entered on the minutes.

If the minutes of each meeting of the Guardians are printed and a copy delivered to each member, it is considered that the spirit of Art. 41 will be complied with, if at each meeting a resolution is carried that the minutes of the preceding meeting be taken as read. Of course, before the motion is put to the vote, it will be competent for a member to move that the minutes be read *in extenso*, or fully in respect of any particular matter.

Art. 41.—Secondly. The Guardians shall dispose of such business as may arise out of the minutes so read, and shall give the necessary directions thereon.

Thirdly. They shall proceed to give the necessary directions respecting all applications for relief made since the last ordinary meeting, and also respecting the amount and nature of relief to be given and continued to the paupers then in the receipt of relief, until the next ordinary meeting, or for such other time as such relief may be deemed to be necessary.[1]

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[1] In view of the important changes made in the system of the election of Poor Law Guardians by the Local Government Act, 1894, and of the fact that many of those who had been elected Guardians had had no previous experience in the administration of the Poor Law, the Local Government Board deemed it desirable to bring under the special attention of the Guardians certain points connected with workhouse administration and, accordingly issued a Circular Letter on January 29, 1895, addressed to the clerks to Guardians, in which they said:—"It is undoubtedly the case that since workhouses were established under the Poor Law Amendment Act, 1834, the circumstances connected with the administration of relief, and the character of those for whom accommodation in workhouses has to be provided, have so materially changed, that arrangements originally adequate and in accordance with the spirit of the times have ceased to be so. It may be pointed out that whilst workhouses were in the first instance provided chiefly for the relief of the able-bodied, and their administration was, therefore, intentionally deterrent, the sick, the aged, and the infirm now greatly preponderate, and this has led to a change in the spirit of the administration, although it is still based on the General Consolidated Order of 1847. The Board feel sure that the Guardians will bear in mind this change in the character of the inmates who are under their charge."

"Society owes relief to those only who, by force of circumstances, are rendered unable to provide for the necessities of life; to distribute relief in any other case is to create mendicity, to encourage idleness, and to produce vice.

"The fundamental principle with respect to legal relief of the poor is that the condition of the pauper ought to be, on the whole, less eligible than that of the independent labourer. The equity and expediency of this principle are equally obvious. Unless the condition of the pauper is, on the whole, less eligible than that of the independent labourer, the law destroys the strongest motives to good conduct, steady industry, providence, and frugality among the labouring classes, and induces persons, by idleness or imposture, to throw themselves upon the poor rates for support. But if the independent labourer sees that a recurrence to the poor rates will, while it protects him from destitution, place him in a less eligible position than that which he can obtain to by his own industry, he is left to the undisturbed influence of all those motives which prompt mankind to exertion, forethought, and self-denial. On the other hand, the pauper has no just ground for complaint, if, at the same time that his physical wants are amply provided for, his condition should be less eligible than that of the poorest class of those who contribute to his support."—*Report of Poor Law Commissioners on Amendment of the Poor Laws*, p. 45.

Of late years it has become the practice to speak of the acceptance of relief from the poor rates as a disgrace to the recipient; the author of this work cannot too emphatically say that in his opinion the acceptance of relief from

the poor rates by a person who is destitute is to be commended when the destitute person cannot otherwise provide what is requisite for the sustenance of himself and family without having recourse to crime. The "unemployed," if in need, have as good a claim to be relieved as any other destitute persons; and it forms no part of the functions or duty of Boards of Guardians to provide or obtain work for unemployed persons in order to prevent them from becoming chargeable to the poor rates.

With a view to the relief of distress caused by the depression in trade during the year 1892, and the consequent scarcity of employment, the Local Government Board on November 14 in that year issued the following Circular to the clerks to the various Boards of Guardians:—

"Sir,—From information which the Local Government Board have received, it appears that there is at the present time a considerable amount of distress in different parts of the country occasioned by scarcity of employment, and it is probable that this condition of things may become more general, and be intensified in the course of the coming winter.

"In the spring of 1886 the Local Government Board issued a Circular Letter to local authorities indicating the course which might with advantage be adopted for the provision of employment for the unemployed of the class who do not ordinarily seek poor law relief.

"The following extracts from that circular appear to me to deserve the immediate and careful consideration of the local authorities both in the Metropolis and elsewhere:—

"'The Local Government Board are convinced that in the ranks of those who do not ordinarily seek parish relief there is evidence of much and increased privation, and if the depression in trade continues, it is to be feared that large numbers of persons usually in regular employment will be reduced to the greatest straits.

"'The spirit of independence which leads so many of the working classes to make great personal sacrifices rather than incur the stigma of pauperism is one which deserves the greatest sympathy and respect, and which it is the duty and interest of the community to maintain by all the means at its disposal.

"'Any relaxation of the general rule at present obtaining, which requires, as a condition of relief to able-bodied male persons, on the ground of their being out of employment, the acceptance of an order for admission to the workhouse, or the performance of an adequate task of work as a labour test, would be most disastrous, as tending directly to restore the condition of things which, before the reform of the poor laws, destroyed the independence of the labouring classes, and increased the poor rate until it became an almost insupportable burden.

"'It is not desirable that the working classes should be familiarised with poor law relief, and if once the honourable sentiment which now leads them to avoid it is broken down, it is probable that recourse will be had to this provision on the slightest occasion.

"'The Local Government Board have no doubt that the powers which the Guardians possess are fully sufficient to enable them to deal with ordinary pauperism, and to meet the demand for relief from the classes who usually seek it.

"'What is required in the endeavour to relieve artisans and others who have hitherto avoided poor law assistance, and who are temporarily deprived of employment, is:—

"'1. Work which will not involve the stigma of pauperism;

"'2. Work which all can perform, whatever may have been their previous avocations;

"'3. Work which does not compete with that of other labourers at present in employment; and

"'Lastly, work which is not likely to interfere with the resumption of regular employment in their own trades by those who seek it.

"'The Board have no power to enforce the adoption of any particular proposals, and the object of this Circular is to bring the subject generally under the notice of Boards of Guardians and other local authorities.

"'In districts in which exceptional distress prevails, the Board recommend that the Guardians should confer with the local authorities, and endeavour to arrange with the latter for the execution of works on which unskilled labour may be immediately employed.

"'These works may be of the following kinds, among others:—

"'(*a*) Spade husbandry on sewage farms.

"'(*b*) Laying out of open spaces, recreation grounds, new cemeteries, or disused burial grounds.

"'(*c*) Cleansing of streets not usually undertaken by local authorities.

"'(*d*) Laying out and paving of new streets, &c.

"'(*e*) Paving of unpaved streets, and making of footpaths in country roads.

"'(*f*) Providing or extending sewerage works and works of water supply.

"'In all cases in which special works are undertaken to meet exceptional distress, it would appear to be necessary, first, that the men employed should be engaged on the recommendation of the Guardians as persons whom, owing to previous condition and circumstances, it is undesirable to send to the workhouse, or to treat as subjects for pauper relief; and, second, that the wages paid should be something less than the wages ordinarily paid for similar work, in order to prevent imposture, and to leave the strongest temptation to those who avail themselves of this opportunity to return as soon as possible to their previous occupations.

"'When the works are of such a character that the expense may properly be defrayed out of borrowed moneys, the local authorities may rely that there will be every desire on the part of the Board to deal promptly with the application for their sanction to a loan.'

"I would urge on the local authorities, on whom devolves the duty of carrying out the works required for their districts, that the execution of such works should, whenever practicable, be commenced at an early date, so that employment may be given during the winter months when work is the more needed, rather than later in the coming year.

"I would at the same time emphasize the great importance which I attach to the co-operation of Boards of Guardians with local authorities, in order that the pauperisation of those persons whose difficulties are occasioned only by exceptional circumstances arising from temporary scarcity of employment, and who are unwilling to become dependent on poor law relief, may, as far as practicable, be avoided.

"In the case of the Metropolis, some of the classes of employment suggested above are not practicable, but, apart from the execution of new works, it will probably be found that in the performance of the ordinary routine duties of the Sanitary Authority occasions will arise when surplus labour may be profitably utilised.

"I shall be obliged if this letter is brought under the consideration of the authority at once, and it will be satisfactory to me to be kept informed of the state of affairs in your district, and to learn the results of any efforts which may be made in the direction suggested."

On September 30, 1893, the Local Government Board issued a further Circular drawing the attention of sanitary authorities to the previous

Circulars issued with respect to the relief of the unemployed, which was as follows :—

"SIR,—I am directed by the Local Government Board to state that, having regard to the scarcity of employment which now exists in many parts of the country, and to the great probability of this becoming more general and being intensified during the winter months, the Board deem it right to bring under the special attention of the Sanitary Authority the Board's Circular Letters of the 20th March, 1886 and the 14th November of last year, with reference to means which may be adopted for providing, in times of exceptional distress, employment for the unemployed of a class who do not ordinarily have recourse to Boards of Guardians for relief.

"The Board feel assured that the Sanitary Authority will concur with them in their view as to the great importance of aiding artisans and others who make great personal sacrifices, in order to avoid the stigma of pauperism, to maintain their independence. This can best be secured by the local authorities proceeding with the execution of the works which, in the interest of their district as regards its sanitary condition or local improvement, or otherwise, it is desirable should be carried out, at the time when other employment is difficult to obtain.

"What is required in the endeavour to relieve artisans and others who have hitherto avoided Poor Law assistance, and who are temporarily deprived of employment is :—

"1. Work which will not involve the stigma of pauperism ;

"2. Work which all can perform, whatever may have been their previous avocations ;

"3. Work which does not compete with that of other labourers at present in employment ; and

"Lastly, work which is not likely to interfere with the resumption of regular employment in their own trades by those who seek it.

"These works may be of the following kinds, among others :—

"Spade husbandry on sewage farms.

"Laying out of open spaces, recreation grounds, new cemeteries, or disused burial grounds.

"Cleansing of streets not usually undertaken by local authorities.

"Laying out and paving of new streets, &c.

"Paving of unpaved streets, and making of footpaths in country roads.

"Providing or extending sewerage works and works of water supply.

"The Board strongly urge the Authority to mature any schemes for works required for their district as early as possible, so that the commencement of the works may be expedited, and assistance may thus be rendered to the unemployed of the class referred to. Some time must necessarily elapse before works which are proposed can be commenced, and the Board trust therefore that there will be no delay on the part of the Authority in determining as to any works to be executed by them.

"As the Board have previously stated, they recommend that there should be co-operation between Sanitary Authorities and Boards of Guardians, and that arrangements should be made, as far as practicable, for the employment, in connection with the works, of those who are recommended by the Guardians as persons who, owing to their previous condition and circumstances, it is desirable should not become subjects of poor law relief.

"When the works undertaken are of such a character that the expense may properly be defrayed out of borrowed moneys, the Sanitary Authority may rely that there will be every desire on the part of the Board to deal promptly with the applications which may be made to them for their sanction to loans.

"The Board will be obliged by being informed from time to time of any

means which may be adopted by the Authority of affording assistance to the unemployed, as suggested in this communication."

Ex parte the Guardians of the Newtown and Llanidloes Union, *Times* newspaper of November 9, 1864, was an application for a *mandamus* to the Guardians to give relief to an aged woman. A rule *nisi* was granted in the case, but what became of it does not appear; the following observations of the Lord Chief Justice may, however, be usefully quoted. He said:—"No doubt there ought to be some remedy if a poor person is refused relief; and an indictment, although a means of punishment, is hardly a remedy. An indictment will not give relief to a destitute person. The remedy by *mandamus* may be a long way off, but if there is no better it must be resorted to. We cannot say that the Guardians are arbitrarily to refuse relief to a destitute person without just cause, and we must see what that reason may be."

On the subject of relief generally:—The function of the Guardians is to relieve destitution actually existing, and not to expend the money of the ratepayers in preventing a person from becoming destitute; that is to say, they can only expend the poor rates in supplying the destitute person with actual necessaries, such as food, clothing, or lodging, or the means of procuring food, clothing, or lodging temporarily, if the destitute person cannot be immediately received into the workhouse. Expenditure incurred for the purpose of setting a poor person up in trade, in purchasing tools or implements of trade for him, or replacing a horse or cow that may have died, redeeming goods from pledge, or purchasing goods seized for rent, replacing goods or furniture destroyed by fire, or for purposes of a like or similar nature, is illegal; and, if incurred, must be disallowed by the auditor. So also, if the expenditure be incurred in the education out of the workhouse of an adult person or in procuring an adult person to be taught a trade, such person not having whilst a minor been apprenticed in the manner directed by Articles 52–69, *post*.

As regards the relief of persons who are in the receipt of charitable contributions, it may be observed that if the fact comes to the knowledge of the Guardians in the case of an application to them for relief, they are bound to act upon it, and either wholly to refuse relief or to give such an amount only as, with the other assistance the applicant receives, will be sufficient to relieve his or her actual necessities.

The minute, dated November 20, 1869, of the President of the Poor Law Board, marking out the separate limits of poor law and charity, should be carefully perused, not only by all administrators of the poor laws, but by all contributors and dispensers of voluntary charity.

Guardians of the poor are enabled by the Divided Parishes and Poor Law Amendment Act, 1876 (39 & 40 Vict. c. 61, s. 23), amended by the Poor Law Amendment Act, 1879 (42 Vict. c. 12), to recover from friendly and other societies moneys due to paupers and pauper-lunatics.

39 & 40 Vict. c. 61, s. 23, enacts that:—"Where any pauper shall be entitled "to any annuity or periodical payment, the trustee or other person bound to "make payment of the same to the pauper may from time to time pay to the "Board of Guardians of any Union or Parish, out of the instalments which "have become due, the cost incurred in the relief of such pauper accrued since "the last instalment, and such payment shall be a legal discharge to such "trustee or other person for so much money as shall have been so paid.

"Where the Guardians incur any expenses in the relief of a pauper-lunatic, "being a member of a benefit or friendly society, and as such entitled to receive "any payment, they may recover from him, as a debt, or from his executors, "administrators, or assigns in case of his death, the sum so expended by them "as aforesaid, and the managing body of such society, after notice from the "clerk to the Guardians, served previously to the money being paid over, shall

" be required to pay the same to such Guardians, and shall be exonerated on " payment thereof from any further liability.

" Where any trustee, manager, or other persons shall decline to make any " payment, the Guardians may apply to the justices in petty sessions assembled, " and such justices may, if satisfied that it is right under all the circumstances " to do so, make an order upon him to pay the requisite amounts then due to " the Guardians at once, and to pay from time to time in future as the liability " in respect of the relief arises thereafter.

" Provided that this clause shall not have effect unless and until the " Guardians or their relieving officer shall have declared the relief to be given " on loan, nor in respect of any relief granted contrary to the rules and orders " made under the authority of the statutes in that behalf." With regard to the giving of relief by way of loan, see Art. 7 of the Out-door Relief Prohibitory Order, December 21, 1844, *post*, and Art. 9 of the Out-door Relief Regulation Order, December 14, 1852, *post*.

42 Vict. c. 12, s. 1, enacts that: " The provisions contained in the twenty- " third section of the Divided Parishes and Poor Law Amendment Act, 1876, " shall not apply to any moneys which a pauper or pauper-lunatic having a " wife or other relative dependent upon him for maintenance may be entitled to " receive as a member of any friendly or benefit society, but such money shall, " subject to any deductions for keeping up his membership required by the rules " of such society, or any branch thereof, from which such pauper or pauper- " lunatic is entitled to receive such moneys, be paid or applied by the trustees, " committee, or other officers of such society or branch to or for the maintenance " of such wife or relative; and where a pauper or pauper-lunatic having no wife " or relative so dependent upon him is entitled to any such moneys, no claim " shall be made under the said Act by the Guardians of any Union or Parish " upon any such society of which he is a member, or against any branch " thereof, for the expenses incurred in his relief, unless and until the Guardians " or their relieving officer shall have declared the relief to be given on loan, " and shall have, within thirty days thereof, notified the same in writing to the " secretary or trustees of the society or branch of which the pauper or pauper- " lunatic is a member, and as such entitled to receive any payment."

A member of a trade union is not " a member of a benefit or friendly " society . . . and as such entitled to receive any payment," within 39 & 40 Vict. c. 61, s. 23, *Winder* v. *the Governor, &c. of Kingston-upon-Hull*, 20 Q. B. D. 412; 58 L. T. N.S. 583; 52 J. P. 535.

The rules of a friendly society provided that after payment of a year's subscription " any member shall receive 8*s*. per week during any sickness or accident that may befall him, unless by rioting or drunkenness ": Held, that insanity was " sickness " within the meaning of the rules, and that therefore a lunatic confined in a county asylum was entitled to benefit under such rules. *Burton* v. *Eyden*, L. R. 8 Q. B. 295.

The justices in petty sessions have only jurisdiction to make an order under Section 23 of the Divided Parishes and Poor Law Amendment Act, 1876 (*supra*), where the pauper's right to the periodical payment in question is undisputed. The question for the consideration of the justices is merely whether the relief ought to be paid to the pauper or to the Guardians. Where then there was a dispute between Guardians and a society as to the right of a pauper to a periodical payment from the society, and the rules of the society provided for the settlement of disputes " between any member or person claiming on account of any member or under the rules of the society, and the society or its officers " by arbitration, the Queen's Bench Division held that it was necessary for the dispute to be settled by arbitration under the rules of the society before an application under Section 23 could be dealt by the justices. *Reg.* v. *Richardson* (1894), 2 Q. B. 323; 70 L. T. N.S. 805; 58 J. P. 640.

The Out-door Relief Friendly Societies Act, 1894 (57 & 58 Vict. c. 25), Section 1, enacts that "Notwithstanding any Orders or Regulations of the Poor "Law Commissioners or the Local Government Board under and by virtue of the "Poor Law Amendment Act, 1834, or of any Act amending the said Act, it shall "be lawful for any Board of Guardians, if they think fit, to grant relief out of the "poor rates to any person otherwise entitled to such relief, notwithstanding that "the said person shall, by reason of his membership of a friendly society, be in "receipt of any sum, and that in estimating the amount of the relief that shall "be granted to such person being a member of a friendly society as aforesaid, it "shall be at the discretion of the Board of Guardians whether they will or will "not take into consideration the amount which may be received by him from "such friendly society."

As regards the administration of relief when applied for by persons who are members of friendly societies, and as such entitled to weekly payments during sickness or otherwise, see the Minutes of the Poor Law Commissioners 1 O. C. 30.

In a letter of the Poor Law Board, dated January 5, 1870, in reply to one from Mr. R. H. Paget, M.P., asking them to give definite information on the following questions bearing upon the relations between workmen's clubs or benefit societies and the Poor Law System :—Mr. Paget stated the case of two widows, each having the same number of children, one of whom was in the receipt of six shillings from a benefit society, while the other was totally without resources ; the latter received ten shillings a week poor relief, the former only four shillings ; the aggregate income of each being ten shillings a week ; and inquired whether the Guardians would be legally justified in granting any relief to the widow in receipt of the six shillings from the benefit society beyond the four shillings which they then gave ? and if so, to what extent ?

In answer to these precise questions as to the legal bearings of the case, the Board stated that the Guardians would not be justified, according to the strict law applicable to such cases, in giving to the widow in question any further relief than such an amount as would, together with the sum she was receiving from the benefit society, render the amount of her weekly income equal, and no more than equal, to that amount which the Guardians held to be necessary to relieve the destitution of a person similarly circumstanced, but who had no other means of support.

In answer to a question as to the principle on which amounts received from benefit societies should be dealt with by Guardians in granting relief, the Board called his attention to the minute of the Poor Law Commissioners in the year 1840, on the question of allowing medical relief to persons receiving sick pay from a benefit society, and concluded as follows :—"The Board cannot shut their eyes to the fact that the only safe basis on which the system of benefit societies can rest, under the present system of the legal right to relief, is, that they afford the means of providing, in times of distress or disability, a more eligible, respectable, and liberal maintenance than that supplied under the poor law, and that they should be still regarded as a mode for avoiding the degradation of parish support, rather than as conferring a title by which a claim to such support may be established even beyond the line of actual destitution."

The 25 & 26 Vict. c. 43, enables the Guardians to provide for the education and maintenance of pauper children in certified schools or institutions established for the instruction of blind, deaf, dumb, lame, deformed, or idiotic persons. The Act, however, does not apply to any certified reformatory school.

By Section 13 (1) of the Elementary Education (Blind and Deaf Children) Act, 1893 (56 & 57 Vict. c. 42), so much of any enactment in force on July 1, 1894, as empowers Boards of Guardians to send blind or deaf children to school shall be repealed, except as to children who are :—(*a*) idiots or imbeciles ; or (*b*) resident in a workhouse or in an institution to which they have been sent by a

Board of Guardians from a workhouse; or (*c*) boarded out by Guardians. Sub-section 2 contains a proviso that, where any blind or deaf child with respect to whom the powers of Guardians cease in pursuance of the sections was on July 1, 1894, relieved in any institution by a Board of Guardians, the child should continue chargeable as if the Act had not passed, until the expiration of six months' notice, to be given by the Guardians, if they should think fit, to the school authority of the district from which the child was sent. Provision is made by the Act for the elementary education of blind and deaf children in England and Wales, and school authorities are required to enable such children to obtain elementary education. Such requisition does not extend to children who are (*a*) idiots or imbeciles; or (*b*) resident in a workhouse, or in any institution to which they have been sent by a Board of Guardians from a workhouse; or (*c*) boarded out by Guardians.

In a Circular addressed by the Local Government Board to their Inspectors dated March 23, 1891, before the foregoing enactment was passed, they stated :—"It is not proposed by the Bill now before Parliament that the powers "of Boards of Guardians to send blind or deaf children to institutions should "cease in the case of children who are resident in a workhouse. The Board are "desirous that the Inspectors, on the occasion of their visits to the workhouses, "should continue to give special attention to the cases of children of the "classes mentioned, and that they should, either by an entry in the visitors' "book or by such other means as they may think best, recommend the "Guardians to provide for the removal of any such child to a separate institu-"tion when the circumstances appear to render this course desirable."

Under Sections 10 and 40 of the Elementary Education Act, 1876, Guardians of the Poor are enabled to grant relief by the payment of school fees, or towards such payment, where the parents of children are unable to provide their children with education in consequence of their inability to pay the necessary school fees. Since these enactments the Elementary Education Act, 1891 (54 & 55 Vict. c. 56), has prohibited the taking of school fees in schools which are in receipt of the grant provided by that Act. This prohibition is not absolute, however, and as pointed out by the Local Government Board in their Circular Letter of September 17, 1891, with reference to the legislation of 1891 affecting Boards of Guardians :—"The Act does not repeal either Section 10 of the Elementary "Education Act, 1876, as to the payment of the school fees of children of "parents who are not paupers, or Section 40 of the same Act relating to relief "for the payment of the school fees of pauper children in certain cases where "out-door relief is given. The payment of school fees under Section 10, or the "granting of further relief under Section 40 to enable school fees not exceeding "threepence a week to be paid, must not be made or granted on condition of the "child attending any public elementary school other than such as may be "selected by the parent, nor refused because the child attends, or does not "attend, any particular public elementary school. Although, therefore, where "a child attends a free school, or is not required to pay a fee at any fee-"charging school which he attends, the duty of the Guardians under those "sections will cease with respect to him, their duty will remain the same as "before the passing of the new Act with respect to any child who can only "attend the school on payment of a fee. Similarly, with regard to any "children sent by the Guardians from the workhouse to a public elementary "school, if such children are no longer required to pay fees, the Guardians "will not be able to pay fees for them, but they may pay fees for those "children who can only attend the school on payment of a fee."

By Section 10 of the Elementary Education Act, 1876 (39 & 40 Vict. c. 79, s. 10), the parent, not being a pauper, of any child who is unable by reason of poverty to pay the ordinary fee for such child at a public elementary school, or

any part of such fee, may apply to the Guardians having jurisdiction in the parish in which he resides; and it shall be the duty of such Guardians, if satisfied of such inability, to pay the said fee, not exceeding threepence a week, or such part thereof as he is, in the opinion of the Guardians, so unable to pay. The parent shall not by reason of any payment made under this section be deprived of any franchise, right, or privilege, or be subject to any disability or disqualification. Payment under this section shall not be made on condition of the child attending any public elementary school other than such as may be selected by the parent, nor refused because the child attends, or does not attend, any particular public elementary school.

School fees may be given by the Guardians by way of loan. See the Order of January 9, 1878, *post*.

Further with regard to the granting of relief by Guardians to parents in receipt of out-relief in order to enable their children to attend school, see Section 40 of the Elementary Education Act, 1876, in the note to Art. 10, *post*.

By 29 & 30 Vict. c. 113, s. 14, if the parent, step-parent, nearest adult relative, or next-of-kin of any child not belonging to the Established Church, relieved in a workhouse or in a district school, or in case there should be no parent, step-parent, nearest adult relative, or next-of-kin, then the god-parent of such child make application to the said Board in such behalf, the Board may, if they think fit, order that such child shall be sent to some school established for the reception, maintenance, and education of children of the religion to which such child shall be proved to belong, and duly certified by the Poor Law Board under the 25 & 26 Vict. c. 43; and the Guardians of the Union or Parish to which such child shall be chargeable shall, according to the terms of such order, cause the child to be conveyed to such school, and pay the cost and charges of the maintenance, lodging, clothing, and education of the said child therein, and all the provisions of the said statute shall thenceforth apply to the said child.

By 31 & 32 Vict. c. 122, s. 23, the Acts 25 & 26 Vict. c. 43 and 29 & 30 Vict. c. 113, s. 43, apply to illegitimate children, and the mother's consent shall be sufficient. Provision is made also for the action of the Poor Law Board in the case of deserted children.

Applications to the Poor Law Board to send children to schools under 25 & 26 Vict. c. 43, should be made in the following form:—

I, the undersigned, being the (set forth what degree of relationship exists, or in default of relationship, state what god-parent, strike out from "and" to "kin" inclusive), and nearest adult relative, or next of kin of , a child aged years, not belonging to the Established Church, but to the (insert religion) now relieved in the workhouse of the Union, *or* in the workhouse of the Parish of in the County of *or* in the District School, in the County of , apply to the Poor Law Board to order that such child shall, if they think fit, be sent to the school established at for the reception, maintenance, and education of children of the religion to which such child belongs, and which school has been duly certified by the Poor Law Board under the statute of the 25 & 26 Vict. c. 43.

I offer the accompanying documents and testimonials in proof of my being such (set forth what degree of relationship exists, or in default of relationship, what god-parent) of the said child, and that such child belongs to the said (insert religion) religion.

Signed this day of at , in the Parish of , in the County of .

Signature.

Address.

If the applicant cannot write, he must make a mark; and this mark must be attested by a witness, who must also sign his name and give his description and place of abode.

The Local Government Board thereupon order that such child shall be sent from the said Workhouse School to the school established at , in the County of , under the name of "The Orphanage," for the reception, maintenance, and education of children of the religion, to which religion it has been proved to the satisfaction of this Board that the said child belongs, and which school has been duly certified by this Board under the provisions of the Statute 25 & 26 Vict. c. 43; and that the Guardians of the Poor of the said Union shall cause such child to be forthwith conveyed to such school, and pay the cost and charges of the maintenance, lodging, clothing, and education of such child therein, at the rate of six shillings a week in respect of such child, so long as such child shall continue in the school as aforesaid, or at such less sum as the said Guardians and the managers of the said school may agree upon: and that the said Guardians shall supply to such child sent to the said school under this Order a complete suit of clothing and one change of body linen.

By 25 & 26 Vict. c. 43, s. 4, the Guardians may from time to time appoint any one of their body to visit and inspect the school, and the school is to be at all reasonable times open to such visitation and inspection.

The Poor Law Board said that, "although children may be sent to Roman Catholic schools, if the mother discharges herself from the workhouse the children will have to be taken from such schools and delivered to her when she leaves the workhouse. From other communications which the Board have received in similar cases, it appears that the idea prevails that if parents obtain the removal of their children to certified Roman Catholic schools the children will be kept in those schools, although the parents may discharge themselves from the workhouse. This, however, is an erroneous idea; children in a certified school are, so far as regards the effect of their parents' discharge from the workhouse, in the same position as if they were in a district school. It will, therefore, be proper for the Guardians to exercise vigilance in this respect, so as to prevent the children remaining chargeable to the Union when the parents are no longer inmates."

They further say that if a child is sent to a certified school by the Guardians of the Union, under the provisions of Statute 25 & 26 Vict. c. 43, the amount which they can pay for the maintenance, clothing, and education of such child therein is expressly limited by Section 1 of that Act to the total sum which would have been charged for the maintenance of such child, if relieved in the workhouse during the same period, but the Board have been advised that when proceedings have been taken under 29 & 30 Vict. c. 113, s. 14, there is no limitation with regard to the amount which the Board may order the Guardians to pay in respect of each child.

Now by 45 & 46 Vict. c. 58, s. 13, the Guardians of any Union who send any pauper child to a school certified under 25 & 26 Vict. c. 43, s. 1, may pay the reasonable expenses incurred in the maintenance, clothing, and education of such child whilst in such school to an amount not exceeding such rate of payment as may be sanctioned by the Local Government Board for pauper children sent to such school.

In the 14th Annual Report, p. 181, is a statement of the yearly sums authorised to be paid by the Guardians in respect of certified schools.

Schools to be certified under 25 & 26 Vict. c. 43 are schools where children are maintained and taught, and not day-schools where they are taught only.

With regard to the maintenance of children who have been deserted by their parents and are under the control of the Guardians, Section 1 of the Poor Law Act, 1889 (52 & 53 Vict. c. 56), enacts that:—

"(1) Where a child is maintained by the Guardians of any Union and was

"deserted by its parents, the Guardians may at any time resolve that such child "shall be under the control of the Guardians until it reaches the age, if a boy, "of sixteen, and if a girl, of eighteen years, and thereupon until the child "reaches that age all the powers and rights of such parent, in respect of that "child shall, subject as in this Act mentioned, vest in the Guardians :

"Provided that the Guardians may rescind such resolution, if they think "that it will be for the benefit of the child that it should be rescinded, or may "permit such child to be either permanently or temporarily under the control "of such parent, or of any other relative, or of any friend.

"(2) A court of summary jurisdiction, if satisfied on complaint made by a "parent of the child that the child has not been maintained by the Guardians, "or was not deserted by such parent, or that it is for the benefit of the child "that it should be either permanently or temporarily under the control of such "parent, or that the resolution of the Guardians should be determined, may "make an order accordingly, and any such Order shall be complied with "by the Guardians, and if the Order determines the resolution, the resolution "shall be thereby determined as from the date of the Order, and the Guardians "shall cease to have the rights and powers of the parent as respects such child.

"(3) For the purposes of this Act a child shall be deemed to be maintained "by the Guardians if it is wholly or partly maintained by them in a workhouse "or in any district school, separate school, separate infirmary, sick asylum, "hospital for infectious diseases, institution for the deaf, dumb, blind, or idiots, "or any certified school under the Act of the session of the twenty-fifth and "twenty-sixth years of the reign of Her present Majesty, chapter forty-three, "or is boarded out by the Guardians, whether within or without the limits of "the Union.

"(4) Where a parent is imprisoned under a sentence of penal servitude or "imprisonment in respect of an offence committed against a child, this "section shall apply as if such child had been deserted by that parent.

"(5) Nothing in this section shall relieve any person from any liability to "contribute to the maintenance of a child, but the fact of such contribution "being made shall not deprive the Guardians of any of the powers and rights "conferred on them by this section.

"(6) Nothing in this section shall authorise the Guardians to cause a "child to be educated in any religious creed other than that in which the "child would have been educated but for any resolution of the Guardians "under this section, nor affect the enactments respecting the religious "education of a child maintained by the Guardians, or respecting the right of "any minister of the same religious persuasion as the child to visit and "instruct the child, nor affect any of the enactments specified in the Schedule "to this Act, which enactments relate to the religious education of children "maintained by Guardians."

The enactments specified in the Schedule to the Act are Section 19 of the Poor Law Amendment Act, 1834 ; Section 9 of 25 & 26 Vict. c. 43 ; Section 14 of the Poor Law Amendment Act, 1866 ; and Sections 16 to 23 (both inclusive) of the Poor Law Amendment Act, 1868. In drawing the attention of the Guardians to the foregoing enactment, the Local Government Board said, in their Circular Letter of September 30, 1889, that they had no doubt that the new powers conferred on the Guardians would relieve them of the difficulty which in the past had been of not infrequent occurrence, of their being obliged to give up the custody of a child to a parent by whom the child was deserted, when the circumstances were such as to afford good ground for believing that it would be distinctly prejudicial to the interests of the child that it should be entrusted to the care of such parent.

See further with regard to children deserted or ill-treated by their parents,

the note to Art. 88, *post*, and the Boarding-out Order of May 28, 1889, *post*. And 54 Vict. c. 3, in the note to Art 1 of the last mentioned Order.

As regards the relief of persons possessed of house or other property who may be in circumstances of destitution so as to require relief:—Such persons may be unable, from some cause or other, immediately to convert their property into money, or where they may be taking measures to do so the sale may not have been completed. Such cases ought to be dealt with according to the actual circumstances of the applicant at the time, and the relief given or withheld accordingly. The Guardians may in such cases require the applicant to sell his property, and apply the proceeds, as far as they will go, in support of himself and his family before the poor rates are permanently drawn upon for his maintenance; or they may give the relief on loan, to be afterwards recovered from the applicant. See also note to Art. 88.

It may be stated further that the Guardians would not be legally justified in paying out of the poor rate the subscriptions of poor persons to friendly societies when such persons become unable to provide for the payment thereof out of their own resources.

By Section 299 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5), it is enacted with reference o the recovery by Guardians of expenses incurred in the maintenance, &c. of lunatics where the lunatic is possessed of property that:—

"(1) If it appears to any justice that a lunatic, chargeable to any union . . . "has any real or personal property more than sufficient to maintain his family, "if any, such justice may by order direct a relieving officer of the Union . . . to "seize so much of any money, and to seize and sell so much of any other per- "sonal property of the lunatic, and to receive so much of the rents of any "land of the lunatic as the justice may think sufficient to pay the expenses of "maintenance and incidental expenses respectively incurred or to be incurred "in relation to the lunatic.

"(2) If any trustee, or the Bank, or any other society or person having "possession of any property of a lunatic, shall pay or deliver to a relieving "officer of a Union . . . to which . . a lunatic is chargeable, any money or other "property of the lunatic, to repay the charges in this section mentioned, "whether pursuant to an order under this section, or without an order, the "receipt of such relieving officer . . . shall be a good discharge."

In every case in which the Guardians grant relief out of the workhouse some specific period should be fixed, during which the relief is to continue if the circumstances of the case remain the same. Every case will then be brought under the revision of the Guardians at the end of the period for which the relief has been granted.

If the application be for temporary relief only, the Guardians will order it to be given for such short period as they may consider the exigencies of the applicant require. If, on the other hand, the applicant be likely to remain permanently chargeable, they will extend the period for which they order it to be given; but under no circumstances should the relief be ordered for a longer period than six months. By limiting the relief to six months, the relieving officer will have to report the cases to the Guardians at least once in every half-year in his Application and Report Book; upon which occasion, and indeed whenever he reports an application for relief, he must enter in the book the full particulars of the case, and thus place before the Guardians on each Board-day the particulars of all the cases they will have to decide on that day.

The Poor Law Board said that they had reason to believe that, in several parts of the country, the giving relief in kind is materially, if not wholly, discontinued. They did not refer merely to cases of able-bodied persons receiving relief under the out-door Labour Test Order (see *post*), in which the giving more than half of the relief in money is illegal, but to those cases also (and they are not few in number) in which, it being competent for Guardians to

give relief in either form, the whole is (perhaps from considerations of convenience to the relieving officers or on other grounds) given wholly in money.—*Circular, December* 9, 1868.

The Board were not unaware that, in some special instances coming under the last-mentioned class, local circumstances, or a due regard to the position and requirements of the applicant, might render such a course advisable and proper; but still, as a general rule, they were of opinion that the administration of relief in kind was calculated both to diminish the chance of imposition and to obviate the danger of misapplication, and they therefore desired to urge the consideration of the subject upon the careful attention of the Guardians of every district in which the practice of so giving relief had been neglected.—*Circular, December* 9, 1868.

"The Board would impress upon Guardians generally the importance of a strict compliance with the provisions of the Out-door Relief Prohibitory Order (*post*) in all Unions and Parishes to which it has been issued. They believe that while the exceptions provide adequately for those cases to which the Prohibitory Regulations are, in the judgment of the Guardians, not properly applicable, a steady adherence to the principle of in-door relief in all proper cases is essential to the due administration of the law."—*Ib.*

The following is taken from a memorandum of the Local Government Board, dated February, 1878, relating to the administration of out-relief.

The Board first refer to a Circular which was issued by them in 1871 (1st Annual Report, p. 63), calling the attention of their inspectors, and through them of the various Boards of Guardians throughout the country, to the following suggestions connected with the subject of out-door relief:—

"1. That out-door relief should not be granted to single able-bodied men or to single able-bodied women, either with or without illegitimate children. 2. That out-door relief should not, except in special cases, be granted to any woman deserted by her husband during the first twelve months after the desertion, or to any able-bodied widow with one child only. 3. That in the case of any able-bodied widow with more than one child it may be desirable to take one or more of the children into the workhouse in preference to giving out-door relief. 4. That in Unions where the Prohibitory Order is in force the workhouse test should be strictly applied; and the Guardians should be informed that the Board will not be prepared to sanction any cases which are not reported within the time limited by the Order, and in which the reports do not contain a detailed statement of the paupers to which they refer, showing the number of their respective families, with the ages and number of children employed, amount of wages of the several members of the family at work, cause of destitution, period during which they have been without employment, amount of relief, if any, given previously to the transmission of the report, and what extent of accommodation for all classes exists in the workhouse at the time. 5. That out-door relief should be granted for a fixed period only, which should not, in any case, exceed three months. 6. That all orders to able-bodied men for relief in the labour-yard should be only given from week to week. 7. That out-door relief should not be granted in any case unless the relieving officer has since the application visited the home of the applicant, and has recorded the date of such visit in the Relief Application and Report Book. Cases in which the relieving officer has not had time to visit should be relieved by him in kind only or by an order for the workhouse. 8. That the relieving officer should be required to make at least fortnightly visits to the homes of all persons receiving relief on account of temporary sickness and of able-bodied men receiving relief in the labour-yard, and to visit the old and infirm cases at least once a quarter; and the relieving officer should be required to keep a diary with the dates and results of such visits. 9. That the provisions with respect to the compulsory

maintenance of paupers by relations legally liable to contribute to their support should be more generally acted upon. 10. That as the recommendations of medical officers for meat and stimulants are regarded as equivalent to orders for additional relief, they should in all cases be accompanied by a report from the medical officer in a prescribed form, setting forth the particulars of each case ascertained by personal inquiry. 11. That in the most populous Unions it may be expedient to appoint one or more officers to be termed "Inspectors of Out-Relief," whose duty it would be to act as a check upon the relieving officers, and ascertain also the circumstances connected with the recipients of relief. Such appointments have already been tried in Liverpool, and found to answer very successfully."

The rules following were originally devised and adopted by the Manchester Board of Guardians and are quoted in the memorandum:—1. Out-door relief shall not be granted or allowed by the Relief Committees (except in cases of sickness) to applicants of any of the following classes—(*a*) Single able-bodied men; (*b*) Single able-bodied women; (*c*) Able-bodied widows without children, or having only one child to support; (*d*) Married women (with or without families) whose husbands, having been convicted of crime, are undergoing a term of imprisonment; (*e*) Married women (with or without families) deserted by their husbands; (*f*) Married women (with or without families) left destitute through their husbands having joined the Militia, and being called up for training; (*g*) Persons residing with relatives, where the united income of the family is sufficient for the support of all its members, whether such relatives are liable by law to support the applicant or not. 2. Out-door relief shall not be granted in any case for a longer period than thirteen weeks at a time. 3. Out-door relief shall not be granted to any able-bodied person for a longer period than six weeks at a time. 4. Out-door relief shall not be granted on account of the sickness of the applicant, or any of his family, for a longer period than two weeks at a time, unless such sickness shall be certified in writing by the district medical officer as being likely to be of long duration, or to be of a permanent character. 5. When relief is allowed to a parent through the admission of child or children into the Swinton Schools of the workhouse, such relief shall not be granted for a longer period than six months at a time; and if at the expiration of such period a continuance of the relief is required, the relieving officer shall visit and inquire into the circumstances of the parent, and bring the case up for reconsideration by the relief committee, in the same manner as if it were a case of out-door relief.

In ordering relief, the Guardians should specify what relief is to be given in each case, and the time for which it is to be allowed. If before the expiration of the specified period a continuance of the relief should be considered necessary, the relieving officer should report the circumstance to the Guardians, and take their directions accordingly.

The Guardians may provide for the reception, maintenance, and instruction of any adult pauper, being blind, or deaf and dumb, in any hospital or institution established for the reception of persons suffering under such infirmities, and may pay the charges incurred in the conveyance of such pauper to and from the same, as well as those incurred in his maintenance, support, and instruction therein (30 & 31 Vict. c. 106, s. 21).

In their Circular Letter of March 23, 1891, addressed to Local Government Inspectors, the Local Government Board state with reference to the treatment of blind or deaf and dumb persons in connection with Poor Law relief:—

"In the cases also of adults who are capable of instruction either in reading or in industry, it will be desirable that the Inspector, when he finds that no such means of instruction are provided, should ascertain whether provision for this purpose could not be made by the Guardians for these inmates whilst they continue in the workhouse.

"There will no doubt be cases of Unions where it would be very difficult to make any provision for such instruction. Where this is so, the inspector might suggest that arrangements might be made under which inmates of this class might be sent temporarily under contract with the Guardians to the workhouse of some town Union where facilities for instruction exist, either in the workhouse or in the town. In the latter case, it would of course be necessary that the inmates should be allowed to leave the workhouse at such times as might be required for the purpose of receiving the needful instruction.

"As regards the aged blind in workhouses, the suggestion made by some of the inspectors that arrangements should be made for reading aloud might in the opinion of the Board be adopted with advantage.

"The Board will be glad if the inspectors, as they visit each workhouse, will bear in mind the foregoing recommendations."

Provision for sending idiotic paupers to asylums is made by 31 & 32 Vict. c. 122, s. 13.

The giving of relief in a case where the applicants are really destitute should not be delayed pending inquiry into any other matters. The primary duty is to relieve actual destitution existing in the Union, and the duty of the Guardians in deciding as to the relief of any person within the Union is to look simply at the question of destitution. When doubt arises as to the removability of a pauper, the question may be submitted to the Local Government Board under 14 and 15 Vict. c. 105, s. 12, or counsel's opinion may be taken.

Mr. Justice Hawkins thus expressed himself in summing up in the case of a relieving officer (*Reg.* v. *Curtis*, 15 Cox C. C. 746) who was tried at the Central Criminal Court, September 26, 1885, for the manslaughter of a child, by neglecting to give timely medical relief, and was indicted for occasioning grievous bodily harm by reason of such neglect. He said (*Ib.* p. 754):—

"I think it is the duty of the relieving officer when a person applies to him, if he or she is within his district, to give an order on the medical officer of the Union in order that the sudden emergency might be dealt with, and I can only say that if the law is not so as to enable him to do this, the sooner it is made so the better. If the law is not so now, it is in a very bad state, for it would be a most unfortunate thing to suppose that if a man or the member of a family is suddenly stricken down by sickness and needing the attendance of a medical man—if at the moment that this misfortune happens the person is only temporarily destitute, and although he may not have the means of procuring the assistance himself, that it should be refused him by the relieving officer. It would be a very sad state of the law if it should be the duty of the relieving officer not to give such assistance, of course always supposing that the person applying is at the moment of making the application destitute, and that it is a case of sudden emergency such as I have mentioned, and coming on in the way it did in this case. Just let us see how this case stands in reference to the present defendant. Wright was the father of a family of ten children. He had been out of work for a considerable time, when on the Monday morning, as this occurred on the Saturday, he obtained work as a carman. By the Saturday night he had worked the full week and was entitled to have his wages, 21*s.*, paid over to him. Until, however, these wages were paid to him, he was in a state of poverty, and I do not think that any sensible person, if he came to consider what the wife said, viz., that she had not a penny piece in the house, would come to any other conclusion than that the family were in a state of hopeless poverty. It was quite true that he was entitled to have his wages on the Saturday night, but when this matter arose the Saturday night had not come. She was hopelessly penniless, and if that is not poverty and destitution, I do not know what poverty and destitution is. Under such circumstances there is no quarter to which a person living in a parish can go

Art. 41.—Fourthly. They shall hear and consider any application for relief which may be then made, and determine thereon.[1]

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for medical aid, unless some medical man will kindly give credit, and the wife in this case was not bound to go first to this gentleman and then to that asking them to give her credit, nor would they be bound to attend, although they might upon a case of suffering being brought to their knowledge. The wife did go to the defendant, and there was nothing in her statement to make him doubt that the child was ill with diarrhœa. There was nothing in this to make him think that she was a fraudulent person, telling an untrue tale. She wanted an order in order that the medical man might come and see her child. She did not do this for money; it was not for any gain to herself; her story was simply 'Let the medical officer come and see my sick child, who I am afraid will be dead before I can get back.' Was she destitute? I have already pointed out that it is impossible to come to any other conclusion than that she was. Was her child sick? There is not a particle of evidence to doubt it. Was it necessary to have medical aid? The evidence shows that it was a case of urgent medical necessity on the part of a person who was destitute, and I cannot in my own mind entertain one single shadow of doubt that it was the duty of the relieving officer—the prisoner at the bar—to have handed over to her an order upon the medical officer of the Union that he might visit the child, and do that which in his judgment was necessary to succour the child. Now, then, let us take the defendant's answer. 'Where's your husband?' he said to the wife; 'he must come; he is the head of the family.' 'But he can't come,' she replied, and he then said, 'He must.' 'He can't,' says the woman, 'I don't know where he is.' That was true, because he was a carman, and being subject to the orders of his master, the woman did not know where it would have pleased the master to send her husband. Suppose the man had come, what earthly good could he have done except to tell the same story as his wife, viz., that the child was sick and he was penniless? The very time that man was occupied in going for the medical officer's order might be deducted from the man's wages by the master, so that the effect would be to make the man poorer than he was by diminishing the little earnings he was about to receive. I must say that the refusing of a medical order to what was really a dying child was inhuman in the highest degree, and I say that if the defendant's conduct can be justified by the orders given to him by his Guardians or by any of those having authority over him, those orders are illegal orders, and certainly they are not such as those contemplated by the Poor Law Commissioners in making the general regulations. I think it right to say this because I say that it is the duty of every relieving officer to carry out his orders in the spirit in which these orders were framed, and it is certainly not carrying out that spirit that a sick child should be neglected after the mother of the child who knew its wants had made such an urgent application for a medical order, and that simply because the head of the family was not present and could not be found, perhaps it might be, until life from this poor little thing had gone."

[1] With respect to the administration of relief to the able-bodied, see the provisions of the General Relief Orders, *post*. It may be here stated that the Guardians cannot by a general direction authorise the workhouse master to give provisions to paupers waiting at the workhouse for the decision of the Board upon their cases. If paupers so waiting are actually in need of immediate temporary relief, the Guardians can direct the relieving officer to supply such temporary relief as may be necessary, until a decision has been come to in respect of the case. It should also be stated that Guardians cannot lawfully direct the master of the workhouse to provide such Guardians with refreshments

from the workhouse stores when attending meetings of the Board; see 56 O. C. N.S., 80, in which the Poor Law Board stated they had occasion to consider this question with reference to a disallowance made by an auditor of sums charged for the supply of refreshments to the Guardians when attending the meetings of the Board. "The Board are not able to find any legal authority to support such a charge. It appears to them that members of the Board of Guardians cannot be legally provided, at the cost of the poor rate, with refreshments while engaged in the discharge of their duty at the Board, any more than they can be remunerated for the loss of time which they bestow upon the duties of their office, or the cost of their conveyance to attend the meetings of the Board; and as the expenditure is not in itself lawful, the Board are not aware of any Order or resolution which they could issue to give validity to the practice." The Local Government Board now say that they are aware that, owing to local circumstances, considerable inconvenience might be experienced by the Guardians in some cases, if no facilities existed for obtaining refreshments when attending their meetings, and that it appears to the Board that the difficulty might be met by an arrangement being made with the workhouse master to provide such reasonable refreshment as might be required, the cost being defrayed by those Guardians who partake of it. If this should be impracticable or inconvenient, the Board say they would raise no objection to refreshments of a plain and simple character being taken from the workhouse stores, the cost being met in a similar manner. In that case the payments made by the Guardians should be entered and credited in the workhouse accounts. See also 3 O. C. p. 85, as to providing provender for the horses of the Guardians at the cost of the poor rates. Further upon this subject see the Circular of the Poor Law Board, dated 21st July, 1871, in their first Annual Report, p. 15.

The Poor Law Board in a Circular dated July 21, 1871, say that "where the Guardians have been engaged in extraordinary duties or in visiting distant establishments, the Board have generally considered that the reasonable expenses of travelling actually and *bonâ fide* incurred might legally be reimbursed, and also that a moderate allowance might be sanctioned for necessary refreshments. With respect to the amount to be allowed for the expenses of travelling, in cases where such expenses are a legal charge upon the rates, the Board think it right to state that the Guardians are entitled to fair and reasonable allowances. What they should be in all cases cannot be stated, but the Board must make one remark (as the point has sometimes occurred), that they do not consider that the Guardians would be justified in hiring a carriage specially for a journey if there was a suitable public conveyance available for the purpose at a less cost. The Board, however, feel assured that the Guardians will be anxious to use all due economy in those cases where they travel at the cost of the ratepayers.

"As regards refreshments, in the same class of cases, the experience of the Board shows that if the amount actually expended were allowed, questions as to the scale of proper expenditure would be certain to arise, which would place the Guardians in a false position, and lead to painful controversies between them and the ratepayers; and it has been suggested that, with a view of preventing these evils, and of avoiding a conflict between the Guardians and the auditor, a fixed scale of allowance for refreshments should be laid down by the Board. The Board, after a most careful consideration of the whole subject, have found it impracticable to frame a scale which would be applicable to every case, as the period of absence must necessarily be longer on some occasions than on others, owing to the greater distance to be travelled or the nature of the duties to be performed. If, however, in any Union the Guardians should be

Art. 41.—Fifthly. They shall read the report of the state of the workhouse or workhouses, examine all books and accounts relative to the relief of the paupers of the Union, and give all needful directions concerning the management and discipline of the said workhouse or workhouses, and the providing of furniture and stores and other articles.[1]

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able to frame a general scale of allowance, it may be submitted for the consideration of the Board.

"If such a scale be adopted, there will probably still be exceptional cases, in which members of the Board of Guardians may have to travel considerable distances, or where the visits may necessarily involve a prolonged absence from home. It will rest with the auditor, having regard to the special circumstances of each case, to determine whether an additional allowance may not properly be made. The Board think it right to add that, in their opinion, the poor rate should only be charged in respect of the visits referred to with the expenses of those Guardians whose express duty it is to make them, or who are specially authorised to do so by a resolution of the Guardians."

The regulation (fourthly) does not absolutely require that the Guardians should hear personally the applications of the paupers, but nevertheless the Guardians should admit the paupers and allow them to be heard before the Board whenever any pauper may desire it.

With regard to the liability of persons to obtain relief or assistance for those of their household, *Reg.* v. *Shepherd* (31 L. J. M. C. 102; 9 Cox C. C. 123; L. & C. 147; 8 Jur. N.S. 418; 5 L. T. N.S. 418; 10 W. R. 297) may be referred to. It was there held that the mother of a girl of eighteen years of age was not liable to be convicted of manslaughter because she did not procure the assistance of a midwife for her daughter in her confinement, who usually supported herself by her own labour. In 1 Russell on Crimes, 493, 3rd edition, it is said that it is by no means clear that a woman who, without means of providing food for her children, neglects to apply to the relieving officer, and allows them to die for want of food, is not guilty of manslaughter; but Erle, C.J., in the above case, said that he should have been much surprised if any one had been convicted of felony for not applying to a relieving officer. See also *Reg.* v. *Vann*, 5 Cox C. C. 379; 21 L. J. M. C. 39; 2 Den. C. C. 325; T. & M. 632; 15 Jur. 1,090; on the same subject, which, however, had reference to burial. In *Reg.* v. *Mabbett*, 5 Cox C. C. 339, Martin, B. and Erle, J. said that a woman not having the means of providing proper food and nourishment for her children, who wilfully neglects to go to the Union for the purpose of getting support for it, she knowing that such neglect is likely to cause the child's death, would be guilty of manslaughter: But see *Reg.* v. *Rugg*, 12 Cox C. C. 16; 24 L. T. N.S. 192; and *Reg.* v. *Chandler*, Dears C. C. 453; 3 C. L. R. 680; 24 L. J. M. C. 109; 1 Jur. N.S. 429, where the Court of Criminal Appeal held that it is not sufficient upon an indictment for causing injury to a child by neglecting to nourish and support it, to prove that, had an application been made to the Guardians for relief for the child, it could have been obtained.

See now with regard to the punishment of parents for ill-treating their children, the Prevention of Cruelty to, and Protection of Children, Act, 1889 (52 & 53 Vict. c. 44), Section 12 of which enables the Guardians to defray the costs of any proceedings they may direct to be taken under the Act.

[1] The Poor Law Board in a Circular dated March 28, 1864, stated that the applications made to them by Boards of Guardians for their orders (under 22 & 23 Vict. c. 49, s. 1) to extend the time for the payments of claims, disclose to

the Board the existence of much laxity in respect of the ordering of goods for the workhouse, and the performance of small repairs to it, or to the furniture in it.

They find that the orders are very frequently given without directions from the Board of Guardians, and the bills are frequently presented for payment without the previous knowledge of the Guardians as to the orders for the work or supplies which form the subject matter of such claims.

The Board add that if the regulations in Art. 41 (fifthly), Art. 201, No. 24, and Art. 209, *post*, and Art. 16, No. 2, of the Accounts order, *post*, are duly observed, the irregularities to which they have referred cannot occur, and they request the Guardians to bring them under the notice of their officers, and to impress upon them the necessity of their being strictly attended to for the future.

The Board say, that if applications be made to them for their order to extend the time for the payment of such claims, when the same has been accidentally delayed, they desire to be furnished with the invoices for the goods supplied, or work done, extracted from the Order Check Book, or with extracts from the minutes of the Guardians, containing the directions for ordering the same to be supplied or executed, as the case may be.

The following memorandum of the Local Government Board, dated June 16, 1884, as to the legality of expenses incurred by local authorities in purchasing periodical publications, may here be inserted:—

"The Local Government Board have recently had under consideration the question of the legality of the purchase by local authorities at the cost of the funds under their control of periodical publications which contain reports of decisions of the Courts of Law, or other information connected with matters subject to their jurisdiction.

"Hitherto the Board have generally considered that the local rate could not legally be expended in the purchase of the publications referred to.

"Recently, however, they have seen reason to doubt whether this view could be supported, and they have therefore consulted the Law Officers of the Crown upon the point. The effect of the opinion given by the Law Officers is that if the publications referred to contain information so immediately connected with the discharge of their duties by the local authorities as to be likely to enable them to discharge those duties more efficiently than they could without such publications, the local authorities may legally make the purchase at the cost of the rates.

"The Board think it desirable to communicate this opinion to the auditors for their future guidance. It will of course be for the auditor, subject to appeal to the Board, to decide, in regard to any particular publication, whether it does or does not contain information of the character described; and he should satisfy himself, with reference to the special circumstances of each case, that not more copies of any periodical are purchased than are really necessary."—Fourteenth Annual Report, p. 21.

Music and Dancing in Workhouses.

At a meeting of the members of the City of London Union, Bartholomew Close, a letter from the Local Government Board was read, dated Whitehall, December 15, 1882, in which they say that their attention has been drawn to the fact that at some of the Metropolitan pauper infirmaries and asylums for the sick it is the practice at certain seasons of the year to permit entertainments, to which the friends of the officers are invited, and at which dancing and music are allowed. Those establishments being expressly provided for the treatment of the sick poor, and being occupied by patients suffering from every variety of disease (on many of whom festivities carried on in the same or in an

Art. 41.—Sixthly. They shall examine the treasurer's account, and shall when necessary, make orders on the Overseers or other proper authorities of the several Parishes in the Union, for providing such sums as may be lawfully required by the Guardians on account of the respective Parishes.[1]

Seventhly. They shall transact any such business as may not fall within any of the above classes.[2]

Art. 42.—When the Guardians have allowed relief in the workhouse to any applicant, a written or printed order for his admission

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adjoining building would have a very prejudicial effect), it appears to the Board that they are especially inappropriate as places for entertainments of the kind referred to. The Board do not doubt that the Guardians and managers, on their attention being drawn to the subject, will concur with them in the view that music and dancing should not be permitted in infirmaries and asylums for the sick, and the Board trust that if in any instance they have taken place, such direction will be given to the officers as will serve to prevent their recurrence.—Twelfth Annual Report, p. 62.

[1] With respect to the treasurer's balance, see Arts. 202, No. 7, and 203, Nos. 3 and 4; and the Order of February 26, 1866, *post*, as to the contribution orders of the Guardians upon the overseers. As regards the examination of the books, referred to in this and preceding sections, no precise directions can be set out for the discharge of this duty. When the books are before the Guardians, they will, in general, be able to determine for themselves whether any defect or irregularity exists in the mode of keeping them, and whether they are in accordance with the regulations. An examination of this nature tends to make the officers careful in the discharge of this portion of their duty, and the Guardians informed of the working of the law, in regard to the administration of relief, and also as to their financial condition.

[2] As to Boards of Guardians petitioning Parliament on subjects connected with their duties, see 56 O. C. N.S. 79, where, in answer to a letter from the chairman of the Liskeard Union, the Board said they did not feel prepared to lay down any precise or specific rule which should be a guide in all cases as to the subjects which Boards of Guardians can properly discuss with reference to future legislation, or upon which they can fairly and legitimately petition either House of Parliament. But they were of opinion that Boards of Guardians are justified in sending petitions in any matter in connection with the administration of the relief of the poor, and the raising of money for such relief. They thought that the general subject of the rateability of mines to the poor rate was one so connected with the subject of the raising money for the relief of the poor, that the Guardians of the Liskeard Union were justified in entertaining it, and expressing their views to be embodied in a petition to the Legislature. If they could do so, then, according to the general practice, the petition should be sealed by the seal of the Guardians; and though it was not compulsory upon the chairman to sign the petition, it would be more regular that he should do so. Such an act was only ministerial, as testifying to what was the will of the majority; and the act of the majority was to be taken to be the act of the Board, though it was competent for the minority to make known that the Board were not unanimous upon the subject.

therein, signed by the clerk, shall be forthwith delivered to the applicant, or to any person on his behalf.[1]

Art. 43.—When the Guardians have allowed out-door relief,[2] in money or kind, to any applicant, the particulars of such relief shall be entered by the proper relieving officer, in a ticket according to Form (K) hereunto annexed, and such ticket shall be delivered by him to the applicant, or to some person on his behalf.

Contracts of the Guardians.

Art. 44.—All contracts to be entered into on behalf of the Union relating to the maintenance, clothing, lodging, employment, or relief of the poor, or for any other purpose relating to or connected with

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[1] The order of admission should be filled up by the clerk, and if the applicant be present at the Board, it should be given to him (or her); if not present, it may be given to the person who makes the application on his behalf. If neither the applicant nor his or her representative be present, the relieving officer may be required by the Board of Guardians to deliver the order. The relieving officer is empowered by Art. 215, No. 6, *post*, to give an order of admission to the workhouse in any case of sudden or urgent necessity, but no one but the clerk can sign the order of admission when relief in the workhouse is given in pursuance of an order of the Board of Guardians. The order should embrace the whole family of the occupant, if they are residing together, and are all destitute. But see note to Art. 88 on this subject.

[2] It is desirable that a pauper to whom the Guardians have offered relief should be accurately informed, not only of the nature and amount of the relief, but of the period for which that relief is to be allowed. As regards the relieving officer, the insertion of that period seems a proper proceeding to prevent error or misconception on his part.

In those cases in which permanent relief is thought necessary, it is advisable that the order for relief should be made for "6 months" or "26 weeks," or any shorter period which the Guardians may think proper, and should be so entered in the Application and Report Book. The cases would then, as a matter of course, be regularly brought again before the Guardians at the end of the time for which the relief was granted. A definite period may be inserted in the ticket in cases where there is no reasonable ground to suppose that the circumstances of the pauper will soon undergo any material alteration. In other cases the requirement of this article will be satisfied if the ticket be made conditional, and the time for which the relief is ordered be indefinitely expressed. Thus, the column might be filled up, "until further reported by the relieving officer," "whilst reported by the medical officer as being unable to work," &c.

With respect to the powers of the relieving officer to discontinue or vary, upon his own authority, the amount of relief ordered by the Guardians in any case, see note to Art. 215, No. 10.

When the relieving officer shall, in any special case, have departed from the order of the Guardians, the Guardians, when the report of his having so done is made to them, should either cancel the ticket or give a fresh one with an increased or diminished amount of relief, or they may make the period for which the relief is ordered conditional instead of specific.

the general management of the poor, shall be made and entered into by the Guardians.[1]

[1] The Guardians should bear in mind that 55 Geo. III. c. 137, s. 6, and 4 & 5 Will. IV. c. 79, ss. 51, 77, impose heavy penalties on persons having the management of the poor if concerned in contracts for the supply of goods for the use of such poor. These enactments extend to any person who, either in his own name or in the name of any other person or persons, provides for his own profit any goods, materials, or provisions for the use of any workhouse, or who may be concerned, directly or indirectly, in furnishing the same. Consequently, if the Guardians were to enter into a contract for the supply of goods with the partner of one of their number, the case would come within the statute, and the Guardian whose partner supplied the goods would be liable to the penalties enforced by the statute. But if the goods are supplied by the Guardian without profit to himself, *Skinner* v. *Buckee*, 3 B. & C. 6; 4 D. & R. 628 would seem to decide that he would not incur any penalties. See also *Barber* v. *Waite*, 1 A. & E. 514; 3 N. & M. 611, on the same point.

Where a master of a workhouse bought provisions for the use of the poor in the workhouse from one of the Guardians of the Parish, it was held that the Guardian who supplied the goods was liable in the penalty of £100, imposed by 55 Geo. III. c. 137, s. 6. (*West* v. *Andrews*, 5 B. & Ald. 328; 1 B. & C. 77; 2 D. & R. 184.)

It is doubtful whether the prohibition would extend to a Guardian who only supplies "work and labour," but it is obviously very objectionable that the Guardians should employ one of themselves to do work for the Union, and they should therefore avoid such an arrangement. The 55 Geo. III. c. 137, s. 6, and 4 & 5 Will. IV. c. 76, s. 77, so far as they affect churchwardens and overseers, are repealed by 31 & 32 Vict. c. 122, s. 44, which section is in its turn repealed by the Statute Law Revision Act, 1893 (56 & 57 Vict. c. 14). A Guardian of the Poor is, however, a person appointed to an office within Section 77 of 4 & 5 Will. IV. c. 76, see *Davies* v. *Harvey* (L. R. 9 Q. B. 433; 43 L. J. M. C. 121; 30 L. T. N.S. 629; 22 W. R. 733). In that case an application had been made to the Board of Guardians for clothing and a bedstead for an out-door pauper of the Union, and an order had been made by the Guardians for clothing only. The relieving officer purchased from the partner of one of the Guardians, a cabinet maker, at the partnership premises, a bedstead, which was delivered by the partner at the house of the out-door pauper. The bedstead was only lent to the pauper by the Guardians, and remained their property. The partner knew, but the Guardian did not know, that the bedstead was purchased for the Guardians, and was to be supplied to the pauper by way of parochial relief. Under these circumstances, it was held that the Guardian was liable to be convicted under 4 & 5 Will. IV. c. 76, s. 77, although he was not aware that the bedstead was to be given in parochial relief; that the fact that the relieving officer had not been authorised to purchase it was immaterial; and that the bedstead, having been supplied gratuitously in the way of parochial relief, was "given in parochial relief" within the above section.

By Section 51 of 4 & 5 Will. IV. c. 76, the penalty imposed by 55 Geo. III. c. 137, s. 6, on persons who, having the management of the poor, are concerned in any contract for the supply of goods for the use of the poor, is extended and made applicable to every Guardian, treasurer, master of a workhouse, or other officer to be appointed under the provisions of 4 & 5 Will. IV. c. 76.

The Poor Law Board expressed an opinion that the clerk to a Board of Guardians is within 4 & 5 Will. IV. c. 76, s. 51.

There appears to be nothing illegal in an individual Guardian purchasing food or old stores belonging to the Union, though his doing so might on principle

be considered objectionable. Neither is a Guardian incapacitated from acting as the Attorney of the Board of Guardians, or from transacting any professional business for any of the Parishes in the Union; nor is he liable to penalties for being concerned in a contract to supply *work* and *labour* in repairs to the workhouse.

With reference to the members of Boards of Guardians being concerned in contracts for the supply of goods to the Union, the Commissioners, in their Official Circular, No. 10, have stated that they are of opinion that a Guardian, in supplying a contractor with milk consumed in the workhouse, would be liable to the penalties imposed by the 55 Geo. III. c. 137, for being concerned *indirectly* in furnishing a supply of provisions for the use of the workhouse.

A Guardian of the poor knowingly supplying goods for any workhouse for profit, upon the verbal order of the master of the workhouse, renders himself liable to the penalty imposed by 55 Geo. III. c. 137, s. 6, as extended by 4 & 5 Will. IV. c. 76, s. 51, although the master was not expressly authorised by the Guardians to make the purchase, as required by the Orders of the Poor Law Commissioners. (*Greenhow* v. *Parker*, 31 L. J. Ex. 4; 6 H. & N. 882.)

In order to provide more effectually for the prevention and punishment of bribery and corruption of and by members, officers, or servants of corporations, councils, boards, commissions, and other public bodies, the Public Bodies Corrupt Practices Act, 1889 (52 & 53 Vict. c. 69) enacts:—

"Section 1.—(1) Every person who shall by himself, or by or in conjunction "with any other person, corruptly solicit or receive, or agree to receive, for "himself, or for any other person, any gift, loan, fee, reward, or advantage "whatever as an inducement to, or reward for, or otherwise on account of, any "member, officer, or servant of a public body as in this Act defined, doing or "forbearing to do anything in respect of any matter or transaction whatsoever, "actual or proposed, in which the said public body is concerned, shall be guilty "of a misdemeanour.

"(2) Every person who shall by himself, or by or in conjunction with any "other person, corruptly give, promise, or offer any gift, loan, fee, reward, or "advantage whatsoever to any person, whether for the benefit of that person "or of another person, as an inducement to, or reward for, or otherwise on "account of, any member, officer, or servant of any public body as in this Act "defined, doing or forbearing to do anything in respect of any matter or "transaction whatsoever, actual or proposed, in which such public body as "aforesaid is concerned, shall be guilty of misdemeanour.

"Section 2.—Any person on conviction for offending as aforesaid shall, at "the discretion of the court before which he is convicted—

"(*a*) be liable to be imprisoned for any period not exceeding two years, "with or without hard labour, or to pay a fine not exceeding "five hundred pounds, or to both such imprisonment and such fine; "and

"(*b*) in addition be liable to be ordered to pay to such body, and in such "manner as the court directs, the amount or value of any gift, loan, "fee, or reward received by him or any part thereof; and

"(*c*) be liable to be adjudged incapable of being elected or appointed to "any public office for seven years from the date of his conviction, "and to forfeit any such office held by him at the time of his con- "viction; and

"(*d*) in the event of a second conviction for a like offence he shall, in "addition to the foregoing penalties, be liable to be adjudged to be "for ever incapable of holding any public office, and to be incapable "for seven years of being registered as an elector, or voting at an

"election either of members to serve in Parliament or of members of "any public body, and the enactments for preventing the voting and "registration of persons declared by reason of corrupt practices to be "incapable of voting shall apply to a person adjudged in pursuance "of this section to be incapable of voting; and

"(*e*) if such person is an officer or servant in the employ of any public "body, upon such conviction he shall, at the discretion of the court, "be liable to forfeit his right and claim to any compensation or "pension to which he would otherwise have been entitled.

"Section 3.—(1) Where an offence under this Act is also punishable under "any other enactment, or at common law, such offence may be prosecuted and "punished either under this Act, or under the other enactment, or at "common law, but so that no person shall be punished twice for the same "offence.

"(2) A person shall not be exempt from punishment under this Act by "reason of the invalidity of the appointment or election of a person to a public "office.

"Section 4.—(1) A prosecution for an offence under this Act shall not be "instituted except by or with the consent of the Attorney-General.

"Section 5.—The expenses of the prosecution of an offence against this "Act shall be defrayed in like manner as in the case of a felony.

"Section 6.—A court of general or quarter sessions shall in England have "jurisdiction to inquire of, hear, and determine an offence under this Act.

"Section 7.—In this Act—

"The expression 'public body' means any council . . . any board . . . "select vestry, or other body which has power to act under and for the "purposes of any Act relating to poor law . . . or otherwise to "administer money raised by rates in pursuance of any public general "Act, but does not include any public body as above defined existing "elsewhere than in the United Kingdom:

"The expression 'public office' means any office or employment of a person "as a member, officer, or servant of such public body:

"The expression 'person' includes a body of persons, corporate or unin- "corporate:

"The expression 'advantage' includes any office or dignity, and any for- "bearance to demand any money or money's worth or valuable thing, "and includes any aid, vote, consent, or influence, or pretended aid, "vote, consent, or influence, and also includes any promise or pro- "curement of or agreement or endeavour to procure, or the holding out "of any expectation of any gift, loan, fee, reward, or advantage, as "before defined."

The Guardians of a Union, being authorised to raise £4,000 by loan, advertised for tenders. Six tenders were received, of which one from an agent, offering the sum at a certain interest and commission, was accepted. The Guardians paid by cheque a commission of £50, of which £38 10*s*. was disallowed by the auditor, one of the Guardians being surcharged with the amount disallowed as having been illegally paid. It was held, however, by the court that the auditor had acted wrongly, there being no rule against the payment of commission for getting a loan if, under the circumstances, the terms upon which the loan was obtained were the most advantageous to the ratepayers. (*Reg.* v. *Haslehurst*, 51 J. P. 645.)

Concerning the validity of contracts made by or on behalf of any Parish or Union, not in conformity with the regulations of the Commissioners, see 4 & 5 Will. IV. c. 76, s. 49.

Much instruction on the subject of contracts for workhouse supplies will be

Art. 45.—The Guardians shall require tenders to be made in some sealed paper for the supply of all provisions, fuel, clothing, furniture, or other goods or materials, the consumption of which may be estimated, one month with another, to exceed ten pounds per month, and of all provisions, fuel, clothing, furniture, or other goods or materials, the cost of which may be reasonably estimated to exceed fifty pounds in a single sum, and shall purchase the same upon contracts to be entered into after the receipt of such tenders.[1]

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gained from a perusal of the Report of the late Mr. Rowsell, the Superintendent of Contracts for the Admiralty, presented to Parliament. (*Sessional Paper*, 1872, No. 275).

[1] With regard to this Article and the subsequent Arts. 46–51, see the General Order as to tenders and contracts of December 31, 1877, *post*.

Arts. 45–49 require the Guardians to purchase goods, etc., upon tender. The Commissioners are aware that the system of purchase by tender is sometimes productive of inconvenience, and that goods may occasionally be obtained on more advantageous terms without recourse to this method. They believe, however, that on the whole it affords the best security to the public; and the practice of the administrative bodies which make the largest purchases of goods (viz. the Military and Naval Departments) strongly confirms them in this conclusion. Art. 49 allows of an exception being made in extraordinary cases, with the consent of the Commissioners.—*Instr. Letter*, April, 1842. The Guardians by these Articles are not bound to accept the lowest tenders given in, nor in the event of there being only one person tendering for the supply of a particular kind of goods are they bound to accept his tender. Moreover, they are not bound to accept any tender that may be sent in if they are not satisfied that it would be advantageous to the Union to do so, but may advertise again; or they may enter into a special contract, with the sanction of the Poor Law Board, under Art. 49. (See 3 O. C. 148.) With regard to the breach of a contract by a bread contractor, and the power of the Guardians to reject the supplies, see *Elliott* v. *Martin*, 2 Mee. & W. 13.

The general rule of law is that a corporation can only bind itself by deed (Comyn's Digest, tit. "Franchise" (F.) 12, 13); and contracts to bind the Guardians should relate to some matter incident to the purposes for which the Guardians are incorporated, see *Paine* v. *The Strand Union*, 8 Q. B. 326; 15 L. J. M. C. 89; 10 Jur. 308; *Smart* v. *The Guardians of the West Ham Union*, 25 L. J. Exch. 210; 10 H. & N. 687; and *Lamprell* v. *The Guardians of the Poor of the Billericay Union*, 18 L. J. M. C. 282; 3 Ex. 383. Where, however, the subject matter of the contract consists of things which can be said to be necessaries in the sense that they are necessary for the purposes for which the Guardians were incorporated, and the Guardians have derived the benefit of the contract, it will be enforced against them although not made under seal. Where, therefore, the Guardians of a Poor Law Union, at a Board meeting, gave orders to a tradesman to supply and put up water-closets in the Union workhouse, and he put them up, and the Guardians approved and accepted them, it was held that they could not defend themselves in an action against them by the tradesman for the price of the water-closets by showing that there was no contract under seal, as the purposes for which the Guardians were made a corporation required that they should provide such articles. *Clarke* and *Another* v. *The Guardians of the Cuckfield Union*, 21 L. J. Q. B. 349; see also *Sanders* v. *St. Neots Union*, 8 Q. B. 810; 15 L. J. M. C. 104; 10 Jur. 566;

Art. 46.—Any work or repairs to be executed in the workhouse, or the premises connected with the workhouse, or any fixtures to be put up therein, which may respectively be reasonably estimated to exceed the cost of fifty pounds in one sum, shall be contracted for by the Guardians, on sealed tenders, in the manner prescribed in Arts. 45 and 47.

Art. 47.—Notice of the nature and conditions of the contract to be entered into, of the estimated amount of the articles required, of the last day on which tenders will be received, and the day on which the tenders will be opened, shall be given in some newspaper circulating in the Union, not less than ten days previous to the last day on which such tenders are to be received; and no tender shall be opened by the clerk, or any Guardian, or other person prior to the day specified in such notice, or otherwise than at a meeting of the said Guardians.[1]

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and *Nicholson* v. *Bradfield*, L. R. 5 Q. B. 620; 35 L. J. Q. B. 176; 14 L. T. N.O. 830; 14 W. R. 731; 7 B. & S. 747; 12 Jur. N.O. 1686; in which case the action was to recover the price of coal supplied for the use of the defendants' workhouse. Again, in *Haigh* v. *The Guardians of the North Bierley Union*, 28 L. J. Q. B. 62; E., B. & E. 873; 6 W. R. 679; 31 L. J. O.S. 213; 23 J. P. 195; 5 Jur. N.S. 511; the Guardians having reason to believe that their clerk had been guilty of fraud, and that sums of money had been misappropriated, employed the plaintiff, an accountant, to audit their accounts, investigate them generally, and make up their books. Resolutions to this effect were from time to time entered in the rough minute-book, but there was no contract under the seal of the Guardians:—Held, by Erle, J. (Crompton, J., *dubitante*) that "the plaintiff, having done the work agreed upon, was entitled to recover, although the contract was not under seal."

Although the Guardians are not bound by a contract not under seal which ought to have been executed under seal, it is not unlawful for them to satisfy the contract where useful work has been done at a reasonable cost and without corruption or favouritism, there being nothing illegal in paying a debt justly incurred, see *Reg.* v. *Mayor, &c. of Norwich*, 30 W. R. 752; 46 J. P. 308, and *Reg.* v. *Prest*, 16 Q. B. 32. Where a contract is not binding upon the Guardians owing to its not having been executed under their common seal, the party with whom the contract was made is equally free from obligation thereunder, see the *Mayor, &c. of Kidderminster* v. *Hardwicke*, L. R. 9 Ex. 13; 43 L. J. Ex. 9; 29 L. T. N.S. 612; 22 W. R. 160.

[1] The purpose of inserting Union advertisements in newspapers is to obtain the utmost publicity for them, and the Commissioners have stated that they consider that the advertisements ought to be inserted in the newspaper which circulates the most widely among the class of persons who are likely to make the desired tenders, or to whom the advertisements may be in other respects addressed, and that the choice of a newspaper ought to be determined by these considerations, without any reference to the opinions, either on the administration of the Poor Law, or on any other subject which may have been expressed in the newspapers.—*Off. Cir.* vol. ii. p. 238. If, after advertising, no

Art. 48.—When any tender is accepted, the party making the tender shall, in pursuance of these regulations, enter into a contract, in writing, with the Guardians, containing the terms, conditions, and stipulations mutually agreed upon, and whenever the Guardians deem it advisable, the party contracting shall find one or more surety or sureties, who shall enter into a bond conditioned for the due performance of the contract, or shall otherwise secure the same [1]

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tender be received, the Guardians should advertise again or contract with the former contractor, or any other respectable person, on the best terms they can make. (See note to Art. 45, *ante*.)

It will be observed that this Article is imperative in requiring the notices to be published in a newspaper. Of course, in addition to this, the Guardians, if they think fit, may cause printed placards to be posted throughout the Union, inviting tenders for the supply of goods for the Union; but if the latter course only were to be had recourse to, sufficient publicity would not be given, and tradesmen at a distance would consequently be precluded from tendering, and the Union in many cases be charged higher for articles supplied by resident tradesmen than would be charged if the articles were supplied by large dealers at a distance.

The duty of opening and selecting tenders cannot be delegated to a Committee of the Guardians. See note 3 to Art. 40, *ante*, p. 211, also the General Order of December 31, 1877, *post*.

[1] These contracts and bonds, as well as any mortgage, instrument, or any assignment thereof, in pursuance of the rules, &c., of the Poor Law Board, are exempt from stamp duty. (See 4 & 5 Will. IV. c. 76, s. 86.)

It may also be stated here, that a contract entered into by the Guardians, which is not in conformity with the foregoing regulations, is not in itself void, but only voidable if the Poor Law Board shall so direct. (See 4 & 5 Will. IV. c. 76, s. 49.) And that the contract need not be wholly in *writing*—it may be partly in writing and partly in print.

Every receipt which is given by a Board of Guardians for the payment of money is liable to stamp duty, unless it be such a receipt as is directed to be given or taken by the 4 & 5 Will. IV. c. 76, or by any Order or regulation of the Poor Law Commissioners or of the Poor Law Board or Local Government Board. So, also, are receipts for payments made by Guardians to their contractors, officers, and others.

The proper course is for the Guardians to have the contracts ready when the tenders are opened, and to require the persons tendering to attend and execute them, and the Guardians should then cause the Union seal to be affixed.

The contracts of Guardians of the Poor with the proper seal attached are in a like position to those of private individuals. Where then a contract with the common seal of a Board of Guardians attached is sent to the other party to the contract to be signed, and is signed by such other party, or having been first signed by the other party an alteration is made in its terms by the Board of Guardians, which alteration is assented to by the other party, the common seal of the Guardians being afterwards attached, the contract will be binding upon the parties. (*The Guardians of the Poor of the Dartford Union* v. *Trickett & Sons*, 59 L. T. N. S. 754.)

The contract should express a mutual obligation binding both parties to the agreement, and should be sealed by both; one should be bound to supply the

Art. 49.—Provided always, that if, from the peculiar nature of any provisions, fuel, clothing, furniture, goods, materials, or fixtures to be supplied, or of any work or repairs to be executed, it shall appear to the Guardians desirable that a specific person or persons be employed to supply or execute the same, without requiring sealed tenders as hereinbefore directed, it shall be lawful for such Guardians, with the consent of the Commissioners first obtained, to enter into a contract with the said person or persons, and to require such sureties and securities as are specified in Art. 48.

Art. 50.—Every contract to be hereafter made by any Guardians shall contain a stipulation requiring the contractor to send in his bill, or account of the sum due to him for goods or work, on or before some day to be named in the contract.[1]

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goods at the stipulated price and under specified conditions, and the other to accept the goods and to pay the stipulated price. Further on this point, see *Hull* v. *Petch*, 10 Exch. 610; 24 L. J. Exch. 23. The following are the facts of that case: The Guardians of Hull acting under a local Act with a view to obtaining tenders for meat, &c., for the use of the workhouse, issued an advertisement stating that they would receive tenders for the supply of the workhouse with meat for three months—that sealed tenders were to be sent to the Clerk of the Corporation, and that *all contractors would have to sign a written contract after acceptance of the tender*. The defendant having given in a tender which was accepted by the Guardians, on being informed of the acceptance immediately afterwards wrote to the Guardians to say that he declined to supply them with meat; and it was held that as a written contract was to be executed, the acceptance of the tender did not form a binding contract so as to render the defendant liable for refusing to supply the workhouse with meat in accordance with his tender.

With regard to the acceptance of tenders only, the following is an important decision: The defendant tendered to supply the plaintiffs with certain goods at a fixed price, or with any of them that the plaintiffs should order. After the plaintiffs had given some orders, the price of the goods rose, and the defendant refused to supply them on the ground that the contract was unilateral, there being no consideration for the defendant's promise to supply the goods, and there being no obligation on the plaintiffs to give the order; but the Court held that the tender of the defendant to supply what goods were ordered, coupled with the plaintiffs' order, was a sufficient consideration to bind the defendant. (*Great Northern Railway Company* v. *Witham*, L. R. 9 C. P. 16; 43 L. J. C. P. 1; 29 L. T. N. S. 471; 22 W. R. 43.)

[1] With reference to the Payment of Debts Act, 22 & 23 Vict. c. 49, s. 1, it will be convenient if the day of payment for the goods supplied is made to fall within a given short period after Michaelmas Day and Lady Day respectively. The debts, in such case, would not accrue until after those days, and more time would consequently be given for the payment of the contractors than would be the case if the debts accrued within the half-year when the goods were supplied.

In an Irish case it was held that an Order will not be made against a Board of Guardians attaching poor rates due to them, in order to satisfy a judgment

Art. 51.—The Guardians shall fix some day or days, not being more than twenty-one days after the end of each quarter, for the attendance of contractors and tradesmen, or their authorized agents, and the clerk shall notify such day to every contractor or tradesman to whom money may be due, or to his agent, or he shall, under the direction of the Guardians, cause the same to be advertised in some newspapers.[1]

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obtained against them for goods supplied to them as Guardians. (*Murphy* v. *The Guardians of the Belmullet Union*, 22 L. R. I. 215.)

The Guardians have power to determine a contract for the supply of goods to the workhouse where the goods supplied are of bad quality. (See *Gillett* v. *The Guardians of the Kingston Union*, Local Government Chronicle, 1895, p. 468.)

[1] The intention of the rule is, that the Guardians shall require the attendance of the contractors before the Board on a fixed day in each quarter, to receive payment of their bills for goods supplied to the Union during the previous quarter. See also Art. 220, *post*, as to the transmission of money (or cheques) by the clerk to the persons for whom such money (or cheques) is intended. Art. 51 is confined in its terms to contractors and tradesmen; but the Guardians can require their officers to attend to receive their salaries without reference to this regulation.

It will be borne in mind that under 22 & 23 Vict. c. 49, s. 1, any debt, claim, or demand which may be lawfully incurred by or become due from the Guardians, shall be paid within the half-year in which the same shall have been incurred or become due, or within three months after the expiration of such half-year, but not afterwards; the commencement of such half-year to be reckoned from the time when the last half-year's accounts shall or ought to have been closed, provided that the Poor Law Board (now the Local Government Board), by their Order, may, if they see fit, extend the time within which such payment shall be made for a period not exceeding twelve months from the date of such debt, claim, or demand.

Where upon an appeal against an Order for the removal of a pauper, such Order was abandoned, an information was laid a year and eight months after the abandonment for the purpose of recovering the costs of the appeal, which were not taxed until eighteen months after the abandonment, it was held that the limitation imposed by 22 & 23 Vict. c. 49, s. 1, applied, a debt having arisen upon the abandonment of the Order, and not upon the demand for payment of the taxed costs. (*The West Ham Union* v. *The Bath Union*, 54 J. P. 69.)

In order that the period limited by 22 & 23 Vict. c. 9, s. 1, may commence to run, the debt, claim, or demand must be of a liquidated amount. Where, therefore, an appeal had been prosecuted by Guardians up to the House of Lords and an Order had been made in their favour for the costs of the appeal, the House of Lords in an appeal in an action to recover such costs from the unsuccessful party held that there had been no debt, claim, or demand due within the meaning of 22 & 23 Vict. c. 49, s. 1, until the amount of the costs awarded by the House had been ascertained and could be demanded. (*The Guardians of St. Matthew, Bethnal Green* v. *The Guardians of West Ham* (1896), A. C. 477; 65 L. J. M. C. 201; 75 L. T. N.S. 1; 60 J. P. 740; 11 Times L. R. 43; see also *The Manchester, Sheffield, and Lincolnshire Railway Company* v. *The Guardians of the Poor of the Doncaster Union* (1897), 1 Q. B. 117; 66 L. J. Q. B. 75; 75 L. T. N.S. 472; 60 J. P. 819; 45 W. R. 82.)

Section 4 of 22 & 23 Vict. c. 49, enacts that:—"If any person claiming any

APPRENTICESHIP OF PAUPER CHILDREN.

Parties.[1]

Art. 52.—No child under the age of nine years, and no child

" debt or demand shall have commenced or shall commence proceedings in " any court of law or equity, or before any justice or other competent authority, " within the period limited by Section 1 of the Act, or within the time to which " the Local Government Board may grant extension, and shall with due dili- " gence prosecute such proceedings to judgment or other final settlement of the " question, such judgment shall be satisfied by the Guardians against whom or " against whose officer the same may be brought, notwithstanding that such " judgment may be recovered or such final settlement arrived at after the " expiration of the time limited, and all proceedings taken by *mandamus* or " otherwise for the enforcing such judgment without delay shall be deemed to " be within the operation of the section." An application to the Clerk of the Peace to tax costs awarded by a Court of Quarter Sessions was held by the House of Lords not to be a commencement of proceedings within Section 4, so as to take the debt out of the operation of Section 1. (*The Midland Railway Company* v. *The Guardians of the Edmonton Union* (1895), A. C. 485 ; 64 L. J. Q. B. 710 ; 72 L. T. N.S. 811 ; 60 J. P. 68 ; 11 Rep. 246.)

The question as to whether or not proceedings commenced within the time limited by Section 1 of 22 & 23 Vict. c. 49, had been prosecuted with due diligence within the meaning of Section 4 of that Act, arose in *Rhodes* v. *The Guardians of Pateley Bridge Union*, 51 L. T. N.S. 235 ; 48 J. P. 168. There an action had been brought by an engineer within the time limited by Section 1, in respect of services rendered by him to the Guardians. After issue had been joined in the action the plaintiff took out a summons to refer the matter to arbitration, which summons was opposed by the defendants, and dismissed. The plaintiff then allowed two assizes at Leeds (where the action was to be tried) to pass without giving notice of trial ; the defendants then took out a summons to dismiss the action for want of prosecution, after which the plaintiff gave notice of trial for the assizes then coming on. At the trial the matter was, with the consent of the parties, referred by the judge to an arbitrator, who found for the plaintiff for a certain sum. The plaintiff thereupon moved the Court for a *mandamus* to the Guardians to levy a rate to satisfy the award ; and the Court held, granting the *mandamus*, that, as the action was a proper one to be referred to arbitration, and as the plaintiff had taken out a summons to refer, which the defendants had opposed, the plaintiff had not, under the circumstances, failed to prosecute the proceedings in the action " with due diligence " within the meaning of Sec. 4 of 22 & 23 Vict. c. 49.

[1] The Local Government Board has now power to assent to a departure from any of the regulations with regard to the apprenticeship of pauper children. See the Order of February 15, 1898, *post*.

The Guardians are not restricted by the statute or by the regulations contained in this Order from binding, as apprentices, children who are not actually in the receipt of relief, or whose parents may not be in the receipt of relief as paupers at the time of the binding. Such children as may ordinarily be considered " poor children " are within the scope of the provisions respecting the apprenticeship of pauper children. But the Poor Law Commissioners, in the Circular Letter accompanying the original apprenticeship Order, stated that apprenticeship is a species of relief, and consequently can only be given subject to the regulations which may exist in any particular Union or Parish with regard to relief in such Union or Parish generally. Therefore if the proposed

(other than a deaf and dumb child) who cannot read and write his own name, shall be bound apprentice by the Guardians.[1]

Art. 53.—No child shall be so bound to a person who is not a housekeeper, or assessed to the poor-rate in his own name ;[2]

Or who is a journeyman, or a person not carrying on trade or business on his own account ;

Or who is under the age of twenty-one ;

Or who is a married woman.

The Premium.

Art. 54.—No premium, other than clothing,[3] for the apprentice

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apprentice be the child of an able-bodied person, the sanction of the Local Government Board to the relief should be obtained under Art. 6 of the Order of December 21, 1844, *post*, or of December 14, 1852, *post*, according as the Orders may apply to the particular Union. Under the 7 & 8 Vict. c. 101, s. 12, and 11 & 12 Vict. c. 110, s. 8, the Guardians can bind pauper children who are chargeable to the common fund as apprentices, and charge the expenses to that fund. It may here be observed that the 20 Geo. II. c. 19, s. 4, enables the justices to discharge an apprentice bound by the Guardians under these regulations without obtaining the consent of the Guardians to the discharge.

By 7 & 8 Vict. c. 101, s. 12, the Guardians are to cause all apprentices bound or assigned by them to be registered according to 42 Geo. III. c. 46, s. 1.

The object in framing these regulations has been to secure a careful attention on the part of the Guardians who are to bind out the children to the fitness and propriety of the step which is to affect permanently the future condition of these children, and a due performance afterwards by the masters of the duties which appear naturally to result from the relation of master and apprentice. The Commissioners added, however, that they by no means desired to express any opinion as to the propriety of the Guardians extending the practice of Parish apprenticeship, and that they did not wish the Guardians in those parts of the country where the system had not been generally pursued to infer that they entertained any desire to promote its introduction in consequence of having issued the Order to which the Circular had reference.—*Instr. Letter*, January 1, 1845.

[1] If the child be taught to read and write his or her name only, it is considered that it will suffice under this Article. The word child, as used in this Article, may include a person who is eighteen years of age ; but the indenture will not, according to the 18 Geo. III. c. 47, be obligatory upon the apprentice after attaining the age of twenty-one years.

[2] It will apparently suffice if the proposed master be a housekeeper without being a ratepayer, and *vice versâ*.

Where the trade is carried on by a married woman, as, for instance, a dressmaker, it was said that the apprentice should be bound to the husband and not to the wife, but it may now be different if the wife have property separate from her husband.

It is thought that a child may be bound apprentice to a farmer to be taught ploughing, sowing, reaping, and the care of horses and general farm work. But a child could not be so bound merely to act as an agricultural labourer.

[3] The premium and cost of such clothing, if supplied by the relieving officer, should be entered accordingly in his out-door relief list. If the master of the

shall be given upon the binding of any person above the age of sixteen years, unless such person be maimed, deformed, or suffering from some permanent bodily infirmity, such as may render him unfit for certain trades or sorts of work.

Art. 55.—Where any premium is given, it shall in part consist of clothes supplied to the apprentice at the commencement of the binding, and in part of money, one moiety whereof shall be paid to the master at the binding, and the residue at the termination of the first year of the binding.

TERM.

Art. 56.—No apprentice shall be bound by the Guardians for more than eight years.[1]

CONSENT.

Art. 57.—No person above fourteen years of age shall be so bound without his consent.

And no child under the age of sixteen years shall be so bound without the consent of the father of such child; or, if the father be dead, or be disqualified to give such consent, as hereinafter provided, or if such a child be a bastard, without the consent of the mother, if living, of such child.

Provided, that where such parent[2] is transported beyond the seas, or is in custody of the law, having been convicted of some felony, or for the space of six calendar months before the time of

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workhouse supplies the clothing, any premium which he may pay under the directions of the Guardians should be entered by him in his Receipts and Payments Book. On the other hand, if the Guardians themselves order payment to be made to the master of the apprentice directly, they should make an order upon their treasurer for the amount, to be dealt with in the usual way.

This regulation does not apply to the sea fishing service, for, by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60, s. 393 (3),), "Boards of "Guardians in apprenticing boys to the sea-fishing service, shall not cause or "permit any such apprenticeship to be made except in conformity with this part "of this Act." If, therefore, the Articles are in conformity with Part IV. of that Act, it is enough. For the provisions of the Act as to apprenticing boys to the sea-fishing service, see the note to Art. 74, *post*.

[1] It is competent for the Guardians to bind the apprentice for any lesser term if they think it expedient to do so.

[2] If the parent or surviving parent be lunatic, the apprenticeship may take place without his or her consent, provided that all the other regulations with regard to apprenticeship contained in the Order are duly observed.

executing the indenture has deserted such child, or for such space of time has been in the service of Her Majesty, *or of the East India Company*,[1] in any place out of the United Kingdom, such parent, if the father, shall be deemed to be disqualified as hereinbefore stated; and if it be the mother, no such consent shall be required.

Place of Service.

Art. 58.—No child shall be bound to a master whose place of business, whereat the child is to work and live, is distant more than thirty miles from the place in which the child is residing at the time of the proposed binding, or at the time of his being sent on trial to such master;

Unless in any particular case the Commissioners shall, on application to them, otherwise permit.[2]

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[1] The words in italics are now surplusage.

[2] If any boy not already an apprentice in the merchant service who, or whose parent or parents, shall be receiving relief in any Union or Parish, be desirous of serving in the naval service of Her Majesty, and be forwarded for approval by competent authority for such service, the Guardians may enable any such boy to be so forwarded, and may pay out of their funds such sum, if any, as may be required by the regulations of such service for providing outfit or otherwise, and also such expenses as may be necessary to be incurred for the conveyance of such boy in charge of a proper person to and from the port or place in the United Kingdom at which he may be required to attend for examination, and, if accepted, for entry into such service (39 & 40 Vict. c. 61, s. 28).

The Local Government Board, on April 10, 1876, at the request of the Lords Commissioners of the Admiralty, transmitted to the clerks to the various Boards of Guardians copies of the current regulations for the entry of boys to Her Majesty's Navy, their Lordships having been given to understand that there were many boys in the Unions throughout the country eligible under the regulations who might wish to enter the service.

The standard height and chest measurement for boys entering the training ships has since been altered, and in June, 1897, was: for boys 15¼ to 15¾ years of age, height 5 ft. 0½ in., chest measurement 30½ in.; 15¾ to 16¼ years of age, height 5 ft. 1½ in., 31 in. chest measurement; 16¼ to 16¾, height 5 ft. 2½ in., 31½ in. chest measurement. They must have the written consent of their parents or Guardians, and must sign an engagement to serve for a term of years from the date of attaining the age of eighteen. After eighteen they are rated ordinary seamen, and pass to the rating of able seamen as soon as found qualified. The advantages of the service are now very great, and a boy, by diligence and good conduct, can rise to the rank of Chief boatswain. The yearly scale of pay is as follows: ordinary seamen, £22 16*s.* 3*d.*; able seamen, £28 17*s.* 11*d.* to £31 18*s.* 9*d.*; petty officers, £36 10*s.* to £47 2*s.* 11*d.*; Chief petty officers, £48 13*s.* 4*d.* to £60 16*s.* 8*d.*; warrant officers, £100 7*s.* 6*d.* to £164 5*s.*; Chief gunner and Chief boatswain, £182 10*s.* to £219. Seamen are awarded pensions after twenty-two years' service or when disabled, amounting from £15 to £52 per annum. They can also, when abroad, remit home a large

Preliminaries of the Binding.[1]

Art. 59.—If the child whom it is proposed to bind apprentice be in the workhouse, and under the age of fourteen years, the Guardians shall require a certificate in writing from the medical officer of the workhouse as to the fitness in regard to bodily health and

proportion of their pay for the support of their relations. Boys can, after six months' service, send home money to their parents or guardians at the rate of 8*s.* a month. The supply of provision is liberal, and is given at the Government expense.

Boys can be entered in the undermentioned ships and places, and application should be made to the Captains of her Majesty's ships "Impregnable" at Devonport, "St. Vincent" at Portsmouth, "Ganges" at Falmouth, "Boscawen" at Portland, "Lion" at Devonport, "Caledonia" at Queensferry. N.B. the General Depot ships at Chatham, Portsmouth, and Devonport, Port Guard ships at Queenstown and Pembroke; the Captains of the coastguard district ships at Hull, Harwich, Southampton, Portland, Queensferry, Greenock, Bantry; "Dædalus" at Bristol, "Medusa" at North Shields, "Eagle" at Liverpool, "President" at the West India Docks, London; "Unicorn" at Dundee, "Clyde" at Aberdeen, "Briton" at Inverness (drill ships); and the officers at all coastguard stations. Also to the Royal Marine recruiting officers at the following Central Marine recruiting stations: Birmingham, Bristol, Cambridge, Edinburgh, Exeter, Glasgow, Hull, Liverpool, London, 22 Spring Gardens, Trafalgar Square, S.W.; Nottingham and Southampton.

Full information on application by letter to any of the above officers, or to the recruiting officer in London (22 Spring Gardens, Trafalgar Square), will be afforded as to the terms of service, the standard in force, and other particulars.

When a boy, in other respects suitable for the naval service, is slightly under the standard of height, or chest measurement, the recruiting officer can, at his discretion, refer to the Admiralty for permission to enter such boy specially.

This permission applies also to cases in which a candidate is found on medical examination to be suffering from some minor defect or disability, or a few days over age but otherwise eligible.

Candidates are in general expected to pay their own travelling expenses to the place of examination, but candidates accepted at the Central Marine recruiting stations or on board a training ship (if the boy's home is nearer to a training ship than to a Central Marine recruiting station) are allowed 1*d.* a mile for travelling expenses if they have come over 12 miles, and non-commissioned officers of the Royal Marines at the out-stations are authorised to send eligible boys to Central station, any such boy afterwards rejected being sent home free of expense.

[1] With regard to the allowance of indentures of apprenticeship by justices, the Poor Law Board, in answer to an inquiry, stated that 7 & 8 Vict. c. 101, s. 12, expressly provides that "it shall be lawful for the Guardians of such Union or "Parish respectively to bind any such poor child to be an apprentice, and in "such case the indentures of apprenticeship shall be executed by the said "Guardians, and shall not need to be allowed, assented to, or executed by any "justice or justices of the peace:" consequently, it is not required that the indenture should be allowed by the justices of either county. The Board, moreover, consider that since the passing of 7 & 8 Vict. c. 101, s. 12, and the issuing by the Poor Law Commissioners, under the authority of that provision, of the orders and regulations on the subject of Parish apprenticeship, it is not necessary that the justices should certify, in accordance with 4 & 5 Will. IV. c. 76, s. 61, upon an indenture entered into by a Board of Guardians appointed

strength of such child to be bound apprentice to the proposed trade, and shall also ascertain from the master of the workhouse the capacity of the child for such binding in other respects.

Art. 60.—If the child be not in the workhouse, but in the Union by the Guardians of which it is proposed that he shall be bound, the Relieving Officer of the district in which the child is residing shall examine into the circumstances of the case, the condition of the child, and of his parents, if any, and the residence of the proposed master, the nature of his trade, the number of other apprentices, if any, then bound to him, and generally as to the fitness of the particular binding, and shall report the result of his inquiry to the Guardians.

Art. 61.—If in any case within Art. 60 the Guardians think proper to proceed with the binding, they shall, when the child is under the age of fourteen years, direct the Relieving Officer to take the child to the medical officer of the district, to be examined as to his fitness in respect of bodily health and strength for the proposed trade or business; and such medical officer shall certify in writing, according to his judgment in the matter, which certificate shall be produced by the said Relieving Officer to the next meeting of the Guardians.

Art. 62.—If the child be not residing within the Union, the Guardians who propose to bind him shall not proceed to do so unless they receive such a report as is required in Art. 60 from the Relieving Officer of the district in which such child is residing, and a certificate from some medical man practising in the neighbourhood of the child's residence to the effect required in Art. 61.

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under that Act, that the rules and regulations have been conformed to in the binding. The 7 & 8 Vict. c. 101, s. 12, in the case of a binding by the Guardians, expressly dispenses with the assent or allowance of justices; and it therefore seems, on a careful examination of the provisions bearing on the subject, that it is only in a case where such assent or allowance would still be required that it is necessary that the justices should certify as to the fact of the rules of the Commissioners having been conformed to in the binding. The 4 & 5 Will. IV. c. 76, s. 61, provides that the certificate "in question is to be in addition to such assent, consent, Order, or allowance of justices." (56 O. C. p. 65.)

It has been held, with reference to this Article, that the regulations it contains are directory, and that the omission to comply with them (if established) would not affect the validity of the indenture. (*Reg.* v. *St. Mary, Bermondsey*, 2 E. & B. 809; 23 L. J. M. C. 1; 22 L. T. N.S. 96; 17 Jur. 1075.)

Art. 63.—When it is proposed to give a premium other than clothing upon the binding of any person above the age of sixteen years, the Guardians shall require a certificate in writing from some medical practitioner, certifying that the person is maimed, deformed or disabled, to the extent specified in such Article,[1] and shall cause a copy of such certificate to be entered on their minutes before they proceed to execute the indenture.

Art. 64.—When such certificate, as is required by Arts. 59, 61, 62, and 63, is received, or in case, from the age of the child, no such certificate is required, the Guardians shall direct that the child and the proposed master, or some person on his behalf, and, in case the child be under the age of sixteen, that the parent or person in whose custody such child shall be then living, attend some meeting of the Board to be then appointed.

Art. 65.—At such meeting, if such parties appear, the Guardians shall examine into the circumstances of the case; and if, after making all due inquiries, and hearing the objections (if any be made) on the part of the relatives or friends of such child, they deem it proper that the binding be effected, they may forthwith cause the indenture to be prepared, and, if the master be present, to be executed; but if he be not present, they shall cause the same to be transmitted to him for execution; and when executed by him, and returned to the Guardians, the same shall be executed by the latter, and shall be signed by the child as provided in Art. 67.

Art. 66.—If the proposed master reside out of the Union, but in some other Union or Parish under a Board of Guardians, whether formed under the provisions of the first recited Act, or of the Act of the twenty-second year of the reign of King George the Third, intituled "An Act for the better Relief and Employment of the "Poor,"[2] or of any local Act, the Guardians shall, before proceeding to effect the binding, communicate in writing the proposal

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[1] See Article 54, *ante*, p. 291.

[2] All the Gilbert's Unions formed under 22 Geo. III. c. 83 (now repealed), have been dissolved, and the Parishes of which they were composed dealt with under 4 & 5 Will. IV. c. 76, and respectively placed in Unions.

to the Guardians of such other Union or Parish, and request to be informed whether such binding is open to any objection; and if no objection be reported by such Guardians within the space of one calendar month, or if the objection does not appear to the Guardians proposing to bind the child to be sufficient to prevent the binding, the same may be proceeded with; and when the indenture shall have been executed, the clerk to the Guardians who executed the same shall send notice thereof in writing to the Guardians of the Union or Parish wherein the said apprentice is to reside.[1]

Indenture.[2]

Art. 67.—The indenture shall be executed in duplicate, by the master and the Guardians, and shall not be valid unless signed by the proposed apprentice with his name, or, if deaf and dumb, with his mark, in the presence of the said Guardians; and the consent of the parent, where requisite, shall be testified by such parent signing with his name or mark, to be properly attested, at the foot of the said indenture; and where such consent is dispensed with under Art. 57, the cause of such dispensation shall be stated at the foot of the indenture by the clerk.

Art. 68.—The name of the place or places at which the apprentice is to work and live shall be inserted in the indenture.

Art. 69.—One part of such indenture, when executed, shall be kept by the Guardians; the other shall be delivered to the master.

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[1] The object of the notice in this Article is not to raise any question of settlement, because no objection by the Guardians of the Union in which the master resides would affect it, but to enable the Guardians of that Union to communicate any fact which may be in their knowledge regarding the proposed master, or otherwise which may induce them to consider the binding calculated to be detrimental to the future welfare of the apprentice.

[2] If the indenture be cancelled for any cause, the consent of the justices, under 56 Geo. III. c. 139, s. 9, must be obtained; it is, however, open to some doubt whether the power of the justices to cancel an indenture of apprenticeship extends to cases where the premium is over £5.

Apparently it is not necessary that the apprentice should seal as well as sign the indenture. This Article only requires that the indenture shall be signed by the apprentice; and according to *Rex* v. *St. Nicholas, Nottingham*, 2 T. R. 726, it was not requisite that the apprentice should have executed the indenture of apprenticeship to constitute a valid binding.

Duties of the Master of a Pauper Apprentice.

Art. 70.—And We do hereby prescribe the duties of the master to whom such poor child may be apprenticed, and the terms and conditions to be inserted in the said indenture to be as follows :—

No. 1. The master shall teach the child the trade, business, or employment set forth in the indenture, unless the Guardians authorize the substitution of another trade, business, or employment.

No. 2. He shall maintain the said child with proper food and nourishment.

No. 3. He shall provide a proper lodging for the said child.

No. 4. He shall supply the said child with proper clothing during the term of the binding, together with the necessary provision of linen.

No. 5. He shall, in case the said child be affected with any disease or sickness, or meet with any accident, procure, at his own cost, adequate medical or surgical assistance, from some duly qualified medical man, for such child.

No. 6. He shall, once at least on every Sunday, cause the child to attend some place of Divine worship, if there be any such within a reasonable distance, according to the religious persuasion in which the child has been brought up, so, however, that no child shall be required by the master to attend any place of worship to which his parents, or surviving parent, may object, nor, when he shall be above the age of sixteen, any place to which he may himself object.

No. 7. Where such parents or parent or next-of-kin desire it, he shall allow the said child to attend any Sunday or other school, which shall be situated within the same Parish, or within two miles distance from his residence, on every Sunday ; and if there be no such school which such child can attend, he shall, at some reasonable hour on every Sunday, allow any minister of the religious persuasion of the child to have access to such child for the purpose of imparting religious instruction.

Art. 70.—No. 8. Where the apprentice continues bound after the age of seventeen years, the master shall, in every case, where Guardians require him so to do, pay to such apprentice, for the and in respect of every week that he duly and properly serves the said master, as a remuneration, a sum to be inserted in the indenture, or to be agreed upon by the Guardians and the said master when that time arrives, or, if they cannot agree, to be settled by some person to be then chosen by the said master and such Guardians, and, until such sum be agreed upon or settled, not less than one-fourth of the amount then commonly paid as wages to journeymen in the said trade, business, or employment.

No. 9. The master shall, himself or by his agent, produce the apprentice to the Guardians by whom such apprentice was bound at their ordinary meeting next preceding the end of the first year of the binding, and before the receipt of the remainder of the premium, if any be due, and shall in like manner produce the said apprentice at some one of their ordinary meetings, to be held at or about the middle of the term, and whenever afterwards required to do so by the said Guardians : Provided, that if the apprentice reside out of the Union by the Guardians whereof he was bound, the apprentice shall be produced, as hereinbefore directed, to the Guardians of the Union or Parish, as described in Art. 66, in which the apprentice may be residing.

No. 10. The master shall not cause the said apprentice to work or live more than ten miles from the place or places mentioned in the indenture, according to Art. 68, without the leave of the Guardians so binding him, to be given under their common seal : Provided, that such Guardians may in such licence so to be given under their common seal, by express words to that effect, if they think fit, authorize the master, at any time during the residue of the term of the apprenticeship, to change the place of the abode or service of the apprentice, without any further application to them or their successors.

Art. 71.—These duties of the master set forth in Art. 70 shall be enforced by covenants and conditions to be inserted in the indenture to be executed by him.

Art. 72.—The master shall also covenant, under a penalty to be specified in the covenant, not to assign or cancel the indenture, without the consent of the Guardians under their common seal, previously obtained, and to pay to the said Guardians all costs and expenses that they may incur in consequence of the said apprentice not being supplied with medical or surgical assistance by the master, in case the same shall be at any time requisite.[1]

Art. 73.—The indenture shall be made subject to the following provisoes :—

No. 1. That if the master take the benefit of any Act for the relief of insolvent debtors or be discharged under any such Act, such indenture shall forthwith become of no further force or effect.

No. 2. That if, on a conviction for a breach of any one of the aforesaid covenants and conditions before a Justice of the Peace, the Guardians who may be parties to the said indenture declare by a resolution that the indenture is determined, and transmit a copy of such resolution, under the hand of their clerk, by the post or otherwise, to the said master, such indenture shall, except in respect of all rights and liabilities then accrued, forthwith become of no further force or effect.

Art. 74.—Nothing contained in this Order shall apply to the apprenticing of poor children to the sea service.[2]

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[1] The master of the apprentice is the proper person to assign the indenture, but the Guardians must give their consent under the terms of the covenant in the indenture required by this Article. The Justices must also give their consent under 56 Geo. III. c. 139, s. 9.

[2] The following are the provisions of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 601), with respect to apprenticeship to the sea service :—

"Section 105.—All superintendents shall give to persons desirous of "apprenticing boys to or requiring apprentices for the sea service, such "assistance as may be in their power, and may receive from those persons such "fees as the Board of Trade fix, with the concurrence, so far as relates to "pauper apprentices in England, of the Local Government Board, and so far as "relates to pauper apprentices in Ireland, of the Local Government Board for "Ireland.

"Section 106.—Subject to the special provisions of this Act, apprenticeships "to the sea service made by a Board of Guardians, or persons having the

"authority of a Board of Guardians, shall, if made in Great Britain, be made "in the same manner and be subject to the same laws and regulations as other "apprenticeships made by such Boards or persons.

"Section 107.—Every indenture of apprenticeship to the sea service made "in the United Kingdom by a Board of Guardians or persons having the "authority of a Board of Guardians, shall be executed by the boy and the person "to whom he is bound in presence of, and shall be attested by, two justices of the "peace, and those justices shall ascertain that the boy has consented to be bound "and has attained the age of twelve years and is of sufficient health and strength, "and that the person to whom the boy is bound is a proper person for the purpose.

"Section 108.—(1) Every indenture of apprenticeship to the sea service "shall be executed in duplicate and shall be exempt from stamp duty.

"(2) Every indenture of apprenticeship to the sea service, made in the "United Kingdom, and every assignment or cancellation thereof, and, where "the apprentice bound dies or deserts, the fact of the death or desertion, shall "be recorded.

"(3) For the purpose of the record—

"(*a*) a person to whom an apprentice to the sea service is bound shall "within seven days of the execution of the indenture take or transmit "to the Registrar-General of Shipping and Seamen, or to a super- "intendent, the indenture executed in duplicate, and the Registrar- "General or superintendent shall keep and record the one indenture "and endorse on the other the fact that it has been recorded, and re- "deliver it to the master of the apprentice;

"(*b*) the master shall notify any assignment or cancellation of the in- "denture, or the death or desertion of the apprentice, to the "Registrar-General of Shipping and Seamen, or to a superintendent, "within seven days of the occurrence, if it occurs within the United "Kingdom; or, as soon as circumstances permit, if it occurs elsewhere

"(4) If any person fails to comply with any requirement of this section, he "shall for such offence be liable to a fine not exceeding ten pounds."

The provisions of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60), with respect to the apprenticing boys to the sea-fishing service are contained in Part IV. of the Act, and are as follows:—

"(II.) PROVISIONS APPLYING TO ALL FISHING BOATS OF TWENTY-FIVE TONS "TONNAGE AND UPWARDS.

"The following sections shall apply to all fishing boats of twenty-five tons "tonnage and upwards:—

"Section 392.—A boy under the age of thirteen years shall not enter into "any apprenticeship to the sea-fishing service or agreement with respect to "that service, and an indenture of apprenticeship or agreement made contrary "to this section shall be void.

"Section 393.—(1) A boy under the age of sixteen years shall not be taken "to sea for the purpose of serving in any capacity connected with the sea-fishing "service unless he is bound by an indenture of apprenticeship or agreement "made in conformity with this Part of this Act, and a boy bound by any such "agreement is in this Act referred to as a sea-fishing boy.

"(2) If any person takes a boy to sea or causes a boy to be taken to sea, in "contravention of this section, that person shall be liable to a fine not exceeding "twenty pounds.

"(3) Boards of Guardians, in apprenticing boys to the sea-fishing service, "shall not cause or permit any such apprenticeship to be made except in con- "formity with this Part of this Act.

"(4) Nothing in this Part of this Act shall prevent the daily employment in

"a fishing boat of any boy under the age of sixteen years, who is under no "obligation to remain in that employment for a longer period than one day, "and with whom no written agreement has been made.

"Section 394.—All superintendents shall give to persons desirous of making "indentures of apprenticeship to the sea-fishing service or agreements under "this Part of this Act, or of causing the same to be made, such assistance "as may be in their power in reference thereto, and shall supply forms of "indentures or agreements at such reasonable rates (if any) as the Board of "Trade may fix, and may receive such fees in respect of those indentures or "agreements as the Board of Trade may fix.

"Section 395.—(1) Indentures of apprenticeship to the sea-fishing service, "and agreements with boys under the age of sixteen years with respect to "that service, shall be made before a superintendent and be in accordance with "this Act, and every such indenture or agreement not so made shall be void.

"(2) A superintendent, before allowing any such indenture or agreement to "be completed, shall satisfy himself—

"(*a*) that the indenture or agreement complies with all the requirements of "this Part of this Act; and

"(*b*) that the master with whom the indenture or agreement is made is a "fit person for the purpose; and

"(*c*) that the apprentice or boy is not under the age of thirteen years, and "is of sufficient health and strength; and

"(*d*) that the nearest relations of the apprentice or boy or his Guardians "assent, in the case of an apprentice, to the apprenticeship, and to "the stipulations in the indenture of apprenticeship, and in the "case of a boy, to the stipulations of the agreement;

"and shall make and sign an endorsement that he is so satisfied on the "indenture or agreement.

"(3) Where there are no nearest relations or guardians, or where they "cannot readily be found, or are not known, the superintendent shall act as "guardian for the occasion, and state in his endorsement that he has so "acted.

"(4) The superintendent's endorsement shall be admissible in evidence "in manner provided by this Act.

"(5) The indentures of apprenticeships and agreements shall be in such "form, and contain such covenants, provisions, stipulations, endorsements and "certificates as are prescribed by Order in Council made on the recommenda- "tion of the Board of Trade, and any directions given in the forms so pre- "scribed shall be complied with.

"(6) The indentures and agreements shall be executed in triplicate, one of "which shall be kept by the master, one by the boy, and one by the superinten- "dent before whom it is made.

"(7) All such indentures and agreements made in conformity with this "Part of this Act shall be exempt from stamp duty.

"Section 398.—If any person—

"(*a*) receives any money or valuable consideration from the person to "whom an apprentice in the sea-fishing service is bound, or to whom "a sea-fishing boy is bound by an agreement, or from anyone "on that person's behalf, or from the apprentice or boy or anyone "on the apprentice or boy's behalf, in consideration of the apprentice "or boy being so bound; or

"(*b*) makes or causes any such payment to be made;

"that person shall, in respect of each offence be guilty of a misdemeanour, "whether the apprentice or boy was or was not validly bound."

On March 2, 1895, the Local Government Board issued to the clerks to

Guardians the following Circular with reference to the form of apprenticeship indenture issued by the Board of Trade for the use of Guardians of the Poor in apprenticing boys to the fishing trade, viz. :—

"Sir,—I am directed by the Local Government Board to advert to the report which has been made by Mr. A. D. Berrington, an Assistant Secretary of the Board of Trade, and Mr. J. S. Davy, an Inspector of the Local Government Board, after an inquiry into the present system of apprenticing boys to the fishing trade, and to forward for the information of the Guardians the revised form of apprenticeship indenture and endorsements which has been issued by the Board of Trade, and which will in future govern all fishing apprenticeships.

"The Board direct me to draw special attention to the two following alterations in the conditions of apprenticeship :—

"(1) Clause 6 of the indenture now provides that the master shall pay to the Superintendent of the Board of Trade any balance of spending money, share of salvage, and other perquisites due to each apprentice which may remain after the payment of the daily or weekly allowance fixed by the endorsement, and that the Superintendent shall apply these sums for the benefit of the boy in accordance with the terms of the indenture and the endorsements. By this provision the apprentice, instead of receiving his perquisites, which are occasionally of considerable amount, at irregular intervals, will receive a regular weekly payment proportioned to his age and standing in the fishing service, and in addition to the spending money he now receives, and the fund will also be available for the expenses of holidays, and for the payment of fines. This last provision is of great importance, for it will enable the magistrates in many cases to punish a boy for breaches of discipline without committing him to prison.

"(2) Clause 9 provides that the master shall allow a boy a reasonable holiday in each year.

"The Board further direct me to inform you that the form of returns which are made to the Board of Trade by the Superintendents will be amplified so as to ensure the continued supervision of the apprentices which is recommended in the Report.

"They desire also to draw attention to the recommendations made in the accompanying extract from the Report of Mr. Berrington and Mr. Davy, as to the supervision by the Guardians of boys apprenticed by them, as to the desirability of arranging that reports should be made to them of absconding or other grave offences on the part of the boys, and as to the expediency of giving boys who are about to be apprenticed some preliminary instruction in cooking.

"The Board further direct me to state that they are informed that complaints have at times been made to the Board of Trade that boys who are ruptured, or otherwise physically unfit for the sea service, are sent to the ports by Boards of Guardians to be apprenticed. It is of great importance that Guardians should take care that their medical officers give the required certificates with special reference to the occupation for which the boys are intended.

"In future, in accordance with the recommendation of the Report, no apprenticeship for a longer period than six years will, unless under exceptional circumstances, be sanctioned by the Board of Trade.

"The Board are confident that the alterations which have been made will be for the benefit of the apprentices, and they feel that they can rely on the co-operation of the Guardians in giving effect to them."

A copy of the Form of Indenture referred to may be obtained on application to the Board of Trade.

The following is the extract from the Report of Mr. A. D. Berrington and Mr. J. S. Davy on an Investigation of the Fishing Apprenticeship System (Parliamentary Paper [C.—7576.] 1894), referred to in the foregoing Circular:—

"All Boards of Guardians . . . . should recognise, as many already do, that their duties should not end with the formal act of apprenticeship, and that their subsequent supervision of the boys has a most salutary effect both upon them and on their masters. Before a boy is apprenticed he should be passed as fit for the service by a medical officer, whose certificate should accompany the application to the Superintendent for the indentures, and should be retained by him. He should be accompanied to the port by a responsible officer, who should satisfy himself that the arrangements made for the boy's reception are suitable, and should visit him occasionally after the indentures have been confirmed. Provision should be made to ensure that absconding or other grave misconduct and any serious accident should be at once reported. Many masters make it a practice to give their apprentices an annual holiday for the purpose of enabling them to visit their friends. This appears to have a very good effect on the boys, and it might well be made a condition in the indentures, when practicable, and subject to the approval of the superintendent, which approval should be withheld as a punishment for serious misconduct. As the first employment of an apprentice is as cook, it would be of much use in helping him over his early troubles if he received some instruction and practice in cookery before he is sent to the port."

In forwarding the Circular of March 2, 1895, to the Mayor of Grimsby, the President of the Local Government Board wrote to him:—

"You will observe that it refers to some important changes which have been made in the apprenticeship indenture, and the system of supervision, with a view to improving the condition of the fisher boys, of putting them more under the protection of the superintendents of the Board of Trade at the ports, and of avoiding what has too often occurred in the past, namely, the sending the boys to prison for breaking their indentures.

"I trust I may be permitted to remind you of what I said in my remarks on this subject at the banquet of the late Mayor at Grimsby on October 11 last. I then pointed out that the best hope of avoiding the numerous and regrettable imprisonments of Grimsby fisher boys, which had occurred in the past, lay in the co-operation of the leading people of Grimsby. I quoted from the Report of Mr. Berrington and Mr. Davy to the effect that at Ramsgate, where a few years ago the number of apprentices sent to prison in the year for breaking their indentures had amounted to ten per cent. of the total number, earnest and successful efforts had been made by some of the leading inhabitants of the town to improve the condition of the boys by keeping them under supervision when on shore, by carrying out the Act of 1883 in a sympathetic spirit, and by establishing a well-equipped and kindly managed fisher boys' home, and that the result of these efforts had been that the imprisonments were reduced to almost nil, and that last year only one boy out of 150 had been so dealt with for breaking his indentures. I expressed the opinion that action in this direction was desirable at Grimsby, where there are no fewer than 880 boys, that an endeavour ought to be made to bring home influences to bear on them, that this could only be done by the co-operation of some of the leading people of Grimsby, following on the example of the people of Ramsgate, and that when the Government had done its part in amending the regulations in accordance with the Report, I was certain that it would meet with operation in the direction I referred to.

"I am sure you will appreciate my motives in bringing this matter prominently to your notice."

MODE OF OBTAINING MEDICAL RELIEF BY PERMANENT PAUPERS.

Art. 75.—The Guardians shall, once at least in every year, cause to be prepared by the clerk or relieving officers, a list of all such aged and infirm persons and persons permanently sick or disabled as may be actually receiving relief from such Guardians, and residing within the district of each medical officer of the Union, and shall from time to time furnish to each district medical officer a copy of the list aforesaid.

Art. 76.—Every person whose name is inserted in such list shall receive a ticket in the form (L.) hereunto annexed, and shall be entitled, on the exhibition of such ticket to the medical officer of his district, to obtain such advice, attendance, and medicines, as his case may require, in the same manner as if he had received an order from the Guardians; and such ticket shall remain in force for the time specified therein, unless such person shall cease to be in the receipt of relief before the expiration of such time.[1]

RELIEF OF NON-SETTLED AND NON-RESIDENT POOR.[2]

Art. 77.—If any Board of Guardians undertake to administer relief allowed to a non-settled pauper living within the Union for

[1] Arts. 75 and 76 are intended to facilitate the obtaining of attendance and medicines by the permanent paupers, a class whose destitution is acknowledged, and which necessarily includes the most helpless portion of the community.—*Instr. Letter.*

In the administration of medical relief to the sick poor, the objects to be kept in view are:—1. To provide medical aid for all persons who are really destitute. 2. To prevent medical relief from generating or encouraging pauperism; and with this view to withdraw from the labouring classes, as well as from the administrators of relief, and the medical officers, all motives for applying for or administering medical relief, unless where the circumstances render it absolutely necessary.

To entitle the person to medical relief under Art. 76, his or her name must be actually on the list, and not merely the name of the head of the family (3 O. C. 14); and the medical officer ought not to discontinue his visits so long as the Guardians give a ticket entitling the pauper to permanent medical relief, as the medical officer's attendance is thereby required for the case while the ticket remains in force (39 O. C. N.S. 106). On the subject of giving orders for medical relief, see *ante*, p. 227.

[2] Non-settled poor are those who have no settlement in the Union in which they are resident and are relieved; non-resident poor are those who are residing in another Union than the Union the Guardians of which give the relief and in which the paupers are settled.

which they act, on behalf of the officers, or of the Board of Guardians, of the Parish or Union in which such pauper is deemed to be settled, every such undertaking shall be made in conformity with the rules and regulations of the Commissioners in force at the time.[1]

Art. 78.—No money shall be transmitted to any Guardians or to any officer of a Parish or Union, to be applied to the relief of any non-resident pauper, except in conformity with the provisions of this order.[2]

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[1] Arts. 77–80 neither permit nor forbid the allowance of non-resident relief in any case in which such relief is not now permitted, or is not now forbidden; nor do they prevent the Guardians from transmitting relief to a poor person who is non-resident, in cases where the same may lawfully be given, through any private channel or means other than the officer of another Union or Parish, however objectionable such a course may be (see the Minute of the Commissioners on the relief of persons non-resident within their Union, dated January 26, 1841, Appendix No. A., 7th Annual Report, p. 106). All that these Articles do is to require that, when the agency of another Board of Guardians is employed, certain rules shall be adhered to. Whether the Board of Guardians allowing the non-resident relief choose to employ that agency is a matter for their own consideration, and whether the Board of Guardians of the Union where the pauper resides choose to act in the capacity of agents, and direct their officers to administer the relief, is again a matter of choice. If two Boards do so agree to act together, these regulations must be observed, since no contract in opposition to them could be enforced by one party against the other, and the officers of the respective Unions are of course bound to act in conformity to law.—*Instr. Letter*, December 21, 1844.

With respect to non-resident relief, the Local Government Board say that they are of opinion that it might be almost entirely discontinued. It is also evident to them that if the proper means were taken no inconsiderable sums might be recovered from the relatives of paupers towards their maintenance (Mem. Local Government Board, February, 1878).

The provisions of the Order in regard to the administration of non-resident relief are compulsory so far as they go, and it does not depend on the choice of a Board of Guardians to adopt them or not; but they do not profess to direct that one Board shall undertake to be the agents of another Board whether they like to do so or not. It is also quite within the legal discretion of the Guardians to decide whether or not they will continue to allow non-resident relief to paupers belonging to the Union, or whether or not they will continue the agents of other Boards of Guardians, for the purpose of administering non-resident relief allowed to the paupers of such other Unions. If in any case in which non-resident relief may lawfully be granted, the Guardians of the Union where the pauper resides decline to administer non-resident relief for the Guardians of other Unions, some respectable agent in the Parish where the pauper resides should be found to undertake to administer the relief weekly; and the Guardians on whose account it is given should repay the relief to the agent at the end of each quarter, by an order on the Union treasurer or by some other means. Moreover, it should be borne in mind that the regulation contemplates that the Guardians should give a special undertaking to relieve in the case of each pauper; and that it does not enable them to give a general authority to the relieving officers to relieve for other Unions when applied to.

[2] It will be seen by this Article that the officers of the Guardians are in

Art. 79.—No money shall be paid on account of any non-resident pauper to the Guardians or to the officer of any Union or Parish in

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effect prohibited from acting as the agents of any Board other than that whose officers they are. The inconveniences which have arisen from relieving officers so acting form the principal reasons on account of which the Commissioners thought it expedient to make this regulation. They state that they have found relieving officers were apparently placed in an anomalous position, receiving orders as it were from more than one Board of Guardians, and often being liable in two ways for the relief of the same pauper; that is to say, in their capacity of agent to some distant Board, and in their position as relieving officers of their own district in which that pauper resides. For reasons in some measure similar to those which apply to the relieving officers, and for others of a more general character, the prohibition is extended to any officer of a Union or Parish. It is always to be remembered that no undertaking to give relief to a pauper residing at a distance has any legal effect in lessening the obligation cast by the law on the Guardians and officers on the spot where the pauper dwells or becomes destitute. The Board of Guardians at a distance may incur a moral responsibility by promising to provide for the case, and may transmit from time to time the means of subsistence; but if by neglect or error, or peculation, those means fail, or owing to any change of circumstances become insufficient, it is on the authorities at the place where the pauper is that the weight of legal responsibility will fall. A voluntary act on the part of one person or one body does not remove the positive legal duty already cast on another. Much of the ambiguity on this head will cease when the regulations and Arts. 77–80 are acted upon, since the relieving officer can only act as the officer and agent of his own Board, though some misapprehension is inseparable from any system of non-resident relief. A further advantage contemplated is the removal of those opportunities for fraud and for wilful detention of money thus entrusted to a distant officer which have so often acted as a temptation and a snare to persons who would otherwise have preserved an honest and trustworthy character. And as the money thus misapplied does not come into the officer's hands in the capacity of officer of the Parish or Union in which he acts, but as a private agent for distant Boards, and for overseers of other Parishes in general, in case of peculation such money could not be recovered from his sureties, since they were answerable for him only in the capacity of relieving officer. Another benefit will be the avoiding of errors and misstatements of a statistical nature, which occur in consequence of the same persons and the same relief being charged in the accounts of two Unions. The Commissioners feel satisfied that these regulations will ensure a better understanding of the duties and responsibilities connected with the relief of non-resident poor, that they will act as a powerful obstacle to peculation and fraud, and that they will prevent error in the returns of expenditure and the enumeration of paupers, which are otherwise unavoidable. The relief of non-resident and non-settled poor administered under this Order will, of course, become the subject of correspondence between the Boards of Guardians of the Unions where they are relieved and where they reside, and this correspondence will be conducted by the clerks of the Unions concerned. Wherever non-resident relief is now given, either the ordinary correspondence with reference to these cases is conducted by the clerk, or difficulties arise from time to time which produce long and tedious disputes, by letter, leading probably to appeal to the Commissioners, and terminating in no satisfactory result, the matter devolving upon the clerk in the more advanced stages, and when complicated by previous misunderstandings.—*Instr. Letter*, December 21, 1844.

which the relief is administered by a Board of Guardians, except in one of the three following ways :—

No. 1. By post-office order payable to the treasurer of the Union or Parish to the account of which the money is to be paid, or to the banker of such treasurer.

No. 2. By cheque or order payable to the treasurer of such Parish or Union or to his order.

No. 3. By cheque payable to bearer [1] (where the same may lawfully be drawn), and crossed as payable through the treasurer of such Parish or Union, or his banker, or through the agent of such treasurer or banker ; and every such cheque shall be so crossed by the clerk before it is signed by the presiding chairman.

Art. 80.—Every account for relief duly administered to non-resident poor shall be discharged by the Guardians within two calendar months from the receipt of such account, by the transmission of the amount due, in one of the modes prescribed in Art. 79.[2]

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[1] The cheque must now be "to order." See Order of April 7, 1857, *post*.

[2] See Art. 202, No. 9, as to the duty of the clerk to make up and transmit these accounts at the end of each quarter; and as to the liability of the Guardians of the Union on whose behalf the relief is granted, if that duty be neglected, see the case of *Wycombe* v. *Eton*, 1 H. & N. 687; 26 L. J. M. C. 97, in which it was held that an action cannot be maintained by the Guardians in respect of relief afforded to the non-resident poor of another Union unless the accounts of such relief have been transmitted quarterly in conformity with this regulation, notwithstanding that the relief was duly ordered and never countermanded. That case leaves it doubtful whether an action could be maintained against the Guardians, even if the accounts had been duly transmitted. Unless the account is sent in by the clerk in conformity with the regulation in Art. 202, No. 9, and it be not settled within the time allowed by 22 & 23 Vict. c. 49, s. 1, the time for payment cannot be extended by the Local Government Board, as the claim will not have become legally due from the Guardians.

It may be here stated that, according to the opinion of the Commissioners of Inland Revenue, letters acknowledging the receipt of cheques in payment of non-resident relief, when such relief amounts to £2 and upwards, are within the exemption from stamp duty contained in 4 & 5 Will. IV. c. 76, s. 86. They say that 4 & 5 Will. IV. c. 76, s. 86, should be construed liberally, and that though acknowledgments of money in respect of non-settled relief are not mentioned *eo nomine* in the Act or in the Consolidated Order, yet as they are a direct and necessary consequence of the cheques, orders, or payments required by that Order, they must be considered "instruments made in pursuance of the Act," and as such exempt from stamp duty.

ORDERS FOR CONTRIBUTIONS AND PAYMENTS.

Art. 81.—(*This Article is rescinded by the Order of the Poor Law Board of the 26th February*, 1866, *post. See now Art.* 1 *of that Order.*)

Art. 82.—(*This Article is rescinded by the Order of the Poor Law Board of the 26th February*, 1866, *post. See now Art.* 2 *of that Order.*)

Art. 83.—Every such Order shall be made according to the Form (M.) hereunto annexed.[1] It shall be signed by the Presiding Chairman of the meeting and two other Guardians present thereat, and shall be countersigned by the clerk.[2]

Art. 84.—The Guardians shall pay every sum greater than five pounds by an order,[3] which shall be drawn upon the treasurer of the Union, and shall be signed by the presiding chairman and two other Guardians at a meeting, and shall be countersigned by the clerk.[4]

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[1] See the Order of the Poor Law Board of February 26, 1866, *post*, which prescribes a new form of Contribution Order.

In London contribution orders made by the Guardians of the Poor on the Overseers of any Parish for any sum which shall include an equalisation charge for the purposes of the London (Equalisation of Rates) Act, 1894 (57 & 58 Vict. c. 53), see Section 1, sub-Section 5 of that Act, shall contain a note in the form prescribed by the Local Government Board under Section 2 of the Act, for which see the Order of September 5, 1895, *post*.

[2] In Unions which contain a large number of Parishes, one original order may be made to be served upon the most responsible of the overseers, and printed copies of it may then be served upon the others. The copies to be kept by the clerk may also be printed. As to the service of these orders on the overseers, see Art. 4, No. 2, of the General Order of the Poor Law Board of October 7, 1865, *post*.

If any difficulty should occur in obtaining the names of the Overseers, no doubt the Guardians of the respective Parishes could supply the names.

[3] The Consolidated Order issued to Unions formed since 1847 prescribes in Article 84 thereof the Form of Order upon the treasurer, and it is similar to the form prescribed by the Order of April 7, 1857, *post*.

[4] See Arts. 219 and 220 as to the transmission of the Guardians' cheques to the persons in whose favour they are drawn, and Art. 202, No. 6, as to the counter-signature of the order by the clerk ; see also 56 O. C. N.S. 72.

The counter-signature of the clerk should not be written before the order or cheque has been signed by the Guardians ; and, indeed, the clerk will act prudently in not signing the document until he parts with it to the Guardians' creditor and obtains a receipt for the payment.

In the Parish of St. Giles, Camberwell, by a special Order of the Local Government Board, dated March 3, 1876, the London and County Banking Company act as treasurers.

With regard to the liability of the treasurer, should he pay a forged cheque

or order it may be observed that: A banker to whom a cheque is presented upon which the name of the drawer has been forged ought to refer to see that the signature of the drawer is genuine, for if it be not the loss will be his own. See *Orr* v. *Union Bank of Scotland*, 1 Macq. H. L. Cas. 513; 2 C. L. R. 1566; 24 L. T. 1. But where it was owing to the negligence of the customer that a cheque could be and was altered and a larger amount filled in without the authority of the drawer of the cheque than that for which the cheque was originally drawn, it was held that the loss must fall upon the customer. *Young* v. *Grote*, 4 Bing; 12 Moore, 484.

By Section 7 (3) of the Bills of Exchange Act, 1882 (45 & 46 Vict. c. 61), which is applied to cheques by Section 73 of the same Act, "where the payee is a fictitious or non-existing person, the bill may be treated as payable to bearer." "A person then who draws or accepts a negotiable instrument, whether a bill of exchange or a cheque, and issues it to be used as such, is liable upon it to a person into whose hands it comes *bonâ fide* and for value." See Lord Esher, M.R., in *Chelton & Co.* v. *Attenborough* (1895), 2 Q. B. at p. 709. And where a bank pays to a *bonâ fide* holder for value a document in the form of a bill of exchange or a cheque made payable to a fictitious or non-existing person who on the face of the document appears to be a real person and whose signature is forged, it is entitled to debit its customer by whom the document or cheque was issued, although the person to whose order the bill or cheque was made payable has not and was never intended by the drawer to have any right upon it or arising out of it. See *The Governor and Company of the Bank of England* v. *Vagliano Brothers* (1891), A. C. 107.

It appears from the Circular of January 4, 1854, that the Poor Law Board, with reference to 16 & 17 Vict. c. 59, deemed it advisable to submit to the Commissioners of Inland Revenue, under Section 13 of that Act, an order drawn and issued by the Guardians of a Union upon their treasurer, who was not a banker, in favour of a creditor. The Board informed the Commissioners that the order was drawn and executed in conformity with the 84th Article of the General Consolidated Order, and suggested that the 86th section of the 4 & 5 Will. IV. c. 76, was therefore applicable, and rendered it exempt from the stamp duty which is chargeable upon a draft or order for the payment of a sum of money payable to the bearer on demand; and those Commissioners acquainted the Board that they considered that the draft is an instrument made in pursuance of the Poor Law Amendment Act, and therefore exempt from stamp duty. This decision applies equally to the statute 21 Vict. c. 20, imposing a stamp duty upon drafts drawn upon bankers. The Poor Law Board on April 7, 1857, issued a General Order (*post*), requiring that cheques drawn by the Guardians shall in all cases be made payable "to order" instead of "to bearer." See also 56 O. C. N.S. 72.

Orders for the payment of money drawn by the Guardians on their treasurer in the form prescribed by this order are exempt from stamp duty, whether drawn upon a bank or other person; and the distance between the drawer and the person on whom the order is drawn, makes no difference as to that exemption—neither is it material whether the document passes through other hands than those of the person to whose order it is drawn.

Drafts or orders drawn by the Board of Guardians, and made payable to the payee and not to him or order, would be liable to the penny stamp duty, as they would not be in conformity with the Order of the Poor Law Board of April 7, 1857.

The Order does not apply to a cheque drawn for a sum under £5; and therefore an order drawn upon the Treasurer for a sum under that amount would not be exempt from stamp duty. (See 58 O. C. N.S. 100.) When the Guardians have numerous payments to make of sums less than £5, the most convenient

Art. 85.—The Guardians shall examine at their Board, or shall cause to be examined by some committee or Guardian authorised by them for the purpose, every bill exceeding in amount one pound (except the salaries of officers) brought against the Union ; and when any such bill has been allowed by the Board, or by such committee or Guardian, a note of the allowance thereof shall be made on the face of the bill before the amount is paid.[1]

CUSTODY OF BONDS.

Art. 86.—The Guardians shall provide for the safe custody of all bonds given in pursuance of the regulations of the Commissioners, so always that no bond given by any person shall remain in the custody of such person himself.

Art. 87.—The Guardians shall, at the audit next after the twenty-fifth day of March in every year, cause every person having the custody of bonds given by any officer of the Union to produce such bonds to the auditor for his inspection.[2]

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course is to draw a cheque payable to the order of their clerk, and for that officer to obtain cash for it, and make the payments on behalf of the Guardians.

[1] All bills should be examined with the invoices and contracts under which the goods were supplied, or work done, and the several items must be cast up in order that the correctness of the totals may be ascertained and certified.

[2] See Arts. 184–186, as to the security of the officers. As to the report of the auditor on those securities, see Art. 51 of the Order for Accounts, *post*, which applies to the bonds of all Union officers, collectors, and assistant-overseers, vestry clerks, and other officers required to give security.

By Art. 202, No. 2, it is made the duty of the clerk to the Guardians to produce the bonds to the auditor for his inspection. If the clerk shall have given a bond, it shall be deposited with the treasurer of the Union, who is required by Art. 203, No. 5, to produce it to the auditor. As to the securities of assistant-overseers and collectors, see 7 & 8 Vict. c. 101, s. 61, which requires that every collector or assistant-overseer appointed under the 53 Geo. III. c. 12, s. 7, or under an Order of the Poor Law Commissioners, or Poor Law Board, shall be bound to give to the Board of Guardians of the Parish or Union sufficient security for the due performance of his duties. Such bond is exempt from stamp duty ; and every bond given in pursuance of 59 Geo. III. c. 12, s. 7, or 7 & 8 Vict. c. 101, s. 61, shall, if the Guardians shall see fit, be put in suit by the Board of Guardians of the Union in which the Parish or district for which the officer acted or has acted may be situated, notwithstanding that it may have been originally given to the overseers or to any other person. The provision in the latter Act so far supersedes the 59 Geo. III. c. 12, s. 7, that if security be given to the Guardians it is not necessary that additional security should be given to the churchwardens and overseers. The latter provision, however, does not repeal the former. The expense of preparing assistant-overseers' bonds should be defrayed by the persons who give them, and not out of the poor rates. The preparation of such bonds does not

GOVERNMENT OF THE WORKHOUSE.[1]

Admission of Paupers.

Art. 88.—Every pauper who shall be admitted into the workhouse, either upon his first or any subsequent admission, shall be admitted in some one of the following modes only; that is to say:—

By a written or printed order of the Board of Guardians signed by their clerk, according to Art. 42.

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come within the clerk's duties in Art. 232, No. 4 (as to which see the note thereon, *post*), unless he is directed by the Guardians to prepare the bond when given to them.

[1] The Local Government Board, in a Circular issued by them on January 29, 1895, reminded the Guardians that, subject to the rules and regulations of the Board, the guidance, government, and control of the workhouse and of the officers and servants, and the inmates, are placed in the hands of the Guardians, and that the responsibility for the management of the workhouse and the welfare of the inmates rests with them and the officers under their control.

The workhouse principle is thus enunciated by the Poor Law Commissioners in their Report on the Amendment of the Poor Law:—

"By means of the workhouse and its regulations, it is in the power of the Guardians to place the condition of the pauper accurately at its level—to provide for all his wants effectually—and yet so as to make the relief thus afforded desirable to those only who are *bonâ fide* in need of it. This principle of the workhouse system is very well understood as respects the able-bodied labourers, and the benefits which arise from its application are admitted and appreciated. If the condition of the inmates of a workhouse were to be so regulated as to invite the aged and infirm of the labouring classes to take refuge in it, it would immediately be useless as a test between indigence and indolence or fraud; it would no longer operate as an inducement to the young and healthy to provide support for their later years, or as a stimulus to them, whilst they have the means, to support their aged parents and relatives. The frugality and forethought of a young labourer would be useless if he foresaw the certainty of a better asylum for his old age than he could possibly provide by his own exertions; and the industrious efforts of a son to provide a maintenance for his parents in his own dwelling would be thrown away, and would cease to be called forth, if the almshouse of the district offered a refuge for their declining years, in which they might obtain comforts and indulgences which even the most successful of the labouring classes cannot always obtain by their own exertions."

The Poor Law Commissioners say:—"If the rules we have issued for workhouses be examined, they will be found to consist of two classes of regulations:—1. Those which are necessary for the maintenance of good order in any building in which considerable numbers of persons of both sexes and of different ages reside. 2. Those which are necessary, not for that purpose, but in order that these establishments may not be almshouses, but workhouses in the proper meaning of the term, and may produce the results which the Legislature intended. By far the greater part of the regulations belong to the first of these classes."

By a provisional written or printed order, signed by a relieving officer or an overseer.

By the master of the workhouse (or, during his absence or inability to act, by the matron), without any order, in any case of sudden or urgent necessity.

Provided that the master may admit any pauper delivered at the workhouse under an order of removal to a Parish in the Union.[1]

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[1] With regard to the admission of casual paupers, see *post*, pp. 283 and 284.

Under Section 4 of the Prevention of Cruelty to, and Protection of, Children Act, 1889 (52 & 53 Vict. c. 44):—"Any constable may take to a place "of safety" (which expression includes a workhouse, *Ib.* s. 17) "any child in "respect of whom an offence under Section 1 or sub-Section (*a*) of Section 3 of "this Act has been committed, and the child may there be detained until it "can be brought before a court of summary jurisdiction." Section 6.—(1) of the same Act enacts that:—"If it appears to any stipendiary magistrate or to "any two justices of the peace, on information made before him or them on "oath by any person, who, in the opinion of the magistrate or justices, is "*bonâ fide* acting in the interest of any child, that there is reasonable cause to "suspect that such child, being a boy under the age of fourteen years, or a "girl under the age of sixteen years, has been or is being ill-treated or neg-"lected in any place within the jurisdiction of such magistrate or justices in a "manner likely to cause the child unnecessary suffering or to be injurious to "its health, such magistrate or justices may issue a warrant authorising any "person named therein to search for such child, and if it is found to have been "or to be ill-treated or neglected in manner aforesaid, to take it to and detain "it in a place of safety until it can be brought before a court of summary "jurisdiction. . . Provided always, that the powers hereinbefore conferred on "any two justices may be exercised by any one justice, if upon the information "it appears to him to be a case of urgency. . . (3) Any person authorised by "warrant under this section to search for any child, and to take it to and "detain it in a place of safety, may enter (if need be by force) any house, "building, or other place specified in the warrant, and may remove the child "therefrom. (4) Provided always, that every warrant issued under this "section shall be addressed to and executed by some superintendent, inspector, "or other superior officer of police, who shall be accompanied by the person "making the information, if such person so desire, unless the magistrate, "justices, or justice otherwise direct, and may also, if the magistrate, justices, "or justice so direct, be accompanied by a registered medical practitioner."

Section 1 of the Act makes it an offence where "any person over sixteen "years of age who, having the custody, control, or charge of a child, being a "boy under the age of fourteen years, or being a girl under the age of sixteen "years, wilfully illtreats, neglects, abandons, or exposes such child, or causes "or procures such child to be illtreated, neglected, abandoned, or exposed, in a "manner likely to cause such child unnecessary suffering, or injury to its "health;" while under Section 3 (*a*) a person commits an offence who "causes "or procures any child, being a boy under the age of fourteen years, or being a "girl under the age of sixteen years, to be in any street for the purpose of "begging or receiving alms, or of inducing the giving of alms, whether under "the pretence of singing, playing, performing, offering anything for sale, or "otherwise."

Section 12 of the Act enacts that:—"The Guardians of any Union or "Parish . . . may, out of the funds under their control, pay the reasonable cost "and expenses of any proceedings which they have directed to be taken under "this Act in regard to the ill-treatment, neglect, abandonment, or exposure of "any child, and, in the case of a Union, shall charge such costs and expenses "to the common fund."

By Section 14 nothing in the Act is to take away or affect the right of any parent, teacher, or other person having the lawful control or charge of a child to administer punishment to such child; and by Section 17 the expression "parent," when used in relation to a child includes guardian and every person who is by law liable to maintain the child.

A schoolmaster has delegated to him by the parent of a pupil intrusted to him to educate authority to inflict reasonable personal chastisement upon the pupil when necessary; and this authority is not limited to offences committed by the pupil upon the premises of the school, but may extend to acts done by the pupil while on the way to and from school. (*Cleavy* v. *Booth* (1893), 1 Q. B. 465; L. J. M. C. 68; L. T. N.S. 349; 17 Cox, C. C. 611; J.P.)

In a Circular dated September 30, 1889, drawing the attention of the Guardians to the provisions of the Prevention of Cruelty to, and Protection of, Children Act, 1889, the Local Government Board say:—"The Act does not impose any distinct obligation on the Guardians to institute prosecutions in the cases referred to, but it contemplates that they will do so where the circumstances are such as in the opinion of the Guardians render it desirable in the public interest that proceedings should be instituted by them."

Duties are imposed and powers are conferred upon Guardians with regard to the protection of children under the age of two years by the Infant Life Protection Act, 1897 (60 & 61 Vict. c. 57), with regard to which see the circular of the Local Government Board, dated December 14, in the Appendix, *post*.

With regard to the power of the High Court of Justice as to the protection of children brought up or boarded out by the Guardians, see 54 Vict. c. 3, and the Circular Letter of the Local Government Board with regard thereto in the Note to Art. 1 of the Boarding-out Order of May 28, 1889, *post*.

By the Industrial Schools Act, 1866 (29 & 30 Vict. c. 118, s. 19), two justices or a magistrate while inquiry is being made respecting a child, or respecting a school to which he may be sent, may, by order signed by them or him, order the child to be taken to the workhouse of the Union or Parish in which he is found or resident, and to be detained therein at the cost of the Union or Parish for any time not exceeding seven days, or until an order is sooner made for his discharge, or for his being sent to a certified industrial school: and the Guardians of the Union or Parish to whom the order is addressed are empowered and required to detain him accordingly.

By Section 14 of the same Act, any child apparently under fourteen years of age—

1. That is found begging or receiving alms (whether actually or under the pretext of selling or offering for sale anything) or being in any street or public place for the purpose of begging or receiving alms;
2. That is found wandering and not having any home or settled place of abode or proper guardianship, or visible means of subsistence;
3. That is found destitute, either being an orphan or having a surviving parent who is undergoing penal servitude or imprisonment;
4. That frequents the company of reputed thieves,

May be sent to a certified industrial school.

To which descriptions are added by the Industrial Schools Acts Amendment Act, 1880 (43 & 44 Vict. c. 15)—

That is lodging, living, or residing with common or reputed prostitutes, or in a house resided in or frequented by prostitutes for the purpose of prostitution;

That frequents the company of prostitutes.

When the child is brought to the workhouse with the justice's order, it must be admitted at once, and detained for the seven days, unless an order for its discharge or removal to the school is made before the expiration of that time. The justices, before they make the order, are not bound to wait till the Guardians meet, but may properly address it to the master of the workhouse. When the seven days expire the child may be discharged; but the parents cannot require it to be discharged before the expiration of the seven days. Whilst the child is in the workhouse it will rest with the Guardians to give the necessary directions for its proper custody; and under Art. 99, *secondly*, such children may be classed by themselves.

As to sending refractory children from the workhouse to industrial schools, see *post*.

By the London Building Act (57 & 58 Vict. c. ccxiii, s. 114), a petty sessional court [as to the meaning of which expression see s. 13 (12) of the Interpretation Act, 1889, 52 & 53 Vict. c. 63] may, upon the application of the London County Council, by order direct that any inmates be removed from dangerous structures "by a constable or other peace officer, and if they have "no other abode, he may require that they be received into the workhouse for "the place in which the structure is situate." The Act, however, only applies to Unions and Parishes within the district of the Metropolis, as defined by the Act.

Under Art. 88 an order for the admission of a pauper into the workhouse can be given by the Board of Guardians absolutely, and provisionally by a relieving officer, or an overseer, including a churchwarden who is an overseer by virtue of his office. If, however, a pauper resides in another Union, and application be made to the Guardians of a Union in some Parish of which he is settled, those Guardians, though they may grant non-resident relief to the pauper, if the case comes within any of the exceptions to the Out-door Relief Regulation Orders, cannot grant an order for the admission of the pauper to the workhouse of the Union in which he is settled, until the pauper actually comes within the Union. Moreover, the master, or, in case of his absence or inability to act, the matron, is empowered to admit any pauper without an order in any case of sudden or urgent necessity; and by Art. 208, No. 1, and Art. 210, No. 1, it is made the duty of the master and matron to admit into the workhouse every person who applies at the workhouse for relief under such circumstances. If the master and matron should be both absent from the workhouse, or incapable of performing their duties at the same time, it is by Art. 214, No. 3, the duty of the porter to admit and place in the receiving ward any person who may apply at the workhouse for relief under similar circumstances. The Commissioners do not contemplate that the master, matron, and porter should simultaneously be absent from the workhouse, or incapable of performing their duties, and therefore they have made no provision for this contingency. In order to prevent the occurrence of error, the Commissioners have thought it right to point out that an order for admission into the workhouse cannot be given by any person in any of the following capacities, namely, as: (1) a Guardian not acting as member of the Board. 4 & 5 Will. IV. c. 76, s. 38; (2) a justice of the peace; (3) a ratepayer of the Parish or Union. Any one, however, may bring under the notice of the master a person in circumstances of sudden or urgent necessity; and the master is bound, by the Article above cited, to admit every person applying for relief at the workhouse under such circumstances. Moreover, in Unions or Parishes where the Commissioners have sanctioned regulations respecting mendicity, vagrant

mendicants are directed to the workhouse by a ticket containing the recommendation of a ratepayer of the Union or Parish. It will likewise be in general the duty of the master of a workhouse to admit into the workhouse any person who may be brought thither by a policeman as having been found abroad in a state of destitution. The duty of the master to admit into the workhouse under these circumstances rests on the supposition that the fact of the applicant's being brought by a policeman is *primâ facie* evidence of urgent want, and implies that he has committed no such offence within the cognizance of the officers of that force as would authorize his detention in custody. It follows from this, that drunken persons, or persons who can be proved to have committed an act of vagrancy, are not within the class of cases properly entitled to admission under these circumstances; but masters of workhouses will always do wisely to admit in the first instance, and afterwards to make an official representation of the conduct of any police constable of whom they may have cause to complain. It is to be observed generally, with respect to all persons who may apply for admission into the workhouse under circumstances of urgent necessity, that their destitution, coupled with the fact of being within the Union or Parish, entitles them to relief; and that their title to relief is altogether independent of their settlement (if they have one), which is a matter for subsequent inquiry, and only renders them liable to removal in consequence of their becoming chargeable. On the duty of the officers to give immediate relief, without preliminary inquiry into settlement, see the Letters of the Commissioners, Fourth Annual Report, App. A. No. 2, and Fifth Annual Report, App. A. No. 10, in which they stated that "what they were most anxious to have made known is, that the relief of actual destitution, in cases of emergency, should always precede the investigation of any question as to its cause, or as to the liability of other parties than the Parish to contribute it;" and on the nature of settlement as reflecting the right to relief, see the Minute of the Commissioners on Non-Resident Relief, Seventh Annual Report, p. 106. —*Instr. Letter*, February 5, 1842.

Among others to whom the Commissioners refer as not having authority to give an order for admission to the workhouse is a justice of the peace. The case of *Reg.* v. *Totnes*, 7 Q. B. 690; 14 L. J. M. C. 148; 2 New Sess. Cas. 83; 9 Jur. 660, points out the steps to be taken by a justice before he makes any order for relief under 4 & 5 Will. IV. c. 76, s. 27. If, however, a person in distress applies to a justice, and the justice comes to the conclusion that such person is destitute, he may properly give him a written recommendation to the master of the workhouse, or to the relieving officer, that he be relieved, and the officer would incur a grave responsibility if he refused to act upon such a recommendation. The Poor Law Board would in that event, upon a complaint being made to them, require the officer to give a satisfactory explanation to justify his conduct.

As regards the relief of houseless poor in the Metropolis, reference should be made to 27 & 28 Vict. c. 116, 28 Vict. c. 34, and 30 Vict. c. 6, s. 6, to the Minute of Mr. Villiers, President of the Poor Law Board, dated December 23, 1863, on the destitute houseless poor in the Metropolis, and to the Circulars of the Poor Law Board, dated respectively August 4 and October 26, 1864, August 30 and November 30, 1865, and January 20, 27, 30, and 31, 1866, respectively, which will be found in the Annual Reports.

In the Circular of January 27, 1866, the Poor Law Board stated that, pursuant to the provisions of 28 Vict. c. 34, s. 2, they had made arrangements with the Commissioners of Metropolitan Police for the inspection, by the officers of police, of the wards and other places of reception provided under that Act for the Metropolitan houseless poor, and requested that the police officers authorised to undertake this duty might be allowed the requisite

facilities for entering and inspecting the wards, and obtaining such information as might enable them to make their reports on the subject to the Board, as required by the Act.

Generally, with respect to the admission and discharge of paupers, it is to be observed that they should be admitted and discharged on Sundays and holidays the same as on other days, but not during the performance of Divine service; the master must also admit those who present a proper order, or who might apply without one under urgent circumstances, at any time of night, but he is not in general bound to discharge a pauper in the night-time. The master has no authority to discharge a pauper from the workhouse against the pauper's wish, without directions from the Board of Guardians, nor has the relieving officer or clerk to the Guardians such a power, and this, whether the pauper be of the class denominated "casual poor" or any other class. The term "casual poor" means any destitute wayfarer or wanderer applying for or receiving relief (34 & 35 Vict. c. 138, s. 3). Overseers are only authorised to give relief in cases of "sudden and urgent necessity"; the giving of an order for the workhouse amounts to relief, but such order is only operative until the next meeting of the Guardians. The Guardians, or in their absence, the master, must determine what applicants are paupers, *i.e.* actually destitute. Although under this Article the master is relieved from the consequences of improperly admitting persons who are not paupers when they produce an order from an overseer, he is not precluded from exercising his judgment as to the fact of the applicant being a pauper. The Guardians cannot withdraw the power of the overseers to give provisional orders for the admission of paupers into the workhouse, nor will the refusal of the relieving officer to give an order prevent the overseers from doing so, but the latter will be bound to establish that the case was one of sudden and urgent necessity. The order is termed "provisional," because it is valid only for the interval from the time it is given to the next ordinary meeting of the Guardians when the admission of the pauper by such an order (see Art. 90) is brought before them for their decision on the propriety of the pauper remaining in the workhouse or not. An assistant-overseer, to whom the giving of relief is assigned as one of his duties, or whose appointment authorises him to perform such of the duties as pertain to an overseer of the poor, has power to give orders for the admission of paupers in like manner as overseers.

The above remarks in reference to the discretionary power of the master as to the orders of the overseers will apply also to orders given by the relieving officer.

It sometimes happens that a person presents himself alone at the workhouse with an order for the admission of himself, his wife and children. In such a case, the order being distributive, it is the duty of the master to admit the applicant, as he is not bound to require him to bring the rest of his family with him; who may either be not destitute, or may be living with friends, or be otherwise provided for. But see Art. 1 of the General Prohibitory Order as to the relief of able-bodied persons. If the family be admitted without the head of it accompanying them the order will be exhausted, and should be retained by the master, and not left with the head of the family.

Again, if a person alleged to be destitute be brought to the workhouse, whether by the police or by any other persons, without an order of admission, the master must examine into the circumstances of the case, and if he finds that the destitution exists, and that there is urgent necessity in the case, it is his duty to admit the destitute person into the workhouse, and report the case to the Guardians at their next meeting, and then take their directions upon it. If, on the other hand, the master should not be satisfied that the person brought to him is really destitute, he should refuse to admit him; but in so acting he

should exercise great caution, and be fully satisfied that the case is not a proper one for admission to the workhouse. Sometimes persons in charge of the police as offenders are taken to the workhouse; but ordinarily such cases ought not to be admitted, as it is the duty of the police, and not of the Poor Law authorities, to provide for the safe custody of such persons. Paupers who are committed to prison for offences in the workhouse cannot be re-admitted to the workhouse after their discharge from prison without a fresh order, unless the case of the applicant be urgent, when the master may re-admit the pauper provisionally.

If a poor person labouring under an infectious disease presents a provisional order for admission, he should be placed in the ward appropriated for the reception of such cases; and if there be no means of separating the pauper so affected from the other inmates, the master should immediately send for the relieving officer, who will in such a case be responsible for some temporary accommodation for the pauper.

If on searching the pauper money is found on him sufficient for his present maintenance, the master is not bound to keep him in the house, if the person can on leaving procure food and shelter; but all such cases shall be forthwith reported to the Board of Guardians. The Guardians are empowered to discontinue or refuse all relief to a person possessed of property or means available for his independent support; but in such case the question for their consideration will be: is the property in the possession of the applicant practically available for his immediate support? The possession of a watch, articles of jewellery, a horse and cart, a cow, &c., will raise a question as to whether the applicant is, strictly speaking, actually destitute of the means of support. If, however, relief be refused on this ground, the Guardians should be satisfied that the applicant has at the time a reasonable opportunity of raising money on the property in his possession; further on this point, see note to Art. 41, p. 272, and the provisions in 11 & 12 Vict. c. 110, s. 10, and 12 & 13 Vict. c. 103, s. 16. The Local Government Board say that a watch belonging to a pauper is a mere chattel and not a valuable security within the meaning of 12 & 13 Vict. c. 103, s. 16.

With regard to the seizure of property belonging to a lunatic chargeable to any Union, see section 299 of the Lunacy Act, 1890, in the note to Art. 41, *ante*, p. 272.

As regards the disposal of a deceased pauper's furniture, the Poor Law Board say that the personal representative of the deceased is entitled to the property which belonged to him; although the person who defrayed the expenses of burying the body would have a legal claim to be reimbursed out of the produce of the property. If the body of the deceased was buried at the cost of the Union, the Guardians can reimburse themselves out of such property under the provisions contained in 12 & 13 Vict. c. 103, s. 16. See 57 O. C. N.S., p. 89.

The Guardians of a Union to which a deceased pauper was chargeable are entitled to rank as creditors of the pauper's estate, *Windeath* v. *Sharland*, L. R. 2 P. & M. 266; 41 L. J. P. 92; 5 L. T. N.S. 574; 20 W. R. 211; *re Webster Guardians of Derby Union* v. *Sharratt*, 27 Ch. S. 710; 54 L. J. Ch. 276; 51 L. T. N.S. 319; *Guardians of Lambeth* v. *Bradshaw*, 57 L. T. N.S. 86; 50 J. P. 472. But the Guardians can only recover six years' cost of maintenance. *In re Newbegin's Estate, Eggleton* v. *Newbegin*, 36 Ch. D. 477; 56 L. J. Ch. 907; 57 L. T. N.S. 390; 36 W. R. 69.

If the next-of-kin of a deceased pauper renounce their right to administration of his estate, administration will be granted to the nominee of the Guardians as creditors; see *in the goods of Byrne*, 52 J. P. 281; *in the goods of Luce*, 54 J. P. 694; *in the goods of Reeves*, 55 J. P. 24; *in the goods of*

Lilliecrap, 55 J. P. 825. Where the wife of a pauper-lunatic died intestate the Court granted administration of her estate to the nominee of the Guardians to whose Union the pauper-lunatic was chargeable, but limited the grant to the time during which the pauper should be insane ; *in the goods of Eccles*, 15 P. D. 54 ; J. P. 55 ; 59 L. J. P. 5 ; 61 L. T. N.S. 652. A woman in receipt of out-door relief died, leaving a duly executed will, but having appointed no executor, the court granted to the nominee of the Guardians letters of administration with the will annexed ; *in the goods of Baldwin* 55 J. P. 344. An intestate died by his own hand, after murdering his wife and child, and all three persons were buried at the expense of the Parish. A creditor having applied for administration, the Guardians of the Parish, supported by three other creditors, opposed, and the Guardians asked for a grant of letters of administration to their nominee :—Held, that the fact of the Guardians having had the duty of burial cast upon them gave them no prior right to administration ; and that the creditor who had just applied to the Court was entitled to the grant, subject to the usual conditions ; *in the goods of Weare (deceased)*, 66 L. T. N.S. 860.

Administration was granted under Section 73 of the Court of Probate Act, to the clerk to the Guardians for the use and benefit of a pauper-lunatic whose husband died intestate, until such time as she should recover without requiring the next-of-kin to be cited ; *in the goods of Everley*, Local Government Chronicle, 1892, p. 246. Where the next-of-kin of a deceased pauper refused to take out letters of administration and did not enter an appearance, although cited, a grant was made to the Guardians as creditors of the deceased Simon Blunt (deceased) ; *The Guardians of Whittlesea Union* v. *Caroline Blunt*, Local Government Chronicle, 1896, p. 786.

The Guardians cannot detain, or authorise the master of the workhouse to detain and open letters addressed to paupers in the workhouse which contain money. But when the money has come into the possession of the pauper, they may take and appropriate it in repayment of his relief under 12 & 13 Vict. c. 103, s. 16 ; and for that purpose it is thought the Guardians may employ force if the pauper refuses to give up the money voluntarily. See 3 O. C. 160, which, however, was prior to the above-mentioned statute.

The proviso to Art. 88 is intended to meet the provision in 9 & 10 Vict. c. 66, s. 7, " that delivering of any pauper under any warrant of removal directed " to the overseers of any Parish, at the workhouse of such Parish, or of any Union " to which such Parish belongs, to any officer of such workhouse, shall be deemed " the delivery of such pauper to the overseers of such Parish." English paupers removed from Scotland to England, under an order of the sheriff or two justices, as required by 25 & 26 Vict. c. 113, s. 4, are to be delivered at the workhouse of the place to which the removal is to take place, or of the Union or Parish containing the port or place nearest to the place mentioned in the warrant as the place of the pauper's ultimate destination. By Section 5 of the same Act, the master of the workhouse of the Union or Parish in England to which the warrant is addressed shall be bound to receive delivery of the poor person named in such warrant, under a penalty of £10 for each case of refusal, which may be recovered by the person applying for the warrant by an action in any county court in England, or other competent court having jurisdiction in the place where such master is resident at the time when such action is brought. The case of *Ex parte the Overseers of Downton*, 27 L. J. M. C. 28 ; 8 El. & Bl. 856, shows that the master of the workhouse may be indicted if he refuse to receive at the workhouse a pauper brought to him under an order of justices. The order of removal should be kept by the master of the workhouse, unless the overseers desire that it be given up to them.

Section 13 of 14 & 15 Vict. c. 105, authorises the officers who are empowered

by 9 & 10 Vict. c. 66, s. 7, to deliver a pauper under an order of removal at the workhouse of the Parish or Union to which such pauper is to be removed, at the same time to deliver a written statement of the charges for the maintenance of the pauper to the officer of the workhouse, which delivery is to be deemed to be a delivery of such statement to the overseers of the Parish, and a sufficient demand in any proceedings for the recovery of such charges. Now, however, by the Union Chargeability Act, 1865, paupers are to be removed under orders obtained by the Guardians, and not by the overseers.

Section 26 of the Lunacy Act, 1890 (53 Vict. c. 5), provides for the reception in workhouses of chronic lunatics. The section empowers the visitors of any asylum, with the consent of the Local Government Board and the Commissioners in Lunacy, and subject to such regulations as they respectively prescribe, to make arrangements with the Guardians of any Union for the reception into the workhouse of any chronic lunatics, not being dangerous, who are in the asylum and have been selected and certified by the manager of the asylum as proper to be removed to the workhouse. Sub-section 2 of Section 26 enacts that:—"Every lunatic received in a workhouse under this section shall, while "he remains there, continue a patient on the books of the asylum for the "purposes of this Act so far as it relates to lunatics removed to asylums."

The following are the arrangements sanctioned by the Commissioners in Lunacy in November, 1863, with regard to removal of chronic lunatics from asylums to workhouses under 25 & 26 Vict. c. 111, s. 8, which contained provisions corresponding to those of Section 26 of the Act of 1890.

1. The arrangements authorised are, in the opinion of the Board, intended to meet the deficiency of accommodation in asylums, and to enable visitors, in special cases, to make provision for the immediate reception into the asylums of all recent and probably curable cases. The Legislature clearly did not contemplate the reception into workhouses generally of the chronic patients referred to, and the constitution thereby of a number of small lunatic establishments; but the selection by the visitors of one or more workhouses in which adequate accommodation, care, and attendance can be insured. Consequently all applications for the approval of the Commissioners must originate with visitors of asylums; and no such application received directly from a Board of Guardians can be entertained.

2. Proper rules and regulations, modified according to circumstances, will be required to be prepared and approved. In the meantime the Board consider and determine that the following conditions are (amongst others) indispensable, and will, in all cases, be insisted on, viz.:—

(1) Separate wards, properly constructed, arranged, and furnished for the patients of the respective sexes. The dormitories to be distinct from the day-rooms, and the former to afford cubical space per patient of 500 feet, and the latter 400. Single bedrooms to contain at least 600 cubic feet.
(2.) A liberal dietary analogous to that of the asylums.
(3.) Ample means of out-door exercise and recreation.
(4.) Due medical visitation.
(5.) Properly qualified paid attendants.
(6.) Medical and other registers; records similar to those in use in licensed houses.

The Law Officers of the Crown advised the Commissioners in Lunacy that 25 & 26 Vict. c. 111, s. 8, as regarded the removal of chronic lunatics from an asylum to a workhouse was confined to the cases of pauper lunatics of the Union or Parish to which the workhouse belonged. By 26 & 27 Vict. c. 110, s. 2, however, it was declared, that the words "chronic lunatics" in 25 & 26 Vict. c. 111, s. 8, included chronic lunatics chargeable to other Parishes or Unions, as

Art. 89.—No pauper shall be admitted under any written or printed order as mentioned in Art. 88, if the same bear date more than six days before the pauper presents it at the workhouse.[1]

Art. 90.—If a pauper be admitted otherwise than by an order of the Board of Guardians, the admission of such pauper shall be brought before the Board of Guardians at their next ordinary meeting, who shall decide on the propriety of the pauper's continuing in the workhouse or otherwise, and make an order accordingly.[2]

Art. 91.—As soon as the pauper is admitted, he shall be placed in some room to be appropriated to the reception of paupers on admission, and shall then be examined by the medical officer.

Art. 92.—If the medical officer, upon such examination, pronounce the pauper to be labouring under any disease of body or mind, the

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well as chronic lunatics chargeable to the Parish or Union into the workhouse of which they are proposed to be received. These enactments have been repealed by the Lunacy Act of 1890, Section 26 of which enables arrangements to be made for the reception of *any* chronic lunatics into the workhouse subject only as therein specified, see *ante*, p. 272.

[1] It is considered that the Guardians may, if they think fit so to do, limit the order to the day on which it bears date, there being nothing in this Article to preclude them from so doing.

[2] It is certain that the Board of Guardians possess the power of discharging from the workhouse, and refusing all other relief to any pauper whom they may consider capable of supporting himself. The Commissioners, however, believe that, if the workhouse be properly regulated, persons who are not really destitute will, in general, be unwilling to remain in it. They therefore think that the power of discharging from the workhouse should be exercised with the utmost caution; and, in general, only in cases where a pauper can be proceeded against criminally, under the Vagrant Act, for neglecting to maintain himself or his family.—*Instr. Letter*, February 5, 1842.

The Guardians can, in the exercise of their discretion, order the discharge from the workhouse of any poor person whom they may think able to maintain himself; but beyond the offer of shelter in the workhouse, it does not seem to fall within the scope of either the Guardians' powers or duties to provide residences for the poor, or to supply them with the means of purchasing furniture or work tools, these not being articles required for the relief of actual destitution. When work, which a pauper can readily accept, is offered at adequate wages, the Board think that it would be proper, in most cases, for the Guardians to direct the discharge of the pauper to whom the employment is offered, after due notice of their intention to do so. But if it is admitted that the man cannot procure a house, either in his own Parish or elsewhere, the Board would not advise that he be ejected from the workhouse against his will, so long as such inability to procure shelter for himself and family exists. (7 O. C. 199).

As to the discharge of paupers by the master of the workhouse, see *ante*, p. 269. Under Section 81 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5) the Guardians of the Union to which a workhouse belongs may make an order for the discharge of any lunatic detained therein.

pauper shall be placed in the sick ward, or in such other ward as the medical officer shall direct.[1]

Art. 93.—If the medical officer pronounce the pauper to be free from any such disease, the pauper shall be placed in the part of the workhouse assigned to the class to which he may belong.[2]

Art. 94.—No pauper shall be detained in a receiving ward for a longer time than is necessary for carrying into effect the regulations in Arts. 91, 92, and 93, if there be room in the proper ward for his reception.

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[1] It will be the duty of the Guardians and the master to see that the receiving wards are kept in proper order, and that no unnecessary delay in the examination of the paupers in the receiving wards occurs on the part of the medical officer. A preliminary examination of the paupers by the medical officer is necessary, in order to prevent the introduction of contagious or infectious diseases into the workhouse. If the pauper, on inspection, should be found to labour under a contagious or infectious disease, he must not, on that account, be refused admission into the workhouse, but he should, after being inspected, be placed in the ward appropriated for the reception of persons afflicted with contagious or infectious disorders, and proper precaution should be taken to prevent the spread of the disease amongst the other inmates. It may be here remarked that the law does not admit of the medical officer or of the Guardians resorting to compulsion to examine into the state of a sick pauper when such pauper (being of sound mind) refuses to permit an examination of his or her person to be made. But see 30 & 31 Vict. c. 106, s. 22, repealed by 53 & 54 Vict. c. 5. s. 342, except as regards persons suffering from delirium tremens or from bodily disease of a contagious or infectious character, as to the detention of such persons in a workhouse.

There is no legal authority for admitting non-pauper patients into the sick wards of a workhouse, except upon a justice's order, under Section 124 of the Public Health Act, 1875 (38 & 39 Vict. c. 55), in the case of a person suffering from any dangerous or infectious disorder, if such wards can be considered an hospital within the meaning of that enactment.

When a person is attacked with any infectious disease, and is without the means of obtaining such necessaries (including medical attendance and nursing) as he may require, it devolves upon the Guardians, when sitting, or, when they are not sitting, upon the relieving officer, to supply the requisite relief. If the removal of a patient to a hospital is necessary for the purpose of isolation only, and the person is not destitute, either wholly or to the above extent, it devolves upon the sanitary authority and not upon the Guardians to provide the requisite hospital accommodation.

When the means of a person who has been admitted to the hospital by the sanitary authority are exhausted, and the sanitary authority are unwilling to bear the cost of his maintenance in the hospital, the Guardians may properly afford the relief required by repaying the sanitary authority the costs incurred by them in his maintenance.

Under Section 297 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5), "the neces-
"sary expenses attending the removal, discharge, or burial of a pauper-lunatic in
"any institution for lunatics, shall be borne by the Union to which the lunatic is
"chargeable, or the local authority liable for his maintenance, and shall be paid
"by the Guardians of the Union or by the treasurer of the local authority."

[2] With respect to the classification of the paupers, see Art. 98.

Art. 95.—Before being removed from the receiving ward, the pauper shall be thoroughly cleansed,[1] and shall be clothed in a work-

[1] On February 2, 1886, the Local Government Board issued a minute of its instructions to its Inspectors with regard to the bathing of workhouse inmates, and in it said that attention had been called to several instances in which serious accidents had occurred through the absence of proper regulations in workhouses and district schools for the bathing of the inmates, and they request that the Inspectors will be so good as to give the subject their attention in visiting the workhouses and separate schools of their districts. The Board then stated that they considered the observance of the following points of special importance, but that in pressing them on the attention of the Guardians regard should be had to the circumstances of the Union, and the arrangements possible in the workhouse or school:—

1. Every inmate should be bathed on admission to the workhouse unless the medical officer, after the examination prescribed by Article 207 of the General Consolidated Order, or similar regulations in force within the Union, gives directions to the contrary.

2. Except in cases in which the medical officer considers that it is undesirable, every inmate should be bathed once a month, and should have the option of being bathed as frequently as once a fortnight. Should there be any doubt as to the advisability of bathing any inmate, reference should be made to the medical officer.

3. In preparing a bath, the cold water should always be placed in the bath before the hot water.

4. Before any inmate enters the bath the officer in charge of the arrangements should ascertain by a thermometer the temperature of the bath, which should be not lower than 80° of Fahrenheit and not higher than 98° of the same scale.

5. During the bathing of inmates it is desirable that the bath-room should not be left without some paid officer or servant appointed by the Guardians and distinctly made responsible for the conduct of the arrangements.

6. Every hot-water tap should be provided with a key, which should be kept in the permanent charge of an officer of the workhouse, and may be entrusted temporarily to the person responsible for the bathing, but to no one else. On the termination of the bathing the key should at once be returned to the officer permanently responsible for its safe custody. The above-named persons should also be responsible for the hot-water taps not being used in their absence.

7. In the bathing of the sick, whether for treatment or for cleansing, a nurse should always be present to see that the directions of the medical officer are carefully observed as to time, temperature, &c.

8. During the bathing of children the schoolmaster or schoolmistress, or some trustworthy subordinate officer, should always be present.

9. In the bathing of all classes of inmates the water used should be changed as often as possible. In all cases an inmate should have the right to demand water which has not been previously used. In the case of the sick no other person than the one for whom the bath is ordered should be bathed in the same water on any account whatever.

10. A separate towel should be provided for every inmate of every class bathed, and the bath towels should always be washed before being used again.

11. Any marks, bruises, wounds, sores, local pain, or evidence of disease of any kind, complained of by the inmates or noticed by the person in charge of the bathing, should be at once reported to the master or matron, and, if necessary, by them to the medical officer.

house dress, and the clothes which he wore at the time of his admission shall be purified and deposited in a place appropriated for that purpose, with the pauper's name affixed thereto. Such clothes shall be restored to the pauper when he leaves the workhouse.[1]

Art. 96.—Every pauper shall, upon his admission into the workhouse, be searched by or under the inspection of the proper officer, and all articles prohibited by any Act of Parliament, or by this order, which may be found upon his person, shall be taken from him, and, so far as may be proper, restored to him at his departure from the workhouse.[2]

Art. 97.—Provided always, that the regulations respecting the admission, clothing, and searching of paupers shall not apply to any casual poor wayfarer, unless the Guardians shall so direct, or unless

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[1] Paupers admitted into the workhouse are, under this Article, to be clothed in a dress furnished by the Guardians, and their own clothes are to be kept, and restored to them upon their quitting the workhouse. Under Article 97 an exception is made for vagrants (casual poor) as they usually remain in the workhouse only a short time; but as to them see 34 & 35 Vict. c. 108, and 45 & 46 Vict. c. 36. See also Article 110, as to the description of clothing to be worn by the paupers.

[2] Reference may here be made to 11 & 12 Vict. c. 110, s. 10, and 12 & 13 Vict. c. 103, s. 16, with respect to searching poor persons, professing to be destitute wanderers or wayfarers, on their admission to the workhouse, and the appropriation by the Guardians of certain property of paupers. This Article does not interfere with those statutes in any way. The search will naturally be made at the time when the pauper's clothes are changed under Article 95. The adult male paupers ought to be searched by the porter; the female paupers and the children by the matron, or by some female servant under her direction (see Art. 210, No. 2, and Art. 214, No. 5). The right to search under 11 & 12 Vict. c. 110, s. 10, arises upon the application for relief; and the officer, when having once commenced it, is entitled to complete it, notwithstanding that the pauper may afterwards decline to receive the relief for which he has applied. It would seem that under the authority conferred by the statute so much force as is absolutely necessary may be employed in making the search. The following are examples of prohibited articles:—1. Spirituous or fermented liquors (4 & 5 Will. IV. c. 76, ss. 91—94). 2. Articles of food not allowed by the dietary (Art. 107). 3. Letters or printed papers having an improper tendency (Art. 119). 4. Cards or dice (Art. 120). 5. Matches or highly combustible articles (Art. 121). The Guardians are not empowered to direct the hair of any adult pauper to be cut off under ordinary circumstances; but only in some extraordinary case, where such a proceeding may be necessary for the protection of the health of the inmates of the house.—*Instr. Letter*, February, 1842. In no case will they be justified in forcibly cutting off the hair of adult female paupers of sane mind. The children's hair may be cut whenever it is proper or necessary to do so.

he is compelled to remain in the workhouse from illness or other sufficient cause, in which case he shall be admitted regularly as an inmate.[1]

Classification of Paupers.[2]

Art. 98.—The paupers, so far as the workhouse admits thereof, shall be classed as follows :—

Class 1. Men infirm through age or any other cause.

Class 2. Able-bodied men, and youths above the age of fifteen years.

Class 3. Boys above the age of seven years, and under that of fifteen.

Class 4. Women infirm through age or any other cause.

Class 5. Able-bodied women and girls above the age of fifteen years.

Class 6. Girls above the age of seven years, and under that of fifteen.

Class 7. Children under seven years of age.

To each class shall be assigned that ward or separate building and yard which may be best fitted for the reception of such class, and each class of paupers shall remain therein, without communication with those of any other class.[3]

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[1] In that case he must be treated in all respects in the same manner as the other inmates of the class to which he may belong. Now with regard to casual paupers, see the Acts 34 & 35 Vict. c. 108, and 45 & 46 Vict. c. 36, and the General Order of November 22, 1871 *post*. Section 7, No. 4, of the Act is not restricted to casual paupers, but applies to all inmates of the workhouse.

[2] In the Circular Letter of January 29, 1895, addressed to the clerks to Guardians, the Local Government Board say : "As regards the classification of the inmates of workhouses, the regulations specify the classes to which separate wards or buildings and yards are to be assigned, but the Guardians are also directed, so far as circumstances will permit, to further sub-divide any of these classes, with reference to the moral character or behaviour, or to the previous habits of the inmates, or to such other grounds as may seem expedient. This is a matter to which Guardians should give careful consideration."

[3] Section 26 of 4 & 5 Will. IV. c. 76, after enabling the Commissioners to unite Parishes for the administration of the laws for the relief of the poor, and declaring that upon such Union the workhouse or workhouses of such Parishes shall be for their common use, proceeds to enact that "the said Commissioners "may issue such rules, orders, and regulations as they shall deem expedient for "the classification of such of the poor of such united Parishes in such workhouse "or workhouses as may be relieved in any such workhouse." In order to enforce the observance of decency and good order it is necessary that the inmates of

the workhouse should be separated into certain classes. In no well-managed institution of this sort, in this or any other country, are males and females, the old and the young, the healthy and the sick, indiscriminately mixed together. The classes of paupers prescribed by the Commissioners are indicated in Art. 98. The Commissioners believe that every well-regulated workhouse should contain the means of dividing the inmates into at least as many classes as are indicated in this Article. It is to be observed that, although the Guardians are required to divide the paupers into the seven classes specified in this Article, they are permitted to subdivide any one or more of these classes in any manner which may be advisable, and which the internal arrangements of the workhouse may permit. For example, it is very desirable that females of dissolute and disorderly habits should be separated from those of a better character; inasmuch as it is the duty of the Guardians to take all reasonable care that the morals of persons admitted into the house be not corrupted by intercourse with inmates of this description. On this point, see Art. 99, proviso 2.—*Instr. Letter.* Reference may be made to 3 O. C. 94, as to the mode of dealing with women of bad character, who make a practice of frequently discharging themselves from the workhouse for immoral purposes.

With regard to the treatment of the mothers of illegitimate children in workhouses, the following extract from the Official Circular, 55 N.S. 64, is here inserted:—"The Guardians of a Union having recommended that the mothers of illegitimate children should rise half an hour earlier, and go to bed one hour later than the other inmates, and that these portions of time should be employed in picking oakum or some other industrial occupation, the Poor Law Board, in reply, stated that, 'so long as the inmates of the workhouse conform themselves to the prescribed rules and regulations, the law does not recognise any distinction amongst them founded on their antecedent conduct; and the Board cannot therefore sanction a particular treatment in respect of a peculiar class of inmates, which is intended to operate as a punishment for offences committed previous to their entrance into the workhouse. The Board concur with the Guardians in considering it highly desirable to observe the strictest classification as regards the mothers of illegitimate children, and they cannot be too careful not to employ them in the kitchen or in domestic work generally, in which the younger and more innocent inmates of the house are engaged. It is within the discretion of the Guardians to select any reasonable industrial occupation for the women in question; but the Board cannot, for the reasons which they have stated, sanction any difference in their treatment in respect either to the hours of their rising or retiring to rest, their dress, or their diet.'"

It sometimes happens that mothers of illegitimate children affiliated upon the putative fathers make a practice of discharging themselves and their children from the workhouse, and receiving the amount due under the orders, which they spend, and then apply for re-admission in a state of destitution. In such cases, if they be really destitute, an order for their re-admission should not be denied; but, when admitted, the regulations in Articles 88 to 96, *ante*, should on each occasion be observed, and the performance of a proper task of work exacted from them while in the house. But see now the provision in 31 & 32 Vict. c. 122, s. 41.

Any measures which appear likely to rescue abandoned women from a profligate life, and to hold out to them a prospect of earning an honourable livelihood when they leave the workhouse, are not only desirable, but are highly to be commended. It has been suggested that with this view the mothers of illegitimate children when in the workhouse, who are of sufficient capacity and ability, should be trained under the direction of the medical officer as sick nurses, and to attend upon women in their confinement. This it is competent

Art. 99.—Provided—

Firstly. That the Guardians shall from time to time, after consulting the medical officer, make such arrangements as they may deem necessary with regard to persons labouring under any disease of body or mind.[1]

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for the Guardians to direct to be done under Art. 112, which provides that the paupers of the several classes shall be kept employed according to their capacity and ability. Further with regard to nursing in workhouses, see note to Art. 213, *post*.

It may be further remarked upon this Article that it is the duty of the master, under the direction of the medical officer, to separate from the other inmates any pauper patient labouring under any infectious or contagious disease for the purpose of preventing the disease from spreading; and in case of necessity he would be authorised in confining the patient in a separate apartment or sick ward, and preventing all intercourse between him and the other inmates. On this point, see 30 & 31 Vict. c. 106, s. 22, *post*.

The exceptions to the regulation that paupers of different classes shall not communicate with one another are stated in the several provisoes of Art. 99. As to classes 1 and 4, see Art. 99, proviso 3, and the provision contained in the Act 10 & 11 Vict. c. 109, s. 23, which enacts, that when any two persons, being husband and wife, both of whom shall be above the age of sixty years, shall be received into any workhouse, such two persons shall not be compelled to live separate and apart from each other in such workhouse. In pursuance of this provision, separate apartments should be provided for married couples, but each separate couple is not entitled to a separate living or day room, as well as a separate sleeping room. A distinct living room may, however, be provided for the exclusive use of this class of paupers at the times when they are not engaged in such work as they may be employed upon during the usual working hours.

[1] As to the detention of dangerous lunatics in the workhouse, see Art. 101, and 30 & 31 Vict. c. 106, s. 22, *post*, in the Note to Art. 101, *post*. It is to be observed that the section is repealed, except as regards persons suffering from delirium tremens, or from bodily diseases of a contagious or infectious character, by Section 342 of the Lunacy Act, 1890.

By a Memorandum of January 18, 1889, the Local Government Board requested the general inspectors of the Board to state in their next reports upon the workhouses in their districts, whether the suggestions previously made by the Poor Law Board in a Circular issued upon August 1, 1870, had been acted upon. The Circular referred to was as follows: "I am directed by the Poor Law Board to inform you that they have received from the Commissioners in Lunacy a suggestion that the persons of all pauper-lunatics should, upon their admission into the workhouse, and upon their departure from it, be carefully examined by the medical officer. As the Board are most anxious that every available protection should be afforded to this unfortunate class, they concur in the suggestion of the Commissioners in Lunacy, and request the Guardians at once to give the necessary directions for ensuring such examination, and for preserving a record of it in each case." Fever cases in the Metropolitan Unions and Parishes are dealt with under the "Metropolitan Poor Act, 1867" (30 & 31 Vict. c. 6), under Section 5 of which, as explained by 39 & 40 Vict. c. 61, s. 40, asylums have been provided for the reception and relief of the sick, insane, or infirm, or any class or classes of the poor chargeable in Unions and Parishes in the Metropolis. The asylums provided under the Metropolitan Poor Act are placed under the control of managers partly elected under Section 10 of the

Secondly. The Guardians shall, so far as circumstances will permit, further subdivide any of the classes enumerated in Article 98, with reference to the moral character or behaviour or the previous habits of the inmates, or to such other grounds as may seem expedient.[1]

Act by the Guardians of the several Unions and Parishes from among themselves, or from among ratepayers qualified to be Guardians and partly nominated by the Local Government Board under Section 11, from among justices of the peace for any county or place resident in the district for which the asylum is provided, or from among ratepayers assessed to the poor rates on an annual value of not less than £40. These managers are in the exercise and discharge of all their powers and duties subject to Orders of the Local Government Board in like manner as Guardians are under the Poor Law Act, see Section 28 of the Act; and the mode of admission of persons into the asylums is subject by Section 21 to the Order of that Board. The Orders issued by the Local Government Board for the regulation of Metropolitan asylums will be found set out, *post.*

[1] The Local Government Board, in a circular letter addressed to clerks to Guardians on July 31, 1896, stated that they had had under their consideration the question of the desirability of improving the classification of the aged and infirm inmates of workhouses, and, in connection with this matter, drew the attention of the Guardians to Article 99 (2) of the above Order. The letter stated also as follows:—

"The Board are aware that in many workhouses it has been usual, in determining to what wards the aged and infirm inmates should be assigned, to have regard to their general character and conduct, and the Board are desirous that special attention should be given to this matter by the Guardians and their officers, in order that, as far as possible, those persons whose circumstances have compelled them to enter the workhouse, but who are known to be of good conduct and to have previously led moral and respectable lives, should be separated from those who, from their habits of speech or for other reasons, are likely to cause them discomfort.

"With regard to inmates of the first-mentioned class, the Board consider that it is desirable that, whenever practicable, a separate day-room for the inmates of each sex should be provided.

"The Board further consider that the rules made by the Guardians as to workhouse arrangements, which, in the majority of cases are essential for the due administration of the workhouse, might be relaxed as regards such inmates as those referred to, by giving special facilities to their friends to visit them, by allowing them more than ordinary liberty to leave the workhouse during the day for visiting their friends or for other purposes, and by permitting them, when they desire it, to attend their own place of worship on Sunday.

"The Board also suggest, for the consideration of the Guardians, whether arrangements might not be made for the subdivision of some of the sleeping wards, with the view to separate cubicles being provided for inmates of this class.

"The Board do not suggest any alteration in these cases as regards the dietary, as the dietary should, whatever classification is adopted, always be adequate and suitable for the inmates. The Board consider that any distinction in the dress to be worn by the inmates referred to would be very undesirable.

"The Board also direct me to draw attention to the question of the classification of young women in workhouses. The Board fear that sufficient care is not always taken with regard to the separation of girls of blameless character, or who have been admitted to the workhouse for their first confinement, from

Thirdly. That nothing in this Order shall compel the Guardians to separate any married couple, being both paupers of the first and fourth classes respectively, provided the Guardians shall set apart for the exclusive use of every such couple a sleeping apartment separate from that of the other paupers.[1]

Fourthly. That any paupers of the fifth and sixth classes may be employed constantly or occasionally *in any of the female sick wards*, or in the care of infants, or as assistants in the household work; and the master and matron shall make such arrangements as may enable the paupers of the fifth and sixth

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women whose previous life has been such that their influence can scarcely fail to be prejudicial to those who are associated with them, whether in connection with the laundry work, the nurseries, or otherwise. The Board desire strongly to impress on the Guardians the importance of every endeavour being made to prevent such association either by day or by night." See also the remarks on the subject in Note to Art. 98.

[1] The regulation of the Commissioners, in consequence of which a husband and his wife are separated during their residence in the workhouse has been by many persons considered objectionable. A regulation of this sort is required by the internal arrangements of a workhouse, and for the reason stated in the Commissioners' First Annual Report, pp. 32–36, and in their Report on the Further Amendment of the Law, p. 52, they have thought it necessary to retain this regulation in the Order now issued. In order that all married couples should live together in a workhouse in a manner consistent with decency and propriety, it would be necessary not only that the internal arrangements and discipline of workhouses should be altogether altered, but that their size and cost should be greatly increased.—*Instr. Letter.*

Aged married couples (whose residence in the workhouse is likely to be of longer duration than that of able-bodied persons) the Guardians may, under this proviso, place in a separate sleeping apartment. Moreover, the Guardians can allow out-door relief to any aged couple whom it may be inexpedient from any cause to retain in the workhouse. The non-separation of married couples is regulated by 10 & 11 Vict. c. 109, s. 23, and 39 & 40 Vict. c. 61, s. 10.

The 10 & 11 Vict. c. 109, s. 23, provides that "When any two persons, being "husband and wife, both of whom shall be above the age of sixty years, shall "be received into any workhouse, in pursuance of the provisions of the said "recited Act" (4 & 5 Will. IV. c. 76), "or of this Act, or of any rule, order, or "regulation of the Commissioners appointed by authority of this Act, such two "persons shall not be compelled to live separate and apart from each other in "such workhouse."

The 39 & 40 Vict. c. 61, s. 10, provides as follows: "When any two persons, "being husband and wife, shall be admitted into any workhouse, and either of "them shall be infirm, sick, or disabled by any injury, or above the age of sixty "years, it shall be lawful for the Guardians of the Union or Parish to which "such workhouse shall belong, to permit, in their discretion, such husband and "wife to live together, and every such case shall be reported forthwith to the "Local Government Board."

The attention of the Guardians has been twice specially called to the foregoing enactments by the Local Government Board in Circular Letters issued by them to clerks to Guardians on November 3, 1885, and January 29, 1895.

classes to be employed in the household work, without communication with the paupers of the second and third classes.

Fifthly. That any pauper of the fourth class, whom the master may deem fit to perform any of the duties of *a nurse* or assistant to the matron, may be so employed *in the sick wards*, or those of the fourth, fifth, sixth, or seventh classes; and any pauper of the first class, who may by the master be deemed fit may be placed in the ward of the third class, to aid in the management, and superintend the behaviour of the paupers of such class, *or may be employed in the male sick ward.*[1]

Sixthly. That the Guardians, for a special reason to be entered on their minutes, may place any boy or girl between the ages of ten and sixteen years in a male or female ward respectively, different from that to which he or she properly belongs, unless the Commissioners shall otherwise direct.[2]

Seventhly. That the paupers of the seventh class may be placed in such of the wards appropriated to the female paupers as

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[1] So much of the provisions of Article 99, fifthly, as provide for the employment of pauper nurses in workhouses has been practically rescinded by the Nursing in Workhouses Order, 1897, *post*, which prohibits the employment of any pauper inmate of a workhouse to perform the duties of a nurse in the sick or lying-in wards, or from being otherwise employed in nursing any pauper in the workhouse who requires nursing. Proviso 4 still permits, however, able-bodied women and girls, above the age of seven years, to give assistance in the household work out of their own wards. Proviso 5 permits infirm women to be employed similarly as assistants to the matron, and infirm men to be employed as superintendents of the boys. With respect to the use of pauper servants, the Commissioners remark that they require the strictest superintendence on the part of the master and the other officers. The employment of paupers in offices of trust in the workhouse is inexpedient, inasmuch as it tends to impair the discipline of the house. In offices of mere labour, which can be performed under trustworthy superintendence, paupers may be useful. In such case they should in general receive only the common fare and clothing. Where responsibility is involved, paid servants should be engaged. If a pauper be competent to superintend or teach any kind of work, the Commissioners have no doubt of the right of the Guardians to require him to do so. The expediency of compelling any pauper inmate of a workhouse to teach a trade which he is unwilling to teach, is, however, very doubtful. Tuition under the influence of compulsion would probably be of little value to the children receiving it.—*Instr. Letter*, February, 1842.

[2] Workhouses in or near populous towns commonly contain boys and girls between the ages of ten and sixteen, whom it is more expedient to class with the adult men and women than with the other boys and girls. This proviso enables the Guardians to depart, in cases of this description, from the classification prescribed by Art. 98.—*Instr. Letter*, February, 1842.

shall be deemed expedient, and the mothers of such paupers shall be permitted to have access to them at all reasonable times.[1]

Eighthly. That the master (subject to any directions given or regulations made by the Guardians) shall allow the father or mother of any child in the same workhouse, who may be desirous of seeing such child, to have an interview with such child at some one time in each day, in a room in the said workhouse to be appointed for that purpose. And the Guardians shall make arrangements for permitting the members of the same family who may be in different workhouses of the Union to have occasional interviews with each other, at such times and in such manner as may best suit the discipline of the several workhouses.[2]

Ninthly. That casual poor wayfarers admitted by the master or matron shall be kept in a separate ward of the workhouse, and shall be dieted and set to work in such manner and under such regulations as the Guardians, by any resolution now in force or to be made hereafter, may direct.[3]

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[1] This proviso permits children under the age of seven years to be placed in the wards of the female paupers, and also permits the mothers to have access to their children at all reasonable times. The Commissioners remark upon this proviso, that so long as any mother is suckling her child, she ought to have access to it at all times, except when she is at work, and that the child ought not even then to be completely beyond the mother's reach.—*Instr. Letter*, February, 1842. So long as a mother and her infant child remain in the workhouse, the Guardians can exercise their own judgment as to the custody and care of the child under this proviso.

[2] This proviso contains regulations for the daily interviews of parents and children who may be in the same workhouse, and for the occasional interviews of members of the same family who may be in different workhouses.—*Instr. Letter*, February, 1842. Respecting visits to paupers in the workhouse, by persons not being inmates of the workhouse, see Art. 118, and Note. By Art. 208, No. 14, it is the master's duty to apprise the nearest relation in the workhouse of the sickness of any pauper; and by Art. 208, No. 16, it is his duty to give immediate information of the death of any pauper in the workhouse to the nearest relations of the deceased, who may be known to him and who may reside within a reasonable distance.—*Instr. Letter*, February, 1842.

[3] With respect to the relief of vagrants, see the minute of the Poor Law Board of August 4, 1848, 1st Annual Report, p. 29, and their Circular Letters dated November 28, 1868, and February 25, 1896.

Whenever any vagrants or mendicants are received into the workhouse, they ought, unless their stay exceeds a single night, to be kept entirely separate from the other inmates. This is a precaution necessary for preventing the introduction of infectious or contagious diseases into the workhouse. The

bedding provided for vagrants should be sufficient for warmth, but may be inferior in quality and character to that used for the other inmates of the house. Except in severe weather it is not desirable to allow a fire in the vagrant ward. Wet clothes may be dried and returned to the wearer on the next day, he being accommodated in the meantime with old clothes from the workhouse store reserved for this purpose. No smoking or card-playing should be permitted in the vagrant ward. The medical officer should be called in to visit any vagrant alleging that he is sick, and immediate attention should be paid to his wants (*Instr. Letter*, February, 1842); and if the sickness assume a serious character, the vagrant should be removed to the workhouse infirmary. (See Art. 97.) It is in the discretion of the Guardians, with a view to the orderly conduct of the workhouse, to limit the hours during which vagrants shall be admitted, and they are not bound to provide lodgings which shall be open all night to tramps and that class of mendicants and wanderers who habitually resort to the rates for support. Emergent cases must, however, be admitted at all hours. The 5 & 6 Vict. c. 57, s. 5, empowers the Guardians to prescribe a task of work to be done by any person relieved in any workhouse, in return for the relief and lodging afforded to such person. But now see 34 & 35 Vict. c. 108, 45 & 56 Vict. c. 36, and the General Order of December 18, 1882, *post*.

If the vagrant be admitted on the Saturday, he cannot be required to perform a double task of work on Monday morning before his discharge, in respect of his being in the workhouse on Sunday.

By 29 & 30 Vict. c. 113, s. 15, when the Guardians of any Union or Parish shall prescribe a task of work to be performed by any poor person, to whom, or to whose wife, if he be liable to maintain such wife, or child, whether legitimate or illegitimate, under the age of sixteen, relief shall have been lawfully granted by such Guardians out of the workhouse, such task being suited to the age, sex, strength and capacity of such person, and being of a nature and description of which the Poor Law Board shall have previously approved, and such person shall refuse or wilfully neglect to perform such task, or shall wilfully destroy or damage any of the tools, materials, or other property belonging to the Guardians, he shall be deemed to be an idle and disorderly person within the meaning of 5 Geo. IV. c. 83, and shall be liable to be prosecuted and punished in the manner therein provided in respect of idle and disorderly persons; and 7 & 8 Vict. c. 101, s. 52, shall apply to any such prosecution.

The task of work for outdoor paupers is prescribed in the Form following:—

Ordered:—By the Guardians of the Union [*or* Parish], at a meeting of the Board, held this day of 18 .

That every adult person not suffering under any temporary or permanent infirmity of body, to whom, or to whose wife (if he be liable to maintain such wife), or child, whether legitimate or illegitimate, under the age of sixteen, relief shall be lawfully granted out of the workhouse, shall perform the following task of work, that is to say:—

Males:—(Here insert the *kind*, and *amount* with reference to *time* or *quantity* of the work to be performed.)

Females:—(Here insert the *kind*, and *amount* with reference to *time* or *quantity* of the work to be performed.)

Provided that such amount of work shall not be required from any persons to whose age, strength, and capacity it shall appear not to be suited.

Signed , *Clerk to the Guardians.*

We, the Local Government Board, consent to, and approve of, the above Order of the Board of Guardians of the Union, [*or* Parish].

Dated this day, &c.

President.

Secretary.

Art. 100.—The Guardians shall not admit into the workhouse or any ward of the same, or retain therein, a larger number or a different class of paupers than that heretofore or hereafter from time to time to be fixed by the Commissioners; and in case such number at any time be exceeded, the fact of such excess shall be forthwith reported to the Commissioners by the clerk.[1]

NOTICE.

Any such person as above who shall *refuse* or wilfully *neglect* to perform such task of work, or shall wilfully destroy or damage any of the tools, materials, or other property belonging to the said Guardians will be deemed an *idle* and *disorderly* person, and be liable to be *imprisoned* in one of Her Majesty's prisons with hard labour, *for one calendar month.*

[1] This Article is intended to prevent the reception into any workhouse of a larger number of inmates than it is capable of containing, consistently with their health and comfort. When the number of the inmates shall have reached the maximum approved by the Poor Law Board, the Guardians will inform the Board of the fact, and will cease to make any fresh admissions until the number shall have been diminished. If the order prohibiting out-door relief to the able-bodied is in force in the Union, the Guardians will be enabled to make exception to its provision under Art. 6, and to report such exceptions to the Commissioners.—*Instr. Letter*, February, 1842.

Should the Guardians at any time make alterations or additions to their workhouse, so as to render it capable of containing a larger number, they should report to the Local Government Board the number which they consider the house, with the increased accommodation afforded, can accommodate, with a view to obtaining their consent to the extension of the number.

In former editions of this work it was stated that it was considered that each inmate of a workhouse should, upon an average, have allotted to him 300 cubic feet of space, in rooms occupied by day or night, and 500 cubic feet when the room is occupied both by day and night, as a sick or infirm ward.

In the opinion of the Committee appointed to "consider the requisite amount of space and other matters in relation to workhouses and workhouse infirmaries," there should be allotted to each sick inmate (including surgical, venereal, itch, and other cutaneous cases) in the Metropolitan workhouses a space of not less than 850 cubic feet on an average; and in those cases where the height of the ward is more than 12 feet, such additional height should not be taken into account in calculating the cubic space of 850 feet; and there should be allowed a clear space of six feet across each bed, and no bed should be placed on the middle of the floor.

The Committee are also of opinion that where a day-room is provided for chronic and infirm cases an average of 500 cubic feet for each bed will suffice and in lying-in wards 1,200 cubic feet on the average should be provided.

The Committee recommend no increase in the minimum space of 300 cubic feet for each bed in wards occupied by night only by healthy adults and children.

As regards ventilation, the Committee suggest watchful and constant attention to ventilation: to its easiest, cheapest, and most effective methods, and to the means of adapting them to the various forms and dimensions of existing rooms. They say, whatever methods are adopted should be rigidly enforced by some resident officer, or frequent inspection; that they should be made secure against the intermeddling of the pauper inmates, and servants of the house, and that they should avoid the ingress of strong currents of

Art. 101.—No pauper of unsound mind, who may be dangerous, or who may have been reported as such by the medical officer, or who may require habitual or frequent restraint, shall be detained in the workhouse for any period exceeding fourteen days, and the Guardians shall cause the proper steps to be taken for the removal of every such pauper to some asylum or licensed house as soon as may be practicable.[1]

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cold air, or at least, the incidence of such currents upon the bodies of the inmates.

In the sick wards, and in rooms of the aged and infirm, the Committee say that the temperature during the night ought not to be allowed to fall much below the day average, and that the arrangement should be under the control of the medical officer.

The Committee avoid expressing any opinion on the provision of nurses for the sick in workhouses, but refer to a paper (annexed to their Report) supplied to them by Miss Nightingale.

In the district of the Metropolis under the Metropolitan Poor Act, 1867 (30 Vict. c. 6), the Local Government Board are required by 33 & 34 Vict. c. 18, s. 1, to certify the maximum number of paupers to be maintained in any workhouse or asylum.

[1] With regard to the treatment of imbeciles in workhouses the Local Government Board in their Letter of January 29, 1895, addressed to clerks to Guardians, say :—"The proper care of imbeciles retained in workhouses is a matter which should receive the special attention of the Guardians. It is important that they should, as far as practicable, have means of suitable employment, that adequate provision should be made for their exercise and recreation, that ample means should exist to ensure their personal cleanliness, that their food should be sufficient and properly served, and that the officers in charge of them should be careful and kindly, and the buildings and appliances be of such a character as to minimise the risks of injury."

The enactments with regard to persons of unsound mind which were contained in a number of different statutes were consolidated in the year 1890 by the Lunacy Act, 1890 (53 & 54 Vict. c. 5). By this Act almost all the previous enactments relating to lunatics were repealed, the provisions which were contained in them being to a large extent re-enacted, such amendments and additional provisions being made as had been found to be requisite.

The Act of 1890 does not, however, substantially alter the law which existed previously to its enactment. But the provisions which regulate the removal of lunatics to workhouses must now be looked for in Sections 18, 20 and 21 of the later Act, these relating to their forcible restraint in workhouses in Section 40, their diet in Section 52, their absence from asylums upon trial or for health, their boarding-out, and their removal and discharge in Sections 55 to 82, and their visitation in Section 203. Sections 283 to 314 provide for the expenses of pauper-lunatics' maintenance in asylums, and Sections 322 to 324 for the punishment of persons who ill-treat lunatic patients or permit or assist in their escape, or commit abuses on female patients.

Set out in the Appendix will be found a Circular issued by the Local Government Board on April 23, 1890, which contains a short epitome of the provisions of the Act which relate to pauper-lunatics. Following such Circular will be found another issued on September 18, 1894, with reference to the Amending Act of that year.

With regard to the removal of lunatics to, and the detention of lunatics in, workhouses, it may first be observed that the word "lunatic" wherever used in the Lunacy Act, 1890, means "an idiot or person of unsound mind" (*Ib.* s. 341); the word "pauper" means "a person wholly or partly chargeable to a Union, county, or borough" (*Ib.*); and the term "Union" means "any Parish or Union of Parishes for which there is a separate Board of Guardians."

Lunatics may be removed to workhouses in urgent cases or for the temporary security of the patient. In urgent cases Section 20 enacts that:—"If a constable, relieving officer, or overseer is satisfied that it is necessary for "the public safety, or the welfare of an alleged lunatic with regard to whom it "is his duty to take any proceedings under this Act, that the alleged lunatic "should, before any such proceedings can be taken, be placed under care and "control, the constable, relieving officer, or overseer may remove the alleged "lunatic to the workhouse of the Union in which the alleged lunatic is, and the "master of the workhouse shall, unless there is no proper accommodation in "the workhouse for the alleged lunatic, receive and relieve, and detain the "alleged lunatic therein, but no person shall be so detained for more than "three days, and before the expiration of that time, the constable, relieving "officer, or overseer shall take such proceedings with regard to the alleged "lunatic as are required by this Act." That is to say, he shall, if the alleged lunatic is not a pauper, give information upon oath that the person detained in the workhouse is deemed to be a lunatic to a justice of the peace specially appointed to exercise the powers conferred by the Act, a judge of County Courts, or a magistrate, see Section 13 (1), or if the person is a pauper he shall give notice to a justice having jurisdiction in the place where the pauper resides that the pauper is deemed to be a lunatic.

When the case is not an urgent one, Section 14 of the Lunacy Act, 1890, requires any relieving officer, or overseer, where there is no relieving officer, having knowledge either by notice from a medical officer or otherwise that any pauper resident within the district or parish of the relieving officer or overseer is deemed to be a lunatic, within three days after obtaining such knowledge, to give notice thereof to a justice having jurisdiction in the place where the pauper resides. Section 15 requires every constable and relieving officer and every overseer of a Parish having knowledge that any person (whether a pauper or not) wandering at large within the district or Parish of the constable, relieving officer, or overseer, is deemed to be a lunatic, to immediately apprehend and take the alleged lunatic, or cause him to be apprehended and taken before a justice. Or any justice, upon the information upon oath of any person that a person wandering at large within the limits of his jurisdiction is deemed to be a lunatic, may, by order, require a constable, relieving officer, or overseer of the district or Parish where the alleged lunatic is, to apprehend him, and bring him before the justice making the order, or any justice having jurisdiction where the alleged lunatic is.

In any of the cases mentioned the justice before whom a pauper alleged to be a lunatic or an alleged lunatic wandering at large is brought may, if upon examination or other proof he is satisfied either that the alleged lunatic is a lunatic and a proper person to be detained, or that the alleged lunatic is a lunatic and was wandering at large, and is a proper person to be detained, and if the medical practitioner called in by him to examine the alleged lunatic signs a medical certificate with regard to the lunatic, by order direct the lunatic to be received and detained in the institution for lunatics named in the order, and the relieving officer, overseer, or constable who brought the lunatic before the justice, or in the case of a lunatic wandering at large, any constable who may by the justice be required so to do, shall forthwith convey the lunatic to such institution (s. 16).

An order made by a justice for the reception of a lunatic otherwise than upon petition is called a "Summary Reception Order," and the justice making such an order may suspend the execution of the order for such period not exceeding fourteen days as he thinks fit, and in the meantime may give such directions or make such arrangements for the proper care and control of the lunatic as he considers proper, see Section 19 (1); and where "a medical "practitioner who examines a lunatic as to whom a summary reception order "has been made, certifies in writing that the lunatic is not in a fit state to be "removed, the removal shall be suspended until the same or some other "medical practitioner certifies in writing that the lunatic is fit to be removed, "and every medical practitioner who has certified that the lunatic is not "in a fit state to be removed shall, as soon as in his judgment the lunatic "is in a fit state to be removed, be bound to certify accordingly" (s. 19 (2)).

In the foregoing cases the temporary removal of the lunatic to a workhouse is provided for by Section 21, which enacts:—"(1) In any case where a summary "reception order might be made, any justice, if satisfied that it is expedient for "the welfare of the lunatic, or for the public safety, that the lunatic should "forthwith be placed under care and control, and if it appears to him that "there is proper accommodation for the lunatic in the workhouse of the Union "in which the lunatic is, may make an order for taking the lunatic to and "receiving him in that workhouse. (2) In any case where a summary recep-"tion order has been made, an order under this section may be made to provide "for the detention of the lunatic until he can be removed. (3) An order under "this section shall not authorise the detention of a lunatic in a workhouse for "more than fourteen days, after which period such detention shall not be "lawful, except in accordance with the provisions of this Act as to the deten-"tion of lunatics in workhouses. (4) An order under this section may be "made by any justice having jurisdiction in the place where the lunatic is."

Under Section 18:—"A justice shall not sign an order for the reception of a "person as a pauper-lunatic into an institution for lunatics, or workhouse, unless "he is satisfied that the alleged pauper is either in receipt of relief, or in such "circumstances as to require relief for his proper care. If it appears by the "order that the justice is so satisfied, the lunatic shall be deemed to be a "pauper chargeable to the Union, county, or borough properly liable for his "relief. A person who is visited by a medical officer of the Union at the "expense of the Union is, for the purposes of this section, to be deemed to be "in receipt of relief." By Section 3 of the Lunacy Act, 1891 (54 & 55 Vict. c. 65):—"A lunatic sent to an institution for lunatics under Sections 13 or 16 of "the principal Act shall be classified as a pauper until it is ascertained that he "is entitled to be classified as a private patient."

By Section 341 of the Lunacy Act, 1890, the term "workhouse" includes an asylum provided for reception and relief of the insane under the Metropolitan Poor Act, 1867, and the managers of every such asylum shall exercise the powers and perform the duties by this Act conferred and imposed upon the Guardians of the Union to which a workhouse belongs.

With regard to lunatics in workhouses, Section 24 of the Lunacy Act, 1890, as amended by Section 29 of the Lunacy Act, 1891 (54 & 55 Vict. c. 65), enacts that:—"(1) Except in the cases mentioned in this Act, no person shall be "allowed to remain in a workhouse as a lunatic unless the medical officer of the "workhouse certifies in writing:—

"(*a*) That such person is a lunatic, with the grounds for the opinion; and

"(*b*) That he is a proper person to be allowed to remain in a workhouse as "a lunatic: and

"(*c*) That the accommodation in the workhouse is sufficient for his proper "care and treatment, separate from the inmates of the workhouse

"not lunatics, unless the medical officer certifies that the lunatic's "condition is such that it is not necessary for the convenience of the "lunatic or of the other inmates that he should be kept separate.

"(2) A certificate under this section shall be sufficient authority for detain- "ing the lunatic therein named against his will in the workhouse for fourteen "days from its date.

"(3) No lunatic shall be detained against his will or allowed to remain in a "workhouse for more than fourteen days from the date of a certificate under "this section without an order under the hand of a justice having jurisdiction "in the place where the workhouse is situate.

"(4) The order in the last preceding sub-section mentioned may be made "upon the application of a relieving officer of the Union to which the work- "house belongs, supported by a medical certificate under the hand of a "medical practitioner, not being an officer of the workhouse, and by the certifi- "cate under the hand of the medical officer of the workhouse hereinbefore "mentioned.

"(5) The Guardians of the Union to which the workhouse belongs shall "pay such reasonable remuneration as they think fit to the medical practi- "tioner who, not being an officer of the workhouse, examines a person for the "purpose of a certificate under this section.

"(6) If in the case of a lunatic being in a workhouse, the medical officer "thereof does not sign such certificate as in sub-Section 1 of this section men- "tioned, or if at or before the expiration of fourteen days from the date of the "certificate an order is not made under the hand of a justice for the detention "of the lunatic in the workhouse, or if, after such an order has been made, the "lunatic ceases to be a proper person to be detained in a workhouse, the "medical officer of the workhouse shall forthwith give notice in writing to a "relieving officer of the Union to which the workhouse belongs, and thereupon "the like proceedings shall be taken by the relieving officer and all other "persons for the purpose of removing the lunatic to an asylum, and within the "same time, as by this Act provided in the case of a pauper deemed to be a "lunatic and a proper person to be sent to an asylum, and, pending such pro- "ceedings, the lunatic may be detained in the workhouse.

"(7) In the case of a lunatic in an asylum provided for reception and relief "of the insane under the Metropolitan Poor Act, 1867, notices to be given to "and proceedings to be taken by a relieving officer shall be given to and taken "by one of the officers of the asylum to be nominated for the purpose by the "managers of the asylum district.

"(8) As regards every pauper in a workhouse at the date of the commence- "ment of this Act, as to whom a certificate has been signed under Section 20 "of the Lunacy Acts Amendment Act, 1862, no certificate or order of a justice "under this section shall be required." With regard to the removal of lunatics from workhouses to asylums see the Circular Letter of June 24, 1897, *post*, p. 297, addressed to clerks to Guardians by the Local Government Board.

The Act commenced to operate on May 1, 1890 (*Ib.* s. 3). Section 24 of the Lunacy Act, 1890, is amended by Section 4 of the Lunacy Act, 1891 (54 & 55 Vict. c. 65), which enacts that: "(1) Every pauper suffering from mental "disease in a workhouse, at the commencement of the principal Act, as to "whom a report had before the commencement of the principal Act been made "under Section 22 of the Poor Law Amendment Act, 1867, may be detained in "the workhouse against his will without an order under Section 24 of the "principal Act. (2) The medical superintendent of an asylum provided under "the Metropolitan Poor Act, 1867, shall not be required in any certificate

" under sub-Section 1 of Section 24 of the principal Act, or under this Act, to " certify to the effect in sub-clause (*c*) of that sub-section mentioned, and " upon the transfer from a workhouse to an asylum provided under the Metro- " politan Poor Act, 1867, of a lunatic, with regard to whom a certificate or " order under the said Section 24 made while he was in the workhouse is in " force, no further certificate or order shall be required for the detention of the " lunatic in the asylum."

The following is the form of certificate prescribed by the Lunacy Act, 1890, Sch. 2, No. 10, to be given by the medical officer of the workhouse as to a pauper lunatic in the workhouse, viz.:—

" I, the undersigned medical officer of workhouse, of the " Union, hereby certify that I have carefully examined into " the state of health and mental condition of *A. B.*, a pauper in the said work- " house, and that he is in my opinion a lunatic, and a proper person to be " allowed to remain in the workhouse as a lunatic, and that the accommodation " in the workhouse is sufficient for his proper care and treatment separate from " the inmates of the workhouse not lunatics [*or*, that his condition is such that " it is not necessary for the convenience of the lunatic or of the other inmates " that he should be kept separate].

" The grounds for my opinion that the said A. B. is a lunatic are as follows:—

" Dated

" (*Signed*) , *Medical Officer of the Workhouse.*"

The form of Order prescribed for the detention of a lunatic in the work- house (*Ib.* No. 11) is as follows:—

" I, the undersigned C. D., a justice of the peace for , being satis- " fied that A. B., a pauper in the workhouse of the , is a " lunatic [*or* idiot or person of unsound mind] and a proper person to be taken " charge of under care and treatment in the workhouse, and being satisfied that " the accommodation in the workhouse is sufficient for his proper care and " treatment separate from the inmates of the workhouse not lunatics [*or*, " that his condition is such that it is not necessary for the convenience of the " lunatic or of the other inmates that he should be kept separate] hereby " authorise you to take charge of, and, if the Workhouse Medical Officer " shall certify it to be necessary, to detain the said A. B. as a patient in your " workhouse.

" Subjoined is a statement of particulars respecting the said A. B.

" (*Signed*) C. D.

" *A Justice of the Peace for*

" Dated

" To the Master of the Workhouse " of the

" Statement of Particulars.

" Name of patient and Christian name at length.
" Sex and age.
" Married, single, or widowed.
" Condition of life and previous occupation (if any).
" Religious persuasion as far as known.
" Previous place of abode.
" Whether first attack.
" Age (if known) on first attack.
" When and where previously under care and treatment.
" Duration of existing attack.

" Supposed cause.
" Whether subject to epilepsy.
" Whether suicidal.
" Whether dangerous to others.
" Whether any near relative has been afflicted with insanity.
" Name and Christian name and address of nearest known relative of the " patient, and degree of relationship if known.

" I certify that to the best of my knowledge the above particulars are " correct.

" [To be signed by the Relieving Officer]."

" An order for the reception of a patient as a pauper shall extend to " authorise his detention, though it may afterwards appear that he is entitled to " be classified as a private patient, and an order required for the reception of a "private patient shall authorise his detention although it may afterwards appear " that he ought to be classified as a pauper patient." See Section 37 (1) of the Lunacy Act, 1890. By Sub-section 2 of the same section it is enacted that :— " If a patient is removed temporarily under the provisions of this Act from the " place in which he is confined, or is transferred from one place of confinement " to another, the original order and certificate or certificates upon which he was " received shall remain in force."

Under the Lunacy Act, 1890 (53 & 54 Vict. c. 5) the Medical Officer is required in the case of any lunatic in the workhouse who is not a proper person to be allowed to remain in the workhouse, or where the accommodation in the workhouse is not sufficient for the lunatic's proper care and treatment, separate from the inmates who are not lunatics, unless he certifies that the lunatic's condition is such that it is not necessary for the convenience of the lunatic or of the other inmates that he should be kept separate, to give notice in writing to a relieving officer of the Union to which the workhouse belongs with a view to his removal to an institution for lunatics. A like notice is also to be given in other cases, if at or before the expiration of fourteen days from the date of the medical officer's certificate as to the propriety of detaining the lunatic in the workhouse an order is not made by a justice for his detention therein (*Ib.* s. 24).

Whenever mechanical restraint is applied to a lunatic in the workhouse the medical officer of the workhouse is required to sign a certificate describing the means used, and stating the grounds upon which the certificate is founded (*Ib.* s. 40). With regard to what "mechanical means" may be made use of to restrain a lunatic, see the Regulations of the Commissioners in Lunacy of April 17, 1895, and the Rules of the Commissioners of June 26, 1895, in the Note to Art. 101, *post*, pp. 301 *et seq.* The medical officer is also required to keep a full record from day to day of every case of restraint by mechanical means, a copy of which and of the certificates as to the means used is to be sent by the clerk to the Guardians to the Commissioners in Lunacy at the end of every quarter (*Ib.*). The record and the certificates will, therefore, have to be submitted by the medical officer to the clerk to the Guardians. Any person who wilfully acts in contravention of Section 40 will be guilty of a misdemeanour (*Ib.* s. 7).

The medical officer of the workhouse is required to visit every pauper-lunatic resident in his workhouse once in every quarter of a year (reckoning the several quarters as ending on March 31, June 30, September 30, and December 31), and the Guardians are required from time to time to furnish the medical officer with forms for returns relating to pauper-lunatics not in institutions for lunatics (*Ib.* s. 202). Section 318 of the Act makes it a misdemeanour knowingly to make any false entry in any book, statement, or

return, as to any matter as to which he is by the Act or by any rules made thereunder required to make any entry.

Before a pauper-lunatic discharged from an institution of lunatics, although not recovered, can be received into a workhouse, the Medical Officer of the workhouse is required to certify in writing that the accommodation in the workhouse is sufficient for the lunatic's proper care and treatment, separate from the inmates of the workhouse who are not lunatics, or that the lunatic's condition is such that it is not necessary for his convenience, or that of the other inmates, that he should be kept separate (*Ib.* s. 25). Further, with regard to the reception and detention of lunatics in workhouses and their removal therefrom to institutions for lunatics, see the Note to Article 101, *ante*, pp. 288 and 289.

A pauper-lunatic who has been discharged from an institution for lunatics, but is not, in the opinion of the medical officer of the institution, recovered, and is a proper person to be kept in a workhouse as a lunatic, may also be received and detained against his will in a workhouse, provided the medical officer of the workhouse certifies in writing that the accommodation in the workhouse is sufficient for the lunatic's proper care and treatment separate from the inmates of the workhouse not lunatics, or that the lunatic's condition is such that it is not necessary for his convenience, or that of the other inmates, that he should be kept separate. In such case no further order for the lunatic's detention is required; see Section 25 of the Lunacy Act, 1890. Chronic lunatics who are not dangerous and have been selected and certified by the manager of an asylum as proper to be removed to the workhouse may be received into a workhouse by arrangement with the Guardians under Section 26 of the Lunacy Act, 1890. Every lunatic received into a workhouse under that section will, while he remains there, continue a patient on the books of the asylum for the purposes of the Lunacy Act, 1890, so far as it relates to lunatics removed to asylums.

With regard to the discharge of lunatics from institutions for lunatics, see Sections 73 to 85 of the Lunacy Act, 1890; and with regard to the power of the visiting committee of an asylum to allow a pauper-lunatic to be delivered over to the custody and care of a relative or friend, see Sections 57 and 79 of the Act.

When a pauper-lunatic in a hospital or licensed house recovers, the manager is required by Section 83 to forthwith send notice thereof to the Guardians of his Union, stating that unless the patient is removed within seven days from the date of the notice he will be discharged. Should the patient not be removed within that time he is to be discharged forthwith.

Where it appears to the visiting committee of an asylum that the asylum is more than sufficient for the pauper-lunatics who for the time being can be lawfully received, the committee may, by resolution, permit any other pauper-lunatics to be received into the asylum; see Section 270 (1) of the Lunacy Act, 1890. Such a resolution may require that no pauper-lunatic be admitted thereunder without an undertaking by the minute of the Guardians of the Union to which the lunatic is chargeable for the payment of the expenses of maintenance of the lunatic, and of his burial if he dies in the asylum, as well as for his removal within six days after notice from the manager of the asylum (*Ib.* sub-s. 2); and a resolution under the section may be rescinded or varied.

With regard to the accommodation to be provided in workhouses for short-period lunatics, the Local Government Board issued in September, 1891, the following Memorandum:—

REQUIREMENTS AND SUGGESTIONS.

The following Memorandum relates to the provision which should be made in workhouses for the accommodation of persons who are alleged to be, or who

are, lunatics, and who are removed to the workhouse under Section 20 or 21 of the Lunacy Act, 1890. These persons are herein referred to as "short-period lunatics."

1. The extent of the accommodation will depend on the requirements of the particular Union, but arrangements should be made for the simultaneous accommodation of persons of both sexes, with their attendants.

2. In large workhouses provision for the reception of short-period lunatics may in some cases be suitably provided in connection with the wards already set apart for imbeciles.

3. In the smaller workhouses it may usually suffice to so arrange two wards, and an attendant's room with padded room, that one of the wards may, if necessary, be entirely shut off from the other portion for the joint use of a patient and attendant.

4. Each ward should be large enough for at least two beds, to enable a person in charge to be in constant attendance.

5. The amount of space allowed should be not less than 100 feet floor space and 1,200 feet cubic for each bed.

6. All sharp projecting angles should be avoided; ward floors should be of wood; ledges, architraves of doors, internal window sills, and the like, should be avoided. No brackets, pegs or nails, &c. should be fixed to the walls; door-handles should be sunk flush, and doors so arranged as to open outwards.

7. For wards of this kind, strong window-frames with vertical swing sashes six inches wide, extending for nearly the whole height of the window, glazed with small panes of stout plate glass, and working on pivots at top and bottom, are suitable.

8. Artificial light should be furnished from the adjoining attendant's room through a fan-light glazed with half-inch plate glass and under control of the attendant, whose room should command a view of the whole ward by a small window of similar strength.

9. Ventilation and warmth should be provided in wards of this sort by an air-chambered grate in the attendant's room passing fresh warm air into the wards. Air-bricks should be fixed also in suitable positions, in addition to the opposite external windows which are indispensable in each ward.

10. Due provision should be made for securing cleanliness of person, and for the supply of hot and cold water.

Note.—In many cases a portable bath used in the ward may suffice.

11. A strong fixed bench and table, and commode with light indiarubber or papier-mâché pan, would be necessary. Articles of pottery should on no account be permitted in wards of this kind.

Note.—It may not be always necessary to provide a special water-closet for the patients, but proper arrangements should be made in all cases for the disposal of excreta and for the cleansing of utensils.

12. Cups and plates may be of light enamelled iron or papier-mâché. Knives and forks should not be required, as the patients' food should be properly minced and cut up for them by the attendant.

13. Low bedsteads of stout make, such as are commonly used for epileptics, may be employed.

14. It may be necessary further to provide, for destructive or suicidal patients, special stout sheets or untearable rugs, made by quilting an ordinary blanket in strong ticking or canvas. Untearable suits of clothing of various kinds can also be readily made or procured with suitable lock-fastenings for patients who would strip themselves.

Note.—A strict search of every patient should be made on admission, and a careful watch should be maintained to prevent his subsequently obtaining and secreting any dangerous article by which he might injure himself or damage the fittings of the wards or padded rooms.

15. The padded room may be most suitably fixed inside the attendant' room against an external wall, and in any case should be entered directly from that room.

16. The padded room should have a superficial area of about 63 feet exclusive of the padding. Nine feet by seven feet, or eight by eight feet, are suitable dimensions, and there are objections to more than slight variations from them in either direction. It should be at least ten feet high.

17. The attendant's room should have a floor area of not less than 100 square feet, exclusive of the space occupied by the padded room.

18. The padding, which may be of cocoa fibre or other suitable material, at least four inches in thickness, covered with indiarubber or painted canvas, should extend to at least seven feet six inches from the floor, and be capped with a strong spline fixed with screws and sloping sharply at an angle of about 30 degrees from the wall, in order to afford no hold to a destructive occupant.

19. The floor should always be padded—cork chips covered with indiarubber or painted canvas, so laid as to be thoroughly water-tight and washable, being commonly used. It is desirable to bed the floor on concrete or similar material to prevent damage either by vermin or by dry rot.

20. Light may be provided by a small window of half-inch plate glass fixed high up in the external wall. It should be furnished with a shutter either on the outer side or, if inside, so arranged as to lock into a recess when not in use.

21. For artificial light a fan-light, similar to the one already described for the ordinary wards, should be provided. The gas jet should be on a jointed bracket to turn away so as to be wholly out of sight of the occupant of the padded room when necessary.

22. Ventilation may be furnished by air bricks near the wall-plate, and by a strong grating in the lower three inches of the door below the padding. When the padded room is situated wholly within the attendant's room, the partition may stop about two inches below the ceiling.

23. Warmth in a padded room is a specially important matter, as patients of this class are frequently inclined to strip themselves. When the padded room is not so situated as to share the warmth of the attendant's apartment, means should be provided for passing into it warmed air, either from a coil of hot pipes or from a chamber behind the grate in the attendant's room, through air-bricks in the wall, at a suitable height above the padding.

24. A roomy approach, free from awkward angles or projections, is a most important desideratum for a padded room. The door, which should ordinarily be about three feet wide, should open outwards to its full extent, so that the padding on it may not diminish the clearway. The door should be so hung as to prevent danger of crushing a hand or foot in the hinges when the door is being closed.

25. The fastening of the door should be by means of a snap-lock with bolts near top and bottom of door respectively, and commanded by a single handle; and it may be desirable to arrange a supplementary drop bolt in such manner as to allow of partial opening of the door for ventilation and inspection.

26. Two inspection slits, the upper one vertical, the lower one horizontal (being for a lantern to light the floor where the gas jet may fail to illuminate it) should be provided in the door. They should be protected by strong plate glass sunk so as to be beyond reach of a blow from the fist.

Where a lunatic is not a proper person to be allowed to remain in a workhouse, Section 60 (1) of the Lunacy Act, 1890, authorises any two or more Commissioners, upon visiting the workhouse, by order to direct the lunatic to be removed to an institution for lunatics. Every such order is by the section

to have the same effect as a summary reception order, as to which see *ante*, p. 288. An appeal is given to the Guardians of the Union to which the workhouse belongs, by sub-Section 2 of Section 60, against an order for the removal of a lunatic from the workhouse under the section. The appeal must be brought within one month from the making of the order, and is to be made to a Secretary of State, who is thereupon to employ a Commissioner, not being one of the Commissioners who made the order, or some other person, to make a special visitation of the workhouse, and to report to him upon the matter. The decision of the Secretary of State upon such report will be conclusive.—*Ib.*

If for the due administration of the Lunacy Acts 1890 and 1891, in any Union it appears to the Lord Chancellor desirable, he may by writing under his hand empower the chairman of the Board of Guardians to sign orders for the reception of persons as pauper-lunatics in institutions for lunatics, and every order so signed shall have effect as if made by a justice of the peace under the Lunacy Act, 1890; see Section 25 of the Lunacy Act, 1891 (54 & 55 Vict. c. 65).

In a Circular Letter issued to clerks to Guardians by the Local Government Board on June 24, 1897, with reference to the removal of lunatics from workhouses to asylums, the Board state "That they have had under their consideration the desirability of securing that, in the case of lunatics removed from the workhouse to an asylum, the Guardians should be enabled to compare the report of the medical officer of the asylum as to the condition of the patient as regards bruises, marks of violence, &c., on his admission to the asylum, with the record by the medical officer of the workhouse as to the patient's condition prior to removal from the workhouse.

"The Board are informed by the Commissioners in Lunacy that it is a nearly universal practice in the case of county and borough asylums to have a regulation requiring that the relieving officer or other person bringing the patient shall remain in the asylum until a personal examination of the patient shall have been made, in order that he may receive written notice, to be furnished by the medical officer conducting the examination, of any bruises, marks of violence, &c., observed thereat.

"The Board would recommend that in all cases a written notice of the result of the personal examination by the medical officer of the asylum should be asked for by the relieving officer or other person engaged in the removal of the lunatic; that the relieving officer or other person should be required by the Guardians to transmit the notice he may receive to the clerk to the Guardians, and that the clerk should be instructed to compare the notice so given with the record by the medical officer of the workhouse of the result of his examination of the person of the lunatic, immediately before discharge from the workhouse, in accordance with the Board's Circular Letters of August 1, 1870, and June 1, 1896. Where the circumstances appear to render it desirable, in consequence of any difference between the notice from the asylum authorities and the record of the medical officer of the workhouse, the clerk should bring the matter under the attention of the Guardians.

"The Board trust that the Guardians will give such directions as will ensure that the arrangement above referred to will be carried out in the case of all lunatics removed from the workhouse to an asylum."

Orders for the removal of lunatics to the workhouse of the Union to which the lunatic is chargeable, or if the lunatic is chargeable to a county or borough, to the workhouse of the Union from which he was sent to the hospital or licensed house, may be made by the authority liable for the maintenance of the lunatic; see Section 61 of the Lunacy Act, 1890, as amended by Section 11 of the Lunacy Act, 1891 (54 & 55 Vict. c. 65).

With regard to the removal of pauper-lunatics from one asylum to another,

or to some other institution for lunatics, see Sections 64 and 65 of the Lunacy Act, 1890. As to the execution of an order for the removal of a pauper-lunatic, see Section 66, and the restriction placed upon such removals by Section 67 of the Act of 1890.

By Section 68 of the Lunacy Act, 1890:—"Where a Union is in more than "one county, and the workhouse of the Union is in one county and the place "from which a lunatic was sent to the workhouse is in another county, an "order may be made by a justice for the county in which the workhouse is, or "a justice for the county from which the lunatic was sent, for the removal of "the lunatic either to the asylum of the county in which the workhouse is, or "to the asylum of the county from which the lunatic was sent, and such latter "order may be made, notwithstanding that there may be an asylum of the "county in which the workhouse is, and there may not be a deficiency of room "or any other special circumstances by reason whereof the lunatic cannot "conveniently be taken to that asylum." Except under the provisions of this section a pauper-lunatic is not to be removed under an order of removal to any institution for lunatics into which he could not have been received under a reception order (*Ib.* s. 69). With regard to the institutions into which lunatics may be received, see Section 27 of the Act.

Where a person is found to be detained or treated as a lunatic or alleged lunatic without any order and certificates by any person receiving no payment for the charge, or in any charitable, religious, or other establishment (not being an institution for lunatics), the Commissioners may require a report to be sent to them by a medical practitioner as to the mental and bodily condition of the patient. Any one or more of them may visit the patient and report to the Commissioners, and the Commissioners may, if they think fit, transmit such reports, or may report the results of any inquiries made by them to the Lord Chancellor, who may thereupon make an order for the discharge of the patient from the custody in which he is detained, or for his removal to an institution for lunatics, or to such other custody as they may think fit. The expenses properly incurred of carrying any such order into effect, and of maintaining the patient if removed, shall, if the order so directs, be paid by the Guardians of the Union in which the patient was found, until the authority legally liable for his maintenance has been ascertained. And the Guardians will have the same right to recover any such expenses paid by them against the lunatic and his estate, and the person or authority legally liable for his maintenance as in case of order for maintenance under the Act (*Ib.* s. 206). For the right of the Guardians to distrain in case of non-compliance with a maintenance order, see Section 314.

"Where a lunatic in a hospital or licensed house becomes a pauper, the "manager of the hospital or house may, after having given notice to the "authority liable for the maintenance of the lunatic of his intention so to do, "apply to a justice of the peace having jurisdiction in the place where the "hospital or house is situate for an order for the removal of the lunatic, and "such justice may, if he thinks fit, make an order for the removal of the lunatic "to an institution for lunatics to which pauper-lunatics, for whose maintenance "the authority is liable, may legally be sent, and for the reception of the lunatic "therein, and such institution shall be named in the order, and the manager "of the hospital or house shall forthwith cause the lunatic to be removed to "the institution named in the order. In the case of such removal the original "reception order shall remain in force, and shall authorise the classification of "the lunatic as a pauper-lunatic in the institution to which he is removed." Section 19 (1) of the Lunacy Act, 1891:—The costs of obtaining an order under Section 19, and of the removal of the lunatic are to be repaid to the manager who obtains the order by the authority liable for the maintenance of the lunatic under sub-Section 2 of Section 19.

Stringent provisions are contained in the Lunacy Act, 1890, with respect to the ill-treatment of lunatics. Section 322 enacts that:—"If any manager, officer, "nurse, attendant, servant, or other person employed in an institution for "lunatics or any person having charge of a lunatic, whether by reason of any "contract, or of any tie of relationship, or marriage, or otherwise, ill-treats or "wilfully neglects a patient, he shall be guilty of a misdemeanour, and, on con- "viction on indictment, shall be liable to fine or imprisonment, or to both fine "and imprisonment at the discretion of the court, or be liable on summary "conviction for every offence to a penalty not exceeding twenty pounds, nor "less than two pounds."

By Section 324:—"If any manager, officer, nurse, attendant, or other person "employed in any institution for lunatics (including an asylum for criminal "lunatics) or workhouse, or any person having the care or charge of any single "patient, or any attendant of any single patient, carnally knows or attempts to "have carnal knowledge of any female under care or treatment as a lunatic in "the institution, or workhouse, or as a single patient, he shall be guilty of a "misdemeanour, and, on conviction on indictment, shall be liable to be im- "prisoned with or without hard labour for any term not exceeding two years; "and no consent or alleged consent of such female thereto shall be any defence "to an indictment or prosecution for such offence."

In the case of dangerous lunatics mechanical restraint may be made use of, provided the provisions of Section 40 of the Lunacy Act, 1890, are complied with, as also the Rules and Regulations made by the Commissioners in Lunacy.

Section 40 enacts:—"(1) Mechanical means of bodily restraint shall not be "applied to any lunatic unless the restraint is necessary for purposes of surgical "or medical treatment, or to prevent the lunatic from injuring himself or others. "(2) In every case where such restraint is applied a medical certificate shall, "as soon as it can be obtained, be signed, describing the mechanical means "used, and stating the grounds upon which the certificate is founded. (3) The "certificate shall be signed, in the case of a lunatic in an institution for lunatics "or workhouse, by the medical officer thereof, and in the case of a single "patient, by his medical attendant. (4) A full record of every case of restraint "by mechanical means shall be kept from day to day; and a copy of the "records and certificates under this section shall be sent to the Commissioners "at the end of every quarter. (5) In the case of a workhouse, the record to be "kept under this section shall be kept by the medical officer of the workhouse, "and the copies of records and certificates to be sent shall be sent by the clerk "to the Guardians. (6) In the application of this section 'mechanical means' "shall be such instruments and appliances as the Commissioners may, by "regulations to be made from time to time, determine. (7) Any person who "wilfully acts in contravention of this section shall be guilty of a misdemeanour." Acting under the foregoing section the Commissioners in Lunacy have made the following Regulations and Rules as to the instruments and appliances for the mechanical restraint of lunatics, viz.:—

[*Copy.*]

REGULATION MADE BY THE COMMISSIONERS IN LUNACY AS TO INSTRUMENTS AND APPLIANCES FOR THE MECHANICAL RESTRAINT OF LUNATICS.

Lunacy Act, 1890, *Section* 40.

"(1) Mechanical means of bodily restraint shall not be applied to any "lunatic unless the restraint is necessary for purposes of surgical or medical "treatment, or to prevent the lunatic from injuring himself or others.

"(2) In every case where such restraint is applied a medical certificate "shall, as soon as it can be obtained, be signed, describing the mechanical "means used, and stating the grounds upon which the certificate is "founded.

"(3) The certificate shall be signed, in the case of a lunatic in an institu- "tion for lunatics or workhouse, by the medical officer thereof, and in the case "of a single patient, by his medical attendant.

"(4) A full record of every case of restraint by mechanical means shall "be kept from day to day; and a copy of the records and certificates "under this section shall be sent to the Commissioners at the end of every "quarter.

"(5) In the case of a workhouse, the record to be kept under this section "shall be kept by the medical officer of the workhouse, and the copies "of records and certificates to be sent shall be sent by the clerk to the "Guardians.

"(6) In the application of this section 'mechanical means' shall be such "instruments and appliances as the Commissioners may, by regulations to be "made from time to time, determine.

"(7) Any person who wilfully acts in contravention of this section shall be "guilty of a misdemeanour."

REGULATION.

In pursuance of sub-Section 6 of the above section of the Lunacy Act, 1890, the Commissioners in Lunacy, by this regulation under their common seal, do hereby determine that "mechanical means of bodily restraint" shall include all instruments and appliances whereby the free movements of the body or of any of the limbs of a lunatic are restrained or impeded, but that the following instruments and appliances only shall be made use of for such purpose:—

1. A jacket or dress, laced or buttoned down the back, made of strong linen, with long outside sleeves fastened to the dress only at the shoulders, and having closed ends, to which tapes may be attached for tying behind the back when the arms have been folded across the chest.
2. Gloves without fingers, fastened at the wrists with buttons or locks, and made of strong linen or chamois leather, padded or otherwise.
3. If the continuous bath be employed, the use of a cover to the open bath, with an aperture therein for the patient's head, shall be deemed to be mechanical means of restraint.
4. The wet or dry pack. If, and when, either is used, the patient shall be swathed in sheets and blankets only, the outer sheet being, if necessary, sewn or pinned. No straps or ligatures of any kind shall be used, and the patient shall be released for necessary purposes at intervals not exceeding two hours.
5. Sheets or towels when tied, or fastened to the sides of a bed or other object. When these are used only for the purpose of forcible feeding, and merely held by attendants, and not tied or fastened, their use shall not be considered to come under the head of mechanical restraint.

It is essential to the safe employment of any of these forms of restraint, except No. 2, that the patient be visited frequently by a medical officer, that he be kept under continuous special supervision by an attendant, and that under no circumstances he be left unattended; and it is hereby so ordered.

The Commissioners direct that at each visit of Commissioners or a

Commissioner to an asylum, hospital, or licensed house, or to a single patient, all instruments and mechanical appliances which may have been employed in the application of bodily restraint to a lunatic since the last preceding visit, be produced to the Visiting Commissioners or Commissioner by the superintendent, resident medical officer, or resident licensee, or the person having charge of the single patient.

It will be seen that the section requires that in every case where mechanical restraint is applied, a medical certificate describing the mechanical means used, and stating the grounds upon which the certificate is founded, be signed in asylums and hospitals by the medical superintendent, in licensed houses by the resident or visiting medical practitioner, in workhouses by the medical officer, and in the case of single patients, by the medical attendant; that a full record of every case of restraint be kept *from day to day;* and that a copy of such records and certificates be sent to the Commissioners in Lunacy at the end of every quarter.

In framing this Regulation, in which they have defined the "mechanical means" which may alone be used in the imposition of restraint, the Commissioners in Lunacy have merely discharged the duty cast upon them by the enactment quoted above; and they desire to guard themselves most strictly against the supposition that they have thereby given any greater countenance to the employment of this form of treatment than they have hitherto shown.

While recognising, as the enactment recognises, the possible occurrence of cases in which its employment may be necessary and consistent with humanity, they remain of opinion that the application of mechanical restraint should always be restricted within the narrowest possible limits, that it should not be long continued without intermission, and that it should be dispensed with immediately that it has effected the purpose for which it was employed.

This Regulation shall come into operation on the 1st day of July, 1895, on and from which day the Regulation of the 9th April, 1890, shall cease to have effect, and a copy shall be inserted at the beginning of every register of mechanical restraint.

Sealed by Order of the Board,
G. Harold Urmson,
Secretary.

19 Whitehall Place, London, S.W.,
the 17th day of April, 1895.

Rules made by the Commissioners in Lunacy, on June 26, 1895, with the approval of the Lord Chancellor.

5. The Register of Mechanical Restraint shall be in the Form 5 in the Schedule, and at the beginning of it a printed copy of the Regulation made by the Commissioners in Lunacy as to mechanical restraint shall be inserted.

. . . . . .

32. (1) In the case of pauper-lunatics not in an institution for lunatics, the medical officer of every district of a Union and of every workhouse shall, within seven days after every thirty-first of March, thirtieth of June, thirtieth of September, and thirty-first of December, make a return of all such lunatics visited by him during the preceding quarter; or if there were no such lunatics within the district or workhouse of which he is medical officer, shall make a return to that effect.

(2) Such returns shall be in the Forms 24 and 25 in the Schedule, and

shall, within the time aforesaid, be delivered or sent to the clerk to the Guardians of the Union to which the return relates.

(3) The clerk receiving the return shall, within two clear days after receipt thereof, make a copy thereof, and shall, within the same period, send the return to the Commissioners, and the copy to the clerk to the committee of visitors of the asylum for the county or borough in which the Union for which he is clerk is wholly or partly situate.

33. The clerk of the Board of Guardians of every Union shall, on the first of January in every year, or as soon after as possible, make out and sign a complete list or lists in the Form 26 in the Schedule, made up to that date, of all lunatics chargeable to the Union, giving, when necessary, in a separate sheet, a list of the lunatics chargeable to each part of the Union which is situate in the area of a different local authority, as defined by the Lunacy Act, 1890, Section 240; and shall, on or before the first of February following, send copies of the lists to the following authorities:—

(*a*) The Local Government Board;
(*b*) The Commissioners;
(*c*) The committee of visitors of the asylum of the county or borough, or each county or borough, in which the Union is wholly or partly situate;
(*d*) The clerk of the local authority within the area whereof the Union is wholly or partly situate, to be laid before the local authority.

34. All entries to be made under these rules shall be made in a manner so clear and distinct as to admit of being easily referred to and extracted whenever the Commissioners shall so require, and all notices shall be sent on white paper of foolscap size.

. . . . . .

43. These Rules shall come into operation on the first day of September, one thousand eight hundred and ninety-five, on which day the Rules of the 29th of March 1890 shall cease to have effect.

FORM 5.

REGISTER OF MECHANICAL RESTRAINT.

Date.	Names of Patients.		Means of Restraint employed.	Duration in Hours.	Certificate of Medical Superintendent or Medical Attendant, stating Grounds upon which the Restraint was employed.
	Male.	Female.			
					I certify that restraint was employed in this case on the following grounds:— (Signed) Medical Superintendent or Medical Attendant.

FORM 24.

County of
Union [*or* Parish] of
District of

QUARTERLY LIST OF LUNATIC PAUPERS within the district of
Union of [*or* the Parish of], in the

county or borough of , not in any asylum, hospital, or licensed house.

Name.	Sex.	Age.	Form of Mental Disorder.	Duration of present Attack of Insanity, and if Idiotic, whether or not from Birth.	Resident in Workhouse.	Non-resident in Workhouse, where and with whom resident.	Date of Visit.	In what State as to Bodily and Mental Condition, Accommodation, and General Care and Management.	If Mechanically restrained during the Quarter, why, and by what Means, and how often and for how long.

I declare that I have personally examined the several persons whose names are specified in the above list on the days set opposite their names; and I certify, first, with respect to those appearing by the above list to be in the workhouse, that the accommodation in the workhouse is sufficient for their reception, and that they are all [*or*, all except] proper patients to be kept in the workhouse; and, secondly, with respect to those appearing by the above list to be resident elsewhere than in the workhouse, that they are all [*or*, all except] properly taken care of, and may properly remain out of an asylum.

I declare that the persons in the above list are, to the best of my knowledge, the only pauper-lunatics in the district of the Union of [*or* in the Parish of] who are not in an asylum, hospital, or licensed house.

(Signed) *A.B.*
Medical officer of the district of the Union [*or* Parish] of .

Dated the day of .

FORM 25.

County of
Union [*or* Parish] of
District of

I DECLARE that to the best of my belief there has not, during the quarter ending day of , been any pauper-lunatic residing in the district of the Union of [*or* in the Parish of], who is not in an asylum, hospital, or licensed house.

(Signed)
Dated the day of . Medical Officer.

FORM 26.

FORM OF ANNUAL RETURN.

A TRUE LIST of all LUNATICS chargeable on January 1, , to the Union of [*or* Parish of] or to such part thereof respectively as is situate (*i.e.*, having their place of settlement) within the Ad-

ministrative County of or the County-Borough of or the Borough (within the meaning of or as modified by Lunacy Act, 1890, ss. 240, 246, Schedule IV., and Lunacy Act, 1891, s. 13, and Schedule) of , specifying the names, sex, and age of each, and where detained or residing.

N.B.—A separate sheet should be used for each part of the Union or Parish which is situate in a different County or Borough.

Name.	Age.	Sex.	Where maintained.					Weekly Cost of Maintenance and Clothing.	Observations
			In any and what County or Borough Asylum, including Patients out on Trial, but excluding those boarded out.	Boarded out with Relatives or Friends under the Lunacy Act, 1890, Section 57.	In any and what Hospital or Licensed House, including Patients out on Trial or leave.	In the Workhouse.	Residing with Relatives, or other where, and with whom by Name.		

Signed by me the day of .

A.B.

Clerk to the Board of Guardians of the said Union.

With regard to the express prohibition of the detention of dangerous persons of unsound mind in a workhouse, contained in 4 & 5 Will. IV. c. 76, s. 45, coupled with the prevalent practice of keeping insane persons in workhouses before the passing of that Act, the Poor Law Commissioners stated that it might be inferred that persons of unsound mind, not being dangerous, might be legally kept in a workhouse. It was, however, to be remembered that, with lunatics, the first object ought to be their cure, by means of a proper medical treatment. This could only be obtained in a well-regulated asylum; and therefore the detention of a curable lunatic in a workhouse was highly objectionable, on the score both of humanity and economy. The Commissioners, indeed, believed that most of the persons of unsound mind detained in workhouses were incurable harmless idiots. But although the detention of persons of this description in a workhouse did not appear to be liable to objection on the ground of illegality, or of defective medical treatment, they nevertheless thought that the practice was often attended with serious inconveniences, and they were desirous of impressing upon the Guardians the necessity of the utmost caution and vigilance in the management of any persons of this class who might be in the workhouse.—*Instr. Letter*, February, 1842.

Under 30 & 31 Vict. c. 106, s. 22 (which enactment is repealed except as regards persons suffering from delirium tremens, or from bodily disease of a contagious or infectious character, by Section 342 of the Lunacy Act, 1890), a poor person suffering from mental disease may, on the report of the medical officer that such person is not in a proper state to leave the workhouse without danger to himself or others, be detained in the workhouse.

The Guardians should inform themselves, through the medical officer of the workhouse, and through the medical officer in whose district paupers of un-

sound mind reside, whether the cases of any of them present a reasonable prospect of cure if submitted to the treatment of an asylum. All such cases should at once be sent to some asylum where they may receive the full benefit of medical care and professional superintendence. It is most important to bear in mind the fact that the more recent a case of insanity is the greater is the chance of cure, and therefore humanity and sound policy equally demand that persons so situated should receive the best professional aid at as early a stage as possible of their malady.

Under Section 2 of the Lunacy Act, 1891 (54 & 55 Vict. c. 65):—"(1) A con- "stable, relieving officer, or overseer whose duty it is, under the principal Act" (*i.e.* the Lunacy Act, 1890, see *Ib.* ss. 13 and 16, *ante*, p. 287), "to convey a "lunatic to or from an institution for lunatics, may make proper arrangements "for the performance of the duty by some other person or persons. (2) Where "in a Union there are two or more relieving officers, and the Guardians, with "the sanction of the Local Government Board, direct one relieving officer to "discharge throughout the Union the duties of a relieving officer in respect of "lunatics, every other relieving officer in the Union shall inform the officer "so directed of any case of a lunatic, with which it would otherwise devolve "upon such other relieving officer to deal, and it shall be the duty of the "relieving officer receiving such information to deal with the case, and the other "relieving officer shall be discharged from any further duty in the matter."

In addition to the cases mentioned in Sections 13 and 16 of the principal Act, the relieving officer of the district or any constable may be required under Section 23 of that Act by any two or more Commissioners who may visit a pauper-lunatic or alleged lunatic not in an institution for lunatics, or workhouse, to convey such lunatic to an institution for lunatics forthwith, if the Commissioners having called in a medical practitioner and obtained a medical certificate with regard to the lunatic are satisfied that he is a lunatic and a proper person to be detained. See as to the removal of lunatics to workhouses in cases of urgency, 53 & 54 Vict. c. 5, s. 21, *ante*, p. 288.

Reference may also be made to the provisions of Part VII. of the Lunacy Act with regard to the visits of the Commissioners in Lunacy to workhouses, and the visitation of lunatics in asylums. With regard to the former, it is enacted by 53 & 54 Vict. c. 5, s. 203:—"Any one or more of the Commissioners shall, "on such day or days, and at such hours in the day, and for such length of "time as he or they may think fit, visit all such workhouses in which there is "or is alleged to be any lunatic, as the Commissioners by any resolution "direct, and shall inquire whether the provisions of the law have been carried "out, and also as to the dietary, accommodation, and treatment of the lunatics, "and shall report in writing thereon to the Commissioners, and the Commis- "sioners shall forward a copy of every such report to the Local Government "Board."

With regard to the visitation of pauper-lunatics in institutions for lunatics, Section 201 of the Lunacy Act, 1890, enacts that:—"(1) A medical prac- "titioner appointed by the Guardians of a Union, and also the Guardians of any "Union, shall be permitted, when ever they see fit, between eight in the morn- "ing and six in the evening, to visit and examine any pauper-lunatic charge- "able to the Union confined in any institution for lunatics, unless the medical "officer of the institution delivers to the person or persons intending to make "the visit a statement signed by him certifying that for the reasons set forth "in the statement the visit would be injurious to the lunatic.

"(2) The medical officer shall forthwith enter in the medical journal the "reasons set forth in the statement, and shall sign the entry."

With reference to the provisions of Section 65 of the Lunacy Act of 1853, which were superseded by Section 201 of he Act of 1890, the Commissioners in

Discipline and Diet of Paupers.[1]

Art. 102.—All the paupers in the workhouse, except the sick and insane, and the paupers of the first, fourth, and seventh classes, shall rise, be set to work, leave off work, and go to bed at the times mentioned in Form (N) hereunto annexed, and shall be allowed such intervals for their meals as are therein stated, and these several times shall be notified by the ringing of a bell, provided always that the Guardians may, with the consent of the Commissioners, make such alterations in any of the said times or intervals as the Guardians may think fit.[2]

Lunacy said that any medical officer appointed thereunder should, they thought, be specially appointed in that behalf by a resolution of the Guardians, and a verified copy of the appointment produced to the superintendent of the asylum when a visit was made.

With regard to visits to pauper-lunatics not in an institution for lunatics, Section 202 of the Lunacy Act, 1890, enacts that:—"(1) Every pauper-lunatic "not in an institution for lunatics shall once in every quarter of a year "(reckoning the several quarters as ending on the thirty-first of March, the "thirtieth of June, the thirtieth of September, and the thirty-first of December), "be visited, if not resident in a workhouse, by the medical officer of the "Union, or district, in which the lunatic is resident, and, if resident in a work-"house, by the medical officer of the workhouse.

"(2) The Guardians of every Union shall from time to time furnish to every "medical officer of the Union forms for the prescribed returns relating to "pauper-lunatics not in an institution for lunatics.

"(3) Where a pauper-lunatic has, by order of the Visiting Committee, been "delivered over to the custody of a relative or friend to whom an allowance is "made for the maintenance of the lunatic, the medical officer of the Union or "district in which the lunatic resides shall, within three days after each "quarterly visit, send to the Visiting Committee a report stating whether in his "opinion the lunatic is properly taken care of, and may properly remain out "of an asylum.

"(4) Each medical officer shall be paid two shillings and sixpence for each "quarterly visit to a pauper not in a workhouse, and in addition two shillings "and sixpence for every report sent to a Visiting Committee under this section, "and those sums shall be paid by the same persons and be charged to the "same account as the relief of the pauper.

"(5) Nothing in this section shall relieve any medical officer from any "obligation under this Act to give notice to a relieving officer or overseer "when it appears to such medical officer that a pauper-lunatic ought to be "sent to an asylum."

[1] The several times specified in Form (N) annexed to the Order can be altered by the Guardians, with the consent of the Local Government Board; but if no such alteration should be made, the time specified in the form must be observed in the workhouse.—*Instr. Letter*, February, 1842.

As to the employment of the paupers, see Art. 112, and 54 O. C., p. 31.

[2] With regard to the bathing of workhouse inmates once a month, and the affording facilities for their being bathed once a fortnight if desired, see the

Art. 103.—Half-an-hour after the bell shall have been rung for rising, the names of the paupers shall be called over by the master and matron respectively, in the several wards provided for the second, third, fifth, and sixth classes, when every pauper, belonging to the respective wards, shall be present, and shall answer to his name, and be inspected by the master and matron respectively, provided that the paupers of the third and sixth classes may be called over and inspected by the schoolmaster and schoolmistress.[1]

Art. 104.—The meals shall be taken by all the paupers, except the sick, the children, persons of unsound mind, casual poor wayfarers, women suckling their children, and the paupers of the first and fourth classes, in the dining-hall or day-room, and in no other place whatever, and during the time of meals order and decorum shall be maintained.[2]

Art. 105.—No pauper of the second, third, fifth, or sixth classes

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minute of the Local Government Board of February 2, 1886, in the Note to Article 95, *ante*.

[1] It is desirable that the master and matron should every day call over the name of every pauper belonging to the classes enumerated, in order that they may not only be certified of the pauper's presence in the workhouse, but also that every pauper of these classes may every day be necessarily brought under their attention.—*Instr. Letter*, February, 1842.

As regards the hours to be observed by inmates of workhouses for getting up, meals, work, &c., the Local Government Board, in their Circular Letter addressed to clerks to Guardians on January 29, 1895, say that they "think it unnecessary to make any alteration in those prescribed in existing regulations. They attach much importance to uniformity in this matter, but they would draw attention to the point, which appears to be frequently overlooked, that these hours do not apply to the infirm inmates or the young children. It rests with the master and matron, subject to the direction of the Guardians, to fix the hours of rising and going to bed for inmates infirm through age, or from any other cause, and for children under seven years of age; and for these inmates the meals are to be provided at such times and in such manner as the Guardians may from time to time direct."

[2] With the exceptions specified in this Article, all the paupers ought to consume their meals in the dining-hall or day-room. With respect to the sick, the children, and all persons of unsound mind, it is often necessary that they should eat their meals in their bedrooms. It may be here observed that the officers of the workhouse, in order to save themselves trouble, sometimes give out at once all the bread which each pauper is to consume during the day. This practice leads to waste and irregularity, and ought not, in general, to be permitted by the Guardians. All articles of food which the paupers may not consume in the dining-hall during the meal will be removed by the officers; and no pauper will be allowed to carry away any food from the dining-hall. It may be added that no pauper ought to be allowed to secrete articles of food in boxes or bags in the bedrooms, as such a practice is uncleanly, and likely to prove injurious to the health of the inmates.—*Instr. Letter*, February, 1842.

shall go to, or remain in, his sleeping room, either in the time hereby appointed for work, or in the intervals allowed for meals, except by permission of the master or matron.

Art. 106.—The master and matron shall (subject to the directions of the Guardians) fix the hours of rising and going to bed, for the paupers of the first, fourth, and seventh classes, and determine the occupation and employment of which they may be capable ; and the meals for such paupers shall be provided at such times and in such manner as the Guardians may from time to time direct.[1]

Art. 107.—The paupers shall be dieted with the food and in the manner set forth in the dietary table which may be prescribed for the use of the workhouse,[2] and no pauper shall have or consume any liquor, or any food or provision other than is allowed in the said dietary table, except on Christmas Day or by the direction in writing of the medical officer, as provided in Art. 108.[3]

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[1] In fixing the hours of rising and going to bed, and the employment of the infirm men and women, and the children, the Guardians and the master and matron ought to consult the medical officer for the workhouse. This Article likewise permits the Guardians to fix the times at which the infirm men and women and the children shall have their meals, and also the manner in which their meals shall be furnished to them ; for example, in their own rooms, if it be necessary.—*Instr. Letter*, February, 1842.

[2] With regard to workhouse dietaries generally, reference should be made to the Circular of the Poor Law Board, dated December 7, 1868. And to the Circular of the Local Government Board of January 29, 1895, with respect to workhouse administration, where they say :—" With reference to the important question of dietaries, it is to be observed that whilst the Guardians are empowered, subject to the sanction of the Local Government Board, to fix the amount and nature of the food which shall be given to the inmates generally, it is the duty of the medical officer to order such food as he may consider requisite for the sick. With regard to the inmates in health a memorandum was drawn up by the Board's inspector, Dr. Downes, in 1893, setting forth the general principles which should guide Boards of Guardians in framing dietaries for this class, and in any case when the Guardians may be proposing to revise the dietaries, the Board will be happy to furnish them with copies." As to the relief and diet of vagrants or casual poor, see the Circular of November 28, 1868.

Notwithstanding the prohibition contained in Article 107, the Guardians may, if they think fit, cause dry tea, with sugar and milk, to be supplied to such of the female inmates as they consider should be supplied with it ; see the General Order as to workhouse regulations of March 8, 1894, *post*. Allowances authorised under the last-mentioned Order will be in addition to the tea prescribed by the dietary in force at the workhouse ; see the Circular of the Local Government Board, dated March 10, 1894, issued with the Order.

[3] The above Articles 107 and 108 have been amended in the case of the Wirrall Union, enabling the Guardians without the direction of the medical officer to make allowances of food and fermented liquor during harvest work.

Art. 108—Provided,

Firstly. That the medical officer may direct in writing such diet for any individual pauper as he may deem necessary, and the master shall obey such direction until the next ordinary meeting of the Guardians, when he shall report the same in writing to the Guardians.[1]

Secondly. That if the medical officer at any time certify that he deems a temporary change in the diet essential to the health of the paupers in the workhouse, or of any class or classes thereof, the Guardians shall cause a copy of such certificate to be entered on the minutes of their proceedings, and may forthwith order, by a resolution, the said diet to be temporarily changed, according to the recommendation of the medical officer, and shall forthwith transmit a copy of such certificate and resolution to the Commissioners.

Thirdly. That the medical officer shall be consulted by the matron as to the nature of the food of the infants, and of their mothers when suckling, and the time at which such infants should be weaned.

Fourthly. That the Guardians may, without any direction of the medical officer, make such allowance of food as may be necessary to paupers employed as nurses or in the household work ; but they shall not allow to such paupers any fermented or spirituous liquors on account of the performance of such work, unless in pursuance of a written recommendation of the medical officer.[2]

With respect to the mode in which proposed alterations in the established dietary must be effected, see the General Dietary Order of the Poor Law Board, dated February 16, 1848, *post*.

[1] This provision refers to the diet of individual paupers, and not to any class of paupers. The direction of the medical officer should be entered accordingly in the workhouse medical relief book, and he should specify therein the articles of diet to be supplied to the pauper.

[2] The orders of the Commissioners prescribe no dietary for the sick, but the quantity and nature of the food are left exclusively to the discretion of the medical officer ; and in consequence of there being no fixed dietary for the sick, there is not only much confusion and error in the master's accounts, but the auditor has considerable difficulty in ascertaining the quantities of food actually consumed in the workhouse. The Commissioners, by Art. 207, No. 9, have therefore required the medical officer for the workhouse to frame the proper

Art. 109.—If any pauper require the master or matron to weigh the allowance of provisions served out at any meal, the master or matron shall forthwith weigh such allowance in the presence of the pauper complaining, and of two other persons.[1]

Art. 110.—The clothing to be worn by the paupers in the workhouse shall be made of such materials as the Board of Guardians may determine.[2]

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dietary for the sick paupers, in so many different scales as he shall deem expedient. They have recommended that the sick dietary should be similar to that used in hospitals, and containing four kinds of diet: viz.—high, middle, low, and fever; and that the quantity of articles to be allowed for each should be minutely specified. The Commissioners further recommend that a copy of this dietary should be hung up in the infirmaries or sick wards of the workhouse; and they require that the master's accounts should correspond with the entries made in the proper column of Form (Q) by the medical officer. (See note to Art. 207, No. 9.)

The second proviso to Art. 108 will enable the Guardians to adopt, without delay, such suggestions of the medical officer with respect to diet, as the prevalence of any epidemic or other disease may render advisable.—*Instr. Letter*, February, 1842.

The latter part of the 4th proviso may be acted upon, though the paupers are not at the time actually sick. If the medical officer considers that, owing to the nature of the work any pauper is employed upon, an allowance of fermented or spirituous liquors is necessary for the preservation of his health, and in writing recommends the allowance, the Guardians are at liberty to grant it.

[1] This article is intended to provide the means of satisfying every pauper that he receives the daily allowance of food assigned to him by the dietary, and it may be observed that the allowances to the paupers must be weighed and served out at each meal, and not one allowance for the whole of the meals during the day.

The weights and scales used in the workhouse should be verified from time to time by the local Inspectors of Weights and Measures.

With reference to complaints of workhouse inmates, the Poor Law Board, in a circular dated September 27, 1866, say that it appears to them very desirable that the inmates of workhouses who may have complaints to make should have full information how and where to make them, so as to ensure attention. With this view the Board suggest that a printed notice should be hung up in each ward or room to the effect that any inmate who has a complaint to prefer should either address it in writing to the Clerk, or verbally to some member of the Visiting Committee when on his rounds through the workhouse. The Board further suggest that a book should be kept, in which an entry of all such complaints should be made, together with a record of the steps taken by the Guardians in consequence.

[2] The Local Government Board say in the circular addressed by them to Clerks to Guardians on January 29, 1895:—"The clothing to be worn by the inmates is to be made of such materials as the Board of Guardians may determine, and in their instructional letter of February 5, 1842, the Poor Law Commissioners called attention to the fact that this clothing need not be uniform either in colour or material. The Board would specially suggest that the clothing worn by inmates when absent on leave from the workhouse should not be in any way distinctive or conspicuous in character."

Art. 111.—More than two paupers, any one of whom is above the age of seven years, shall not be allowed to occupy the same bed unless in the case of a mother and infant children.[1]

Art. 112.—The paupers of the several classes shall be kept employed according to their capacity and ability [2]; and no pauper shall receive any compensation for his labour.[3]

The clothing worn by the paupers should be stamped with the name of the Union, but so as not to be seen when worn. See 55 Geo. III. c. 137, s. 2, which enacts that the stamp or mark shall not be placed on any articles of wearing apparel, so as to be publicly visible on the exterior of the same.

With respect to the use of a penal dress in the workhouse, see the Minute of the Poor Law Commissioners, in their 6th Annual Report, p. 98, which contains their reasons for disapproving of the practice of causing paupers to wear a distinguishing dress as a mark of disgrace. In the General Workhouse Rules issued by the Commissioners, in 1842, they permitted the Guardians to direct a dress different from that of the other inmates to be worn by disorderly or refractory paupers during a period of not more than forty-eight hours; but a similar provision is not contained in the present Order.—*Instr. Letter.*

[1] This Article does not admit of a mother and her infant sleeping in the same bed with another woman, nor does it admit of two adults and a child sleeping in the same bed. The practice of placing two adults to sleep in the same bed is very objectionable, and is on every account to be discouraged.

[2] It would be contrary to this Article, as well as to Art. 114, and Arts. 208, No. 6, and 210, No. 3, to send any of the inmates of the workhouse, whether adults or children, out daily to work for farmers or in factories, whether for wages or otherwise. See also 56 Geo. III. c. 121, which, however, appears to apply only to adults. See 9 O. C. 64, as to the employment of workhouse boys in a factory during the day.

As to the duty of the master of the workhouse in regard to the employment of the paupers, see Art. 208, No. 6.

See also note to Art. 112, and Arts. 208, No. 6, and 210, No. 3.

Under Art. 112 the Guardians have a general power to employ the workhouse inmates according to their capacity and ability, and although the task of work contemplated by 5 & 6 Vict. c. 57, s. 5, is, so far as vagrants are concerned, superseded by Sect. 6 of 34 & 35 Vict. c. 108, yet the previous enactment remains unrepealed, and it is competent for the Guardians under it to prescribe, subject to the approval of the Local Government Board, a fixed task of work to be performed by the ordinary inmates of the workhouse.

With regard to the employment of the inmates of workhouses in the Metropolis upon chopping wood for firewood, and the selling of such wood in competition with persons earning their living by wood-chopping, the following Circular was issued by the Local Government Board on October 31, 1888; addressed to the Clerk to the Guardians:—"Sir, I am directed by the Local Government Board to state that representations have been made by a deputation, which was recently received by the President, as to the injury caused to poor persons in certain districts who earn their living by wood-chopping, by reason of the competition they have to encounter from the labour of workhouse inmates who are largely employed in the several metropolitan workhouses in the production of firewood.

"It is required by the regulations issued by the Board that all inmates of workhouses should be kept employed according to their capacity and ability,

Art. 113.—No pauper in the workhouse shall be employed or set to work in pounding, grinding, or otherwise breaking bones, or in preparing bone-dust.

Art. 114.—The boys and girls who are inmates of the workhouse shall, for three of the working hours at least, every day, be instructed in reading, writing, arithmetic, and the principles of the Christian religion, and such other instruction shall be imparted to them as

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but the Board consider that the Guardians should carry out this regulation, not so much with the object of making a profit from the labour of the inmates, as with a view to securing that the inmates who are able to work shall be provided with work. The Board are strongly of opinion that Boards of Guardians should carefully avoid the employment of pauper inmates in such a manner as to cause so much competition with any particular branch of trade as to render it difficult, if not impossible, for the independent labourer in that branch of employment to earn a living.

"The Board find, from a return which they have caused to be prepared, that the manufacture of firewood is largely carried on in most of the Metropolitan workhouses, and that the inmates are employed, not only in chopping the wood and making up the bundles, but, also, in some instances, in delivering it to the purchasers and collecting the money.

"The Board consider that the manufacture of firewood on a large scale by pauper labour should not be carried on in any Metropolitan workhouse, and that in the employment of workhouse inmates machinery should be avoided, resort being had to purely manual labour. It is also esssentially necessary that the full market value of the firewood should be demanded in order that the independent producer should not be subjected to an unfair competition, and that the Guardians should at once discontinue the practice of employing the paupers in delivering the wood to the purchasers and in collecting the money. The Board request that the foregoing remarks may receive the careful consideration of the Guardians."

[3] Art. 112 prohibits any pecuniary compensation for the labour of the inmates. Art. 108, No. 4, however, makes an exception as to extra allowances of food for paupers employed in the service of the house, as nurses, washer-women, &c. The bodily exertions required of persons so employed, or the disagreeableness of the duty, may sometimes be such as to justify an extra allowance of this sort. In large workhouses it is always advisable to employ a paid nurse; in many workhouses paid household servants have been appointed.—*Instr. Letter*, February, 1842.

When it is considered expedient to employ a pauper inmate as a paid servant, the Guardians should appoint him or her as an assistant or otherwise. The person so appointed will then cease to be a pauper, and the cost of the wages (if any) and rations will then be charged to the common fund, in like manner as the other workhouse officers. If a task of work be prescribed for casual poor relieved in the workhouse, the Guardians may, if they think fit, employ any able-bodied male pauper inmate of the workhouse upon the work so prescribed, according to his capacity and ability; and require from him the performance of the same daily task of work. As regards a task of work for out-door poor, see note to Art. 99.

Further upon this Article, see 53 O. C. N.S. 31. See also 34 & 35 Vict. c. 108, s. 6, and 45 & 46 Vict. c. 36.

may fit them for service, and train them to habits of usefulness, industry, and virtue.[1]

[1] This article must now be read subject to the General Orders of October 27, 1877, April 3, 1878, and January 20, 1897, *post*. The Article has been altered in the case of the Wycombe Union with reference to children who have reached the prescribed standard of Education.

As regards the religious instruction of children in the workhouse, see the Order of August 23, 1859, *post*.

With regard to the children in workhouses, the Local Government Board say in a Circular Letter addressed to the Clerks to Guardians that they "note with satisfaction to what a large extent those still maintained in workhouses are sent out for education to public elementary schools, and they are clearly of opinion that, where it is practicable, Boards of Guardians should adopt this course. It may also often be possible for arrangements to be made for the children to attend the Sunday Schools of their own denomination. The Board attach much importance to all children maintained in Poor Law institutions being given opportunities for mixing, as far as circumstances will admit, with other children. Care should be taken that a sufficient part of each day is set apart for recreation only, that the children should be allowed to take exercise frequently outside the workhouse premises, and that they should be encouraged in healthy games of all sorts. The Board need hardly point out that all children in workhouses should be under the charge of officers, either industrial trainers or caretakers, and should not be left to the charge of adult paupers. All children should be frequently and individually inspected by the medical officer. There are questions connected with the boarding-out and emigration of orphan and deserted children, which will doubtless receive the careful consideration of the Guardians. The Board do not propose to refer to them in detail on the present occasion, they would only urge upon Guardians the importance of always remembering that they stand in *loco parentis* to such children, and that whether they are retained in the workhouse, or in a district, or separate school or cottage homes, or are sent to a certified school, or are boarded-out or emigrated, it is on the Guardians that the responsibility for their welfare primarily rests."

Reference may here be made to 14 & 15 Vict. c. 105, s. 6, as repealed in part by the Statute Law Revision Act, 1875, which enables Guardians having adequate provision for the reception, maintenance, and education of poor children in their workhouse, and having more accommodation therein than they require for the poor children of their own Union or Parish, with the consent of the Poor Law Board, now the Local Government Board, to contract with the Guardians of any other Union or Parish, for the reception, maintenance, and instruction therein of any poor children under the age of sixteen years, chargeable to such other Union or Parish, being orphans or deserted by their parents, or whose parents or surviving parent shall consent.

Reference may also be made to the 18 & 19 Vict. c. 34, as to the education of the young children of poor persons who are relieved out of the workhouse, and the circular dated January 9, 1856, of the Poor Law Board, containing suggestions as to the proper mode of carrying it into execution. Also the circular of the Local Government Board, dated July 22, 1872. Also to 25 & 26 Vict. c. 43, and 29 & 30 Vict. c. 113, s. 14, as to which, see *ante*, p. 221.

Where the Guardian of a Union or Parish represent to two justices or a magistrate that any child apparently under the age of fourteen years maintained in a workhouse or pauper school of a Union or Parish or in a district pauper school is refractory, or is the child of parents either of whom has been convicted of crime or offence punishable with penal servitude or imprisonment, and that it is desirable that he be sent to an industrial school under the Industrial Schools

Art. 115.—Any pauper may quit the workhouse upon giving to the master, or (during his absence or inability to act) to the matron, a reasonable notice of his wish to do so; and in the event of any able-bodied pauper, having a family, so quitting the house, the whole of such family shall be sent with him, unless the Guardians shall, for any special reason otherwise direct; and such directions shall be in conformity with the regulations of the Commissioners with respect to relief in force at the time.[1]

Act, 1866, the justices or magistrate may, if satisfied that it is expedient to deal with the child under that Act, order him to be sent to an industrial school. (29 & 30 Vict. c. 118, s. 17.) By Section 37 of the same Act the Guardians may from time to time, with the consent of the Local Government Board, contribute such sum as they think fit towards the maintenance of children detained in a certified industrial school on their application.

As to the attendance of children at school for the purposes of the Elementary Education Act, 1876 (39 & 40 Vict. c. 79, s. 5), see the General Orders of October 27, 1877, and January 30, 1897, *post*.

A workhouse school, certified by the Local Government Board as an efficient school, pursuant to Section 48 of 39 & 40 Vict. c. 79, is a Public Elementary School within the meaning of the Elementary Education Act, 1876. As to what is an "attendance" at a certified efficient workhouse school, see the General Orders of October 27, 1877, and January 30, 1897, *post*.

The Local Government Board now say that they are of opinion that for the purpose of maintaining the efficiency of pauper schools, it is competent for Guardians or managers to defray out of the funds for the relief of the poor the cost of prizes for the inmates of the schools under their charge, provided the amount so expended is kept within reasonable limits.

[1] By this Article, no pauper is allowed to quit the workhouse without giving a *reasonable notice* of his or her wish to do so. The reasonableness of the notice must depend upon the circumstances under which it is given. In many of their former Orders the Commissioners fixed the length of the notice at *three hours*, but they now prefer the indeterminate expression used in this Article; inasmuch as the period of three hours might sometimes be too long and at other times too short. Some time after the giving of the notice is requisite, in order to enable the master to restore to the pauper his own clothes (see Article 95), and to receive back those belonging to the Guardians. Some time likewise is required in order to enable the master to make the proper entries in the books. Moreover, a pauper cannot, in general, be discharged during the night, or at the time of meals, or during the performance of divine service. It may be added, that a longer time must be allowed to the master if several paupers give the notice simultaneously; but the master will not be justified in throwing any unnecessary impediment in the way of a pauper's leaving the house in the shortest practicable time. Although paupers ought not to be discharged during the performance of divine service, there is no power of detaining them during the whole of Sunday, if they should desire to leave the workhouse on that day.

The Commissioners believe that the Guardians, and the master of the workhouse as their officer, have, over orphan children, or children deserted by their parents, the same control which a Guardian possesses over his ward; and that they may therefore detain in the workhouse any such infant under the age of sixteen; provided that they have reasonable grounds for believing that leaving the workhouse would be attended with injurious consequences to the child.

Art. 116.—Provided nevertheless, that the Guardians may, by any general or special direction authorize the master to allow a

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Reg. v. ——, 15 Q. B. 1,060; 4 Cox C. C. 345; 20 L. J. M. C. 53; 15 Jur. 55, shows that the Guardians are entitled to protect orphan children from personal injuries. The Guardians, however, are not authorised to detain in the workhouse young persons above sixteen years of age, who have no friends, and are not going into service. Nor is there any power of detaining in the workhouse mothers of bastard children who may be in the habit of quitting the workhouse and returning to it after a few days' absence. But Lord Campbell, C.J., whilst Attorney-General, and Sir William Follet advised the Poor Law Commissioners that the Guardians could not lawfully detain orphan children, or other children not having the benefit of parental care, in the workhouse without their consent so long as might be judged necessary for their protection, or until employment can be procured for them, unless they are apprenticed.

Guardians of the Poor are given powers with reference to children, whether orphans or not, for their protection from ill-treatment by the Prevention of Cruelty to Children Act, 1889 (52 & 53 Vict. c. 44). See the Note to Art. 88, *ante*. With regard to the powers of Guardians in the case of children deserted by their parents, see 52 & 53 Vict. c. 56, s. 1 in the Note to Art. 41 *ante*. The putative father of an illegitimate child has no right to the custody of such child, and the Guardians will therefore be justified in refusing to allow him to take the child away from the workhouse after its mother's death, see *Reg.* v. —— 'Local Government Chronicle," 1888, p. 151.

In order to determine what would be a "reasonable notice," regard must be had to all the facts of the case, as, for instance, children being at a district or certified school, or in a fever hospital, whilst the parents are in the workhouse. If the children are at the school the Poor Law Board said that it appeared to them that the master would be justified in detaining the pauper for such a length of time as would be reasonably sufficient to admit of the children being sent for from the school and brought to their parents at the workhouse. But the Board were clearly of opinion that the master would not be empowered by law to detain a pauper in the workhouse against his will until such time as his sick child was sufficiently recovered to be sent out with safety.

By Section 4 of the Casual Poor Act, 1882 (45 & 46 Vict. c. 36) a casual pauper shall not be entitled to discharge himself from a casual ward before nine o'clock in the morning of the second day following his admission, nor before he has performed the work prescribed for him as in the said Act mentioned; and where a casual pauper has been admitted on more than one occasion during one month into any casual ward of the same Union, he shall not be entitled to discharge himself before nine o'clock in the morning of the fourth day after his admission; and he may at any time during that interval be removed by any officer of the Guardians, or by a police constable, to the workhouse of the Union, and be required to remain in such workhouse for the remainder of the period of his detention. Provided that in computing the number of days during which a casual pauper may be detained under this section Sunday shall not be included.

Provided also, with respect to the metropolis, as follows:—(1) In determining the number of admissions of a casual pauper, every casual ward in the metropolis shall be deemed to be a casual ward of the same Union. (2) The expression "workhouse of the Union" in this section shall include any workhouse and any asylum provided under the Metropolitan Poor Act, 1867, for the reception and setting to work of the casual poor, to which the casual poor of the Union can be sent.

Further, with regard to the discharge of casual paupers from the workhouse,

pauper, without giving any such notice as is required in Art. 115, to quit the workhouse, and to return after a temporary absence only ;

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see the Casual Paupers Regulation Orders of December 18, 1882, and June 11, 1892, *post*, also the Circular Letter of the Local Government Board in the note to Art. 9 of the first-mentioned Order.

Power is also given to detain for short periods inmates who are not casual paupers by Section 4 of the Pauper Inmates Discharge and Regulation Act, 1871 (34 & 35 Vict. c. 108). That section enacts that : " The Guardians of any " Union may direct that any pauper inmate of the workhouse, or the paupers " of any class therein, shall be detained in the workhouse, after giving notice " to quit the same, for times not exceeding the limited periods hereinafter men- " tioned ; that is to say,

" (1) If the pauper has not previously discharged himself from the work- " house, within one month before giving the notice, twenty-four " hours ;

" (2) If he has discharged himself once or oftener within such month, forty- " eight hours ;

" (3) If he has discharged himself more than twice within two months " before giving the notice, seventy-two hours ;

" And every such pauper shall be detained in the workhouse for the time " specified accordingly.

" Provided as follows :—

" (1) That the Guardians may from time to time alter or rescind such direc- " tion ; and they, or, in the interval between their meetings, the " visiting committee, whose direction shall be entered in the visitors' " book, may exempt, either wholly or partially, any pauper from the " operation of this section ;

" (2) That the master or other person having charge of the workhouse may, " if the Board of Guardians be not sitting or the visiting committee " be not in attendance, discharge any pauper to whom this section " shall apply before the expiration of any such period as aforesaid if " any circumstances shall in his opinion require this to be done, and " shall report the facts of the case to the Board of Guardians at their " next meeting ;

" (3) That this section shall not apply to casual paupers. By Section 3 of " the Act the term ' casual pauper ' means ' any destitute wayfarer or " wanderer applying for or receiving relief.' "

As regards the detention in the workhouse of poor persons suffering from mental or other disease, it is enacted that when there shall be in any workhouse a poor person suffering from mental disease, or from bodily disease of an infectious or contagious character, and the medical officer of the workhouse upon examination reports in writing that such person is not in a proper state to leave the workhouse without danger to himself or others, the Guardians may direct the master to detain such person therein ; or, if the Guardians be not sitting, the master may, until the next meeting of the Guardians, detain him therein, and such person shall not be discharged from such workhouse until the medical officer shall in writing certify that such discharge may take place ; this does not prevent the removal of a lunatic to a lunatic asylum, etc., when such removal is otherwise required by law, nor the removal of any poor person after the parent or next of kin shall have given to the Guardians such an undertaking as they shall deem satisfactory to provide for the removal, charge, and maintenance of such person with due care and attention while the malady continues. (30 & 31 Vict. c. 106, s. 22.)

This enactment is repealed subject to an exception as regards persons

suffering from delirium tremens, or from bodily disease of a contagious or infectious character, by Section 342 of the Lunacy Act, 1890.

It may be observed, that persons with infectious diseases going abroad, and exposing others to the infection, are punishable for a misdemeanour. (*Rex* v. *Vantandillo*, 4 M. & S. 73.) But now see the provision on the subject in s. 126 of the Public Health Act, 1875 (38 & 39 Vict. c. 55), and in s. 67 of the Public Health (London) Act, 1891 (54 & 55 Vict. c. 76).

By Section 81 of the Lunacy Act, 1890 (53 Vict. c. 5), "the Guardians of "the Union to which a workhouse belongs may make an order for the discharge "of any lunatic detained therein."

When a pauper has committed an offence, or been guilty of misbehaviour in the workhouse, punishable by confinement under Art. 130 or 131, his giving the proper notice to quit the workhouse will not prevent the completion of such punishment, provided the confinement does not extend beyond the period mentioned in the 7th section of 54 Geo. III. c. 170, and sect. 93 of 4 & 5 Will. IV. c. 76, viz., twenty-four hours, or such further space of time as may be necessary in order to bring such pauper before a justice of the peace. Art. 115 further provides that when any able-bodied pauper having a family quits the house, the whole of such family shall be sent with him or her, unless the Board of Guardians shall, for any special reason, otherwise direct. Upon this provision, it may be remarked, that the mother of a legitimate child, or of an illegitimate child, should on leaving the workhouse take her child with her.

An action will not lie against the Guardians at the instance of an able-bodied pauper, who has been imprisoned for refusing to return to the workhouse, and who claims to be entitled to leave his pauper family in the workhouse, and to go out alone, in the absence of proof of malice on the part of the Guardians. Quære whether a pauper has any right to leave his family in the workhouse. See *Burge* v. *Power and others*. 2 Times L. R. 760.

It seems doubtful whether the Guardians have the power to prevent the wife from leaving the workhouse without her husband; but the husband can if he thinks fit detain her in the workhouse by his marital authority; and the Guardians would be justified in refusing her permission to quit the workhouse under such circumstances.—*Instr. Letter*, February, 1842. If the husband should refuse to exercise his marital control over the wife in this respect, the Guardians may discharge him from the workhouse also. The course which the Guardians should adopt must, however, depend upon the circumstances of each case, and no general rule can be laid down; and it may be added that the Guardians cannot compel the wife of a pauper to enter the workhouse if she does not seek for relief for herself.

But if a woman be deserted by her husband, the Guardians cannot prevent her from discharging herself from the workhouse, even though she may leave her children behind her; they may, however, in that case order the children to be discharged also.

With regard to an infant under the age of sixteen, it is to be observed that the Court of Queen's Bench have decided that up to that age a female child has no right to withdraw herself from the custody of her father against his will. (*Reg.* v. *Howes*, 30 L. J. M. C. 48; 7 Jur. N.S. 22; *s.c. nom ex parte Barford*, 8 Cox C. C. 405; 3 L. T. N.S. 467; 9 W. R. 99.) It would seem, therefore, that a female child under the age of sixteen cannot discharge herself from the workhouse against the will of her parent who is in the workhouse. As regards the compulsory discharge of a pauper from the workhouse by the Guardians, see 39 O. C. N.S. 112.

If an inmate of the workhouse be subpœnaed as a witness in a court of law, he must be permitted to leave the workhouse for the purpose of attending the court; and in that case, if he should so desire, it will be proper he should be

and every such allowance shall be reported by the master to the Guardians at their next ordinary meeting.[1]

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furnished with his own clothes, in which to appear at court. If a pauper, for whose removal to the place of his settlement an Order of Justices has been obtained, be in the workhouse, and give notice of his intention to leave, he cannot be detained against his will on the ground that he is under an order of removal, but must be permitted to leave. The master of the workhouse has nothing whatever to do with the question of removal, which is one for the Guardians alone.

Sometimes benevolent persons apply to Boards of Guardians to be permitted to adopt children from the workhouse whose parentage is unknown; though there is no legal objection to the Guardians giving up the possession of the children under such circumstances, they should satisfy themselves that the proposal is for the child's advantage before consenting to it. Under this Article the Guardians are enabled to retain in the workhouse the wife or other member of the family of an able-bodied man, on the head of the family discharging himself; but in that case they must give a special direction in the matter, and report the circumstances to the Local Government Board for their sanction, under Art. 6, of the General Prohibitory Order, *post*. With respect to the power of the master over persons with infectious diseases who may be in the workhouse, see note, *ante*, p. 316.

[1] In general, any pauper who quits the workhouse, having given the notice under Art. 115, is understood to have ceased to be an inmate of it; and if he should be subsequently readmitted (see Art. 88), he will have to go through the process required by Arts. 91–97. But the proviso in Art. 116 prescribes a mode by which a pauper may be allowed to quit the workhouse temporarily without ceasing to be an inmate of it, and without being subject upon his return to the regulations in Arts. 91–97. The following may serve as examples of the "urgent or special reasons" for which a pauper may be permitted to quit the workhouse, viz.: (1) In order to search for work in the neighbourhood. (2) To visit a relation. (3) To attend a baptism at the parish church (see note on Art. 124). This permission ought to be given only from time to time, as the occasion may arise, and not at stated intervals, for example, once a week or a fortnight. A permission to leave the house at stated intervals is found in practice to be abused. With respect to the penalty for abuses of the permission to quit the workhouse temporarily, see note on Art. 126. If an adult person should abscond from the workhouse without giving any notice, for example, by climbing over a wall, or dropping from a window, he is not punishable unless he should carry away clothes or other effects of the Guardians, in which case he may be convicted under 55 Geo. III. c. 137, or if he do any wilful damage to the property of the Guardians, he may be punished under 24 & 25 Vict. c. 97, ss. 5, 11, 12, 39. The Guardians and their officers are not empowered to capture any person absconding from the workhouse and bring him back against his will; and if he return voluntarily, they are not empowered to punish him after his return.—*Instr. Letter*, February, 1842.

This letter, as will be seen from its date, was issued previously to the enactment of the Pauper Inmates Discharge and Regulation Act, 1871 (34 & 35 Vict. c. 108), under Section 7 of which any pauper who absconds or escapes or leaves any casual ward before he is entitled to discharge himself therefrom, *Ib.* subs. (1), or any workhouse or asylum during the period for which he may be detained therein, is punishable as an idle and disorderly person; see the Note to Art. 128, *post*.

With regard to the power which the Guardians possess of authorising the master of the workhouse to allow an inmate to quit the workhouse and return

Art. 117.—Provided also, that nothing herein contained shall prevent the master from allowing the paupers of each sex under the age of fifteen, subject to such restrictions as the Guardians may impose, to quit the workhouse under the care and guidance of himself, or the matron, schoolmaster, schoolmistress, porter, or some one of the assistants and servants of the workhouse, for the purpose of exercise.[1]

Art. 118.—Any person may visit any pauper in the workhouse by permission of the master, or (in his absence) of the matron, subject to such conditions and restrictions as the Guardians may prescribe; such interview shall take place in a room separate from the other inmates of the workhouse, and in the presence of the master, matron, or porter except where a sick pauper is visited.[2]

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after a temporary absence only, the Local Government Board in their circular letter of January 29, 1895, say :—"It appears to the Board that in the case of the aged and infirm inmates, so long as they are well-behaved and do not abuse the liberty given to them, it is desirable so far as it can be done without undue interference with the discipline and management of the workhouse, that permission to leave the workhouse should be given within reasonable limits. Of course, should it be found in any particular instance that the provision was abused, exception should be made, but a careful record should be kept by the master of the refusal of leave on this ground."

If the Guardians have given the authority contemplated to the master, he may grant leave of absence from the workhouse to any boy or girl in the school who, upon sufficient grounds, may apply for leave. The master must, however, report the allowance to the Guardians at their next ordinary meeting. The schoolmaster or schoolmistress has no authority to grant leave of absence to any of the children. It is desirable that, as far as the circumstances will admit, the Board of Guardians should reserve to themselves the exclusive power of giving leave of absence to children when not under the care of their parent. (570. C. N. s. p. 9.)

[1] The proviso in this Article allows the children to leave the workhouse for the purpose of exercise under proper care. By Art. 212, No. 3, it is made the duty of the schoolmaster and schoolmistress to accompany the children on these occasions, unless the Guardians shall otherwise direct.—*Instr. Letter*, February, 1842.

[2] This Article allows any pauper in the workhouse to receive the visit of a stranger, but requires that, except in the case of a sick pauper, the interview shall take place in a separate room and in the presence of the master or matron. The necessity for this restriction arises from several causes, among which the following may be specified as the most prominent; namely, a fear of the introduction of spirits by visitors; the abuses which would ensue if the female inmates of a workhouse were generally permitted to have private interviews with men; the probability that the minds of young persons in the workhouse would be perverted by persons who might visit them. Accordingly, this restriction is not intended to offer any obstacle to the innocent and proper visits of relations and friends; and the master or other officer present ought not to listen to the conversation between the visitor and the pauper, unless there should be a reasonable ground for suspecting the conversation to be of an improper character. It is desirable that there should be fixed days in the week on which

Art. 119.—No written or printed paper of an improper tendency, or which may be likely to produce insubordination, shall be allowed to circulate, or be read aloud among the inmates of the workhouse.[1]

Art. 120.—No pauper shall play at cards, or at any game of chance, in the workhouse; and the master may take from any pauper, and keep until his departure from the workhouse, any cards, dice, or other articles applicable to games of chance, which may be in his possession.[2]

Art. 121.—No pauper *shall smoke in any room of the workhouse except by the special direction of the medical officer, or* shall have any matches or other articles of a highly combustible nature in his

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paupers should be allowed to receive visits; and that they should not, in general, be visited on other days, except in cases of sickness or necessity.—*Instr. Letter*, February, 1842. Under this Article the Guardians may permit the visit of any person for any lawful purpose to any sick pauper, subject to such restrictions and conditions as they may think fit to impose.

[1] The words "printed paper" comprehend any newspaper, handbill, book, pamphlet, etc. It will be observed that the prohibition only extends to papers of an *improper tendency*, or which may be likely to produce insubordination. By Art. 214, No. 4, it is the duty of the porter to prevent the admission into the workhouse of any letter or printed paper falling within the prohibition in Art. 119. The master is not empowered to examine letters written by the pauper inmates, and such letters should be sent to the post: nor is he empowered to detain or open letters addressed to a pauper, unless he have reason to suspect that the communication is of an "*improper tendency*." Paupers may be permitted to receive writing materials sent by their friends.—*Instr. Letter*, February, 1842.

The Poor Law Board have stated that if the Guardians should be of opinion that a collection of books for the use of the workhouse inmates is desirable, they are at liberty to exercise their own judgment in regard to purchasing what shall appear to them to be requisite; and it will be for the auditor to decide whether they have exceeded their legal powers in the particular case when the item comes before him at his audit. With regard, however, to future annual payments for the maintenance of the library, the Board consider it to be quite clear that the Guardians cannot bind their successors to expend any sum for such a purpose hereafter. (57 O. C. N.S. p. 85.) Neither can the Guardians by a general resolution bind their successors to adopt a particular course of proceeding.

Books for the religious instruction of children in the workhouse, of whatever creed, may properly be supplied by the Guardians. Mr. Charles Buller, the first President of the Poor Law Board, saw no reason either in law or policy against the supply of books for the recreation of the workhouse inmates at the cost of the rates.

[2] The Commissioners state that it is desirable that the prohibition in this Article should be applied to the inmates of the vagrant ward, as well as to the other paupers. See Note to Art. 99, No. 9. The prohibition is as to "games of chance," and therefore it would not apply to chess, draughts, or dominoes, which are not games of that nature.

possession, and the master may take from any person any articles of such a nature.[1]

Art. 122.—Any licensed minister of the religious persuasion of an inmate of the workhouse, who may at any time in the day, on the request of any inmate, enter the workhouse for the purpose of affording religious assistance to him, or for the purpose of instructing his child or children in the principles of his religion, shall give such assistance or instruction so as not to interfere with the good order and discipline of the other inmates of the workhouse, and such religious assistance or instruction shall be strictly confined to inmates who are of the religious persuasion of such minister, and to the children of such inmates, except in the cases in which the Guardians may lawfully permit religious assistance and instruction to be given to any paupers who are Protestant Dissenters, by licensed ministers who are Protestant Dissenters.[2]

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[1] So much of Art. 121 as provides that no pauper shall smoke in any room in the workhouse, except by the special direction of the Medical Officer, is rescinded by Art. 2 of the General Order as to the allowance of tobacco and snuff to certain paupers in the workhouse, of November 3, 1892, *post*. Under Art. 1 of that Order tobacco or snuff may now be allowed to such of the inmates of the workhouse who are not able-bodied, or are employed upon work of a specially disagreeable character, as the Guardians may consider should be supplied with the same. Art. 2 of the new Order empowers the Guardians from time to time, by resolution, to determine in what rooms and at what times smoking is to be allowed, and no pauper is to smoke in the workhouse in any other room or at any other time than that allowed. Neither Art. 121 nor the Order of 1892 expressly applies to smoking in the yards of the workhouse, but it is competent to the Guardians to make an order to prevent the practice of smoking in the yards, and they may also prohibit the officers of the workhouse from smoking either in the workhouse or the yards. If their order be disobeyed by any pauper, and he do not refrain from smoking when ordered to do so by the workhouse master or other officer of the workhouse, he will be guilty of an offence within the meaning of Art. 127. As to the supply of tobacco and snuff to paupers in the workhouse, see note to Art. 207, No. 8. The Medical Officer possesses no authority to order tobacco for any class of paupers generally. If he considers it to be absolutely necessary for any pauper on the ground of health, it should be inserted as an extra in the proper column of the Workhouse Medical Relief Book against the name of the pauper. When given, it should be entered in the master's portion of the book, and transferred, like other extras, to the weekly provisions' consumption, and the other provision accounts of the workhouse.

[2] With respect to this Article, see Section 19 of 4 & 5 Will. IV. c. 76, which enacts that:—"No rules, orders, or regulations of the said Commissioners, nor "any byelaws at present in force or to be hereafter made, shall oblige any "inmate of any workhouse to attend any religious service which may be "celebrated in a mode which may be contrary to the religious feelings of such "inmate, nor shall authorise the education of any child in such workhouse in

" any religious creed other than that professed by the parents or surviving " parent of such child, and to which such parent or parents shall object, or, in " the case of an orphan, to which the godfather or godmother of such orphan " shall so object." And that:—" It shall and may be lawful for any licensed " minister of the religious persuasion of any inmate of such workhouse, at all " times in the day, on the request of such inmate, to visit such workhouse for " the purpose of affording religious assistance to such inmate, and also for the " purpose of instructing his child or children in the principles of their religion." The words " Licensed Minister," in 4 & 5 Will. IV. c. 76, and " Minister " in Section 43 of 7 & 8 Vict. c. 101, are by Section 74 of the latter Act to be construed to mean and include every person in holy orders, and also every person teaching or preaching in any congregation for religious worship whose place of meeting is certified and recorded according to law. See also the opinion of the Crown lawyers upon the construction of 4 & 5 Will. IV. c. 76, s. 19, in the Fifth Annual Report of the Poor Law Commissioners, p. 75. They stated as follows:—" The remedial nature of the enactment in the 19th section obviously requires the most liberal construction, and we are therefore of opinion that the words 'Licensed Minister,' as there used, must be deemed to extend to and include Roman Catholic clergymen and clergymen of the Established Church.

" On the same principle of construction, we think that it is immaterial whether the clergyman is or is not the clergyman of the parish in which the workhouse is situate.

" Where there is a chaplain regularly appointed, we think it was not the intention of the Legislature to enable such inmate to select and invite a different member of the Establishment for himself; but where there is no chaplain, we think it could not have been intended to exclude clergymen of the Church of England."

The following opinion was given by Sir R. M. Rolfe, Q.C., when Solicitor-General, upon a case submitted to him by the Guardians of the Dunmow Union, viz.:—" I am of opinion that any licensed minister may, on the request of any inmate or inmates of the Dunmow Union Workhouse, being of the same religious persuasion as himself, visit the workhouse, and there give religious instruction by reading or preaching, or by offering up prayers; and that such instruction may be given either individually or collectively to the persons who have so requested his assistance, or to any of their children. It seems to me quite clear that the Act does not authorise him to give any such instruction to persons not of his own religious persuasion, nor to inmates who have not requested his attendance."—Fifth Annual Report of the Poor Law Commissioners, p. 76. No decision has been pronounced upon the point; but the Court of Queen's Bench, in *Reg.* v. *Chelsea Guardians*, seemed inclined to think that the Act contemplated a request to be visited at all reasonable times, and that it was not necessary that there should be a particular request for each visit.

The following report of the case of *Reg.* v. *The Guardians of St. Luke's, Chelsea*, is contained in Knight and Co.'s " Official Advertiser," of December 16, 1861:—

" THE QUEEN *v.* THE GUARDIANS OF ST. LUKE'S, CHELSEA.

" Nov. 11.—*Roman Catholic Inmates of Workhouse. Religious Assistance and Instruction. Mandamus.*—In this case a rule had been granted calling upon the Guardians of the Poor of the Parish of St. Luke, Chelsea, to show cause why a *mandamus* should not issue, commanding them from time to time, and at all reasonable times of the day, to permit the Rev. Edward Bagshawe, a priest of the Oratory at Brompton, he being a licensed minister of the Roman Catholic Church, to visit the St. Luke's Workhouse, for the purpose of affording

due religious assistance to certain paupers, twenty in number, therein named, of the religious persuasion of the said Rev. E. Bagshawe. The application was founded upon the proviso of the 19th section of the Poor Law Amendment Act (4 & 5 Will. IV. c. 76). In the course of the argument the Court suggested that an arrangement should, if possible, be come to between the parties, and the case was allowed to stand over for that purpose. The rule was subsequently discharged, without costs, upon the following terms of arrangement:—

"A Roman Catholic priest shall be permitted to visit the Roman Catholic inmates of St. Luke's, Chelsea, Workhouse, according to the following regulations:—

"1. *Able-bodied Inmates.*

"I. Each inmate may name a Roman Catholic priest and request his "attendance, and the request once made need not be repeated.

"II. The request may be made known to or through the master, or if to "the priest himself, notice of it must be given to the master by the priest "before he acts upon it.

"III. The priest may visit the inmates at any time between 6 and 8 p.m. "four days in the week, viz., Mondays, Tuesdays, Thursdays, and Fridays. "They must be seen separately.

"IV. The inmates may go to church once or twice on every Sunday so "long as this privilege is not abused.

"2. *Sick and Infirm Inmates.*

"V. The sick and infirm, after request once made according to the "regulations laid down for the able-bodied inmates, may be visited at all "practicable and convenient times.

"3. *Roman Catholic Inmates in general.*

"VI. The inmates may be supplied with the following books:—The Bible, "the Poor Man's Catechism, the First Catechism, the Oratory Prayers, and "the Missal, the Imitation of Jesus Christ, and any others to be approved of "by the Guardians."

By a "licensed minister" of a Protestant dissenting sect, the Commissioners understand a minister who is recognised in his ministerial character by the members of such sect, and who has complied with all the requisitions of the law, and is therefore subject to no penalty in respect of the public exercise of his ministerial functions; but see 7 & 8 Vict. c. 101, s. 74, *ante*, p. 320. It appears to the Commissioners that the section of the 4 & 5 Will. IV. c. 76, above quoted, does not contemplate the attendance of members of the Established Church at the Divine Service performed by a dissenting minister in a workhouse. If any adult members of the Established Church should desire to attend the service of a dissenting minister, the Commissioners would not interfere to prevent their attendance, provided that no improper influence was used to induce them to attend, although they consider it objectionable: but the Commissioners think that children, being members of the Established Church, should never be permitted to attend on such occasions, and they would, in case of necessity, prohibit any such practice by an Order. See a full statement of the views of the Commissioners on this subject to the Liskeard Guardians, 7th Annual Report, p. 230.—*Instr. Letter*, February, 1842. As regards the religious education or training of orphan children in the workhouse, it is to be observed that the Court, in a case before it, said that, as a rule, where the father has not left or expressed any direction or instruction as to the religion in which his infant children are to be educated, it will assume that his wishes were that his children should be educated in

Art. 123.—No work, except the necessary household work and cooking, shall be performed by the paupers on Sunday, Good Friday, and Christmas Day.[1]

Art. 124.—Prayers shall be read before breakfast and after supper every day, and Divine Service shall be performed every Sunday, Good Friday, and Christmas Day in the workhouse (unless the Guardians, with the consent of the Commissioners, otherwise direct), and at such prayers and Divine Service all the paupers shall attend, except the sick, persons of unsound mind, the young children,

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his own religion. (*In re North*, 11 Jurist, 7.) The following case further illustrates this point:—A father being a beneficed clergyman of the Church of England appointed his widow and a clergyman guardians of his infant children. The widow became a member of the sect of Plymouth Brethren. On the application of the other guardian of the children, the Court of Appeal, affirming the decision of Stuart, V.C. (*In re Newbury*, 1 L. R. Eq. 431; 35 L. J. Ch. 330; 12 Jur. N.S. 154; 13 L. T. N.S. 781; 14 W. R. 360; see also *Skinner* v. *Orde*, L. R. 4 P. C. 60), ordered the children, who were respectively in their fifteenth and twelfth years, to be brought up as members of the Church of England, and restrained their mother from taking them to a chapel of the Plymouth Brethren. In such a case the Court will pay no regard to the fact that the father was well affected towards dissenters, and associated with them; nor will it be influenced by the wishes of the infants on the subject. (*In re Newbury*, L. R. 1 Ch. App. 263.) As to the age at which the children in the workhouse may determine in what creed they desire to receive instruction, see 31 & 32 Vict. c. 122, s. 22; and see with regard to the religious education of children under the control of the Guardians who have been deserted by their parents, 52 & 53 Vict. c. 56, s. 1 (6), in the Note to Article 41, *ante*, p. 223. It is not intended that the visits of ministers of religion should be subject to the restrictions imposed by Art. 118 on the visits of other persons. The Guardians are not restricted from permitting the attendance of duly licensed dissenting ministers at the workhouse, at stated periods, for the purpose of performing religious services for such dissenting inmates as may be desirous to attend their ministrations. But such attendances must be so given as not to interfere with the good order or discipline of the other inmates of the workhouse. The Guardians are also not prohibited by law from permitting licensed ministers of the religious persuasion of any inmates from visiting the workhouse at stated times, or from performing religious services for such dissenting inmates as may be desirous to attend their ministrations. Such religious instruction or assistance as is contemplated by the 4 & 5 Will. IV. c. 76, s. 19, must be strictly confined to persons who are Protestant dissenters, and must be so given as not to interfere with the good order or discipline of the other inmates of the workhouse.

As regards the keeping of a separate Creed Register in workhouses, see 31 & 32 Vict. c. 122, s. 16, *et seq.*

[1] No work, except as is excepted in this Article, should be performed by the paupers on any general fast-day appointed by authority.

Casual paupers cannot be required to perform their task of work on Sundays. But it seems that there would be no legal objection to the Guardians detaining such paupers in the workhouse over Sunday until the performance on Monday morning of the allotted task of work.

and such as are too infirm to do so: Provided that those paupers who may object so to attend, on account of their professing religious principles differing from those of the Established Church, shall also be exempt from such attendance.[1]

Art. 125.—The Guardians may authorise any inmates of the workhouse, being members of the Established Church, to attend public worship at a Parish church or chapel, on every Sunday, Good Friday, and Christmas Day, under the control and inspection of the master or porter, or other officer.[2]

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[1] The master and the other officers of the workhouse ought, as far as possible, to attend the morning and evening prayers in the workhouse. By Art. 208, No. 4, it will be the duty of the master to read the prayers both morning and evening, and he ought only to cause them to be read by others in case he should be prevented by conscientious scruples, or should be incapacitated through some defect of speech. By Art. 211, No. 1, it will be the duty of the chaplain to perform Divine Service in the workhouse every Sunday, Good Friday, and Christmas Day, unless the Guardians, with the consent of the Commissioners, otherwise direct. Where the Guardians have appointed a chaplain, it is in general desirable that Divine Service should be performed in the workhouse on Sunday by the chaplain, and that the inmates who are members of the Established Church should not go out to attend Divine Service. Children ought, in general, to be baptized at church, and they ought to be baptized in the workhouse only under circumstances which would justify the administration of baptism in a private house. Of this necessity the chaplain must judge. The Sacrament of the Lord's Supper should not be administered in the workhouse, except to the sick and disabled inmates, but to them it should be administered as often as the chaplain may deem requisite; any of the other inmates whom he may judge fit to communicate with them should be permitted to do so. The churching of women should take place in the Parish church.—*Instr. Letter*, February, 1842.

Where, however, there is a workhouse chapel, the Communion might be celebrated in it without impropriety, with the consent of the Bishop of the diocese; but even in that case those inmates who desire it should be allowed to attend the Parish church to receive the Sacrament at Easter and Christmas. At the same time, if the Bishop of the diocese sanction the administrations of the Sacrament in the workhouse, the Commissioners consider this approbation a sufficient authority for the chaplain. With regard to the power of the Bishop to grant a licence, see 34 & 35 Vict. c. 66.

It is both lawful and proper for the Guardians to supply wine for sacramental purposes in the workhouse. The master should enter the receipt of the supply in his Provision Receipt and Consumption Book, and in the Daily Provision Consumption Account, the quantities from time to time given out for the purpose under the head of "Extraordinary Supplies."

If a pauper, not legally exempt as dissenting from the Church of England, refuses to attend prayers or Divine Service in the workhouse he will be "disorderly" within the meaning of Art. 127 unless he gives a reasonable excuse for his refusal.

[2] It will be observed that the provision contained in this Article is permissive only, and that the Guardians are not compelled to permit the paupers to leave the house for the purpose of attending Divine Service at the Parish

Art. 126.—The Guardians may also authorise any inmates of the workhouse, being dissenters from the Established Church, to attend public worship at any dissenting chapel in the neighbourhood of the workhouse, on every Sunday, Good Friday, and Christmas Day.[1]

Punishment for Misbehaviour of the Paupers.[2]

Art. 127.—Any pauper, being an inmate of the workhouse, who shall neglect to observe such of the regulations in this Order as are applicable to him as such inmate ;—

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church. See the observations of the Poor Law Commissioners in the Note to Art. 124. But now, by 31 & 32 Vict. c. 122, s. 21, where no religious services of their own creed are provided in the workhouse, the inmates may, subject to regulations, go to their own places of worship. These regulations are to be made generally with the approval of the Local Government Board, and are not to be made specially with reference to the case of any individual pauper inmate.

Art. 125 only authorises the Guardians to permit the absence of paupers from the workhouse for the purpose of attending public worship; it does not confer upon the Guardians any power to order the paupers to go to church or chapel, or subject them to any punishment if they do not go. (O. C. N.S. 1848.)

[1] A similar remark to that contained in the Note to Art. 124, as to leaving the workhouse on Sundays, applies also to Protestant dissenters, where they are visited in the workhouse by ministers of their own persuasion. There is, however, greater difficulty in the case of Roman Catholics; inasmuch as Mass cannot be solemnized in a workhouse unless it should contain an altar consecrated for the purpose. By Art. 125, it is required, that when the members of the Established Church attend Divine Service out of the workhouse they should be under the control and inspection of the master or porter, or other officer. This condition is necessarily omitted in Art. 126, because the master or porter could not accompany both the members of the Established Church and the dissenters. The attendance of the master and porter is rendered imperative in the former case; inasmuch as in the workhouses to which this Order applies, the inmates who are members of the Established Church greatly outnumber the members of other religious denominations. In the latter case, it will be the duty of the Guardians to make such regulations as will prevent any abuse of the permission by dissenters who are inmates of the workhouse; such as inducing the ministers of the different congregations to certify the attendance of the inmates professing to frequent their chapels, and to state the times of the commencement and end of the services. Any pauper permitted to quit the workhouse under Art. 116 or Arts. 125 and 126, and returning after the appointed time of absence, or misbehaving in going to, at, or returning from public worship, may be punished as disorderly by virtue of Art. 127. Moreover, in cases where permission to leave the workhouse has been abused, the Guardians may properly exercise their discretion of refusing the pauper temporary leave of absence from the workhouse for some time afterwards, as a month or six weeks, if he should continue an inmate of it.—*Instr. Letter*, February, 1842.

[2] Arts. 127–147 contain the regulations respecting the punishment of paupers, both adult and children, while inmates of the workhouse, for misbehaviour.

Or who shall make any noise when silence is ordered to be kept ;

Or shall use obscene or profane language ;

Or shall by word or deed insult or revile any person ;

Or shall threaten to strike or to assault any person ;

Or shall not duly cleanse his person ;

Or shall refuse or neglect to work, after having been required to do so ;

Or shall pretend sickness ;

Or shall play at cards or other game of chance ;

Or shall refuse to go into his proper ward or yard, or shall enter or attempt to enter, without permission, the ward or yard appropriated to any class of paupers other than that to which he belongs ;

The general power of making "Regulations to be enforced in workhouses for "the government thereof, and the preservation of good order therein," which has been conferred on the Commissioners by Sections 15 and 42 of 4 & 5 Will. IV. c. 76, must be held to include the power of authorising the proper officers to inflict punishment by which such regulations may be "enforced." But, independently of these provisions, the necessity of inflicting certain punishments within the walls of the workhouse is distinctly recognised by the law. The 54 Geo. III. c. 170, s. 7, by limiting the duration of the restraint which may be imposed on an inmate of a workhouse, implies the legality of restraint within those limits, and by prohibiting the corporal punishment of adults, seems to recognise as lawful other reasonable punishments. In 4 & 5 Will. IV. c. 76, s. 93, these wholesome restrictions of the power of workhouse masters are repeated. From this clause the same inferences must undoubtedly be drawn as from 54 Geo. III. c. 170, s. 7 ; with this difference, however, that while the earlier statute may perhaps be held to apply specially to workhouses regulated by local Acts of Parliament, Section 93 certainly extends to all workhouses. The powers possessed by officers for restraining inmates of workhouses guilty of misbehaviour appear to have been considered insufficient, and 55 Geo. III. c. 137, s. 5, provides a more severe punishment by confinement, with hard labour, for any time not exceeding twenty-one days. It will be observed that this clause does not assert that no *punishment* can be inflicted on such an offender, but it asserts that no *sufficient* punishment was provided by the then existing law. Acting on the spirit of all these provisions, it appears desirable to impose slight punishments within the walls of the workhouse itself for all trifling offences, and not to harass the justices with complaints which must often relate to trifling matters, or to press for the rigorous measure of commitment to hard labour, at a great expense to the country, except when absolutely necessary. It will be observed that the word "*misbehaviour*," in 55 Geo. III. c. 137, s. 5, whilst it includes the instances of misbehaviour enumerated by the Order of the Commissioners, also comprehends any kind of misbehaviour not specified in such Order. It will be desirable, therefore, that the master, in all cases unprovided for in the Order of the Commissioners, or whenever he may entertain doubts as to his authority, should lay a complaint before the magistrates under the provision just cited.—*Instr. Letter.*

Or shall climb over any fence or boundary wall surrounding any portion of the workhouse premises, or shall attempt to leave the workhouse otherwise than through the ordinary entrance ;

Or shall misbehave in going to, at, or returning from public worship out of the workhouse, or at Divine Service or Prayers in the workhouse ;

Or, having received temporary leave of absence, and wearing the workhouse clothes, shall return to the workhouse after the appointed time of absence, without reasonable cause for delay ;

Or shall wilfully disobey any lawful order of any officer of the workhouse ;

Shall be deemed DISORDERLY.

Art. 128.—Any pauper, being an inmate of the workhouse, who shall, within seven days, repeat any one, or commit more than one, of the offences specified in Art. 127 ;

Or who shall by word or deed insult or revile the master or matron, or any other officer of the workhouse, or any of the Guardians ;

Or shall wilfully disobey any lawful order of the master or matron, after such order shall have been repeated ;

Or shall unlawfully strike or otherwise unlawfully assault any person ;

Or shall wilfully or mischievously damage or spoil any property whatsoever belonging to the Guardians ;

Or shall wilfully waste or spoil any provisions, stock, tools, or materials for work belonging to the Guardians ;

Or shall be drunk ;

Or shall act or write indecently or obscenely ;

Or shall wilfully disturb other persons at public worship out of the workhouse, or at Divine Service or Prayers in the workhouse ;

Shall be deemed REFRACTORY.[1]

[1] By the Pauper Inmates Discharge and Regulation Act, 34 & 35 Vict. c. 108, s. 7, any pauper who—

"(1) Absconds or escapes from or leaves any casual ward before he is entitled
" to discharge himself therefrom; or
"(2) Refuses to be removed to any workhouse or asylum under the provisions
" of this Act; or
"(3) Absconds or escapes from or leaves any workhouse or asylum during the
" period for which he may be detained therein; or
"(4) Refuses or neglects, whilst an inmate of any casual ward, workhouse,
" or asylum, to do the work, or observe the Regulations prescribed; or
"(5) Wilfully gives a false name or makes a false statement for the purpose
" of obtaining relief;
" shall be deemed an idle and disorderly person within the meaning of Section 3
" of 5 Geo. IV. c. 83."

By Section 44 of the Divided Parishes and Poor Law Amendment Act, 1876 (39 & 40 Vict. c. 61) the word "pauper" in 34 & 35 Vict. c. 108, s. 7 (5) shall include "any person who shall obtain relief by wilfully giving a false name, or "making a false statement, and such person may be proceeded against as an "idle and disorderly person at any time while he continues to receive such "relief." This enactment has not been repealed, but by Section 5 of the Casual Poor Act, 1871 (45 & 46 Vict. c. 36) it has been enacted that:—"If any "person for the purpose of obtaining relief from the rates raised for the relief "of the poor, for himself or for any other person, wilfully gives a false name, "or makes or uses a false statement to the Guardians of any Union or any of "their officers, he shall be deemed an idle and disorderly person within the "meaning of Section 3 of the Act of the fifth year of King George the Fourth, "Chapter eighty-three, 'for the punishment of idle and disorderly persons, and "'rogues and vagabonds, in that part of Great Britain called England.'"

By 34 & 35 Vict. c. 108, s. 7, it is further enacted that:—

"Every pauper who—
"(1) Commits any of the offences before mentioned after having been
" previously convicted as an idle and disorderly person; or
"(2) Wilfully destroys or injures his own clothes or damages any of the
" property of the Guardians,
"shall be deemed a rogue and vagabond within the meaning of Section 4 of the
"same Act:

"Provided that in the case of a pauper suffering from bodily disease of an "infectious or contagious character absconding or escaping from or leaving any "workhouse or asylum as aforesaid, the justice convicting him of the offence "may suspend the execution of the warrant of commitment, and may order the "pauper to be taken back to such workhouse or asylum, there to remain until "he shall be cured or otherwise lawfully discharged therefrom, and when he "shall be cured the warrant of commitment shall be put into execution by the "order of the said justice or some other justice having jurisdiction in the place; "any officer of such workhouse or asylum, or any constable, may apprehend the "pauper who may have so absconded or escaped from or left the same, and "take him before a justice without having previously obtained a summons or "warrant, and upon the order of the justice take him back to the workhouse or "asylum:

"And provided also, that where any casual pauper is taken before a justice "charged with any offence under this Act, the justice may, if he think fit, grant "a certificate to the person who has preferred the charge for the amount of the "expenses incurred by him in relation thereto, and such certificate shall have the "same effect, and the amount mentioned therein shall be paid and recovered in "like manner, as in the case of a certificate granted by justices in petty sessions "under Section 14 of the Act of 18 & 19 Vict. c. 126." (The 14th section of this Act was repealed by the Summary Jurisdiction Act, 1879.)

Art. 129.—The master may, with or without the direction of the Guardians, punish any disorderly pauper by substituting during a time not greater than forty-eight hours, for his dinner, as prescribed by the Dietary, a meal consisting of eight ounces of bread, or one pound of cooked potatoes or boiled rice, and also by withholding from him, during the same period, all butter, cheese, tea, sugar, or broth, which such pauper would otherwise receive, at any meal during the time aforesaid.[1]

Art. 130.—The Guardians may, by a special direction to be entered on their minutes, order any refractory pauper to be punished by confinement in a separate room, with or without an alteration of diet, similar in kind and duration to that prescribed in Art. 129 for disorderly paupers ; but no pauper shall be so confined for a longer period than twenty-four hours ; or, if it be deemed right that such pauper should be carried before a justice of the peace, and if such period of twenty-four hours should be insufficient for that purpose ; then for such further time as may be necessary for such purpose.[2]

"Sect. 8.—The master or porter of the workhouse or the officer having charge "of the casual wards of any Union may take before a justice having jurisdiction "therein any inmate of the workhouse or casual wards who shall be charged "with any disorderly conduct, offence, or misbehaviour therein punishable "upon summary conviction, without any summons or warrant, and may, "if such inmate shall be committed by the justice to gaol, and no constable "shall be present to execute the warrant, convey him to such gaol unless "a constable shall be found to whom he may deliver him to be conveyed, "according to the exigency of the warrant; and for the purposes of this "clause such master, porter, or officer shall have all the powers and autho-"rities of a constable."

[1] By this Article the master is authorised to make certain changes in the diet of disorderly paupers without any order of the Board of Guardians, either general or specific. With respect to the punishment of paupers who have been sick or are pregnant, or above sixty years of age, see Art. 134. Note that it is only *disorderly* paupers that are to be punished under this Article.

[2] In certain very rare cases it is possible that the master may be unable to exercise his lawful power, or to carry into effect the regulations of the Commissioners, without using force towards some refractory pauper. In all such cases he should, if possible, avoid laying hands on the pauper, but he should call in the aid of the porter or other officer. In such cases, too, it may often be desirable that the master should cause such refractory paupers to be taken before a magistrate.—*Instr. Letter*, February, 1842. See also Art. 134, excepting certain cases from this rule, and Art. 129. Under this Article the period of confinement cannot be spread over a period of more than twenty-four consecutive hours; but the duration of the altered diet may extend to a period of forty-eight consecutive hours. In answer to an inquiry on this point, the Poor Law Board have stated that they are of opinion that the Guardians cannot order confinement for twelve hours each day during four consecutive days;

Art. 131.—If any offence, whereby a pauper becomes refractory under Art. 128, be accompanied by any of the following circumstances of aggravation (that is to say), if such pauper—

Persist in using violence against any person ;

Or persist in creating a noise or disturbance so as to annoy other inmates ;

Or endeavour to excite other paupers to acts of insubordination ;

Or persist in acting indecently or obscenely in the presence of any other inmate ;

Or persist in mischievously breaking or damaging any goods or property of the Guardians ;

the master may, without any direction of the Guardians, immediately place such refractory pauper in confinement for any time not exceeding twelve hours ; which confinement shall, however, be reckoned as part of any punishment afterwards imposed by the Guardians for the same offence.[1]

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and they also think that the Guardians cannot spread the confinement, referred to in Art. 130 of the General Consolidated Order, over more than a continued period of twenty-four hours. (O. C. 55 N.S. 64.)

If an inmate be discharged from the workhouse, the punishment prescribed for any offence he might have committed not having been inflicted, the master would not be justified in inflicting such punishment upon the return of such pauper to the workhouse. (15 O. C. p. 223.)

Art. 130 does not apply to a case where the pauper is not being confined by way of punishment, but is employed in a task of work in accordance with Art. 112. When such is the case, it is competent for the master to employ the paupers in any suitable room or part of the workhouse as directed by the Guardians.

A police constable is not bound, nor would he be justified in taking an inmate of a workhouse who is not a casual pauper before a justice of the peace without a warrant.

[1] The master is restrained by the order from confining any pauper on his own authority, unless such pauper shall be refractory with any of the circumstances of aggravation specified in this Article. The Commissioners have thought it expedient to make these exceptions, since, without a precaution of this kind, a pauper might annoy the inmates by continued turbulence, or scandalize them by gross indecency. Subsequent punishment, though it might hinder the recurrence of such misconduct, could do nothing to protect those who would suffer from it at the moment. Cases sometimes occur, too, in which wanton mischief to property, or growing insubordination, must be at once stopped. It is, therefore, as a preventive of such evils that the Commissioners have permitted the master to retain a limited power of confinement on his own authority and responsibility.—*Instr. Letter*, February, 1842.

Art. 132.—Every refractory pauper shall be deemed to be also disorderly, and may be punished as such ; but no pauper who may have been punished for any offence as disorderly shall afterwards be punished for the same offence as refractory, and no pauper who may have been punished for any offence as refractory shall afterwards be punished for the same offence as disorderly.[1]

Art. 133.—No pauper shall be punished by confinement or alteration in diet for any offence not committed in the workhouse since his last admission, except in such cases as are expressly specified in Arts. 127 and 128.

Art. 134.—No pauper who may have been under medical care, or who may have been entered in the medical weekly return as sick or infirm, at any time in the course of the seven days next preceding the punishment, or who may be reasonably supposed to be under twelve or above sixty years of age, or who may be pronounced by the medical officer to be pregnant, or who may be suckling a child, shall be punished by alteration of diet, or by confinement unless the medical officer shall have previously certified in writing that no injury to the health of such pauper is reasonably to be apprehended from the proposed punishment ; and any modification diminishing such punishment which the medical officer may suggest shall be adopted by the master.[2]

Art. 135.—No pauper shall be confined between eight o'clock in the evening and six o'clock in the morning without being furnished with a bed and bedding suitable to the season, and with the other proper conveniences.

Further, with regard to the power of the master to confine a pauper inmate of the workhouse, see the provision in 54 Geo. III. c. 170, s. 7, and also in 4 & 5 Will. IV. c. 76, s. 23.

[1] A refractory pauper may be punished merely as disorderly if the master thinks it expedient to take this course, instead of first reporting the case for the decision of the Board of Guardians. This option will induce the master to employ the minor punishment whenever it is likely to prove sufficient to prevent the repetition of the offence, and punishment will nevertheless be duly brought under the notice of the Guardians by means of the book ordered to be kept by Art. 143.—*Instr. Letter*, February, 1842.

[2] Great caution should be used in inflicting any punishment by confinement or change of diet on paupers whose health might in any manner be affected thereby.

Art. 136.—No child under twelve years of age shall be punished by confinement in a dark room, or during the night.[1]

Art. 137.—No corporal punishment shall be inflicted on any male child, except by the schoolmaster or master.[2]

Art. 138.—No corporal punishment shall be inflicted on any female child.

Art. 139.—No corporal punishment shall be inflicted on any male child, except with a rod or other instrument such as may have been approved of by the Guardians or the Visiting Committee.[3]

Art. 140.—No corporal punishment shall be inflicted on any male child until two hours shall have elapsed from the commission of the offence for which such punishment is inflicted.

Art. 141.—Whenever any male child is punished by corporal correction, the master and schoolmaster shall, if possible, be both present.

Art. 142.—No male child shall be punished by flogging whose age may be reasonably supposed to exceed fourteen years.[4]

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[1] Arts. 136–142 contain regulations respecting the corporal correction of children. The master must be deemed to be responsible for all punishments inflicted on adult inmates. With regard to the male children, the master and schoolmaster have a concurrent power of control. The female children are to be considered as in the more immediate care of the matron and schoolmistress. The prohibition of corporal punishment of adults, in the statutes before referred to, implies the legality of such punishment in the case of children. The expediency of such a mode of correction is a more difficult subject, and all classes of society are somewhat divided in opinion respecting it. The Commissioners are satisfied that good temper, joined to firmness and self-command, will enable a skilful teacher to manage children with little or no corporal punishment.—*Instr. Letter*, Febfuary, 1842.

A schoolmaster has delegated to him by the parent of a pupil entrusted to his charge, authority to inflict reasonable personal chastisement upon the pupil when necessary; and this authority is not limited to offences committed by the pupil upon the premises of the school, but may extend to acts done by the pupil while on the way to and from school; see *Cleary* v. *Booth* (1893), 1 Q. B. 465; 62 L. J. M. C. 87; 68 L. T. N.S. 349; 17 Cox. c.c. 611; 57 J. P. 375; 5 R. 263.

[2] This will not extend to the schoolmistress.

[3] See Note to Art. 142 as to the infliction of corporal punishment on a boy above fourteen years of age.

[4] The word "flogging" in this Article would seem to contemplate an exposure of the person of the individual. Hence it is considered that a "caning" over the shoulders, which is a corporal punishment, would not be a "flogging," and that such a punishment might therefore be inflicted upon a boy above fourteen years of age.

Art. 143.—The master shall keep a book, to be furnished him by the Guardians in the Form (O) hereunto annexed, in which he shall duly enter—

Firstly.—All cases of refractory or disorderly paupers, whether children or adults, reported to the Guardians for their decision thereon.

Secondly.—All cases of paupers, whether children or adults, who may have been punished without the direction of the Guardians, with the particulars of their respective offences and punishments.[1]

Art. 144.—The person who punishes any child with corporal correction shall forthwith report to the master the particulars of the offence and punishment, and the master shall enter the same in the book specified in Art. 143.

Art. 145.—Such book shall be laid on the table at every ordinary meeting of the Guardians, and every entry made in such book since the last ordinary meeting shall be read to the Board by the clerk.

The Guardians shall thereupon, in the first place, give direction as to the confinement or other punishment of any refractory or disorderly pauper reported for their decision, and such direction shall be entered on the minutes of the proceedings of the day, and a copy thereof shall be inserted by the clerk in the book specified in Art. 143.

The Guardians, in the second place, shall take into their consideration the cases in which punishments are reported to have been already inflicted by the master or other officer, and shall require the master to bring before them any pauper so punished, who may have signified a wish to see the Guardians. If the Guardians in any case are of opinion that the officer has acted illegally or improperly, such opinion shall be entered on the minutes and shall be communi-

[1] The record which is directed by this Article to be kept is of the utmost importance for the preventing of abuse. The details of offences and punishments must be accurately and punctually entered in the book; and if any case should not be properly reported, the Commissioners will alway presume that such omission originated in a sense of the expediency of concealment.—*Instr. Letter*, February, 1842.

cated to the master, and a copy of the minutes of such opinion shall be forwarded to the Commissioners by the clerk.

Art. 146.—If any pauper above the age of fourteen years unlawfully introduce or attempt to introduce any spirituous or fermented liquor into the workhouse, or abscond from the workhouse with clothes belonging to the Guardians, the master may cause such pauper to be forthwith taken before a justice of the peace, to be dealt with according to law : and whether he do so or not, he shall report every such case to the Guardians at their next ordinary meeting.[1]

Art. 147.—The master shall cause a legible copy of Arts. 127, 128, 129, 130, and 131, to be kept suspended in the dining hall of the workhouse, or in the room in which the inmates usually eat their meals, and also in the Board Room of the Guardians.[2]

Visiting Committee.

Art. 148.—The Guardians shall appoint one or more *Visiting Committees* from their own body, and each of such Committees shall carefully examine the workhouse or workhouses of the Union once in every week at the least, inspect the last reports of the chaplain and medical officer, examine the stores, afford, so far as is practicable, to the inmates an opportunity of making any complaints, and investigate any complaints that may be made to them.[3]

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[1] With respect to the introduction of spirits into a workhouse, see 4 & 5 Will. IV. c. 76, ss. 91–4 ; and with respect to the punishment of any pauper who shall abscond from the workhouse with any clothes belonging to the Guardians, see 55 Geo. III. c. 137, s. 2, and Note on Art. 116.

According to the provision in 4 & 5 Will. IV. c. 76, s. 93, the master of a workhouse is only empowered to confine a pauper inmate for twenty-four hours, or such further space of time as may be necessary to have him carried before a magistrate; and this authority cannot be extended so as to authorise the master to continue the confinement of the pauper for any further time.

[2] It is also necessary for the master to hang up in some one of the most public places in the workhouse copies of the 92nd and 93rd sections of 4 & 5 Will. IV. c. 76, regarding the illegal introduction of spirituous liquors into the workhouse.

[3] This Article directs the Guardians to appoint *one or more* Visiting Committees for the workhouse, and defines the functions of the Committee. Any member or members of the Visiting Committee may visit the workhouse at any time at which the Committee could visit it collectively : unless, indeed, the

Guardians should have given the Committee only a limited authority to visit it, so as to confine that authority to a majority, or any fixed number or portion of that Committee. The Guardians may order that each member of the Visiting Committee shall be admitted at all times to inspect the workhouse. It will be observed that the powers of the Visiting Committee are confined to the purposes specified in this Article, and that they do not extend to other purposes, such as the ordering of stores, repairs of the house, &c.—*Instr. Letter*, February, 1842. Guardians who are not members of the Visiting Committee cannot claim as of right to visit the workhouse. The Board of Guardians may, however, grant permission to do so in any case if they think fit. The Visiting Committee must consist of a specified number of Guardians, individually named, selected from the General Board, and deputed by them to visit the workhouse within the stated periods. The Guardians cannot constitute the entire Board of Guardians the Visiting Committees. The words of the Article are :—"The Guardians shall appoint one or more Visiting Committees from "their own body"—which is inconsistent with the appointment of the whole Board as a Committee. There is no particular time named when the appointment of the Visiting Committee should be made; and, indeed, there appears to be nothing to prevent the appointment of a fresh Committee at each meeting of the Guardians, their powers being limited till the next meeting. If the Guardians neglect to appoint a Visiting Committee, the Local Government Board may appoint a paid visitor. (See 10 & 11 Vict. c. 109, s. 24.) No one should make entries in the Visitors' Book but the appointed quorum of the Committee, if a quorum has been appointed. It is expedient to appoint a quorum to be empowered to act as the Visiting Committee; but if none be appointed, all the members of the Committee must act together, and not singly. A single member may, however, visit the house on the appointed days, in the absence of the other members of the Committee.

The master and matron of the workhouse need not necessarily accompany the Visiting Committee when they visit the several wards; but as a general rule it is desirable that they should accompany the Committee or individual members of it when they visit the wards.

It will be noticed that Art. 148 is express in requiring the visits to be "once "in every week at least," and that it applies though the Guardians may meet only once a fortnight.

The Guardians are now empowered by Article 2 of the General Order relating to the visitation of workhouses of January 26, 1893, *post*, to appoint Committees of women, whether members of the Board of Guardians or not, to visit and examine the parts of the workhouse in which female paupers or pauper children are maintained, and to report to the Board any matter which may appear to the committee to need attention.

The appointment of such a committee is not, however, in any way to affect the duty of the Guardians to appoint one or more Visiting Committees, as required by Article 148; see the Circular Letter of the Local Government Board of January 28, 1893.

By Art. 1 of the same Order any Guardian of the Poor may, at any time, visit and examine any part of any workhouse of the Union or separate Parish of which he is a Guardian.

The term "workhouse," as used in the Order, is intended, the Board say in their Circular, to include any infirmary school or other similar establishment in the occupation of the Guardians.

In a Circular Letter issued to clerks to Guardians by the Local Government Board on January 29, 1895, that Board say with regard to Art. 1 of the Order of January 26, 1893, that it does not affect the duty of the Guardians to appoint one or more Visiting Committees from their own body, or the duty of

Art. 149.—The Visiting Committee shall from time to time write such answers as the facts may warrant to the following Queries, which are to be printed in a book, entitled the VISITORS' BOOK [1] to be provided by the Guardians, and kept in every workhouse for that purpose, and to be submitted regularly to the Guardians at their ordinary meetings :—

Q. 1.—Is the workhouse, with its wards, offices, yards, and appurtenances, clean and well ventilated in every part ?—and

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the Committees so appointed to carefully examine the workhouse, to inspect the reports of the chaplain and medical officer, to examine the stores, to afford as far as practicable to the inmates an opportunity of making complaints, and to investigate any complaints which may be made to them, and from time to time to write such answers as the facts may warrant to certain questions in a book provided by the Guardians for the purpose. The manner in which those duties should be performed is set forth in the Circular Letter which was issued by the Poor Law Board on January 6, 1868 ; see the Note to Art. 149, Q. 1, *post*.

In the Circular referred to of January 29, 1895, the Local Government Board say :—"There are, however, two points to which the Board would specially refer. The Committee should bear in mind that surprise visits are of great value to enable them to ascertain the real character of the administration of their workhouse, and if they ordinarily meet at fixed intervals they should be careful that visits of this nature are also made. It is also important that opportunities should be given to the inmates of the workhouse to make any communication they may wish to members of the Committee, without any officers being present at the time.

"By the Order of January, 1893, above referred to, the Guardians were expressly empowered, from time to time, to appoint, in addition to the workhouse Visiting Committee, a Committee or Committees of ladies, whose duty it should be to visit and examine those parts of the workhouse in which the female inmates and the children are maintained, and to report to the Guardians any matters which may appear to the Committee to need attention. The Board consider that the appointment of such Committees has been attended with great advantage."

In a Memorandum issued by the Local Government Board in June, 1895, to Boards of Guardians as to the duties of Visiting Committees based upon the Circular issued by the Board on July 6, 1868, the Board say that they "attach the greatest importance to the careful and punctual discharge of the prescribed duties by the Visiting Committee, as it is upon their supervision that the efficient management of the workhouse must mainly depend. If the workhouse be carefully examined once at least in every week, the books of the medical officer and chaplain inspected, the stores examined, and if an opportunity of stating any complaint they may have to make be afforded to the inmates, no irregularity can long remain unnoticed; while, if the queries in the Visitors' Book are answered, not as a matter of form, but after careful inquiry, the Guardians would have before them from time to time full information upon all material facts connected with the state of the workhouse and its management." For the rest of this Memorandum containing matters to which the attention of the Guardians is to be specially directed, see the Notes to the Queries in Article 149, *infra*.

[1] The Visitors' Book should be kept for the exclusive use of the Visiting Committee.

is the bedding in proper order?—if not, state the defect or omission.[1]

Q. 2.—Do the inmates of the workhouse, of all classes, appear

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The visiting Guardians of every Union are required, once at least in each quarter, to enter in a book to be provided and kept by the master of the workhouse, such observations as they may think fit to make respecting the diet, accommodation, and treatment of the lunatics or alleged lunatics in the workhouse, which book is to be laid by the master before the Commissioner or Commissioners in Lunacy at his or their next visit; see Section 54 of the Lunacy Act, 1890 (53 Vict. c. 5). Two or more Commissioners in Lunacy, of whom one shall be a medical practitioner and one a barrister, shall once at least in each year, and any one or more of the Commissioners, may at any time visit every asylum and inquire (*inter alia*) as to the dietary of pauper patients therein (*Ib.* s. 187). See also Section 188 of the Act as to the inspection once at least in every two months of asylums by members of the Visiting Committee appointed under the Act; and as to the visitation of pauper lunatics by the Guardians or by medical practitioners appointed by the Guardians for that purpose, see Section 201 of the Act. The Commissioners may, too, where any case appears to them to call for immediate investigation, direct a competent person or persons to visit and report upon the mental and bodily condition of any lunatic or alleged lunatic in a workhouse (*Ib.* s. 204).

[1] In replying to this query the Committee should satisfy themselves whether there is any structural defect in any part of the house; whether painting or lime-washing is required; whether the wards are clean and provided with such conveniences as lockers or shelves, so that they may be kept in proper order; whether there is any defect in the construction of the sanitary arrangements, or in the general sewerage of the house; whether the yards are defective as airing courts or places of recreation. The attention of the Visiting Committee should be carefully directed to the subject of ventilation, which should be effected by special means, apart from the usual means of doors, windows, and fire-places, and should be so arranged that each ward may be brought into uninterrupted communication with the open air. Although it is the duty of the medical officer to report to the Guardians any defect that may exist in the means of ventilation, yet it is most desirable that the Visiting Committee should satisfy themselves by inspection that there is no defect under this head. A piece of cocoa-fibre matting or other material, or a mattress, should be placed between the bedstead and the bed. A sufficient supply of blankets, sheets, bedroom furniture, and conveniences should be provided.—Memorandum as to duties of Visiting Committees, June, 1895.

In the Instructional Letter as to the duties of Visiting Committees issued on July 6, 1868, the Local Government Board say in addition to what is here said:—"The beds and bedding should always be inspected, so that the Committee may be satisfied that they are in proper order. The Board avail themselves of this opportunity of suggesting that, for ordinary dormitories, bedsteads should not be less than 2 feet 6 inches wide, made of iron, with flexible (galvanised) laths; that the beds, whether of feathers, cocoa-fibre, carded flock, cut straw, or chaff, should be properly made, kept full, and in good condition."

To facilitate inquiry, and to ensure an accurate record being kept of the furniture, bedding, linen, crockery, books, &c., assigned to each ward, an inventory of these articles should be printed for each, and placed in a conspicuous position in the ward. This will be found especially desirable in the sick wards. The number of beds for which each ward is limited may be also conveniently recorded in the same manner. (See No. 14.)

clean in their persons, and decent and orderly in their behaviour, and is their clothing regularly changed ?[1]

Q. 3.—Are the inmates of each sex employed and kept at work as directed by the Guardians, and is such work unobjectionable in its nature ?—if any improvement can be suggested in their employment, state the same.[2]

Q. 4.—Are the infirm of each sex properly attended to, according to their several conditions ?[3]

Q. 5.—Are the boys and girls in the school properly instructed as required by the regulations of the Commissioners, and is their industrial training properly attended to ?[4]

Q. 6.—Are the young children properly nursed and taken care of, and do they appear in a clean and healthy state ? Is there any child not vaccinated ?[5]

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[1] Before replying to this query, the Committee should satisfy themselves that sufficient means for ensuring personal cleanliness are provided; that a convenient lavatory, as well as baths, with water laid on, and supplied with towels, soap, and combs, are accessible to each class; also that there is a sufficient supply of clothing to enable all the inmates to have the requisite change.—Memorandum as to duties of Visiting Committees, June, 1895.

[2] Suitable occupation should be provided for all inmates who are capable of doing any work, and the Visiting Committee should satisfy themselves, by inquiry from the officers and the inmates, that the work is so provided, and that it is unobjectionable in its character.—*Ib.*

[3] The Visiting Committee cannot satisfactorily answer this question without personally communicating with the aged and infirm inmates in their several wards. As a general rule it will be desirable that the officers of the workhouse should not be present at interviews between the Visiting Committee and the inmates.—*Ib.*

[4] In visiting the schools the Committee should examine the school attendance book and the Chaplain's report, and should ascertain not only whether the whole of the children who are of school age attend school either for at least three hours every day or for an aggregate of 18 hours in the week, but also whether provision is made for imparting to them some systematic industrial training. There are very few workhouses in which arrangements might not be made for employing boys in some suitable out-door work, and girls in sewing, knitting, and washing. The Guardians will, the Board feel convinced, see the advantage of making such arrangements, and the Visiting Committee should ascertain at each inspection that such arrangements are carried out.—*Instr. Letter*, July 6, 1868.

[5] In every workhouse in which there are several children too young to attend school, a separate nursery, dry, spacious, light, and well ventilated, should be provided, and should be suitably furnished. In no case should the care of young children be intrusted to infirm or weak-minded inmates. Unless young children are placed under responsible supervision they cannot be said to be "properly taken care of," and the Committee should never fail to make careful

Q. 7.—Is regular attendance given by the medical officer?—Are the inmates of the sick wards properly tended?—Are the nurses efficient?—Is there any infectious disease in the workhouse?[1]

Q. 8.—Is there any dangerous lunatic or idiot in the workhouse?[2]

Q. 9.—Is Divine Service regularly performed?—Are prayers regularly read?[3]

Q. 10.—Is the established dietary duly observed; and are the prescribed hours of meals regularly adhered to?[4]

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inquiry under this head.—Memorandum as to duties of Visiting Committees, June, 1895.

[1] The Workhouse Medical Relief Book should always be inspected by the Committee, and every attendance which is given otherwise than by the medical officer in person should be noticed in order that the Guardians may ask for an explanation. The Committee will generally be able to ascertain, by freely communicating with the inmates in the sick wards, and by inquiry from the medical officer and the master and matron, whether the sick are properly attended to, and the nursing is sufficient. Provision should be made for night nursing. In answering the question, Is there any infectious disease in the workhouse? the Committee should satisfy themselves as to whether efficient means exist for separating infectious from other cases, and every defect should be brought under the notice of the Guardians.—*Ib.*

[2] The Committee should never fail to bring under the notice of the Guardians any case of the detention of a dangerous lunatic in the workhouse for a longer period than is absolutely necessary to effect removal to an asylum.—*Instr. Letter*, July 6, 1868.

[3] The Committee should ascertain from the Chaplain's Book whether Divine Service is regularly performed. The Guardians would, of course, be desirous of affording to the inmates an opportunity of attending the place of worship of the religious persuasion to which they belong. The duty of reading prayers, according to Article 124, should be discharged either by the master or the schoolmaster.—Memorandum as to duties of Visiting Committees, June, 1895.

[4] As there is no subject upon which complaints are more frequently made by inmates of workhouses than their dietary, careful inquiry should always be made from the inmates of the several classes before the Committee reply to this question, and the Committee should ascertain not only whether there is any complaint as to the quantity and quality of the food, but as to the hours and mode of serving it. As the Committee would doubtless frequently visit the workhouse either during the hours of meals or while meals are being prepared, they would have an opportunity of ascertaining whether there was any ground of complaint, either as to the preparation of the food, or its mode of distribution. This should be especially noticed with reference to the sick.—*Ib.*

No provision is made in this Order for ascertaining whether the workhouse is properly supplied with water, and whether the water is "potable" and can be used without injury to health. But the Guardians can lawfully defray out of their funds the cost of having an analysis made by a competent person of the water supplied to the workhouse, and they ought from time to time to have such an analysis made. A workhouse is a house of which the Guardians are

Q 11.—Are the provisions and other supplies of the qualities contracted for ?[1]

Q. 12.—Is the classification properly observed according to Arts. 98 and 99 ?[2]

Q. 13.—Is any complaint made by any pauper against any officer, or in respect of the provisions or accommodations ?—if so, state the name of the complainant, and the subject of the complaint.[3]

Q. 14.—Does the present number of inmates in the workhouses exceed that fixed by the Poor Law Commissioners ?[4]

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owners, and waterworks companies are bound to supply them with water for domestic purposes, the inmates being treated as one family, and the water rate assessed accordingly. *Liskeard Union* apps. v. *Liskeard Waterworks Company* resps. 7 Q. B. D. 505; 45 J. P. 780; 30 W. R. 292.

[1] The Committee should never fail to visit the store-rooms and inspect the stores, and ascertain whether the delivery of articles of consumption by contractors takes place at sufficiently short intervals.—Memorandum as to duties of Visiting Committees, June, 1895.

[2] In answering this question the Committee should not be satisfied with a formal reply, which is too frequently given, that the classification is observed "as far as possible," or "as far as the arrangements of the house allow," but should specify every deviation from Arts. 98 and 99.—*Ib.*

[3] The Board desire to repeat here the suggestion already made, that the fullest opportunity should be given to the inmates of all classes to state any complaint they may have to make, and for this purpose the Committee should communicate with them not in the presence of the officers.—Memorandum as to duties of Visiting Committees, June, 1895.

[4] In replying to this question the Committee should ascertain not merely whether the total number for which the workhouse is certified has been exceeded, but whether the number of any one class exceeds the accommodation available for it.—*Ib.*

Reference may here be made to 30 Geo. III. c. 49, s. 1, which empowers justices to visit, inspect, and examine workhouses; which power is saved to them by 4 & 5 Will. IV. c. 76, s. 43, in respect to workhouses under the regulations of the Local Government Board, and the further power of enforcing the observance of these regulations conferred upon them.

The following regulations for visitors to a Metropolitan infirmary may be of general interest :—

1. A fixed number of visitors (Protestant and Roman Catholic) is allotted by the Guardians to each ward or group of wards, as the case may be, and it is required that the visitors confine themselves strictly to the ward or wards assigned to them, as intimated to them on their appointment.

2. Except in cases where special permission to the contrary has been obtained from the Guardians, the visiting must take place between the hours of 2 and 4 P.M., on Mondays, Tuesdays, Thursdays, and Fridays, and it is open to the visitors, by arrangement between themselves, to visit the wards assigned to them either singly or conjointly on any of the visiting days.

3. In the event of any visitor being temporarily prevented from visiting by absence from town, sickness, or any other cause, it is required that notice thereof be given to the chaplain, who will make arrangements for providing a

Repairs and Alterations of the Workhouse.

Art. 150.—The Guardians shall, once at least in every year, and as often as may be necessary for cleanliness, cause all the rooms, wards, offices, and privies belonging to the workhouse to be lime-washed.[1]

Art. 151.—The Guardians shall cause the workhouse and all its furniture and appurtenances to be kept in good and substantial repair; and shall, from time to time, remedy without delay any such defect in the repair of the house, its drainage, warmth or ventilation, or the furniture or fixtures thereof, as may tend to injure the health of the inmates.[2]

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substitute during such period, but in the event of no such notice being given, a cessation of visiting for two consecutive months will be considered sufficient reason for filling up the place of the absenting visitor.

4. The name of each visitor and date of visit should be entered in the book provided for the purpose, kept by the nurse in charge.

5. Any special instruction from the medical officers, given through the nurse, or otherwise, must be strictly attended to.

6. No money or article of clothing, food, or liquor, is under any circumstances to be given to, or left with, or for any patient, by any visitor.

7. As the wards of the infirmary contain patients of all religious denominations, and also patients for whose comfort, in many cases, quiet is essential, visitors are requested to abstain from reading, preaching, praying, or singing aloud to the whole ward. By this rule, however, it is not intended to preclude visitors from assembling together, in a convenient portion of the ward, those patients who may so desire, and reading quietly to them so long as special instructions to the contrary have not been given by the medical officer.

8. No work of any description is to be given to the patients in the infirmary without the sanction of the matron, nor are any money payments to be made in respect of work so given.

[1] By Art. 208, No. 24, it is the duty of the master to take care that the wards, rooms, larder, kitchen, and all the offices of the workhouse, and all the utensils and furniture thereof, are kept clean and in good order; and when any defect in the same occurs, to report it to the Guardians; and by Art. 210, No. 13, it is the especial duty of the matron to assist the master in cleansing and ventilating the sleeping wards and dining-hall, and all parts of the premises.

[2] By Art. 207, No. 6, it is the duty of the medical officer to report in writing to the Guardians any defect in the drainage, ventilation, warmth, or other arrangement of the workhouse which he may deem to be detrimental to the health of the inmates; and it is desirable that the Guardians should take the proper steps for remedying any defect to which their attention may be thus called. The 4 & 5 Will. IV. c. 76, s. 23, and 30 & 31 Vict. c. 106, s. 13, subject the Guardians to the control, orders, and regulations of the Local Government Board in their expenditure of the money of the ratepayers for the enlargement or alteration of the workhouse.

With regard to the drainage of workhouses, the Local Government Board, in a Circular dated August 11, 1880, state that they have had under their con-

GOVERNMENT OF THE WORKHOUSE BY THE GUARDIANS.

Art. 152.—We do declare that, subject to the rules and regulations herein contained, the guidance, government, and control of

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sideration the reports made from time to time by their inspectors regarding the system of drainage in operation at various workhouses and other Poor Law institutions, and it is evident to them that in many instances the arrangements in this respect are not as satisfactory as could be desired.

"The Board find that, while in many cases the drainage is conveyed direct into the public sewers, there are numerous examples in which it is collected in cesspools, and moreover that the contents of these cesspools are frequently allowed to escape either by soakage into the ground or by overflowing and discharging into a ditch, or a pond, or a stream.

"In reference to arrangements of this character the Board deem it right to point out that, if existing in an urban sanitary district, they would be in contravention of the 47th section of the Public Health Act, 1875, which enacts that:—

"'Any person who in any urban district—

"'Allows the contents of any watercloset, privy, or cesspool to overflow

"'or soak therefrom, shall for every such offence be liable to a

"'penalty not exceeding 40*s.*, and to a further penalty not exceeding

"'5*s.* for every day during which the offence is committed.'

"Although this enactment relates only to such cesspools as are within an *urban* sanitary district, it would nevertheless be very desirable, for sanitary reasons, that, even when the workhouse is situated in a *rural* sanitary district, every effort should be made so to deal with the sewage that it shall not pollute the soil in a manner that would be illegal in an urban sanitary district. Moreover, the flowing of sewage into streams and watercourses is prohibited in rural as well as in urban districts by the Rivers Pollution Prevention Act, 1876.

"In view of the considerations above referred to, the Board think it may be of use to point out a few general principles to be observed in regard to the disposal of sewage from workhouse buildings.

"They would first observe that cesspools should never be allowed to exist if sewers are within an accessible distance.

"The 21st section of the Public Health Act, 1875, authorises the owner or occupier of any premises to drain such premises into the sewers of the district, and the 23rd section gives power to the sanitary authority of any district to require the owner or occupier of any premises which are without a drain sufficient for effectual drainage to make a suitable drain and connect it with the public sewer, provided such sewer be not more than 100 feet distant from the site of the premises.

"If cesspools are rendered necessary by the absence of other proper outfall for drains, it is most important that they should be made absolutely watertight, and be so situated as to be out of the line of the natural drainage of the locality, so as not to endanger the wells or other sources of water supply. They should also be so far distant from buildings as to be incapable of becoming a nuisance to the inmates. Moreover, they should be so placed as to allow of their contents being periodically removed and applied, where practicable, to land under cultivation.

"If there are no sewers available and the circumstances of the locality will permit, it may be possible to dispense with cesspools altogether, and to deal with solid excrement on some dry system, and apply the slop drainage direct to land by way of irrigation. Care, however, must be taken that the land to

every workhouse, and of the officers, servants, assistants, and paupers within such workhouse, shall be exercised by the Guardians of the Union.[1]

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be irrigated is of adequate size, and possesses the requisite fall, and is itself capable of being drained; and whenever the dry earth, pail, or ash system for excrement removal is used, it is indispensable that a regular system of superintendence and removal should be organized and rigidly carried out.

"Where drains are connected either with public sewers or with cesspools, it is essential that means should be taken for preventing sewer-air or cesspool-air from ascending into the drains of the building. This may be effected by a water-trap in the drain at a point near to the sewer or cesspool, with an opening for ventilation on the side of the trap nearest to the workhouse buildings. Such opening may often be in the form of a man-hole giving access to the drain.

"With regard to the ordinary drains themselves, which should be formed of impervious pipes, they should in no case whatever pass under or be within any building.

"If surface water has to be conveyed away from the floor of any building, such as a wash-house, for example, it should pass by means of surface-channels to gully gratings outside. In the same way every pipe for carrying off waste water, whether from a bath, lavatory, or sink, or the overflow pipe from a cistern, should be taken through an external wall and discharge visibly in the open air over a channel leading to a gully grating outside communicating with the drains.

"The drains should be laid in direct line and uniform gradient between the points where they change direction or gradient, and at these points it is convenient to provide means of access to the drains for the purpose of inspection or cleansing.

"Ample means of ventilating the drains of the building by suitable openings at their lower and upper extremities, and of flushing them, should be provided.

"The soil pipe from any watercloset should always be outside the building, and be continued up beyond the point of junction with the highest closet, and without diminution of diameter, to some point where it will afford a safe outlet for drain-air.

"Where privies of any kind are in use, much care and attention is needed to prevent them from becoming a nuisance. They should be so arranged as to avoid any considerable accumulation of filth during a lengthened period. Hence the size of the receptacle or pit beneath the seat should be strictly limited, and the filth should be removed therefrom at regular and frequent intervals. Ordinarily, a very moderate capacity should suffice for the receptacle, when fixed, of each privy, whilst if the receptacle be movable, such as a tub or pail, a capacity of more than two cubic feet would be inconvenient. Where fixed receptacles are in use, they ought under no circumstances to be sunk in the ground, but should rather be raised at least three inches above the level of the adjacent ground, and the floor and sides should be made of stone-flagging or other non-absorbent material. The privy receptacle should be so arranged that under no circumstances whatever would rain-water be allowed to enter it, and of course no slop-water should be emptied into it.

"The Board request that the foregoing remarks may receive the attention of the Guardians in so far as they are applicable to the buildings over which they have control."

[1] The 38th section of 4 & 5 Will. IV. c. 76, enacts that no Guardian, except as is herein excepted, shall have power to act in virtue of his office, except as a

APPOINTMENT OF OFFICERS.[1]

Art. 153.—The Guardians shall, whenever it may be requisite, or whenever a vacancy may occur, appoint fit persons to hold the undermentioned offices,[2] and to perform the duties respectively assigned to them ; namely,

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member, and at a meeting of the Board ; therefore the powers given by this Article must be exercised by the Guardians as a Board.

It rests with the Guardians under this Article to make proper provision for the celebration of Divine Service in the workhouse ; and the chaplain must conform thereto, as he does not possess any authority independent of the Guardians to introduce into the workhouse anything to be used in Divine Service without the consent of the Guardians or contrary to their directions. So, if any room or part of the workhouse should be set apart for a particular purpose, it will rest with the Guardians to direct whether or not the Visiting Committee shall inspect it.

Having regard to 31 & 32 Vict. c. 109, s. 7, it is considered competent for the Guardians, who are a corporate body, to contribute church rates in respect of any property in their occupation.

[1] In a Circular Letter issued on January 29, 1895, to clerks to Guardians, the Local Government Board say with regard to the appointment of officers :—

" The Board must impress upon the Guardians the grave responsibility which rests upon them as regards the selection of the officers employed in workhouses. They cannot do better than refer to the Letter of the Poor Law Commissioners of February 5, 1842, in which they said :—' The Commissioners are satisfied that good temper joined to firmness and self-command will enable a skilful teacher to manage children with little or no corporal punishment. The frequent use of corporal correction is the common recourse of teachers who, through idleness or other defect, are incompetent to acquire command over children by a knowledge of their characters and by gentle means. . . . The observations made above with reference to the management of children are equally applicable to the treatment of adults. Warmth of temper and passionate conduct generally betray a consciousness of want of firmness. The discipline of a workhouse has to be maintained by an undeviating adherence to rules and a steadiness which defies provocation, while it deliberately enforces obedience to orders by legal and authorised means. The master of a workhouse is answerable for the general order of the whole establishment, and minute personal attention on his part can alone detect and remedy defects in the discipline and cleanliness of the house. The temper and discretion required for the discharge of his duties and the confidence necessarily placed in his integrity make it essential that the greatest care should be exercised in the choice of that officer. The master, too, is in some degree dependent on the aid afforded him by the other officers of the establishment . . . and as want of harmony between the principal officers of the establishment cannot fail to impair their efficiency and disturb the general discipline of the house the Commissioners are desirous of inculcating the necessity of the utmost forbearance and command of temper in their mutual relations.'"

[2] An officer is appointed by a resolution of the Board of Guardians entered on their minutes ; and it is not necessary that there should be a formal appointment in writing. See *Frost* v. *Bolland*, 5 B. & C. 611, and also *Reg.* v. *Greene*, 21 L. J. M. C. 137 ; 17 Q. B. 793 ; 16 Jur. 663. The appointment does not, however, unless under seal, create any contract by the Guardians to pay the

1. Clerk to the Guardians.
2. Treasurer of the Union.[1]
3. Chaplain.
4. Medical officer for the workhouse.[2]
5. District medical officer.[2]
6. Master of the workhouse.[3]
7. Matron of the workhouse.
8. Schoolmaster.
9. Schoolmistress.
10. Porter.
11. Nurse.[4]

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salary of the officer, *Smart* v. *West Ham*, 25 L. J. Exch. 210; 11 Ex. Rep. 3 As regards the appointment of the collector of the Guardians, see the General Orders of the Poor Law Board, dated October 7, 1865, and November 27, 1866, *post*.

As regards the appointment by the Guardians of certain other classes of workhouse officers, see the General Orders of August 19, 1867, *post*.

By 31 & 32 Vict. c. 122, s. 7, the Local Government Board may appoint officers when the Guardians make default therein.

[1] The provision of the Consolidated Order of December 8, 1847, as to the appointment of a treasurer is suspended in the Parish of St. Giles, Camberwell, by an Order, dated March 3, 1876, and by the same Order the London and County Banking Company are to act as treasurers.

[2] As regards the appointment of medical officers to workhouses and districts in Unions and Parishes, see Art. 1 of the General Orders of May 25, 1857, and August 10, 1870.

The appointment by a corporation, such as a Board of Poor Law Guardians, of a person to be "medical officer" to the corporation for any fixed or definite period of time, ought to be under seal. (*Dyte* v. *St. Pancras*, 27 L. T. N.S. 342.)

The sanction required by Art. 153 to be given to certain appointments by the Guardians or assistants that they think necessary is a sanction of the officer and not of the individual nominated to fill it. The appointment of a clerk to the master of a workhouse by the Guardians must, to bind them, be under the Seal of the Corporation. (*Austin* v. *Bethnal Green*, L. R. 9 Q. B. 91; 43 L. J. C. P. 100; 29 L. T. N.S. 807; 22 W. R. 406.)

Sometimes an officer when taking proceedings on behalf of the Guardians is called upon to prove his appointment, but it is not necessary to do more than show that the particular officer is acting in the capacity which he represents. The general rule of law is that every person acting as an officer is *primâ facie* to be presumed to have been legally appointed to his office. See 2 Starkie on Evidence (under the head of "Character").

[3] As to the appointment of a stocktaker in a workhouse and in the Metropolis, see General Order of May 6, 1875, *post*.

[4] By the General Order of January 27, 1892, *post*, the Guardians of the Poor of any Union or separate Parish in England or Wales are empowered from time to time, as they may think fit, with the approval of the Local Government Board, to appoint one or more persons to act as nurse or nurses of the sick poor relieved by the Guardians out of any workhouse, who are to be termed District Nurses. Article 4 of the Order prescribes the duties to be performed by such nurses, and

12. Relieving officer.[1]

13. Superintendent of out-door labour.

And also such assistants as the Guardians, with the consent of the Commissioners, may deem necessary for the efficient performance of the duties of any of the said offices.[2]

Article 6 requires the Guardians to make regulations with regard to such duties, with regard to the duties of any district medical officer or relieving officer in relation to the office of district nurse or to any person holding that office; and with regard to any other matters which may from time to time appear necessary for the efficient performance of the duties of any district nurse. The Guardians are empowered by Art. 3 of the Nursing in Workhouses Order, 1897, *post*, to appoint a superintendent nurse where the staff of female nurses and assistant nurses in the workhouse consists of three or more persons. Article 8 of the Order empowers the master where in an emergency it appears to the medical officer of the workhouse that the employment of a temporary nurse is required, to engage a person to act as nurse until the next meeting of the Guardians.

[1] A relieving officer is appointed *for the Union* with a particular district assigned to him, and not for a particular district of the Union. See Note 1, *post*, p. 351.

[2] In the Consolidated Orders issued to Unions declared since 1847, this Article proceeds as follows:—"And the said Guardians shall from time to time afterwards, whenever a vacancy may occur, appoint a fit person to supply such vacancy, except in the case of the superintendent of out-door labour, whose office shall be filled as and when the Guardians may find it requisite to employ such an officer."

The power of the Local Government Board to authorise and direct the Guardians to appoint officers is partly founded upon their power of making regulations for the Government of workhouses, and the preservation of good order therein, derived from Sections 15 and 42 of 4 & 5 Will. IV. c. 76; and partly upon Section 46, which enables the Board, by order under their hands and seal, to direct the Guardians of any Parish or Union to appoint paid officers, with such qualifications as the Board shall think necessary, for superintending or assisting in the administration of the relief or employment of the poor, and otherwise carrying the provisions of the Act into execution. The same section further empowers the Board to direct the mode of appointment, and determine the continuance in office, or dismissal of such officers; and when the Board shall see occasion to regulate the amount of salaries payable to such officers respectively, and the time and mode of payment thereof.

No legal doubt seems to have been entertained as to the power of the Poor Law Commissioners to authorise or direct the appointment of any officer named in Art. 153, except the chaplain. An order of the Commissioners, directing a Board of Guardians to appoint a chaplain, was moved by a writ of *certiorari* into the Court of Queen's Bench; but the Court decided that the Commissioners possessed the power, and consequently that the Order was valid. See the Seventh Annual Report of the Commissioners, pp. 23, 24. (*Reg.* v. *The Guardians of the Poor of the Braintree Union*, 10 L. J. M. C. 76; 4 P. & D. 593; 1 Q. B. 130; 3 Jur. 265.)—*Instr. Letter*, February, 1842.

A clergyman of the Church of England, duly appointed chaplain of a Union workhouse, may perform the services of the Church of England in the workhouse without the consent of the incumbent of the Parish in which it is situated. (*Molyneux* v. *Bagshaw*, 9 Jur. N.S. 553; 11 W. R. 687; 8 L. T. N.S. 331.)

A chaplain to a workhouse, though appointed by the Guardians and paid

Art. 154.—The officers so appointed to or holding any of the said offices, as well as all persons temporarily discharging the duties of

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out of the rates, and liable to dismissal only by the Local Government Board, is not a public officer so as to render a charge granted by him on his salary invalid against his trustee in bankruptcy. *In re Mirams* (1891) 1 Q.B. 594; 64 L. T. N.S 117.

With regard to the superannuation of officers, the following case may be of interest:—

A chaplain of a lunatic asylum appointed under 16 & 17 Vict. c. 97, performed the duties of his office in the asylum, but did not reside therein, or give his whole time to the duties of the office. Upon his wishing to retire, a superannuation allowance was granted him by the visitors of the asylum, but the County Council refused to pay it, on the ground that as he had not resided in the asylum or given his whole time to his duties therein, though he might be an officer of the asylum, he was not an officer in the asylum, and was, therefore, not entitled to a pension within the 57th section of the Act (see now Section 280 of the Lunacy Act, 1890). It was held, however, that it was not necessary for the purpose of receiving a superannuation allowance, that the chaplain should reside in the asylum or give his whole time to the duties of his office therein, that there was no distinction between an officer of, and an officer in the asylum; and that as the chaplain performed his duties in the asylum, he was an officer in the asylum, and therefore entitled to a superannuation allowance, if the visitors in their discretion thought fit to grant it. (*Reg.* v. *The County Council of Hereford*, 63 L. T. N.S. 245.)

With respect to the workhouse officers named in this Article, the Poor Law Commissioners remark, that the ordinary and convenient practice, and that which they prefer, is, that the master and matron should be husband and wife. The Commissioners have, in some cases, consented, on special grounds, to a different arrangement; but they are always reluctant to allow any departure from the practice of appointing a man and his wife as master and matron. See, however, Art. 189, determining the appointment of a master or matron, when either of them shall be removed from office by death or otherwise. It is desirable that the master and matron should be man and wife. In reference to their children, if they have any, the Poor Law Board, in a Circular dated December 8, 1856, have stated that where necessity may seem to require they will assent to their being allowed to have their children residing in the workhouse, under proper restrictions. But they add, in such case they will think it right to require some equivalent for the cost of maintaining each child, to be paid by the master to the Guardians. With respect to other workhouse officers, in order to avoid the disappointment and inconvenience to them and to the Guardians, which may be occasioned by the refusal of the Board to sanction so much of an engagement as would permit the residence of the officer's child in the workhouse, the Board, in the same Circular, requested the Guardians, when they elected such officers, to intimate clearly to any successful candidate who may have a child dependent upon him or her, that such child will not be permitted to reside in the workhouse.

The Commissioners do not in general object to the medical officer for the workhouse being also the medical officer for a district of the Union.—*Instr. Letter.*

The offices of schoolmaster and schoolmistress should in no case be conjoined with any other office. With regard to these officers, see Art. 212, *post*, and notes thereon.

As the treasurer is a Union officer, a firm should not be appointed to the office, and this because the law casts upon him duties to perform, and also

such offices, shall respectively perform such duties as may be required of them by the rules and regulations of the Commissioners

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liabilities, which can only attach to some individual person, and which a firm or company cannot undertake. If the Guardians desire to keep their account with a banking company or firm, they should appoint the manager of the bank or one of the firm as their treasurer; the person so appointed can then give the required security to the Guardians in his individual capacity.

Ex parte The Swansea Royal and South Wales Union Friendly Society re *West of England and South Wales District Bank*, 11 Ch. D. 768; 48 L. J. Ch. 577; 27 W. R. 596; 40 L. T. N.S. 551, is an authority that a corporate body cannot be legally appointed an officer of a Friendly Society or of a Board of Guardians.

A superintendent of out-door labour will only be appointed in those Unions to which the out-door labour test Order has been issued. See Art. 217 and note. With respect to the suspension of this officer when his services are not required, see the Supplemental Out-door Labour Test Order, *post*.

As regards the genuineness of written testimony to character and competency presented to Boards of Guardians by candidates for office, the Poor Law Board, on May 10, 1858, issued the following Circular to Boards of Guardians:—"I am directed by the Poor Law Board to bring under the notice of the Board of Guardians the case of the *Queen* v. *Collings*, which was tried at the last Lincoln Assizes. This indictment charged the accused with having unlawfully uttered false and counterfeit letters and writings, with the intent to procure for himself the appointment of schoolmaster of the workhouse of the Spalding Union. He pleaded guilty, and was sentenced by the Court to 18 months' imprisonment with hard labour.

"The Board think it right to draw the attention of all Boards of Guardians to this case as a warning to show how necessary it is to take every precaution in their power to ascertain the authenticity of testimonials presented to them."

With reference to the above Circular, it may be added that a person forged testimonials as to his character, whereby he obtained a situation as police constable, and having been convicted of forgery, upon a case reserved, it was held by the Court of Criminal Appeal that he was properly convicted of forgery at common law. (*Reg.* v. *Moah*, Dears. & B. C. C. 550; 7 Cox C. C. 503; 27 L. J. M. C. 205; 4 Jur. N.S. 464.) So uttering a forged testimonial to character, knowing it to be forged, with intent to deceive and thereby obtain a situation of emolument is a misdemeanour at common law. (*Reg.* v. *Sharman*, Dears. C. C. 285; 6 Cox C. C. 212; 23 L. J. M. C. 51; 18 Jur. 157.)

This, though a grave offence, is not by any means so serious an offence as forgery by the statute; and in proceedings against the offender it is not necessary to show there was an intention to obtain money or to defraud any person in the ordinary acceptation of the term "fraud;" it is sufficient to show that there was an intention to deceive on the part of the offender in order to obtain a conviction for the offence.

By 4 & 5 Will. IV. c. 76. s. 48, no person shall be eligible to hold any Parish office or have the management of the poor in any way whatever, who shall have been convicted of felony, fraud, or perjury, or, if convicted, under 4 & 5 Will. IV. c. 76, s. 97, of purloining goods, &c., belonging to the Parish or Union. With regard to the word "fraud," see note to Art. 24, *ante*.

By 33 & 34 Vict. c. 23, s. 2, if any person be convicted of treason or felony, for which he shall be sentenced to death or penal servitude, or any term of imprisonment with hard labour, exceeding twelve months, shall at the time of such conviction hold any public employment, such employment shall forthwith become vacant unless Her Majesty shall grant a free pardon within two months

in force at the time, together with all such other duties, conformable with the nature of their respective offices, as the Guardians may lawfully require them to perform.[1]

Provided always, that every regulation applying to any officer holding his office under this Order shall apply to any officer of the like denomination appointed by the Guardians, although such officer may have been appointed before this Order shall have come into force.[2]

Mode of Appointment.

Art. 155.—Every officer and assistant, to be appointed under this Order, shall be appointed by a majority of the Guardians present at a meeting of the board,[3] consisting of more than three

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after conviction, or before the filling up of the employment, and such person shall become incapable of holding any public employment until the penalty is purged.

A person convicted on indictment of any corrupt practice under the Corrupt and Illegal Practices Prevention Act, 1883 (46 & 47 Vict. c. 51), is, in addition to the punishment provided by that Act, rendered incapable during a period of seven years from the date of the conviction of holding any public office (*i.e. inter alia*, the office of Guardian, or clerk or other officer under a Board).—*Ib.* s. 6. The incapacity may be removed by the High Court under Section 46 of the Act if that Court is satisfied that the conviction was based upon perjury.

Pauper inmates and others who are appointed permanently as servants in the workhouse come within the term "assistants," and to them the provisions of the Order of August 19, 1867, *post*, would apply.

[1] The Guardians may pay the reasonable expenses incurred in the preparation and collection of information required by them respecting any matter which is submitted to their management, supervision, or control, and charge, the amount in the case of a Union being charged to their common fund as general or special expenses, according as the subject-matter relates to the general concern of the Union or district, or to some separate part thereof, and in the case of the Board of Guardians of a Parish or Board of Overseers to the fund under their control (39 & 40 Vict. c. 61, s. 15); and if the Guardians or Board of Overseers require any such information from any of their officers, the amount payable may, if there be any disagreement on the subject, be settled by the Local Government Board.—*Ib.* s. 16.

[2] The proviso to this Article is omitted in the Consolidated Orders issued subsequently to this Order.

[3] So far as the appointment of officers is concerned, this Article overrides Art. 38, *ante*.

It is necessary that a majority of the Guardians present should concur in the choice of the officers. See Rule 7 of the Rules in Schedule 1 of the Public Health Act, 1875, applied to proceedings at meetings of Guardians by Section 59 (1) of the Local Government Act, 1894; see also Rule 2 of that Schedule in the note to Art. 38, *ante*, p. 207, as to the number of Guardians necessary to transact any business. If one candidate (there being more than two candidates)

Guardians, or by three Guardians if no more be present. Every such appointment shall, as soon as the same has been made, be reported to the Commissioners by the clerk.[1]

Art. 156.—No appointment to any of the offices specified in Art. 153 shall be made under this Order, unless a notice, that the question of making such appointment will be brought before the Board, has been given and entered on the minutes, at one of the two ordinary meetings of the Board next preceding the meeting at which the appointment is made, or unless an advertisement giving notice of the consideration of such appointment shall have appeared in some public paper by the direction of the Guardians at least seven

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has a larger number of votes than any other candidate, and if a *majority* of the Guardians present vote for other candidates, he is not duly appointed. According to the decision of the Court of Queen's Bench in *In re Eynsham*, 12 Q. B. 398n; 3 New. Sess. Cas. 507; 18 L. J. Q. B. 210; 13 Jur. 345; and *Reg.* v. *Christchurch, Spitalfields*, 26 L. J. M. C. 68; 7 E. & B. 409, affirmed on appeal 27 L. J. M. C. 23; 3 Jur. N.S. 1,074; and *Reg.* v. *Griffiths*, 17 Q. B. 164, it must be taken that this Article requires that a majority of the votes of all the Guardians actually present at the meeting should be given in favour of the candidate before he can be regarded as duly elected. It is therefore necessary that those Guardians who, though present, do not vote, should be counted, in order to ascertain the majority of the whole body present at the meeting. See Official Circular of Poor Law Board, 55 N.S. p. 61. If there should be only two candidates, the one who has the largest number of actual votes will not be duly elected if that number does not constitute an actual majority of the Guardians present. See also Rule 51 of the Rules in Schedule 1 of the Public Health Act, 1875, in the Note to Art. 38, *ante*, p. 207, as to the presiding chairman giving a second or casting vote in the case of an equality of votes on any question. When more than two candidates are proposed for an office, and neither of them have a majority of votes at the first voting, the Guardians should agree to strike off, in succession, the candidate who shall have the smallest number of votes, until some one candidate has more than half of the votes given. According to *Saunders* v. *Owen*, 2 Salk, 467, which is supported by the subsequent case of *Reg.* v. *Grimshaw*, 10 Q. B. 747; 16 L. J. Q. B. 385; 11 Jur. 965, an appointment to an office need not be in writing. But of course a record of the appointment having been made should be entered in the minutes of the Guardians.

In *Reg.* v. *Dolgelly Union* (*Guardians*) 3 N. & P. 542; 8 A. & E. 561; 1 W. W. & H. 513; 7 L. J. M. C. 99, the Court refused a *mandamus* to admit as clerk to the Guardians, on the ground that he had a majority of legal votes over one who had been admitted, it being proposed to institute a scrutiny into the validity of the election of the Guardians themselves. See also on the same point *Reg.* v. *Derby* (*Councillors*) 2 N. & P. 589; 7 A. & E. 419; W. W. & D. 671; and *Rex* v. *Colchester* (*Mayor*), 2 T. R. 259.

This Article has been slightly varied in some of the Consolidated Orders issued subsequently to the Order of July 24, 1847.

[1] By Art. 5 of the General Order of August 19, 1867, *post*, the Guardians may require candidates to attend personally before the Board for examination, and may pay their reasonable expenses.

days before the day on which such appointment is made : Provided that no such notice or advertisement shall be necessary for the appointment of an assistant or temporary substitute.[1]

Art. 157.—The Guardians shall not, by advertisement or other public notice, printed or written, invite tenders for the supply of medicines, or for the medical attendance on the paupers of the Union, unless such advertisement or notice shall specify the district or place for which such supply of medicines and such attendance is required, together with the amount of salary or other remuneration.[2]

Art. 158.—The Guardians may from time to time divide the Union into districts for general and medical relief, with the consent of the Commissioners ; and on any change in the division of the Union into districts for general and medical relief, or in the assignment of relieving officers and medical officers to such districts, the

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[1] This Article is somewhat varied in the Consolidated Order issued to Unions declared since 1847.

In some of the Consolidated Orders issued subsequently to this Order, after the words "three Guardians," the words "and voting thereon" follow.

The object of the Article is intended to prevent surprises in the appointment of the officers, and to secure to the Union the advantages of allowing time for candidates to come forward and obtain a consideration of their claims. In addition to the regulations of this Article, the Commissioners suggest to the Guardians the expediency of making a bye-law requiring that special notice of every intended election should be sent by the clerk to all the Guardians some days before the day of election. But all regulations made by the Guardians must, in order to be legally valid and binding, be submitted to and confirmed by the Commissioners. See Section 22 of the 4 & 5 Will. IV. c. 76.—*Instr. Letter.*

It will not be necessary to advertise the appointment in a newspaper if notice of the appointment be given at one of the two preceding meetings. The most orderly and formal mode is for the chairman of the meeting at which the notice is to be given to announce precisely the proposal to elect at the next meeting, or at the next but one, as the case may be. The fact of the announcement having been so made should be entered on the minutes. It will suffice if the notice is given at either one of the two ordinary meetings next before the appointment is made.

[2] This Article does not prohibit advertisements for the services of medical officers, provided such advertisements specify the remuneration fixed or approved by the Local Government Board. The competition of the candidates should turn upon their respective characters and skill, and not on the sum at which they may be severally willing to undertake the office.

The Article does not apply to the supply of drugs in bulk, but to the supply of medicines compounded of drugs.

The Article is suspended as regards the Unions and Parishes in the Metropolis by an Order of the Local Government Board, dated December 13, 1871.

clerk shall report every such change to the Commissioners for their approbation.[1]

Art. 159.—The Guardians shall not assign to any medical officer a district which exceeds in extent the area of fifteen thousand statute acres, or which contains a population exceeding the number of fifteen thousand persons, according to the then last enumeration of the population published by authority of Parliament.[2]

Art. 160.—Provided that if it be impracticable, consistently with the proper attendance on the sick poor, for the Guardians to divide

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[1] The relief and medical districts cannot be made co-extensive unless the relief districts in respect to area and population are within the limits prescribed by Art. 159; and even in that case it would not seem desirable that they should be co-extensive, unless indeed the area and population is so small as not to require a further division of the district; but see Note to Art. 159.

The Guardians may transfer a medical or relieving officer from one district to another district without the officer vacating his appointment; but see note (¹) at p. 345, and Art. II. of the General Order of February 12, 1879, *post*.

[2] In many districts containing almost exclusively a poor population, even the limit of 15,000 persons may admit of a number of patients too large for the care of one medical officer, especially if the district consist partly of town and partly of rural Parishes. Under such circumstances, it would generally be desirable for the Guardians to divide the district between two or more duly qualified medical practitioners. In like manner it may happen that a district consisting of an area less than 15,000 acres may contain a large population, and that the Guardians may be able to divide it with advantage. The Commissioners, therefore, do not by the limits fixed in this Article imply that no district is objectionable, or that every district will be sanctioned by them, which is within these limits.—*Instr. Letter.* The General Order of the Poor Law Board, dated May 25, 1857, Art. 5, *post*, contains a provision enabling the Guardians to make a change in the extent of any medical district when it is not assented to by the medical officer, by determining his appointment on six months' notice. The appointment must, however, have been made after the date of that Order.

Art. 159 of this Order and the relative Article in all Orders issued to the following Unions and Parishes has been suspended by a General Order dated December 13, 1871, until otherwise directed:—

Unions.	Parishes.
City of London.	Paddington.
Fulham.	St. George in the East.
Greenwich.	St. Giles, Camberwell.
Hackney.	St. Luke, Chelsea.
Holborn.	St. Mary, Lambeth.
Lewisham.	St. Mary Abbotts, Kensington.
Poplar.	St. Matthew, Bethnal Green.
St. Olave's.	
St. Saviour's.	
Stepney.	Hamlet of Mile End Old Town.
Strand.	St. Mary, Islington.
Wandsworth and Clapham.	St. Pancras.
Whitechapel.	

the Union into districts containing respectively an area and population less than is specified in Art. 159, then and in such case the Guardians shall cause a special minute to be made and entered on the usual record of their proceedings, stating the reasons which in their opinion make it necessary to form a district exceeding the said limits, and shall transmit a copy of such minute to the Commissioners for their consideration, and if the Commissioners signify their approval thereof to such Guardians, then, and in such case, but not otherwise, such Guardians may proceed to assign the said district to a medical officer.

Art. 161.—Provided also, that the limit of fifteen thousand statute acres, prescribed in Art. 159, shall not apply to any medical district situate wholly or in part within the Principality of Wales; but no medical district situate wholly or in part within that Principality shall be assigned to any medical officer residing more than seven miles from any part of any Parish included within such district, unless such district shall have been specially sanctioned by the Commissioners in the same manner as is directed in Art. 160.[1]

Qualification of Officers.[2]

Art. 162.—No person shall hold the office of clerk, treasurer,

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[1] This Article is omitted in the Consolidated Orders subsequently issued to Unions which are not in Wales. The measure of acreage adopted in Art. 159 cannot be applied to Wales, as there are no available means of obtaining the requisite information in that part of the country; the Commissioners accordingly prescribed for Wales a limit, not of area, but of distance, which, though less convenient, is the best which the case permitted. Moreover, the physical circumstances of Wales, and the smaller number of resident medical practitioners, render it necessary to permit the formation of medical districts larger than those in most parts of England.

[2] The 5 & 6 Vict. c. 57, s. 14, enacts:—"That no person during the time for "which he may serve or hold the office of assistant-overseer of any Parish, nor "any paid officer engaged in the administration of the laws for the relief of the "poor, nor any person who, having been a paid officer, shall have been dis-"missed within five years previously from such office, under the provisions of "4 & 5 Will. IV. c. 76, s. 48, shall be capable of serving as a Guardian; and "no person receiving any fixed salary or emolument from the poor rates in any "Parish or Union shall be capable of serving as a Guardian in such Parish or "Union." The enactment does not apply to the clerk of a Highway Board or of a School Board, whose salaries come indirectly out of the poor rate. (*Reg.* v. *Rawlins*, *Reg.* v. *Dibbin*, 15 Q. B. D. 382; 54 L. J. Q. B. 557; 50 J. P. 5; affirming the Queen's Bench Division, 14 Q. B. D. 325; 52 L. T. N.S, 436; 49 J. P. 279.)

master, or relieving officer, under this Order, who has not reached the age of twenty-one years.[1]

Art. 163.—No person shall hold the office of master of a workhouse, or matron of a workhouse having no master, unless he or she be able to keep accounts.

Art. 164.—No person shall hold the office of relieving officer unless he be able to keep accounts, and unless he reside in the district for which he may be appointed to act, devote his whole time to the performance of the duties of his office, and abstain from following any trade or profession, and from entering into any other service.[2]

Art. 165.—No person shall hold the office of nurse who is not able to read written directions upon medicines.

Art. 166.—Provided always, that the Guardians may, with the consent of the Commissioners previously obtained, but not otherwise, dispense with any of the conditions specified in Arts. 162, 163, 164, and 165.

Art. 167.—No person shall be appointed to the office of master, matron, schoolmaster, schoolmistress, porter, or relieving officer, under this Order, who does not agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted as liquidated damages from the amount of salary due at the time of such resignation.[3]

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[1] An infant cannot be appointed to an office of pecuniary trust. See *Claridge* v. *Evelyn*, 5 B. & Ald. 81. Though the regulation prevents the appointment of a person under 21 years of age to any of the offices mentioned, it does not prevent the Guardians from laying down a rule that candidates for office shall be of any specified greater age.

[2] It was held to be a breach of this regulation if a relieving officer carried on any business under the name of his wife; but the central authority, it is apprehended, would not now so hold having regard to the Married Women's Property Act, 1882 (45 & 46 Vict. c. 75). The section prohibits a relieving officer from having any interest in any business carried on in the name of any other person. As to the duty of a relieving officer to attend as a witness in the case of an order of removal being applied for, see 54 O. C. N.S. p. 48. The employment of relieving officers in searching for and apprehending persons who may have deserted their families, leaving them chargeable to the poor rate, would also be an infraction of the regulation.

As the whole time of the relieving officer is to be given up to the service, he is not entitled to claim compensation for personal attendance as a witness in a case in which the Guardians may require his evidence; but he will, of course have reimbursed to him any reasonable expenses that he may be put to.

[3] It has been found inconvenient that Union officers should quit their

Art. 168.—No person shall hold the office of medical officer [1] under this Order unless he possess one of the four following qualifications ; that is to say :—

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situations suddenly, and without giving any notice to the Guardians. The present Article is intended to guard against this inconvenience; but it does not apply to officers elected under an Order bearing date previous to the date of the last General Orders of the Commissioners. With respect to the mode in which an officer may resign his office, it is to be observed that the resignation need not necessarily be in writing, and that it will suffice if the officer verbally tenders his resignation to the Guardians at a meeting of the Board. Moreover, the mere resignation is of itself sufficient to vacate the office, and acceptance by the Guardians is not indispensably necessary to render the resignation complete. But observe that the stipulation contemplated should be made in writing *at the time of the appointment* of the officer, otherwise the provision in the Order will be of no avail. It is said that a notice of intended resignation should be given to the Guardians at a meeting of the Board, and not to their clerk as their agent, during the interval of their meeting.

[1] Further, with regard to this subject, see the Order of December 10, 1859 (*post*), as to the medical qualifications of medical officers.

The Commissioners think it desirable that every medical officer should possess both a medical and surgical qualification, and therefore they have required the three sorts of double qualifications which are specified in Nos. 1, 2, and 3 of this Article. With respect to the second qualification in No. 3, see 55 Geo. III. c. 194 (the Apothecaries Act). The Commissioners thought themselves bound to consider the qualification stated in No. 4 as virtually a double qualification, according to the decision of the Court of Exchequer in *Steavenson* v. *Oliver*, 8 M. & W. 234 ; 5 Jur. 1,064. The qualification is limited to warrants or commissions, dated previously to August 1, 1826 ; inasmuch as the Act of 6 Geo. IV. c. 133 (which brought persons possessing this qualification within the benefit of the Apothecaries Act) expired on that day. Partners cannot be appointed *joint* medical officers of a district, but the fact that they are partners will be no objection to their being appointed individually as medical officers of distinct districts in the same or in any other Union. There is nothing to prevent a medical officer of a district being also appointed to the Union workhouse if his residence is conveniently situate.—*Instr. Letter.*

As regards the continuance in office of medical officers who at the time of their appointment were not duly qualified according to the regulations of the Poor Law Board, see Arts. 3 and 4 of the General Order of May 25, 1857 (*post*) ; and also the General Order of December 10, 1859 (*post*).

The Medical Act (21 & 22 Vict. c. 90, s. 36) enacts, that after January 1, 1859, extended by 22 Vict. c. 21, s. 1, to July 1, 1859, and again extended by 23 Vict. c. 7, s. 3, to January 1, 1861, no person shall hold any appointment as a physician, surgeon, or other medical officer, in a lunatic asylum, house of industry, parochial or Union workhouse, or poor-house, Parish Union or other public establishment, body, or institution, or as a medical officer of health, unless he be registered under the Act. By Section 33 of 21 & 22 Vict. c. 90, it is provided that no person who, on October 1, 1858, was acting as medical officer under an Order of the Poor Law Commissioners or Poor Law Board, should be disqualified to hold his office by reason of his not being registered before January 1, 1859, unless he shall have failed to be registered within six months from the passing of the Act, that is, February 2, 1859 ; but see 22 Vict. c. 21, s. 2, and 23 Vict. c. 7, s. 4, which contain further provisions on the subject. It should be added that by 39 & 40 Vict. c. 41, s. 1, the powers of every body

Art. 168.—1. A diploma or degree as surgeon from a Royal College or University in England, Scotland, or Ireland, together with a degree in medicine from an University in England, legally authorised to grant such degree, or together with a diploma or licence of the Royal College of Physicians of London.

2. A diploma or degree as surgeon from a Royal College or University in England, Scotland, or Ireland, together with a certificate to practise as an apothecary from the Society of Apothecaries of London.

3. A diploma or degree as surgeon from a Royal College or University in England, Scotland, or Ireland, such person having been in actual practice as an apothecary on

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entitled under the Medical Act to grant qualifications for registration are extended to the granting of any qualification for registration granted by such body to all persons without distinction of sex.

It is therefore incumbent upon the Guardians to ascertain that their medical officers are registered under the Act. This they will readily ascertain by reference to the Register published annually by the General Council under Section 27 of the Act; or they should require the medical officer to produce to them evidence of his being so registered. The Poor Law Board have since (December 10, 1859) issued a General Order (see *post*) on the subject of the qualifications required for the appointment of medical officers, which, however, applies only to appointments made subsequently to March 1, 1860.

The Consolidated Orders subsequently issued contain, in lieu of Art. 168 in the text of the General Consolidated Order, the following Article on the subject of the qualification of medical officers:—

"Art. 167.—No person shall hold the office of medical officer under this Order unless he be duly registered under 'The Medical Act of 1858,' and be qualified by law to practise both medicine and surgery in England and Wales, such qualification being established by the production to the Board of Guardians of a diploma, certificate of a degree, licence, or other instrument granted or issued by competent legal authority, in Great Britain or Ireland, testifying to the medical or surgical, or medical and surgical qualification and qualifications of the candidate for such office:

"Provided that evidence that any candidate was in practice as an apothecary on the first day of August, one thousand eight hundred and fifteen, shall be taken to be equivalent to a certificate to practise from the Society of Apothecaries of London:

"Provided also that any person being registered as aforesaid, who shall possess a warrant or commission as surgeon or assistant-surgeon in Her Majesty's Navy, or as surgeon or assistant-surgeon or apothecary in Her Majesty's Army, or as a surgeon or assistant-surgeon in the service of the Honourable East India Company,* dated previous to the first day of August one thousand eight hundred and twenty-six, shall be qualified to be appointed to the office of medical officer as aforesaid."

* See note to sub-section 4.

the first day of August, one thousand eight hundred and fifteen.

Art. 168.—4. A warrant or commission as surgeon or assistant-surgeon in Her Majesty's Navy, or as surgeon or assistant-surgeon or apothecary in Her Majesty's Army, *or as surgeon or assistant-surgeon in the service of the Honourable East India Company*[1] dated previous to the first day of August, one thousand eight hundred and twenty-six.

Art. 169.—Provided always, that if it be impracticable, consistently with the proper attendance on the sick poor, for the Guardians to procure a person residing within the district in which he is to act, and duly qualified in one of the four modes recited in Art. 168, to attend on the poor in such district, or that the only person resident within such district, and so qualified, shall have been dismissed from office by the Commissioners, or shall be unfit or incompetent to hold the office of medical officer, then and in such case the Guardians shall cause a special minute to be made and entered on the usual record of their proceedings, stating the reasons which, in their opinion, make it necessary to employ a person not qualified as required by Art. 168, and shall forthwith transmit a copy of such minute to the Commissioners for their consideration; and the Commissioners may permit the employment by such Guardians of any person duly licensed to practise as a medical man, although such person be not qualified in one of the four modes required by Art. 168.[2]

Art. 170.—Provided also, that the Guardians may, with the consent of the Commissioners, continue in office any medical officer duly licensed to practise as a medical man already employed by any

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[1] The passage printed in italics is now obsolete, and perhaps also the whole of sub-section 4.

[2] It will be seen that if there be not a person resident *within* the district who possesses a double qualification the Guardians can now appoint a medical man who is duly qualified to practise as such, and who is resident within the district, though there may be others residing *near to* the district possessing double qualifications. Further with respect to this Article, see Arts. 3 and 4 of the General Order of May 25, 1857, *post*.

such Guardians, although such medical officer may not be qualified in one of the four modes required by Art. 168.[1]

Art. 171.—No person shall hold the office of chaplain under this Order without the consent of the Bishop of the Diocese to his appointment, signified in writing.[2]

Remuneration of the Officers.

Art. 172.—The Guardians shall pay to the several officers and assistants appointed to or holding any office or employment under this Order such salaries or remuneration as the Commissioners may from time to time direct or approve.[3]

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[1] This Article is omitted in the Consolidated Orders issued subsequently to this Order.

If a person possessing only a single qualification altogether ceases to be a medical officer of the Union, he cannot be re-appointed to the same or any other district, unless under the provisions of Art. 169.

[2] The consent of the Bishop will be obtained by the Guardians, and forwarded by their clerk to the Poor Law Board.—*Instr. Letter*, February, 1842. If the Bishop simply signifies his consent in writing, it will be sufficient. No formal licence is requisite. The appointment of a chaplain to a Union workhouse is not an appointment to a benefice, for which a special licence is required. With reference to the payment of a fee to the secretary of the Bishop for the consent, the Poor Law Commissioners, in 9 O. C. 178, stated that "the consent of the Bishop to the appointment of the chaplain to a Union workhouse is a requisite as much for the benefit of the clergyman seeking to obtain that office as of the Guardians requiring his services therein. When, therefore, the proposed chaplain applies for such consent and obtains it, and a fee is thereupon demanded of him by the Bishop's secretary, the Board think, that whether the latter could lawfully have insisted upon payment of the fee or not, the chaplain has no legal claim upon the Guardians to be reimbursed the amount."

Where the workhouse is in a peculiar, the Bishop to whose diocese the peculiar belongs, and not the ordinary of the peculiar, will give the consent.—*Instr. Letter*, February, 1842.

If the Bishop should for any cause withdraw his consent, his doing so will have no effect on the chaplain's appointment, which will continue notwithstanding.

A clergyman of the Church of England duly appointed chaplain of a workhouse may perform the service of the Church of England in a workhouse, without the consent of the incumbent of the Parish in which the workhouse is locally situated. (*Molyneux* v. *Bagshaw*, *ante*, p. 393.)

A chaplaincy to a Union workhouse will be a preferment within the Clerical Disabilities Act, 1870 (33 & 34 Vict. c. 91, s. 3).

[3] The power of the Commissioners to determine the salaries of the officers is derived from Section 46 of 4 Will. IV. c. 66. See the minute of the Commissioners, dated October 31, 1840, in their Seventh Annual Report, p. 123. In all cases in which the Commissioners fix the salary or remuneration of an officer, or sanction the salary or remuneration proposed by the Guardians, they understand that no perquisites or extra charges or emoluments are to be allowed over and above such salary or remuneration. Thus the workhouse master

Provided that the Guardians, with the approval of the Commissioners, may pay to any officer or person employed by such

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should be required to account for the produce of bones, hog-wash, kitchen-stuff, and other refuse sold from, or consumed in, the house. Unless an agreement to that effect be made at the time of the appointment of any workhouse officer, no part of his family is to be maintained within the workhouse. The maintenance of any children or other relations who may stay with him should be paid for by him, and the costs deducted from the charge of establishment maintenance at the end of the quarter. Upon this point, see Note to Art. 153. Moreover, the quantity of each article of consumption allowed to each officer daily should be specified by the Guardians, and entered on their minutes. Unless this is done, the auditor will be unable to check the provision accounts of the workhouse master.

The Guardians are now entitled under Section 26 of the Local Government Act, 1888 (51 & 52 Vict. c. 41), to receive from the County Council of the county in which their Union is wholly or partly situate, an annual grant towards the costs of the officers of the Union and of district schools to which the Union contributes. Where the Union is situate in more counties than one, each county is to bear a proportion of the total grant to the Union in proportion to what was the rateable value of the portion of the Union in its county ascertained on a day fixed by the Local Government Board under sub-Section 2 of Section 26. The annual grant payable to Guardians of Unions in the Administrative County of London is regulated by Section 43 of the Act of 1888.

The workhouse or other officers of the Union are not entitled to call upon the medical officer to attend them when they are sick as a part of the duty of the latter. If they do so, the medical officer will be entitled to require them to remunerate him for his attendance as private patients. Where, however, the illness is contracted in the discharge of their duties, the Guardians might, under the proviso to this Article and with the consent of the Poor Law Board, pay the bill of the medical attendant. Nevertheless, the principle of providing medical attendance on officers of a workhouse is recognised in the case of training ships provided by the Metropolitan Asylum Board; for by an Order of the Local Government Board dated January 14, 1878, it is provided that in addition to the duties prescribed by Art. 60 of the Order of April 24, 1876, it shall be the duty of the medical officer to attend any officer or other person appointed or employed at the ship, whenever he shall be required by the Board of Management or the ship committee to do so, with the consent of such officer or other person.

It must be remembered that the workhouse officers are not entitled to sell their rations or give them away when they do not consume the whole of what is allowed them by the terms of their appointment, nor are they at liberty to make a private arrangement with the tradesmen who supply the workhouse with provisions, for the supply of a better quality of provisions for the use of the officers than that which is allowed, without the special sanction of the Board of Guardians. The Local Government Board are of opinion that a private arrangement with a tradesman or the receipt of any compensation from such tradesman for a smaller quantity of any article that an officer thinks himself entitled to, is most objectionable; and they will be prepared to deal with any such transaction as an offence approaching fraud. The rations allowed to the master and matron are for their own consumption only, and they are not entitled to supply their friends and other persons calling upon them with refreshments from the workhouse stores.

The half of the salaries of the medical officers, and half the cost of medicines and surgical appliances when provided by the Guardians, and the whole of the salaries of the schoolmasters and schoolmistresses, will be repaid to the

Guardians a reasonable compensation on account of extraordinary services, or other unforeseen circumstances connected with the duties of such officer or person, or the necessities of the Union.

Guardians by Government. The Guardians, however, must, in the first instance, pay these salaries, and the salaries of the two last-mentioned officers should be *exclusive* of board and lodging in the workhouse; otherwise the whole amount will not be repaid to the Guardians by Government. See the Circulars of the Poor Law Board on this subject. Gratuities for extraordinary services can only be paid under this Article to officers "appointed to or holding any office or employment under this order," and such gratuities when paid must be charged in the accounts in the same manner as the salaries of the officers. The regulation in Art. 172 does not apply to persons appointed temporarily to an office by the Guardians during a vacancy in the particular office. As to temporary substitutes, see Article 193 (*post*).

The Guardians cannot compel an officer to resign his appointment before he applies for an increase of salary. It cannot be expected that eligible officers would consent to hold their office subject to such a condition; still some Boards of Guardians have tried to enforce it, but, very properly, have failed in doing so.

Even after the approval has been obtained to a gratuity, there is not any obligation on the Guardians to pay, for they may withdraw their approval.

Under the statute law, there is no power to give gratuities out of the rates. (*Ex parte Mellish*, 8 L. T. N.S. 47.)

Here attention may be directed to the Poor Law Officers' Superannuation Act, 1896 (59 & 60 Vict. c. 50), Section 2 of which entitles to a superannuation allowance, in accordance with the scale laid down in the Act, every officer and servant in the service or employment of the Guardians of a Union or Parish who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, or who shall have attained the full age of sixty-five years. The allowance is payable on the officer or servant resigning or otherwise ceasing to hold his office or employment. But an officer or servant is not entitled to an allowance on the ground of old age unless he has completed the full age of sixty years. When an officer or servant has attained the age of sixty-five years, and the Guardians are of opinion that it would be expedient in the interests of the public service that he should cease to hold his office or employment, it is competent for them to require him to retire upon payment to him of the superannuation allowance to which he may be entitled under the Act (*Ib.*) "No consent on the part of the Local Government Board will be necessary to the exercise of this power: nor will the consent of the Registrar General be requisite in the case of a superintendent registrar or a registrar of birth and deaths."—Circular Letter of Local Government Board of September 19, 1896.

The term "officer" in the Act includes "every officer in the service of an authority to which the Act applies, whether his whole time is devoted to the duties of his office or not; and, for the purposes of the Act, superintendent registrars and registrars of births and deaths and school attendance officers are deemed to be in the service of the Guardians of the Union in which their districts are situated" (*Ib.* s. 19). "Servant" includes "every servant regularly employed at wages by any such authority as aforesaid" (*Ib.*). See with regard to the power of officers and servants in the service or employment of the Guardians at the time of the passing of the Act, Section 15, *post*, and as to nurses appointed after that date, Section 1 of the Poor Law Officers' Superannuation Act Amendment Act, 1897, *post*, p. 361.

Art. 173.—The salary of every officer or assistant appointed to, or holding, any office or employment under this Order, shall be

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The scale for superannuation allowances is prescribed by Section 3 of the Act, and is as follows:—

"An officer or servant who has served for ten years but less than eleven "years shall be entitled to an annual allowance equal to ten-sixtieths of the "average amount of his salary or wages and emoluments during the five years "ending on the quarter day which immediately precedes the day on which he "ceases to hold his office or employment, with an addition of one-sixtieth of "such average amount for every additional completed year of service until the "completion of a period of service of forty years, when a maximum allowance "of forty-sixtieths shall be granted."

The term "emoluments" is defined by Section 19 as including "all fees, poundage, and other payments made to any officer or servant as such for his own use; also the money value of any apartments, rations, or other allowances in kind appertaining to his office or employment."

All service by an officer or servant under any authority or authorities to whom the Act applies is to be aggregated and reckoned for the purposes of the Act, whether the service has been continuous or not, and whether the whole of the officer's or servant's time has been devoted to the service or not (*Ib.* s. 4). In computing the amount of superannuation allowance the Guardians may, in consideration of peculiar professional qualifications, or of special circumstances, and with the consent of the Local Government Board, add a number of years not exceeding ten to the number of years which the officer or servant has actually served in the aggregate (*Ib.* s. 5). Where it is proposed to make any such addition, at least one month's notice in writing is to be given to every Guardian of the time when the proposal will be considered (*Ib.* s. 9).

Where a person in receipt of a superannuation allowance is appointed to any office or employment by any authority to whom the Act applies, such allowance is to cease to be paid so long as he continues to hold such office or employment, if the salary or wages and emoluments thereof are equal to, or in excess of, the amount of such allowance; if they are not, then only so much of such allowance is to be paid so long as he holds the office or employment as will make up the deficiency. On ceasing to hold office or employment the officer or servant will be entitled to revert to and to receive the full amount of his original superannuation allowance from the authority which granted it (*Ib.* s. 6). Ceasing to hold office in consequence of any offence of a fraudulent character, or of grave misconduct, will cause an officer or servant to forfeit all claim to any superannuation allowance under the Act in respect of his previous service, provided that the Guardians may, if they see fit, return to him out of the common fund of the Union a sum equal to the amount of all or part of his contributions under the Act (*Ib.* s. 7). Where it is proposed to act under Section 7 and return any contributions to an officer or servant, at least one month's notice is to be given to every Guardian of the time at which the proposal to make the return will be considered (*Ib.* s. 9.)

The contributions to be made under the Poor Law Officers' Superannuation Act, 1896, are regulated by Sections 12 & 13 of the Act, which are as follows:—

"Section 12.—Subject to the provisions of this Act, every officer and servant "in the service or employment of the Guardians of a Union shall contribute "annually for the purposes of this Act a percentage amount of his salary or "wages and emoluments according to the scale laid down by this Act, such "amount to be from time to time deducted from the salary or wages payable "to him, and to be carried to and form part of the common fund of the "Union.

"Section 13.—The percentage amounts to be deducted annually for the pur-
" poses of this Act shall be as follows, that is to say :—
"In the case of officers and servants with less than five years' service at
" the passing of this Act, or appointed after the passing of this Act,
" two per cent. of the salary or wages and emoluments for each year :
"In the case of officers and servants with more than five and less than
" fifteen years' service at the passing of this Act, two and a half per
" cent. of the salary or wages and emoluments for each year :
"In the case of officers and servants with more than fifteen years' service
" at the passing of this Act, three per cent. of the salary or wages and
" emoluments for each year."

The Local Government Board point out in their Circular Letter of September 19, 1896, in which they draw the attention of the Guardians to the provisions of the Act, that the Act does not contemplate the creation of any separate superannuation fund. They also say that where payment of the salary or wages is made monthly or quarterly, they think that a proportionate deduction should be made from each payment. In cases, however, of weekly wages, as it would be obviously inconvenient to adopt this course, the Board think it will be best that the proper deduction should be made every fourth week in respect of the wages paid in that and the preceding three weeks. If the employment is terminated in the interval, the requisite deductions must, of course, be made from the last payment of the wages. The Board also say that it will be necessary that the accounts of the Guardians should show clearly what sums are deducted in the case of each officer or servant. This is the more important, as under the circumstances stated in Section 7, *ante*, p. 407, an officer or servant will be entitled to have the amount of his contributions returned to him.

The Board further state that:—"Where any existing officer or servant is entitled to apartments, rations, or other allowances in kind as appertaining to his office or employment, it will be necessary, unless he declines to avail himself of the Act, that the money value of these emoluments should be determined, and the Guardians should take the necessary steps for this purpose. The Board will have no jurisdiction with regard to questions as to value of emoluments for the purpose of the deductions, and they will not feel themselves in a position to advise with regard to them. As respects future appointments, candidates for any office or employment to which apartments, rations, or other allowances in kind appertain, should be informed of the value which the Guardians assign to these emoluments for the purposes of the Act, before the appointment is made."

By the Poor Law Officers' Superannuation Act Amendment Act, 1897 (60 & 61 Vict. c. 28) :—

"Section 1.—Any female nurse appointed after the passing of this Act by
" any authority to whom the Poor Law Officers' Superannuation Act, 1896,
" applies, who shall within two months from the date of her appointment
" signify in writing to such authority her intention not to avail herself of the
" provisions of the said Act, shall not be required to make any contribution or
" to submit to any deduction from her salary or wages under the said Act, and
" shall not be entitled to receive any superannuation allowance, gratuity, or
" other benefit under the said Act.

"Any female nurse appointed after the commencement of the Poor Law
" Officers' Superannuation Act, 1896, and before the passing of this Act, who
" shall, within one month from the passing thereof, signify her intention in
" writing not to avail herself of the provisions of the Poor Law Officers' Super-
" annuation Act, 1896, shall not be required to make any contribution or to
" submit to any deduction from her salary or wages under the said Act, and
" shall not be entitled to receive any superannuation allowance, gratuity, or

" other benefit under the said Act, and shall be entitled to repayment of any " contributions made by her to the fund of the authority by whom she has " been employed under the provisions of the said Act." The term " nurse " in this section includes " any assistant nurse and attendant on the sick or insane " (*Ib.* s. 2).

In a Circular Letter issued by the Local Government Board on August 7, 1897, that Board state that in the case of future appointments the attention of every female nurse should be drawn to the foregoing provisions, and that it should be pointed out to her that if she desires not to avail herself of the provisions of the Act of 1896, she must signify her intention to the Guardians in writing within two months from the date of her appointment; that any intimation in writing from a female nurse that she does not intend to avail herself of the Act of 1896 should be signed by her and dated, and should be preserved by the Guardians; and that the Board think it right to remind the Guardians that the earlier enactments relating to the Superannuation of Poor Law officers were repealed by the Act of 1896, without qualifications as regards any officer to be appointed after the commencement of that Act. Consequently it will not be competent to the Guardians to grant any superannuation allowance to any female nurse who may under the new Act exclude herself from the provisions of the Act of 1896.

The authorities to whom the Act of 1896 applies are Guardians of Unions or Parishes, and the term " Guardians " includes the trustees or overseers of any Parish appointed or incorporated under a local Act, and any vestry or other authority charged with the administration of the relief of the poor for any Union, Parish, or other area (*Ib.* s. 19).

And also the managers of district schools and sick asylums, and the managers of the Metropolitan asylums district, and their officers and servants. The provisions of the Act are applied to these latter authorities, in like manner as nearly as may be as they apply to Guardians and to their officers and servants; and the contributions of the officers and servants of such managers are to be carried to and form part of the fund applicable to the general expenses of such managers, and the superannuation allowances and gratuities under this Act shall be paid out of the said fund (*Ib.* s. 14).

With regard to officers and servants in the service or employment of Guardians or any other authority at the time the Act passed, Section 15 enabled any such officer or servant to give notice within three months after the commencement of the Act of his intention not to avail himself of the provisions of the Act. Any such officer or servant remains subject to the provisions of the Poor Law Officers' Superannuation Act, 1864 (27 & 28 Vict. c. 42), and the Acts amending the same, as if the Act of 1896 had not been passed.

Where an officer or servant has not become entitled to a superannuation allowance, and loses his office or employment by reason of a reduction of staff, or of any alteration of areas or boundaries, or otherwise ceases to hold his office or employment by reason of bodily injury not occasioned by his own default, or of any other cause whatever other than his own misconduct or voluntary resignation, he shall be entitled to receive, out of the common fund of the Union, a sum equal to the amount of all his contributions to any such fund under the Act (*Ib.* s. 8). If, however, he claims under Section 8 and subsequently obtains a fresh office or employment, he will not be entitled to reckon his service before obtaining such fresh office or employment towards a superannuation allowance under the Act, unless upon obtaining such fresh office or employment he pays the amount so received to the common fund of the authority under whom he obtains such fresh office or employment.

In any such case of loss of office or employment, the Guardians may also, if they see fit, with the sanction of the Local Government Board, grant to the

officer or servant a gratuity, payable out of the common fund of the Union, not exceeding twice the amount of his salary or wages and emoluments during the year ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment.

Provided that when such loss of office or employment occurs in a case in which the death, resignation, or insanity of one of the holders of a joint appointment vacates the office of the other, the officer or servant whose office or employment is so vacated, shall, unless he is reappointed by the Guardians, and except where in the case of husband and wife the joint appointment is terminated owing to the misconduct of one of them, be entitled to receive during life, out of the common fund of the Union, a superannuation allowance, according to the scale laid down in the Act, if such officer or servant has attained the age of fifty years, or has served for not less than twenty years.

The expression "joint appointment" includes any office the tenure whereof is determined by the death, removal, resignation, or incapacity of the holder of another office under the same authority.

For the purposes of the Act "common fund of the Union" means the fund out of which the salaries of the officers of the Union, Parish, or other area are paid (*Ib.* s. 19).

Every superannuation allowance granted under the Act is payable to or in trust for the officer or servant, and is not assignable or chargeable with his debts or other liabilities (*Ib.* s. 10); and every Board of Guardians is required to make annually to the Local Government Board, in the form and at the time prescribed by the Board, a return of all superannuation allowances and gratuities paid by them under the Act during the preceding year, with such particulars as to the names and ages of the recipients and otherwise as the Board shall require (*Ib.* s. 11).

In their Circular Letter of September 19, 1896, the Local Government Board say that "At present it appears to the Board that the most convenient course will be that the return should be made within one month after September 29 in each year. They will in due course prescribe a form for the purpose of the return, and send a copy of it to the Guardians." No form has been prescribed as yet, but should a form be prescribed before the publication of this work it will be inserted in the Appendix.

In the case of a paid collector of rates or assistant-overseer appointed by the Guardians of a Union for any Parish or Parishes forming part of the Union, the contributions of such collector or assistant-overseer are to be carried by the Guardians to the credit of the Parish or Parishes out of which his salary or emoluments is or are paid, in proportion to his respective salaries or emoluments, and any allowance or gratuity to him under the Act is to be charged to the same Parish or Parishes in the like proportions (*Ib.* s. 16).

Superintendent registrars, who are remunerated wholly or partly by fees (and who for the purposes of the Act are by Section 19 deemed to be in the service of the Guardians of the Union in which their districts are situated) are required to pay annually the due percentage amount of their fees to the Guardians of their respective Unions at the time or times prescribed by such Guardians respectively, and such amounts are to be carried to and form part of the common fund of the Union.

Every such superintendent registrar is to make annually in the month of October to the Guardians of his Union a return of the amount of the fees received by him as such superintendent registrar during the year ending on the preceding twenty-ninth day of September, and the amount so returned is to be taken as the basis upon which the percentage deduction shall be made and the superannuation allowance is to be calculated: Provided that such annual return is to be verified by a statutory declaration that the amount so returned does

payable up to the day on which he ceases to hold such office or employment, and no longer.[1]

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not exceed the total amount received by him as such superintendent registrar during the period in question.

Where the district of a superintendent registrar is situate in more than one Union, the percentage amount of his fees to be carried to the common fund of each Union and the amount of any superannuation allowance or gratuity to be paid to him by the Guardians of each Union is to be in proportion to the rateable value of the portions of the district in each Union, to be ascertained by the valuation list in force, or, if there is no valuation list, by the last poor rate (*Ib.* s. 17). In their Circular Letter of September 19, 1896, the Local Government Board say that "In the absence of any provision in the Act to the contrary, the expenses of making the return, and the statutory declaration, which must be stamped with a 2*s.* 6*d.* stamp, will have to be borne by the superintendent registrar. Lastly, the Local Government Board may, if they think fit, determine any question which may arise between Guardians or any other authority to whom the Act applies and any officer or servant, and which may be referred to them by either party, as to the right to or the amount of superannuation allowance of such officer or servant, and the decision of the Local Government Board will be binding and conclusive (*Ib.* s. 18).

It should be added that under 29 Vict. c. 31, s. 6:—Any Board to which the Act applies may grant to any person who is compelled to quit their service by reason of severe bodily injury occasioned, without his own default, in the discharge of his public duty, or from infirmity of mind or body, before the completion of the period which would entitle him to a superannuation allowance, a gratuity not exceeding three months' pay for every two years of service.

District auditors appointed by the Local Government Board are entitled to reckon an additional five years to their actual years' service for the purpose of superannuation; but the limit of 40 years' service cannot be exceeded.

[1] But see Art. 175 respecting the payment of the salary of an officer who has been suspended from his office, and is afterwards dismissed by the Local Government Board. This Article does not apply to officers appointed to, or holding, office under any other Order, as, for instance, a collector of poor rates who is appointed under a separate Order (*post*).

It may be useful here to state that, with regard to Government salaries, the Lords Commissioners of Her Majesty's Treasury, by a Treasury Minute, dated July 1, 1837, have directed that in all cases where payment of salary is to be made for a broken period upon annual rates of pay or allowance, the amount due shall be calculated with reference to the number of days in the quarter in which such broken period occurs. The quarter ending—

March 31	contains	90 days
(in leap year)	,,	91 ,,
June 30	,,	92 ,,
September 30	,,	92 ,,
December 31	,,	92 ,,

It seems to be desirable that a like rule should be observed with regard to Poor Law officers' salaries; but, of course, if the quarters are made to terminate at different periods from the above, the number of days in each quarter will vary according to the circumstances.

By 33 & 34 Vict. c. 35, s. 2, periodical payments in the nature of income shall, like interest in money lent, be considered as accruing from day to day, and shall be apportionable in respect of time accordingly.

In the Consolidated Orders issued to Unions, declared since 1847, in lieu of Art. 173 the following is substituted:—

Art. 174.—If no remuneration or salary be expressly assigned to the treasurer, the profit arising from the use of money from time to time left in his hands shall be deemed to be the payment of his services.[1]

Art. 175.—An officer who may be suspended, and who may without the previous removal of such suspension be dismissed by the Commissioners, shall not be entitled to any salary from the date of such suspension.[2]

Art. 176.—The Guardians shall not pay to any officer bound to account, to be hereafter appointed, who may have been removed, or who may be under suspension from his office, any salary claimed by such officer until his accounts shall have been audited by the auditor.

"The salary of every officer, or assistant, appointed to or holding any office or employment under this Order, shall be payable up to the day on which he ceases to hold such office or employment, and no longer, and shall be paid at the several quarters ending at the usual feast-days in the year, namely, Midsummer Day, Michaelmas Day, Christmas Day and Lady Day: provided, nevertheless, that in the case of any officer whose duty it is to render accounts to the Board of Guardians, it shall be competent for the Guardians to defer in whole or in part the payment of the salary of any such officer until his accounts shall have been audited and allowed by the auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall be forthwith paid."

Further with regard to payment of salaries, see Art. 36 of the Order for Accounts, *post*.

As to the quarterly or other periodical payment of officers, see Arts. 2 and 3 of the General Order of August 19, 1867, *post*.

[1] The Guardians cannot pay interest to their treasurer on sums which they may overdraw, and charge such interest on the poor rates. On this subject see note to Art. 81.

On the other hand, they cannot legally take money out of his hands as treasurer and place it to a deposit account at interest. To do so would be to deprive him of the use of the money to which he is entitled. It would also take the money out of the obligation of his bond of security to the Guardians.

[2] But it would seem that, if the officer resigns his office after his suspension, he will be entitled to payment of his salary up to the date of his resignation.

The Consolidated Orders subsequently issued contain, in lieu of Art. 175, the following:—

"An officer who may be suspended, and who may upon such suspension be dismissed by the Poor Law Board, shall not be entitled to any salary from the date of such suspension; and no officer who shall be temporarily suspended from his office by reason of his services not being required shall be entitled to any salary pending such temporary suspension."

As to the time of payment of salaries, see Art. 36 of the General Order for Accounts, and the Order of the Local Government Board of December 22, 1872, *post*.

Art. 177.—No salary of any district medical officer shall include the remuneration for operations and services of the following classes performed by such medical officer in that capacity for any out-door pauper, but such operations and services shall be paid for by the Guardians according to the rates specified in this Article.[1]

	£	s.	d.
1. Treatment of compound fractures of the thigh .			
2. Treatment of compound fractures or compound dislocation of the leg	5	0	0
3. Amputation of leg, arm, foot, or hand . .			
4. The operation for strangulated hernia . .			
5. Treatment of simple fractures or simple dislocations of the thigh or leg	3	0	0
6. Amputation of a finger or toe	2	0	0
7. Treatment of dislocations or fractures of the arm.	1	0	0

The above rates shall include the payment for the supply of all kinds of apparatus and splints.[2]

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[1] The operation of this Article and Articles 179–183, and Art. 178 as amended has been suspended with respect to the medical officers of the Gillingham and Fontwell Districts of the Shaftesbury Union by an Order dated July 28, 1880.

As to payments for two operations at the same time, see Art. 180, *post*.

[2] The operations enumerated in Art. 177 are intended to provide for cases of urgency (principally those arising from accident), which cannot be sent to a public hospital with safety and propriety. The payments for operations are limited to operations on out-door poor, and do not include those performed in the workhouse. It appeared to the Commissioners that the continued attendance at the house of the patient in severe surgical cases usually forms the most burdensome part of the extra service of the medical man; whereas the constant visits of the medical officer to the workhouse enable him to attend a patient in the workhouse without always making a visit for that express purpose. Moreover, when a patient can be removed to a workhouse, or when he has long been the subject of medical treatment in the workhouse, he may in general be removed with safety or propriety to an infirmary or hospital; and the Commissioners think it desirable that, where the distance or other circumstances do not present serious obstacles, paupers should enjoy the practised skill and combined judgment of the medical men usually connected with such establishments. While, therefore, the Commissioners would discourage the performance of important surgical operations in workhouses, they are ready to sanction any reasonable subscription to an hospital or similar establishment by a Board of Guardians on behalf of the Union. The payments are intended to cover not only the operation, but also the attendance after the operation, which in severe cases of this sort ought usually to be numerous. Cases in which the patient does not survive the operation thirty-six hours, or in which he does not receive several subsequent attendances, are only to be paid for at the rate of one-half of the amount prescribed by Art. 177 (see Art. 179).—*Instr. Letter.*

On November 1, 1894, the Local Government Board in a Circular Letter

issued to clerks to Guardians with reference to payments by Guardians for the administration of anæsthetics, state :—" That it would appear from representations which have been made to them that some misapprehension exists as to the power of Boards of Guardians to pay for the professional assistance required by their medical officers in connection with the administration of anæsthetics in cases of operations.

" As the Guardians are aware, the Board recommend that, under ordinary circumstances, a case in which a serious operation is required should not be treated in a workhouse or at the patient's home, but should be sent to a public hospital. When, however, the latter course is not practicable, or when the operation is not of a serious character, the Board are prepared, in any case where an anæsthetic has been required, to consider an application from the Guardians for sanction to the payment to the medical officer of a reasonable sum in respect of any assistance which it was necessary for him to obtain in connection with the administration of the anæsthetic, or of any other cost incurred in connection with its use.

" It has been the invariable practice of the Board to give their sanction to reasonable payments which have been proposed by Guardians in respect of services of the character referred to ; but they deem it desirable to draw the attention of the Guardians to the matter with the view of removing any doubt that may be felt on the point."

Hernia reduced without a surgical operation does not entitle the medical officer to the fee of £5 ; and, with respect to fractures, it may be here stated, for the information of non-medical readers, that a fracture is called compound when the end or ends of the bone or bones have penetrated the soft parts, so as to come in contact with the air, which alters the whole process set up by Nature for the cure of a simple fracture—giving rise at the same time to such a degree of constitutional irritation as usually leads to the death of old people. A comminuted fracture is a term applied to a fracture when the bone is broken into several pieces ; also to any substance which has been ground into minute particles.

The following are within the regulation in No. 5 :—Fracture of the neck, of the thigh bone, or of the malleolus externus. And the following are not within it :—Fractures of the knee-cap or patella, or of the tarsus, metatarsus, or toes.

The following are within the regulation No. 7 :—Dislocation of the shoulder, elbow, and wrist ; fracture of the humerus, ulna (or elbow-joint, which is formed by the bones of the arm), and radius. And the following are not within it :—Fracture of the ribs, clavicle, scapula, and acromion ; carpus, metacarpus, and fingers or thumbs. Compound fractures of the *arm* are to be paid for at the same rate as simple fractures.

Compound or simple fractures of the bones of the face do not come within the scope of the regulation, nor does the operation for fistula, lithotomy, lithotrity—removing a cancer in the breast, tapping for dropsy, or the removal of tumours on any part of the body.

If the attendance and the operation be in consequence of an order given by an overseer in a case of " sudden and urgent necessity," the fees should be paid by the Guardians and charged to the common fund of the Union.

Medical men who are not medical officers of the Union are not entitled to any fees under this order for operations performed upon, and services rendered to, paupers ; but the Guardians, if they think fit, can nevertheless pay such medical men for their services such a sum as may be fair and reasonable.

The fees are payable in respect to operations performed upon non-settled as well as upon settled paupers ; and they must be charged to the same account as that to which the relief of the particular pauper is charged. The same observation applies to extra allowances under Art. 181, *post*.

Art. 178.—(*By a General Order of the Local Government Board, dated June* 10, 1875,[1] *Art.* 178 *of the General Consolidated Order and the same proviso in all other similar Orders is rescinded; and by Art.* 2 *of the rescinding Order "the following proviso shall be substituted in place of the proviso so rescinded—*

"*Provided that, except in cases of sudden accident immediately threatening life, no medical officer shall be entitled to receive such remuneration for any amputation unless, before performing it, he shall*

Reference may here be made to 11 & 12 Vict. c. 110, s. 2, which enables Guardians, if they think proper, to pay for any medical or other assistance which shall be rendered to any poor person on the happening of any accident, bodily casualty, or sudden illness, although no order may have been given for the same by them or any of their officers.

As regards the performance of surgical operations and services not specified in Art. 177 (see Art. 181), which allows of an extra payment being made, with the approval of the Poor Law Board, for cases which may have presented peculiar difficulty, or required and received long attendance from the medical officer.

It will be noticed that Art. 177 directs that the specified fees shall be paid by the Guardians; and therefore as in any case where the district medical officer is lawfully ordered by an overseer to attend, and he performs such operations or services as are specified in Art. 177, he acts in the capacity of district medical officer, and the Guardians are to pay him the appropriate fee.

So, also, as regards Arts. 182 and 183 of the Order. If an order for the attendance of the district medical officer in any case of sudden and urgent necessity be given by an overseer, the Guardians, it is considered, should pay the fee which is due under the Articles above referred to.

If, on the other hand, the overseers give a medical order in a case in which they cannot lawfully do so, the Guardians are not bound to recognise the claim of the medical officer, but may refer him to the overseers who gave the order.

In some Unions, Arts. 177, 178, 179, 180, 181, 182, and 183 have been suspended by subsequent Orders of the Poor Law Board.

After January 1, 1861, "no certificate required by any Act now in force, or "that may hereafter be passed, from any physician, surgeon, licentiate in "medicine and surgery, or other medical practitioner, shall be valid, unless the "person signing the same be registered under this Act" (21 & 22 Vict. c. 90, s. 37; 22 Vict. c. 21, s. 1; 23 Vict. c. 7, s. 3). By Section 34 of 21 & 22 Vict. c. 90, the words, "legally qualified medical practitioner," or "duly qualified "medical practitioner," or any words imputing a person recognised by law as a medical practitioner or member of the medical profession, when used in any Act of Parliament, are to be construed to mean a person registered under that Act.

As a general rule, it is thought not desirable that a medical man who is a Guardian of the Union should give certificates under this Article in his own Union.

[1] This Order was published in the *London Gazette* of Friday, June 11, 1875, on which day it came into operation; and it is addressed "To the Guardians of the Poor of the several Unions and separate Parishes in England and Wales; to the district medical officers of the said Unions and separate Parishes respectively; and to all others whom it may concern."

have obtained, at his own cost, the advice of some person who shall be qualified by law to practise both medicine and surgery in England and Wales, such qualification being established by the production to the Board of Guardians of a diploma, certificate of a degree, licence, or other instrument, granted or issued by competent legal authority in Great Britain or Ireland, testifying to the medical or surgical, or medical and surgical, qualification or qualifications of such person, and unless he shall produce to the Guardians a certificate from such person as aforesaid stating that, in his opinion, it was right and proper that such amputation should be then performed.[1]

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[1] This Article has been repealed by Article 4 of the General Order of February 12, 1879, *post*, and other provisions made.

The regulation hitherto in force required that the certificate in any such case should be that of some member of the Royal College of Surgeons of London, or of some Fellow or Licentiate of the Royal College of Physicians of London. Having regard, however, to the Medical Act, 1858, which was passed long subsequent to the General Orders containing the regulation referred to, the Board are of opinion that the restriction imposed should be removed, and that the qualification should be extended in accordance with the principle of that Act. Hence, the Order now issued substitutes for the proviso on the subject in the previous General and other Orders, one which makes the qualification the same as that prescribed with reference to the appointment of medical officer by the Orders in force in that behalf.—*Circular*, June 11, 1875.

It is not necessary that the certificate be obtained and produced to the Guardians previously to the operations, but the medical officer must have obtained the advice upon which the certificate is founded before he performs the operation. As regards the medical officer obtaining assistance in performing operations, the following is an extract from a letter of the Poor Law Board, which was published in the *Lancet* of November 21, 1857:—"As regards the application which you have made for an order for three medical men to assist you in the amputation, I am directed to state that the more regular course under circumstances such as you describe, is, that the medical officer himself (when he deems it needful to do so) should obtain any additional professional aid which may in his judgment be necessary, and after the operation has been performed, submit the facts to the Guardians. It then rests with them to determine whether the case was of such unusual and exceptional character as to warrant them in making a special allowance for the assistance so rendered." The Guardians should pay for the assistance so rendered themselves, and the case would not come within Art. 181, if the payments be not made to the medical officer, but to the persons by whom the assistance was rendered.

It is only in case of "amputation" that a certificate is required under this Article, therefore it is not requisite that a certificate should be obtained with regard to other surgical operations; as, for instance, the operation for strangulated hernia.

According to the opinion of Erle, J., in *Haigh* v. *North Bierley*, 28 L. J. Q. B. 65; 5 Jur. N.S. 512, in a case where any difficulty or dangerous operation is necessary, it is competent for the Guardians to provide assistance for their medical officer and to pay for it themselves.

"*Art. 3.—In any Union or separate Parish where the operation of the Articles of the said several Orders comprising the provisions for the special remuneration of district medical officers has been suspended with respect to amputations, the operation of the proviso substituted by this Order shall also be suspended to the same extent until further Order is made in that behalf.*")

Art. 179.—Provided also, that if, in any case, the patient has not survived the operation more than thirty-six hours, and has not required and received several attendances after the operation by the medical officer who has performed the same, such medical officer shall be entitled only to one-half of the payments respectively prescribed above.

Art. 180.—Provided also, that if several of the fees specified in Art. 177 become payable with respect to the same person at the same time, and in consequence of the same cause or injury, the medical officer shall be entitled only to one of such fees, and if they be unequal, to the highest.

Art. 181.—In any surgical case not provided for in Art. 177, which has presented peculiar difficulty, or required and received long attendance from the district medical officer, the Guardians may make to the said medical officer such reasonable extra allowance as they may think fit, and the Commissioners may approve.[1]

Art. 182.—In cases in which any medical officer, either for the workhouse or a district, shall be called on by order of a person legally qualified to make such order to attend any woman in or immediately after childbirth, or shall, under circumstances of difficulty or danger, without any order visit any such woman actually receiving relief, or whom the Guardians may subsequently decide to have been in a destitute condition, such medical officer shall be paid for his attendance and medicines by a sum of not less than ten shillings, nor more than twenty shillings, according as the Guardians may agree with such officer.[2]

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[1] Note that it is only surgical cases which fall under this rule. Other cases may be dealt with under Art. 172. See also 11 & 12 Vict. c. 110, s. 2, which enables the Guardians to give discretionary compensation in certain cases.

[2] This Article has been suspended in the Merthyr Tydvil Union by an Order dated June 28, 1880. Observe that the medical officer must have an order for

Art. 183.—Provided that in any special case in which great difficulty may have occurred in the delivery, or long subsequent

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his attendance, signed by a person legally qualified to make such an order; further upon this point, see Official Circular 4, p. 102, and 6, pp. 40, 90. When the accouchement takes place without the attendance of the medical officer, and the woman goes on satisfactorily till some time afterwards, and then falls ill, and is attended by the medical officer, it is considered that the case falls within his general contract, and that he is not entitled to a special fee for his attendance; for the words "immediately after childbirth" do not apply to such a case. Those words contemplate attendance within a reasonable time afterwards, and not after the lapse of three or four days. They must be taken to mean so immediately after childbirth that the medical officer may render the patient that medical assistance which is requisite in cases of childbirth as soon as the child is born, or within a short time afterwards. A lengthened attendance *previously* to childbirth, for illness consequent upon the woman's pregnancy, does not entitle the medical officer to a special fee. The attendance must be *at* and *subsequent* to the birth. The term "childbirth" applies only to cases in which the child was or might have been born alive; hence the delivery of a seven months' child comes within the term "childbirth." Attendances in a case of a miscarriage, or in consequence of symptoms of premature labour, or if the woman was only four or five months gone with child, do not entitle the medical officer to an extra fee. This regulation contains no provision for a case in which the woman is delivered by one medical officer and receives subsequent medical attendance from another. It contemplates the delivery and subsequent attendance being paid for to the *same* officer by a single fee; but it is considered that the medical officer will be entitled to the fee, even though, upon his arrival at the house, he finds that the woman has been delivered and has subsequently died. The delivery of a woman of twins does not entitle the medical officer to a double fee for his attendance unless the circumstances attending the delivery be of such a special character as to bring the case within Art. 183.

As regards the duty of the master of the workhouse to give an order, or rather to send for the medical officer of the workhouse, see Art. 208, No. 14. By Art. 210, No. 12, the matron is "to take proper care of the sick paupers."

The law empowers overseers of the poor to grant relief only in cases of sudden and urgent necessity—and, therefore, if an overseer should give an order for medical attendance, the medical officer should satisfy himself whether it be a lawful order or not, that is, whether the case be one of "sudden and urgent necessity." If he receives an order which, in the particular case, the overseer is not legally empowered to give, he may act upon it or not, as he may think fit, requiring, if he act upon it, that the overseer giving the order should undertake personally to remunerate him for his services. So again when the medical officer makes his claim upon the Guardians for a fee under Art. 182, having attended, in pursuance of an order given by an overseer, the Guardians must ascertain whether or not the claim is well founded. If they come to the conclusion that the order was not a lawful order, they must then hold that the medical officer was not entitled to claim any fee from them, and they would be bound to withhold payment of it. At the same time, however, they may deal with the case as one justifying such compensation as they in their discretion may think proper to make, in accordance with the terms of 11 & 12 Vict. c. 110, s. 2. On the other hand, if the medical officer should act upon an order which has no legal operation so far as concerns the Guardians, and the Guardians should decline to compensate him under the statute, he will have a legal claim upon the overseer by whom the order was signed provided he

attendance in respect of some puerperal malady or affection may have been requisite, any district medical officer shall receive the sum of two pounds.[1]

Art. 184.—Every treasurer,[2] master, matron of a workhouse in which there is no master, collector, or relieving officer, every person hereafter appointed as clerk, and every other officer whom the Guardians shall require so to do, shall respectively give a bond conditioned for the due and faithful performance of the duties of the office with two sufficient sureties, not in the case of any security to be hereafter entered into, being officers of the same Union; and every officer who shall have entered into any such security shall give immediate notice to the Guardians of the death, insolvency, or bankruptcy of either of such sureties, and shall, when required by the Guardians, produce a certificate, signed by two householders, that his sureties are alive and believed by them to be solvent, and such officer shall supply a fresh surety in the place of any such surety who may die or become bankrupt or insolvent.[3]

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expressly or impliedly undertook a personal responsibility in respect of the medical officer's attendance on the case.

[1] Note that it is only a *district* medical officer that is entitled to an increased fee under this Article, and it must be read as a proviso to the preceding Art. 182; so that there must be all the incidents required by that Article, accompanied by the circumstances referred to in it, to entitle the medical officer to the increased fee. A case of arm presentation is to be considered as a special case of great difficulty, entitling the medical officer to a fee of two pounds under this Article; so also the delivery by the use of forceps. Long subsequent attendance in respect of a puerperal malady or affection, such as diseased breasts, would entitle the medical officer to the extra fee; but not so if the attendance is merely on account of the general debility of the woman.

This Article does not contemplate the repayment to the medical officer of any fee paid to another medical man whom he may have called to his assistance in a special case.

[2] The surety of a Union treasurer is not liable if the money is paid into a bank instead of directly to him as treasurer. (*Mills* v. *Alderbury*, 18 L. J. Exch. 252; 3 Ex. 590.)

[3] The Local Government Board state that in some Unions it has been customary to forward for their approval the bonds given by officers and the contracts entered into by medical officers. The Board do not consider that this course is necessary, as they have not the information requisite to enable them to give satisfactory advice on the subject. It rests with the Guardians themselves, under the advice *of their own legal adviser*, to see that such instruments are properly prepared and duly executed.—*Circular*, March 10, 1874.

This Article requires the Guardians to take proper security from the treasurer, the master of the workhouse, the matron where there is no master, collector, or relieving officer, and every person appointed as clerk, and also every other officer whom the Guardians shall require to give security, and to

Art. 185.—Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorised by

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renew the security from time to time; and Art. 87 renders it necessary that the bonds so taken by the Guardians should be produced once a year for the inspection of the auditor. The latter provision is highly desirable, in order to ensure the preservation of the bonds in the proper hands. As the security is given in pursuance of the regulations of the Commissioners, the instrument by which it is given is exempt from stamp duty (Section 86 of 4 & 5 Will. IV. c. 76). The Article requires that the sureties shall not be officers of the same Union, but the prohibition does not extend to an officer of a Parish in the Union as a collector or assistant-overseer, as such officers are not officers of the Union. Though it does not prevent the officers naming members of the Board of Guardians as sureties to their bonds, still it is not desirable, if it can be avoided, that individual Guardians should become sureties for their officers; inasmuch as, in the event of proceedings being taken on the bond, the Guardian would be placed in the anomalous position of a member of a body causing proceedings to be taken against himself for the recovery of the penalty named in the bond. There is nothing in the Order which would prevent a person who is security for a paid officer being appointed himself a paid officer of the same Union; but in such a case it would be proper that the bond should be cancelled, and a fresh security taken. As to the preparation of officers' bonds, see Art. 202, No. 4, and Note. As to the liability of the sureties of a Union treasurer for cheques cashed by an officer of the Union, see *Lichfield Union* v. *Green*, 1 H. & N. 884; 26 L. J. Exch. 140; 3 Jur. N.S. 247; 21 J. P. 198. That case shows that if payment of an order of the Guardians upon their treasurer be taken in notes of a country bank, and the bank afterwards stops payment, the treasurer and his sureties are discharged.

The giving security by an officer is not a condition precedent to the validity of the appointment, for it is complete without the required security being given. (*Rex* v. *Patteson*, 4 B. & A. 9; 1 N. & M. 612.)

The sureties to a bond given to the Guardians cannot be released from their obligations without the Guardians' consent; but if after satisfying themselves as to the state of the accounts of the officer, the Guardians should deem themselves justified in cancelling the bond and taking fresh securities, it is open to them to do so; they ought not, however, to give up the bond unless they are so satisfied and unless a fresh security of at least equal responsibility be provided. (56 O. C. N.S. 69.)

Where an officer has resigned, the Guardians are entitled to retain possession of his bond as long as they think proper. They may, however, give it up when a reasonable time has elapsed after the determination of his office, and he has duly accounted for all the money he has received.

The following decision of the Judicial Committee of the Privy Council with regard to the liability of sureties is very important in its bearing on the securities of Union officers:—

1. That a plea that the respondents were guilty of negligence and want of due care in checking and properly examining the accounts of the person employed, and that the surety was thereby released and discharged from the penalty of the bond, was no defence to the action on the bond.

2. That the mere passive inactivity of the person to whom a guarantee is given, his neglect to call the principal debtor to account in reasonable time, and to enforce payment against him, does not discharge the surety; that there must be some positive act done by him to the prejudice of the surety, or such degree of negligence as to imply connivance amounting to fraud.

3. That the surety guarantees the honesty of the person employed, and is not entitled to be relieved from his obligation because the employer fails to

statute to guarantee or secure the faithful discharge of the duties of such officers.[1]

Art. 186.—Provided also, that the Guardians may, with the consent of the Commissioners, dispense with such security in the case of any banking firm acting as treasurer, or in the case of a treasurer being a banker or partner of such firm.[2]

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use all the means in his power to guard against the consequences of dishonesty. (*Black* v. *Ottoman Bank*, 8 Jur. N.S. 801; 6 L. T. N.S. 763; 10 W. R. 871; 15 Moore's P. C. Cas. 472.)

If an employer discovers the unfaithfulness of his servant, whose honesty has been guaranteed by another, and does not disclose the servant's unfaithfulness, the guarantor will be exonerated from making good any subsequent loss to the employer by the dishonesty of the servant. (*Phillips* v. *Foxhall*, 27 L. T. N.S. 231; L. R. 7 Q. B. 666; 41 L. J. Q. B. 293; 20 W. R. 900.)

Mere laches on the part of the obligee, however, or a mere passive acquiescence by the obligee in acts which are contrary to the conditions of the bond, is not sufficient of itself to relieve the sureties. A municipal corporation sued the sureties on two bonds, one of which was to secure the due performance of the duties of a collector of district rates under the Public Health Act, 1875; and the other to secure the performance by the same person of his duties as collector and receiver of borough rates under the Municipal Corporations Act, 1882; and the evidence showed that the plaintiffs had acquiesced in an irregular mode of accounting on the part of the collector, but that the collector was never suspected of dishonesty until a year after the date of the second bond, when defalcations were discovered, and he was dismissed. In answer to questions which were put to them, the jury found: firstly, that the plaintiffs had permitted the collector to retain moneys in his hands for a longer period than a week, which was contrary to Section 195 of the Public Health Act, 1875, and to the conditions of the bond, and to a resolution passed by the plaintiffs before the bonds were given; and, secondly, that the plaintiffs had permitted him to mix the proceeds of the different rates. The Queen's Bench Division held, however, dismissing a motion to enter judgment for the defendants, or for a new trial, that the plaintiffs' acquiescence in the collector's irregular mode of accounting was not such connivance as to discharge the sureties; that upon the evidence there were no questions which the judge could have been properly required to leave to the jury other than those he did leave; and that on the facts proved at the trial, and on the findings, there was no defence to the action, and the plaintiffs were entitled to judgment. It was also held in the same case that the defaulter being described in one of the bonds as "collector and receiver," his sureties were liable for his breach of the condition to pay over moneys received by him, independently of whether or not the rate collected was a valid rate. (*The Mayor, Aldermen, and Citizens of Durham* v. *Fowler and Others*, 22 Q. B. D. 394; 58 L. J. Q. B. 246; 60 L. T. N.S. 456; 53 J. P. 374.)

[1] Further with regard to the security of a Guarantee Society, see the General Orders of the Poor Law Board, dated January 21, 1871, and of the Local Government Board, dated February 2, 1872, *post*.

The Poor Law Board recommend, in all cases in which a security of a Guarantee Society is given on behalf of any officer to a Board of Guardians, that the Guardians should take care to have the receipt for the annual premium placed by such officer in their hands as soon as it is paid, and deposited for safe custody with the policy.

[2] Circumstances have occurred with respect to local banks in some parts of

Continuance in Office and Suspension of Officers. Supply of Vacancies.

Art. 187.—Every officer appointed to or holding any office under this Order, other than a medical officer [1] shall continue to hold the same until he die or resign, or be removed by the Commissioners, or be proved to be insane, to the satisfaction of the Commissioners.[2]

England which caused the Poor Law Board to decline to consent to security being dispensed with in any case, except when the Bank of England may be appointed treasurer. In the Consolidated Order subsequently issued this Article is omitted.

[1] As to the medical officer, see the General Order of May 25, 1857. And as regards appointments made in certain Unions and Parishes after September 29, 1870, see the General Order of August 10, 1870, *post*; and as to district medical officers in the Metropolis, the General Order of July 14, 1880, *post*.

[2] With regard to this Article see the General Order of February 12, 1879, *post*, by which it is very materially altered.

The Guardians cannot agree with an officer on his appointment that the appointment shall be determined on notice being given by either party, though it is competent for the Guardians to agree with an officer that he shall give a month's notice of his intention to resign his office (see Art. 167). They cannot remove him by giving notice that his services will be discontinued, inasmuch as such a course would be inconsistent with the Section 46 of 4 & 5 Will. IV. c. 76, which empowers the Poor Law Board to determine the continuance in office or dismissal of paid officers. By Section 48 the Board are empowered, as and when they think proper, by order under their hands and seal (either upon or without any suggestion or complaint in that behalf from the Overseers or Guardians of any Parish or Union), to remove any master of any workhouse, or assistant-overseer, or other paid officer of any Parish or Union, whom they shall deem unfit or incompetent to discharge the duties of any such office, or who shall at any time refuse or wilfully neglect to obey and carry into effect any of the Rules, Orders, or Regulations of the said Board, and to require from time to time the persons competent in that behalf to appoint a fit and proper person in his room, and any person so removed is not competent to be appointed to or fill any paid office connected with the relief of the poor in any such Parish or Union, except with the consent of the Board under their hands and seal.—*Instr. Letter.*

The bankruptcy of any officer does not vacate the office; nor would bankruptcy be a legal disqualification for office, though there may be circumstances which would render a bankrupt an unfit person to be appointed to a paid office under the Guardians.

The exception to this Article, as to the tenure of office by medical officers, has been overruled by the General Order of the Poor Law Board, dated May 25, 1857, *post*.

In the Orders subsequently issued, this Article, after the words "or resign," is as follows:—"Or be proved to be insane by evidence which the Board shall deem sufficient, or shall become legally disqualified to hold such office, or be removed by the Poor Law Board."

The Poor Law Board have the power to remove the chaplain of a Union workhouse, he being an officer under Sections 46 and 48 of 4 & 5 Will. IV. c. 76,

Art. 188.—Provided always, that every porter, nurse, assistant, or servant may be dismissed by the Guardians without the consent of the Commissioners ; but every such dismissal, and the grounds thereof, shall be reported to the Commissioners.[1]

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as interpreted by Section 109 of that Act. (*Ex parte Molyneux*, 27 J. P. 56 ; 7 L. T. N.S. 599 ; 11 W. R. 233.)

As regards a conviction for treason or felony, see 33 & 34 Vict. c. 23, s. 2, *ante*.

This Order, as regards the superintendence of labour, has been amended in some instances by special Orders providing that if at any time the number of able-bodied male paupers requiring relief shall be so small as to render the services of such an officer unnecessary, the Guardians may suspend him from the performance of his duties until a further occasion shall arise.

The Local Government Board have a discretionary power of removing an officer whom they may deem unfit for his office, without giving him notice of their intention to do so, or hearing what he has to say in his defence (*Re Teather and the Poor Law Commissioners*, 19 L. J. M. C. 70 ; 15 J. P. 36), in which case Erle, J., said he had no doubt that under the provisions of 4 & 5 Will. IV. c. 76, the Poor Law Commissioners (now the Local Government Board) had a discretion to remove the paid officers of the Parish or Union ; and that where they had such a discretion they might order the removal of an officer though no charge had been made, or any notice given to the party, or an opportunity afforded him for making any defence. He further said :—"The case of *The Queen* v. *The Governors of Darlington School* (6 Q. B. 682 ; 14 L. J. Q. B. 67), which is a very elaborate judgment, establishes the principle that where there is a discretionary power to remove, it may be exercised without notice to the party and without any statement of the grounds of removal." A medical officer has no freehold interest in his office, but holds it only *durante bene placito*. (*Donahoo* v. *Local Government Board*, 46 L. T. N.S. 300 ; 30 W. R. 334.)

[1] The regulation requiring that the dismissals of the porter, nurse, and assistants, and the grounds of them, should be reported to the Local Government Board, is inserted in order to enable the Board to judge if a person so dismissed from one Union should be allowed to be appointed in another Union. As regards assistants or servants in the workhouse, see, however, the Order of August 19, 1867, *post*.

The Local Government Board have been advised that the Guardians of a Union are not legally authorised, even with the consent of the Board, to reduce the salary of an officer who is permanently appointed without the assent of such officer. (Local Gov. Chron., February 20, 1886, p. 150.)

The 41st Art. of the regulations of January 19, 1852 (Ireland), under the Poor Law Acts, provides that "every officer appointed or holding any office under these regulations shall continue to hold the same until he die or resign, or be removed by the Commissioners, and every porter or assistant may be dismissed by the Board of Guardians without the consent of the Commissioners."

The Guardians of the Poor of the Belfast Union having dismissed an assistant-schoolmaster without any previous notice, he brought a civil bill process against them for one month's wages, and the value of rations and residence for the same period of time. Upon a case stated by the going Judge of Assize for the opinion of the Queen's Bench Division : Held, that the Guardians had an absolute power of dismissal vested in them in respect of assistant-officers, which power they could exercise without any previous notice to the

Art. 189.—If any master or matron hereafter appointed be husband and wife, and one of them should be dismissed by Order of the Commissioners, or should otherwise vacate his or her office, or should die, the other or survivor shall, at the expiration of the then current quarter, cease to hold his or her office of master or matron, as the case may be.[1]

Art. 190.—No officer of a workhouse who may have been dismissed by any Order of the Commissioners shall, after such dismissal, remain upon the workhouse premises, or enter therein for the purpose of interfering with the management of such workhouse, unless the Commissioners have consented to his subsequent appointment to an office in such workhouse, under the provisions of the said first-recited Act, or to his temporary employment therein.

Art. 191.—Every medical officer duly appointed shall, unless the period for which he is appointed be entered on the minutes of the Guardians at the time of making such appointment, or be acknowledged in writing by such medical officer, continue in office until he may die or resign, or become legally disqualified to hold such office, or be removed therefrom by the Commissioners.[2]

Art. 192.—The Guardians may at their discretion suspend from the discharge of his or her duties any master, matron, schoolmaster, schoolmistress, medical officer, relieving officer, or superintendent

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person to be dismissed. (*McGuigan* v. *The Guardians of the Poor of the Belfast Union*, 18 L. R. Ir. 89.)

May, C.J. :—"It must, I think, be presumed that they will not exercise the power of dismissal except on public and sufficient grounds ; and if such is their motive and reason, it seems that it would be inconvenient to provide that any particular period should be assigned up to the termination of which the officers should continue in the employment."

[1] With regard to this Article, see Art. 1 (2) of the General Order of February 12, 1879, by which it is materially altered. It is obviously desirable that in every case where practicable, the master and matron should be man and wife, and that they should be without incumbrance. See Note to Art. 153, *ante*.

[2] This Article was rescinded by a General Order of the Poor Law Board, dated February 15, 1855, which made new provisions with respect to the medical officer's tenure of office ; and that Order has been again rescinded, except as to appointments made prior to June 24, 1857, by a General Order, dated May 25, 1857 (*post*). The Consolidated Orders subsequently issued contain the following provision with reference to the tenure of the office of medical officer :—

"Every medical officer duly appointed shall hold his office according to the provisions contained in the General Order of this Board bearing date the twenty-fifth day of May, one thousand eight hundred and fifty-seven."

of out-door labour ; and the Guardians shall, in case of every such suspension, forthwith report the same, together with the cause thereof to the Commissioners ; and if the Commissioners remove the suspension of such officer by the Guardians, he or she shall forthwith resume the performance of his or her duties.[1]

Art. 193.—If any officer, or assistant, appointed to or holding any office or employment under this Order be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay him a reasonable compensation for his services ; and every such appointment shall be reported to the Commissioners as soon as the same shall have been made.[2]

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[1] Respecting the salaries of officers suspended or dismissed, see Art. 157, *ante*.

The Guardians cannot under this Article suspend either their clerk or their treasurer from office. The proper course for them to adopt in a case of any misconduct on the part of these officers is to report the fact of their misconduct to the Local Government Board, who, if they think fit, can suspend them from the performance of their duties, previously to causing the matter of complaint to be investigated by an inspector. The bankruptcy of the treasurer does not vacate the office. In such case he must tender his resignation to the Guardians before they can proceed to another election. The Guardians, if they suspend an officer, may at any time remove the suspension without the intervention of the Local Government Board.

In August, 1887, the Local Government Board wrote to the Guardians of the Parish of Kensington with regard to the delegation of power to suspend subordinate officers, and pointed out that in any case of emergency any three Guardians may meet at the ordinary place of meeting and take the matter into consideration (see now, however, Rule 2 of Schedule 1 of the Public Health Act, 1875, in the Note to Art. 23, *ante*, p. 253, which Rule is applied to meetings of Guardians by Section 59 (1) of the Local Government Act, 1894). They stated further, that they had been advised that if, for the purpose of preserving order, under the provisions of Art. 208. No. 3 of the General Consolidated Order of July 24, 1847, it becomes necessary that a subordinate officer should cease to exercise his duties or should leave any part of the premises, the master (and in the infirmary the medical officer) would be empowered to require him to do so.

By an Order, dated January 9, 1878, it is provided that if at any time the number of able-bodied male paupers requiring relief shall be so small as to render the services of such a superintendent of out-door labour unnecessary, the Guardians may suspend him from the performance of his duties until a further occasion shall arise.

[2] If any of the officers who reside in the workhouse should be temporarily incapable of performing their duties, the Guardians may under this Article employ a temporary substitute, and pay him for his services. It is not necessary that they should obtain the sanction of the Local Government Board before they make the payment. It will be understood that if the chaplain keep a curate, he will not be entitled to perform his duties in the workhouse by his curate without the consent of the Guardians.—*Instr. Letter*, February 5, 1842. The Guar-

Art. 194.—The vice-chairman, or some Guardian to be appointed by the Guardians, may perform any of the duties assigned to the clerk until any vacancy in the office shall have been filled, or until a substitute be appointed in the case of the sickness, accident, or absence of the clerk.[1]

Art. 195.—When any officer may die, resign, or become legally disqualified to perform the duties of his office, the Guardians shall, as soon as conveniently may be after such death, resignation, or disqualification, give notice thereof to the Commissioners, and proceed to make a new appointment to the office so vacant in the manner prescribed by the above regulations.[2]

Art. 196.—If any officer give notice of an intended resignation to take effect on a future day, the Guardians may elect a successor to such officer, in conformity with the above regulations, at any time subsequent to such notice.

Art. 197.—In the case of any medical officer who holds his office for a specified term, the Guardians may provide for the continuance of such office, or appoint his successor, within the three calendar months next before the expiration of such term.[3]

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dians can grant temporary leave of absence to any officer; and, in general, no workhouse officer should absent himself from his duties without the permission of the Guardians. The officers ought not to be absent singly, and still less simultaneously, from the workhouse, without sufficient cause. The master ought always to sleep in the workhouse.—*Ib.* This Article is not applicable to the case in which the clerk may be occasionally prevented from attending personally to his duties at the Board for a single day. Such a case may be properly met by the appointment of the vice-chairman, or some other Guardian, to perform the duties of the clerk for the particular occasion under Art. 194. Such occasional absence on the part of the clerk ought not, however, to take place except for sufficient cause. But it applies to a relieving officer who may obtain leave of absence from his duties; unless a substitute be appointed to act for him there will be no one legally responsible for the discharge of his duties during his absence.

As regards the substitute of a medical officer, see Art. 200, *post.*

[1] See the preceding Note as to the absence of the clerk from the meetings of the Board. If a Guardian be appointed a paid substitute for an officer under this Article, he will be a paid officer engaged in the administration of the Poor Laws within the meaning of 5 & 6 Vict. c. 57, s. 14, and as such will be incapable of acting as a Guardian.

It will be noticed that Art. 194 is permissive only. If the office of clerk be vacant a person may be employed temporarily by the Guardians to discharge the duties, and paid for his services, if the duties cannot otherwise be provided for.

[2] Respecting the mode of appointment, see Arts. 155, 156.

[3] Further provision as to the tenure of a medical officer's office is made by the General Order of the Poor Law Board, dated May 25, 1857, *post.*

Personal Discharge of Duties.

Art. 198.—In every case not otherwise provided for by this Order, every officer shall perform his duties in person, and shall not intrust the same to a deputy, except with the special permission of the Commissioners on the application of the Guardians.[1]

Art. 199.—Every medical officer shall be bound to visit and attend personally, as far as may be practicable, the poor persons intrusted to his care, and shall be responsible for the attendance on them.[2]

Art. 200.—Every medical officer shall, as soon as may be after his appointment, name to the Guardians some legally qualified medical practitioner to whom application for medicines or attendance may be made, in the case of his absence from home, or other hindrance to his personal attendance, and who will supply the same at the cost of such medical officer, and the name and residence of every medical practitioner so named shall be forwarded by the clerk to each relieving officer, and to the overseers of every Parish in the district of such medical officer.[3]

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[1] As regards the clerk, see Note to Art. 193; and as regards the medical officer, see Art. 200, and note.

[2] The medical officer cannot expressly delegate to his assistant in his general practice the duties of his office, however well qualified, legally or otherwise, such assistant may be. Though an assistant may visit a patient or aid his principal in the performance of his duties, no diminution or sub-division of the duty of personal attendance and personal responsibility on the part of the medical officer will be recognised on that account.

[3] It is not necessary that the substitute should possess one of the double qualifications named in Art. 168; and if any medical officer has a partner or assistant who is a duly qualified medical man, he may name such partner or assistant as his substitute under this article, or indeed any medical officer of the Union may be appointed the substitute for another medical officer under this Article. The substitute of a medical officer ought, however, to be duly registered under "The Medical Act" (21 & 22 Vict. c. 90). The medical officer will be considered by the Local Government Board as responsible for the skill and diligence of the person named by him as his substitute. Though the appointment is not by this Article made subject to the approval of the Guardians, they have the power to object to the appointment of any person of whom they may not approve; and it is certainly expedient that the provision which the medical officer may make for the discharge of his duties in his unavoidable absence from home or other hindrance, should be such as to secure the confidence of the Guardians. The medical officer can at any time rescind his nomination of a substitute, and name some other medical practitioner in his stead. A Guardian

Duties of the Officers.

Art. 201.—And we do hereby define and specify the duties of the several officers appointed to or holding their offices under this Order, and direct the execution thereof to be as follows :[1]—

Duties of the Clerk.

Art. 202.—The following shall be the duties of the clerk :[2]—

No. 1. To attend all meetings of the Board of Guardians, and to keep punctually minutes of the proceedings at every meeting, to enter the said minutes in a book, and to submit

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of the Union may be the appointed substitute of a medical officer. (56 O. C. N.S. 80.) As to a Guardian who is a medical man giving certificates under Art. 178, see Note to that Article, p. 368.

[1] The duties of the officers are defined with so much minuteness in the Articles that the latter do not appear to require a detailed explanation. The Commissioners, however, remark that every officer is presumed to know his own duties, and that his ignorance of them cannot be allowed as any excuse for neglect or error. The officers will be bound to learn their duties from the regulations of the Commissioners, a copy of which they can obtain by application to the Guardians; and if they should desire to obtain further information they can apply to the Guardians or the Local Government Board, who will always be ready to afford it. The Commissioners also caution the officers against supposing that they will be held responsible only for *intentional* breaches of duty, and that mere negligence will be considered as a venial offence. The officers are bound to perform the duties prescribed by the regulations, and a culpable omission to perform those duties is equally mischievous with intentional breaches of the regulations, and will be visited with equally severe punishment.—*Instr. Letter.*

[2] Other duties than are here described will have to be discharged by the clerk, under the Union Assessment Committee Acts (25 & 26 Vict. c. 103; 27 & 28 Vict. c. 39), for which reference must be made to the several provisions of those Acts.

As regards the remuneration of the clerk to the Assessment Committee, the Local Government Board adopt one uniform plan. They say that—

"As it rests with the Committee to state, in the first place, the amount of remuneration which the clerk should be allowed, they think that the Committee should wait until near the end of their year of office before coming to any decision on the subject. They will then with their knowledge of the extent of the labour which has devolved upon the clerk, and of the time which he has given to the duties, be in a position to form an opinion as to the amount which should be awarded to him. The Board consider that this should be done by the Committee each year before quitting office, leaving the Committee for the following year to adopt a similar course."

By 6 & 7 Vict. c. 109, s. 6, the clerk to a Board of Guardians is exempt from serving the office of Parish constable; but is not exempt under 33 & 34 Vict. c. 77, from serving as a juryman, unless he be a solicitor.

the same so entered to the presiding chairman at the succeeding meeting for his signature.[1]

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[1] The clerk cannot delegate his duty of attending the meetings of the Board of Guardians to another person; but if his absence should be sanctioned by the Guardians on any occasion, they can, if they think fit, accept the services of a substitute; or the chairman or some other Guardian may act as clerk during the absence of that officer.

With respect to the minutes of the Guardians, it may be remarked that they are intended to be a true record of the proceedings of the Board, and the confirmation or affirmation of them by the succeeding Board will merely authenticate the accuracy of the record, without affecting the acts of the previous meeting, which in general require no subsequent confirmation or affirmation. Every discussion of any subject at a meeting of the Board, followed by a resolution, whether such resolution be for adopting, rejecting, or postponing the consideration of the matter submitted to the Board, should be placed on record in the minutes of the day, and also every complaint made by a pauper against any officer of the Union, together with the decision of the Guardians upon it, and notes of the evidence of the witnesses who may have been examined. And generally every occurrence, whether an *ex parte* statement or otherwise, and whether finally disposed of or not, should be placed on the minutes of the meeting at which it came under the notice of the Guardians. Mere discussions, opinions expressed, and remarks made by individual Guardians on any matter, ought to be excluded from the minutes; so also unseconded motions, which are not to be entered as a matter of right (2 Off. Cir. 178), but which may nevertheless be entered if the Guardians so direct. A motion duly made and seconded ought to be entered in the minutes if the Guardians divide upon it, whatever the result of the division may be. If, however, the motion, after being seconded, be withdrawn without a division upon it, it ought not to appear on the minutes. The minutes are the official record of the proceedings of the Board of Guardians; and as the protest of an individual Guardian against any resolution of the Board does not form a part of such proceedings, the Guardian protesting cannot require his protest or the reasons of his dissent to be entered on the minutes. But even if his protest were so entered, it would have no legal effect, so as to control any resolution which a majority of the Guardians may have passed. The reading of a letter by an individual Guardian is not such a proceeding of the Board of Guardians as to warrant its insertion on the minutes, unless by a special vote the Board of Guardians should direct it to be so entered.

The minutes should include all proceedings under the Nuisances Removal Acts, or any other Acts which impose upon the Guardians duties beyond the scope of 4 & 5 Will. IV. c. 76.

Rough minutes of the proceedings of the Guardians should not be made on loose sheets of paper; but where it is the practice to make rough minutes, a book should be used for the purpose, and a fair copy be made in a fair minute book before the next meeting, in order that the minutes may be read over from such a book and be signed by the chairman at the commencement of the proceedings of the next meeting, agreeably to Art. 41.

As regards the minute book of the Assessment Committee, required to be kept under 25 & 26 Vict. c. 103, s. 11, it should be borne in mind that the object of the Legislature was to secure a full and complete account of the proceedings of the Committee, so that any ratepayer might ascertain by an inspection and perusal of the minute book what steps had been taken by the Committee in matters which might come before them in which the ratepayer was interested. Every case of objection to a valuation list, and the decision upon

Art. 202.—No. 2. To keep, check, and examine all accounts, books of accounts, minutes, books, and other documents as required of him by the regulations of the Commissioners, or relating to the business of the Guardians, and from time to time to produce all such books and documents, together with the necessary vouchers, and the bonds of any officers, with any certificates relating thereto, which may be in his custody, to the auditor of the Union, at the place of audit, and at the time and in such manner as may be required by the regulations of the Commissioners.[1]

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it, should therefore be entered in the minutes of the Committee, as well as the receipt of every letter addressed to the Committee, and the answer to it. The letters addressed to the Committee need not be copied on the minutes verbatim, and the letters of the Committee may be copied into a special letter book.

With regard to the presence of the clerk at the meetings of the Guardians, see 9 O. C. 23. If there should be any special reason for requiring the clerk to retire whilst the Guardians are deliberating upon any business before them, there is nothing to prevent the Guardians from requiring him to retire. In such a case, however, the Guardians cannot require the clerk to record on their minutes anything that has been done by the Guardians during his absence, and not within his own knowledge. As a rule, however, the clerk, as a responsible officer, should always be present at the meetings of the Guardians, in order that he may enter upon the minutes a faithful record of the proceedings of the Guardians. No individual Guardian possesses by virtue of his office any right to take copies or make extracts from the minutes; but the Board can authorise any individual Guardian to make a copy or extract from any document in their custody: neither can a Guardian claim as of right to search or inspect the minute book of the Guardians. The usual practice is to allow copies or extracts to be taken by individual Guardians without express authority. If an individual Guardian cannot, as of right, demand a copy or extract from the minutes, still less can any ratepayer in the Union who is not a Guardian.

[1] With respect to the books of accounts alluded to in this section, see the General Order of Accounts of January 14, 1867, *post*, and with respect to the production of officers' bonds, see Arts. 86 and 87 of this Order. See also Art. 203, No. 5, with respect to the duty of the treasurer to produce any bonds which may be in his possession to the auditor for his inspection. The inspection contemplated by Art. 25 of the Order of Accounts may be general in its character, but it should be such an inspection as will enable the clerk not only to ascertain that the books are all kept and in the proper form, but also to detect any errors which may appear on the face of the book or account inspected. The arithmetical examination of the master's books is not a duty the performance of which is required from the clerk; it is incumbent upon the auditor to make such examination. (7 O. C. 290.)

With respect to the clerk's attendance at the audit of the accounts, it may be observed here that he is not bound to attend the audit of the Parish officers' accounts, unless he is specially summoned by the auditor. It may also be observed, in this place, that the Guardians cannot retain possession of any Parish books or documents contrary to the wish of the Parish, as 58 Geo. III. c. 69,

Art. 202.—No. 3. To peruse and conduct the correspondence of the Guardians according to their directions and to preserve the same, as well as all Orders of the Commissioners, and

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s. 6, directs that all such books, accounts, and documents shall be kept by such person or persons, and deposited in such place and manner as the inhabitants in vestry assembled shall direct.

See also Section 17 of the Local Government Act, 1894 (56 & 57 Vict. c. 73), by Sub-section 8 of which the custody of the register of baptism, marriages and burials, and of all other books and documents containing entries wholly or partly relating to the affairs of the church or to ecclesiastical charities, except documents directed by law to be kept with the public books, writings, and papers of the Parish, shall remain as provided by the existing law unaffected by this Act. All other public books, writings, and papers of the Parish, and all documents directed by law to be kept therewith, shall either remain in their existing custody, or be deposited in such custody as the Parish Council direct. Power is also given by Sub-section 9 to the County Council to make Orders for the preservation of public books, writings, papers, and documents under the control of the Parish Council or Parish meeting.

With regard to the inclusion of the value of rations and apartments in calculating the income of an officer for the purpose of income tax assessment, see *Tennant* v. *Smith* (1892), A. C. 150; 61 L. J. T. C. 11; 66 L. T. N.S. 327, where it was held by the House of Lords that in estimating the total income of an agent for a bank who was bound, as part of his duty, to occupy the bank house as custodian of the whole premises belonging to the bank, and also for the transaction of any special bank business after bank hours, that the yearly value of the privilege of free residence in the bank premises could not be brought into account.

But where there is a vestry clerk appointed under 13 & 14 Vict. c. 57, it is the duty of that officer to keep the Parish books, deeds, and documents. With respect to the supply of the books of account for the officers of the Union, it may be stated that the Guardians are only to provide the books required by the officers of the Union. The Parish officers must provide the books required for the Parish accounts. See Art. 56 of the General Order for Accounts, of January 14, 1867, *post*.

The Commissioners of Inland Revenue consider that the clerk to the Guardians is the "proper officer" to make a return of the salaries of the paid officers of the Union for the purpose of the Income Tax assessment, under 5 & 6 Vict. c. 35, s. 154.

They say that under "Sections 50 and 55 of the Act, 5 & 6 Vict. c. 35, and the definition in Section 192, the Board of Guardians and their clerk are bound to prepare and deliver a list containing the *names* and *residences* of the persons employed in their service, but that the clerk cannot, in the Board's opinion, be compelled to give the *salaries* of the officers employed. It would, however, be a great convenience to all concerned if he would do so, and the Board would feel obliged if this additional information could be given."

Workhouses are not chargeable to the Property Tax, and ought not to be assessed thereto. And the Commissioners of Inland Revenue have instructed their surveyors of taxes not to raise charges against the Guardians for Income Tax in respect of profits derived from the cultivation of land occupied for workhouse purposes.

As whatever profits may be made by the Guardians must be carried to the Common Fund, and in this way go towards reducing the rates for the relief of the poor, which would otherwise have to be levied, the instructions of the Commissioners of Inland Revenue are in accord with the decision of the Court of

letters received, together with copies of all letters sent, and all letters, books, papers, and documents belonging to the Union, or intrusted to him by the Guardians, and to make all necessary copies thereof.[1]

Session in Scotland, in *The Glasgow Corporation Water Commissioners* v. *The Solicitor of Inland Revenue* (Court of Session Cases, 4th Series, Vol. 2, p. 708), explained and approved of by Day, J., in the *Paddington Burial Board* v. *The Commissioners of Inland Revenue*, 13 Q. B. D. 9; 53 L. J. Q. B. 224; 50 L. T. N.S. 211; 32 W. R. 551; 48 J. P. 311.

[1] The clerk is not required to wait for the special direction of the Board of Guardians to answer official letters involving the transaction of mere routine business, but if the reply he may have to give depend upon any decision to which the Guardians may come on the matter to which the latter relates being submitted to them, in that case he should take the special directions of the Board of Guardians before answering the letter. In any case he should be prepared to submit to the Guardians at each ordinary meeting all letters he may have received since their last meeting, and copies of the answers he may have given to them. Every letter written by the clerk on any matter connected with his office, however unimportant the subject of it may be, should be copied into the letter-book of the Guardians in a legible hand. The following directions should be implicitly attended to in conducting official correspondence with the Local Government Board, not only on the part of the clerk, but on the part of all other persons. A departure from any of them not only causes great inconvenience in the transaction of the business of the Board, but prevents a prompt reply being given to the particular communication in respect of the transmission of which the directions have not been observed:—1. No document, except returns signed by the clerk, should be transmitted to the Board, unaccompanied by a letter authenticating it. 2. Every distinct subject of communication, whether relating to the Union or to any separate Parish in it, should form a distinct letter on a separate sheet of foolscap paper. 3. Where previous communications have taken place on the same subject, the official number and date of the last communication should be quoted. 4. The name of the Union and the day of meeting of the Guardians, and, where the meetings are held otherwise than weekly, the date of the meeting next following the communication should be placed at the head of all communications from the Guardians to the Local Government Board. 5. All communications and packages from the country which are directed to the office of the Local Government Board, as far as the arrangements of the Post Office will permit, should be transmitted through the post, and be directed under cover, "To the Local Government Board, Whitehall, London."

When a Board of Guardians or clerk of one Union wishes to communicate with a relieving officer of another Union, or where a relieving officer of one Union wishes to communicate with a Board of Guardians or with the clerk of another Union, the letter should pass through the clerks of both Unions.

Moreover, no other officer than the clerk should write letters in the name of or on behalf of the Guardians, as that officer is the only authorised organ of communication on the business of the Guardians.

The clerk has no authority to destroy any of the Union papers which he may consider useless without the direction of the Guardians. As a general rule, all orders of and correspondence with the Local Government Board should be preserved, and no books or papers should be destroyed which, in any reasonable probability, may be required hereafter in proof of any matter to which they may relate.

Art. 202.—No. 4. To prepare all written contracts and agreements to be entered into by any parties with the Guardians, and to see that the same are duly executed, and to prepare all bonds or other securities to be given by any of the officers of the Union, and to see that the same are duly executed by such officers and their sureties.[1]

By 28 & 29 Vict. c. 79, s. 4, every notice, statement, demand, or other document required to be given by the Guardians in respect of any order of removal, shall be deemed to be sufficiently authenticated if signed by their clerk in their name, and shall be deemed to be duly served upon the Guardians to whom it shall be addressed, if it be delivered to their clerk personally, or be left at his office, or be sent through the post addressed to him at such office.

The clerk, having the legal custody of the accounts and books of the Union, if he be served with a *subpœna duces tecum* as a witness on any matter relating to the settlement of a pauper, or other business affecting the Union, must attend and produce all books, documents, and papers in his possession, which may be required of him. See *Reg.* v. *Greenaway* and *Reg.* v. *Carey*, 14 L. J. M. C. 190; 2 New Sess. Cas. 103; 7 Q. B. 126; 9 Jur. 1,009. In these cases which referred to the overseer of a Parish the Court held that an attachment would lie against an overseer, and also against the solicitor of a Parish, for refusing to produce the rate-books of such Parish at Petty Sessions, in obedience to a Crown Office subpœna, in an inquiry touching the settlement of a pauper. The clerk will not, however, be justified in allowing any strangers to inspect the books of the Union, or to make extracts from them, without the authority of the Board of Guardians. It is no part of the duty of the clerk, or of any other officer of the Union, to attend, when called upon by the officers of any Parish in the Union, before the magistrates in Petty Sessions, as witnesses in any matter which has reference solely to the business of the particular Parish, and not to their duties as officers of the Union. If they receive a subpœna they will, of course, be bound to attend, as in the case of any other person who is not an officer of the Union; but ordinarily the relieving officers should attend without putting the Parish officers to the expense and trouble of a subpœna, if they can do so without materially interfering with the discharge of their duties. But it seems that, as a relieving officer is required to devote his whole time to the duties of his office (see Art. 164), he cannot claim to be paid for his attendance before the justices on any Parish matter. He can, however, claim his reasonable expenses; further on this point, see 39 O. C. N.S. 112.

All Union books which are closed should be in such custody as the Guardians direct under Art. 58 of the Accounts Order of January 14, 1867, *post*. It may also be here stated that no person, whether he be a Guardian or an officer of the Union, has an absolute right to inspect any document belonging to the Union in the custody of the clerk; and that the proper course is to apply to the Guardians to grant permission, which should be expressed by a resolution entered on the minutes.

[1] In most cases the clerk will merely have to fill up the blanks in the printed form of contracts and bonds, which may be procured from the publishers of such documents. The clerk is not bound to leave his residence to witness the execution of bonds and contracts. When the parties to them, whether principals or sureties, do not attend the Board of Guardians for the purpose, some special direction should be given by the clerk or by the Guardians respecting the execution, and information should be supplied as to the addresses of the

Art. 202.—No. 5. To receive all requisitions of Guardians for extraordinary meetings, and to summon such meetings accordingly; and to make, sign, and send all notices required to be given to the Guardians, by this or any other Order of the Commissioners.[1]

No. 6. To countersign all orders legally made by the Guardians on overseers for the payment of money, and all orders legally drawn by the Guardians upon the Treasury.[2]

No. 7. To ascertain, before every ordinary meeting of the Board, the balance due to or from the Union, in account with the treasurer, and to enter the same in the minute book.[3]

No. 8. At the first meeting of the Guardians in each quarter, to lay before the Guardians, or some Committee appointed by them, the non-settled poor account, and the non-resident poor account, posted in his ledger to the end of the preceding quarter; and to take the directions of the Guardians

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attesting witnesses. If, owing to the sureties residing at a distance, it be necessary to incur any expense in obtaining their signatures, it would seem that the officer, and not the Guardians, must be at the expense; but it is different if the expense be incurred merely in satisfying the Guardians of the sufficiency of the surety. If it be necessary to incur any such expenses, they must be borne by the Guardians, and not by the officer, unless there be a previous stipulation to the contrary. The clerk is to prepare only such bonds and securities as are given by the officers of the Union; therefore it is not his duty to prepare bonds of assistant-overseers appointed under 59 Geo. III. c. 12, s. 7, given under 7 & 8 Vict. c. 101, s. 61, unless indeed such bonds can be considered as "written contracts" within the meaning of the first part of this regulation, and the clerk is required by the Guardians to prepare them; but see Note to Art. 87, *ante*.

[1] See Arts. 34 and 35, *ante*.

[2] See Arts. 82–84. If a cheque or order be drawn for an illegal purpose (*i.e.* for a purpose for which the poor rates are not legally applicable), the clerk, although the cheque or order may be signed by the chairman and two other Guardians, and he may be directed by the Board of Guardians to affix his signature, is not bound to do so. It should be remembered that Guardians who sign an order, drawn to defray expenditure which is illegal, will be personally liable for the amount of the order upon the auditor's surcharge. The countersignature of the clerk should be written on the order after the signature by the Guardians. By countersigning the order, the clerk attests the correctness of the document (54 O. C. N.S. 43). The orders of the Guardians upon the treasurer for payment of money ought not to be countersigned by any other than the clerk; if they be not properly countersigned by him, the treasurer will not be bound to pay them, and if he does pay them it will be at his own risk.

[3] This information will be ascertained from the treasurer's book. See Art. 18 of the Order for Accounts, *post*.

respecting the remittance of cheques or post-office orders to the Guardians of any other Union or Parish or the transmission of accounts due from other Unions or Parishes, and requests for payment.

Art. 202.—No. 9. Within fourteen days from the close of each quarter, to transmit by post all accounts of relief administered in the course of the preceding quarter to non-settled poor to the Guardians of the Unions and Parishes on account of which such relief was given: and to state in every account so transmitted the names and classes of the several paupers to whom the relief in question has been administered.[1]

No. 10. To communicate to the several officers and persons engaged in the administration of relief within the Union all orders and directions of the Commissioners, or of the Guardians, and, so far as may be, to give the instructions requisite for the prompt and correct execution of all such orders and directions, and to report to the Guardians any neglect or failure therein which may come to his knowledge.[2]

No. 11. (*This Article is rescinded by the Order of the Poor Law Board of 26th of February*, 1866, *post.*)

No. 12. To prepare and transmit all reports, answers, or returns as to any question or matter connected with or relating to the administration of the laws for the relief of the poor in the Union, or to any other business of the Union, which are required by the regulations of the Commissioners,

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[1] See Arts. 77–80, which will relate to the relief of non-settled and non-resident poor. It is of great importance that the above regulations (8 and 9) should be attended to; for (from *Wycombe* v. *Eton*, 1 H. & N. 687; 26 L. J. M. C. 97), it must be taken that where Boards of Guardians do not send quarterly the account of relief granted to non-settled paupers, the account cannot be recovered in a court of law from the Union wherein the paupers are settled.

[2] This Rule renders it the duty of the clerk to convey to the overseers the contribution orders of the Guardians, and any unavoidable expenses which he may incur in personally serving the orders should be defrayed out of the common fund; but there is no objection to the relieving officers delivering such orders if they are willing to do so, and if the delivery of them does not interfere with their ordinary duties. But now see Art. 4, No. 2, of the General Order of the Poor Law Board, dated October 7, 1865, *post.*

or which the Commissioners, or any Assistant Commissioner, may lawfully require from him.[1]

Art. 202—No. 13. To conduct duly and impartially, and in strict conformity with the regulations in force at the time, the annual or any other election of Guardians.[2]

No. 14. To observe and execute all lawful orders and directions of the Guardians applicable to his office.[3]

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[1] The clerk by this Rule is bound to answer all inquiries made of him by the Local Government Board relating to the business of the Union. With respect to the weekly returns of the pauperism of the Union with which he is required to furnish the Board and the inspector of the district, see the Circular Letters of the Poor Law Board, dated respectively November 10, 1855, and March 15, 1856.

The clerk is also required to send to the Commissioners in Lunacy at the end of every quarter a copy of the records kept by the medical officer of the workhouse of the cases in which restraint by mechanical means has been applied to lunatics in the workhouse, and also copies of the certificates signed by the medical officer in every case in which such restraint has been applied; see Section 40 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5). Any person who wilfully acts in contravention of the section will be guilty of a misdemeanour. —*Ib.* s. 7.

[2] As to the election of Guardians, see now the General Orders of the Local Government Board, *ante*, p. 1, and with regard to London, p. 131.

[3] The regulations do not make it the duty of the clerk to attend Committees of the Guardians, and to take minutes of their proceedings; but Art. 202, No. 14, prescribes that the clerk shall observe and execute all lawful orders and directions of the Guardians applicable to his office. The Guardians may, if they think fit, direct the clerk to attend a Committee of their number legally appointed, and take minutes of their proceedings. The clerk, under this Rule, will be bound to prepare statistical returns and calculations on any matter relating to the relief of the poor of his Union, when ordered so to do by the Board of Guardians; but he is not bound to obey any order or directions which the Guardians cannot legally give. The office of the clerk does not of itself confer upon him any power to interfere with the management or discipline of the workhouse, or to admit persons to see paupers maintained in the house; but as the officer or agent of the Guardians, he may interfere to see that their orders as regards the management of the house are carried out, if authorised by the Guardians to do so. The clerk cannot order, of his own authority, relief to be given to a destitute person; it has, however, been held that the clerk is an officer having authority (*i.e.* when acting under the directions of the Guardians in the particular matter) to order the giving of relief, so as to establish a settlement by admission in a township within the Union. (*Reg.* v. *Wigan*, 19 L. J. M. C. 18; 14 Q. B. 287; 3 New Sess. Cas. 670; 13 Jur. 1,052.)

The clerk is the confidential officer of the Guardians, representing them in regard to the general business of the Union in the intervals of their meetings, and as such it is his duty to bring under their notice any neglect of duty on the part of any officer which may come within his knowledge.

It seems that the Board now invariably decline to assent to the appointment as vaccination officer of a gentleman holding the office of "Clerk to the Guardians." (50 J. P. 119.)

Art. 203.—The following shall be the duties of the treasurer of the Union :—

No. 1. To receive all moneys tendered to be paid to the Guardians, and to place the same to their credit.[1]

No. 2.[2] To pay out of any moneys for the time being in his hands belonging to the Guardians, all orders for money which shall be drawn upon him, in conformity with Art. 84, when the same shall be presented at the house or usual place

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[1] If the full amount of a contribution order, or the full amount of an instalment thereof, be not tendered to him, the treasurer, under ordinary circumstances, should not refuse to receive the money. As a general rule, however, he should require the calls to be made in full, according to the exigency of the Contribution Orders of the Guardians. In such case he should give a receipt for a payment on account, and place the amount of it to the credit of the Union. If, however, the overseers make payments by instalments other than those authorised by the Contribution Order, they would be guilty of a wilful disobedience of the orders of the Guardians, and be liable to the penalties provided by 4 & 5 Will. IV. c. 76, s. 98. Section 98 enacts that : " In case any " person shall wilfully neglect or disobey any of the rules, orders, or regulations " of the said Commissioners or Assistant Commissioners " (now the Local Government Board), " or be guilty of any contempt of the said Commissioners " sitting as a Board, such person shall, upon conviction before any two justices, " forfeit and pay for the first offence any sum not exceeding five pounds, for " the second offence any sum not exceeding twenty pounds nor less than five " pounds, and in the event of such person being convicted a third time, such " third and every subsequent offence shall be deemed a misdemeanour, and such " offender shall be liable to be indicted for the same offence, and shall on con- " viction pay such fine, not being less than twenty pounds, and suffer such " imprisonment, with or without hard labour, as may be awarded against him " by the Court by or before which he shall be tried and convicted." In order that the neglect charged against a person may be neglect within the meaning of Section 98 it must be criminal, or at least contumacious, neglect. See *Holgate* v. *Brett*, 58 L. T. N.S. 452 ; 52 J. P. 661. The corresponding Article in the Consolidated Order of December 8, 1847, does not apply to the Parish of St. Giles, Camberwell. If cheques on bankers be tendered by overseers to the treasurer instead of " money " (cash), he will not be bound to accept such cheques in payment of a Contribution Order ; but if he do so, it will be at his own risk ; and he may properly refuse to sign a receipt for payment until the cheques are cashed.

As regards moneys tendered to him by the collector of the Guardians, see Art. 4, No. 6, of the General Order of the Poor Law Board, dated October 7, 1865, *post.*

The treasurer is also to receive any money certified by the district auditor to be due under 7 & 8 Vict. c. 101, s. 32, which enacts that :—" The person to " whom any money is certified to be due shall, within seven days, pay or cause " to be paid such money to the treasurer to the Guardians of the Union or " Parish, if there be any such treasurer."

[2] As to the form in which these orders are to be drawn, see the General Order of April 7, 1857, *post.* That Order restrains the treasurer from paying any order of the Guardians not drawn in conformity therewith.

of business of the treasurer, and within the usual hours of business.[1]

Art. 203.—No. 3. To keep an account, under the proper dates, of all moneys received and paid by him as such treasurer, to balance the same at Lady Day and Michaelmas in every year, and to render an account of such moneys to the Guardians when required by them to do so.[2]

No. 4. Whenever there are not funds belonging to the Guardians

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[1] With regard to the liability of a Union treasurer for frauds owing to the negligent drawing of orders made upon him by the Guardians for the payment of money, see *Halifax Union* v. *Wheelwright*, L. R. 10 Exch. 183; 44 L. J. Exch. 121; 32 L. T. N.S. 802; 23 W. R. 704; and see the cases cited in the Note to Art. 84, *ante*, p. 261.

This case was followed by Charles, J., in *The Guardians of Colchester Union* v. *Moy*, 68 L. T. N.S. 564; 5 R. 304; 57 J. P. 265. In the latter case the defendant had been appointed, and for some years had acted as the treasurer of the plaintiffs; his services were gratuitous, and his duty was to receive all moneys tendered to be paid to the Guardians, and to pay thereout all orders drawn on him in respect of the Union, and for the faithful performance of his duties he had given a bond with sureties. The accounts of the Union were kept alternately at one bank for a year, and at another bank for the next year, and the account was entitled "C. Union," and into this account were paid direct all moneys received for rates, &c., and receipts countersigned by the defendant were given by the bank to the overseers. In an action by the Guardians against the defendant to recover a loss caused by the failure of one of the banks at which the account was for the time being:—Held, that the defendant was not liable to pay to the Guardians the amount lost through the failure of the bank, whether the account were the Guardians' account—which was found as a fact to be the case—or the defendant's account; and, moreover, that the position of an honorary treasurer is analogous to that of a trustee or a receiver, and he would not be responsible for a loss incurred through no default of his own, but through the necessary employment of an ordinary mercantile agent.

The treasurer is not the banker of the Guardians, but simply their officer, and as such he is bound to obey the orders of the Guardians for the payment of money; but by 34 & 35 Vict. c. 17, s. 3, it is provided that:—"No person "shall be compelled to make any payment or to do any act upon such bank "holidays which he would not be compellable to do or make on Christmas Day "or Good Friday; and the obligation to make such payment and to do such "act shall apply to the day following such bank holiday; and the making of "such payment and doing such act on such following day shall be equivalent "to payment of the money or performance of the act on the holiday." It must, therefore, be considered that on the bank holidays there are now no usual hours of business, and that consequently payment of the order could not be enforced on any of the days mentioned in the Act.

The Guardians should, therefore, provide for the contingency by making their previous orders of sufficient amount to enable their officers to have money to provide the necessary relief during the period for which they can obtain no money from the treasurer.

[2] With regard to this regulation, see Art. 18 of the General Order for Accounts of January 14, 1867, *post*.

in his hands as treasurer of the Union, to report in writing the fact of such deficiency to the Commissioners.[1]

Art. 203.—No. 5. To submit a proper account, together with the bonds of any officers which may be in his custody, to the auditor at the place of audit, and at the time and in such manner as may be required by the regulations of the Commissioners.[2]

No. 6. To receive the moneys payable to him as treasurer of the Union under any Act of Parliament or other authority of law.[3]

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[1] The Poor Law Board find that this regulation has been frequently overlooked by treasurers, and in some instances they have been informed that it had not been brought to the notice of these officers. The Board attach much importance to the regulation, and trust that it may be carefully attended to in future.—*Letter of Poor Law Board to Union Treasurers*, April 7, 1857.

[2] See Art. 87 as to the production of officers' bonds to the auditor. The 4 & 5 Will. IV. c. 76, s. 47, requires the treasurer to submit to the auditor a full and distinct account of all moneys received, held, or expended by him on account of the Union. This account may be the Treasurer's Book, if the entries are made in such a manner as to show with preciseness for whom and to whom the treasurer received and paid the money of the Guardians. Further, with regard to the audit of the treasurer's account, see Art. 18 of the Order for Accounts of January 14, 1867, *post*.

[3] The treasurer ought not to allow his account with the Guardians to be overdrawn; and if he advances money to them, he does so at his own risk, as the Guardians cannot legally borrow money for their current expenses upon the security of the rates, or pay interest upon money so borrowed. See Note to Arts. 1 and 2 of Order of February 26, 1866, *post*. The regulation in No. 4 is introduced for the purpose of enabling the Commissioners to warn the Guardians of their duty, in case they should have failed to obtain the requisite supplies of money from the overseers. It is also desirable when the funds in the treasurer's hands are low, that he should communicate the fact to the Guardians.—*Instr. Letter.*

When any Parish of a Union has an account with the treasurer, independently of the Union account, the treasurer ought not to transfer money from the former to the latter without an order of the overseers.—*Ib.* Money in the treasurer's hands, arising from the sale of Parish property, ought not to be appropriated without an Order under the seal of the Local Government Board. See 5 & 6 Will. IV. c. 69, s. 3.—*Ib.* The Orders issued by the Board for the sale of Parish property expressly require the proceeds of the sale to be paid to the treasurer to abide the further Order of the Board. It may here be mentioned that Section 8 of the Poor Law Act, 1889 (52 & 53 Vict. c. 56) enacts that:—"No consent other than "that of the Local Government Board shall be required to the sale or exchange "or letting by the Board of Guardians of any separate Parish, of any workhouse, "tenements, buildings, or land belonging to such Parish." The consent of the ratepayers of a Parish and of the owners of property therein is still, however, required by Section 1 of the Sale of Exhausted Parish Lands Act, 1876, to the sale of land allotted to or otherwise acquired by a Parish for the supply of materials for road repairing, the materials in which are exhausted or are not suitable or required; and such consent is also required to conveyances of land belonging to a Parish under Section 7 of the Open Spaces Act, 1887. In such

Art. 204.—Provided that the regulations in Art. 203 shall not be applicable to cases in which the Governor and Company of the Bank of England may act as treasurer of the Union or bankers to the Guardians.[1]

Duties of a Medical Officer.

Art. 205.—The following shall be the duties of every medical officer appointed by the Guardians, whether he be the medical officer for a workhouse or for a district :—[2]

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cases the mode of taking the votes of the ratepayers and owners of property is regulated by the General Order issued by the Local Government Board on November 20, 1891, *post*. The Poor Law Board having had occasion to communicate with the Commissioners of Inland Revenue on the subject of the liability to stamp duty of receipts given by the treasurers of Boards of Guardians, on the payment to them by overseers of contributions ordered by the Guardians, the Board were informed that it was the opinion of the Commissioners that such receipts are exempt from stamp duty by virtue of the provisions of 4 & 5 Will. IV. c. 76, s. 86, the treasurer being an officer appointed in pursuance of that Act, and the contributions paid to him by the overseers being likewise made in pursuance of the same statute.—*Instr. Letter*, March 24, 1854. On this point see also the Notes to Art. 84, *ante*.

[1] The Bank of England "*act*" as treasurer, and are in reality only the bankers of the Guardians; so that the regulations applicable to the treasurer do not apply to the authorities of the bank.

This Article is omitted in the Orders issued subsequently to the present Order, when it is inapplicable to the particular Union.

[2] Further with regard to the duties of a medical officer with respect to pauper patients suffering under infectious diseases, see Art. 3 of the General Order of February 12, 1879, *post*. Every medical officer of a Union who has knowledge that a pauper resident within his district is or is deemed to be a lunatic and a proper person to be sent to an asylum, is required within three days after obtaining the knowledge to give notice thereof in writing to the relieving officer of the district or, if there is no such officer, to an overseer of the Parish where the pauper resides. See Section 14 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5).

Pauper lunatics not in an institution for lunatics and not resident in a workhouse are to be visited once in every quarter of the year (reckoning the several quarters as ending on March 31, June 30, September 30, and December 31) by the medical officer of the Union (*Ib.* s. 202). Where a pauper lunatic has, by order of the Visiting Committee, been delivered over to the custody of a relative or friend to whom an allowance is made for the maintenance of the lunatic, the medical officer of the Union is required within three days after each quarterly visit to send to the Visiting Committee a report stating whether in his opinion the lunatic is properly taken care of, and may properly remain out of an asylum (*Ib.* subs. 3). Every medical officer is to be paid two shillings and sixpence for each quarterly visit to a pauper not in a workhouse, and in addition two shillings and sixpence for every such report sent to a Visiting Committee, which sums are to be paid by the same persons and are to be charged to the same account as the relief of the pauper (*Ib.* subs. 4). The medical officer is not relieved, however, from any obligation under the Act to

Art. 205.—No. 1. To give to the Guardians, when required, any reasonable information respecting the case of any pauper who is or has been under his care; to make any such written report relative to any sickness prevailing among the paupers under his care, as the Guardians or the Commissioners may require of him; and to attend any meeting of the Board of Guardians when requested by them to do so.[1]

No. 2. To give a certificate respecting children whom it is proposed to apprentice, in conformity with Arts. 59 and 61.

No. 3. To give a certificate under his hand in every case to the Guardians, or the relieving officer, or the pauper on whom he is attending, of the sickness of such pauper or other cause of his attendance, when required to do so.[2]

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give notice to a relieving officer or overseer where it appears to him that a pauper lunatic ought to be sent to an asylum (*Ib.* subs. 5). To knowingly make any false entry as to any matter as to which the medical officer is required by the Lunacy Act, 1890, or by any rules made under the Act, to make entry in any book, statement, or return, is to commit a misdemeanour (*Ib.* s. 318). A penalty, too, is imposed by Section 320 of the Act for making default in sending to the Commissioners in Lunacy any return when required so to do under the Act, or any rules made under it or for making default in complying with the Act or rules.

[1] Concerning information to be given by the medical officer to the relieving officer, see Art. 215, No. 4. The Guardians, when they require the attendance of a medical officer at any meeting, must make a special request for his attendance, as a general notice to attend all the meetings of the Guardians will not come within this regulation.

The following may here be noted:—A. was the clerk to a Board of Guardians of a Union of which B. was medical officer and C. relieving officer. A pauper was to be removed to another district, and had previously to be examined by B. A., in pursuance of directions from the Board of Guardians, called twice on B. for the purpose of getting him to see the pauper, but could not get him to do so. A. then went to C., and asked him to try and get B. to examine the pauper, telling C. at the same time that when he, A., saw B. on the preceding evening, B. "was not sober," whereupon C. served B. with a final order to examine the pauper, and B. did so. In an action by B. against A. for slander, it was held that the communication between A. and C. was privileged, and that B. must be nonsuited. (*Sutton* v. *Plumridge*, 16 L. T. N.S. 741.)

[2] That is, when required to give such certificate by the Guardians of the Union of which he is an officer. It is optional with him to give the certificate to Boards of Guardians or relieving officers of other Unions. The certificate need not be in any particular form. It will suffice if it be in the form in which ordinary medical certificates are usually given. If the medical officer be summoned to attend a justice when he makes an order for the removal of a lunatic to an asylum under 53 & 54 Vict. c. 5, s. 16, the case will not be within this regulation. Apparently, the regulation will include a certificate of illness in the case

Art. 205.—No. 4. In keeping the books prescribed by this Order, to employ, so far as is practicable, the terms used or recommended in the regulations and statistical nosology issued by the Registrar-General ; and also to show when the visit or attendance made or given to any pauper was made or given by any person employed by himself.[1]

Duties of a District Medical Officer.

Art. 206.—The following shall be the duties of a district medical officer :—[2]

No. 1. To attend duly and punctually upon all poor persons requiring medical attendance within the district of the Union assigned to him, and according to his agreement [3] to supply the requisite medicines [4] to such persons, whenever he may

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of a member of a benefit club, where the medical officer may attend in sickness on a pauper, if such a certificate be required of him by the Guardians, or the relieving officer, or the pauper. It forms no part of the official duty of a medical officer to attend the justices to prove that the sickness or disability of a pauper is likely to produce permanent disability, so as to render such pauper removable to the Parish or Union of his settlement under 9 & 10 Vict. c. 66, s. 4 ; 28 & 29 Vict. c. 79. He must be summoned or subpœnaed to attend before the justices the same as any other witness whose evidence is necessary, and he will be entitled to be recompensed accordingly for his attendance.

Under Art. 205, No. 3, it will be the duty of a medical officer of a Union or Parish in the Metropolis to give certificates for the admission of paupers into the Leavesden and Caterham Asylums. See Art. 5 of the regulations issued to these asylums on October 6, 1870, *post*.

[1] See the statistical nosology of the Registrar-General of Births, Deaths, and Marriages.

[2] See Art. 10 of the General Orders of April 22, 1871, and June 27, 1871, *post*, which as regards certain Unions and Parishes in the Metropolis rescinds so much of the duties of a district medical officer as are inconsistent therewith.

By Art. 6 of the General Order of January 27, 1892, *post*, the Guardians are required to make regulations with regard to the duties of district medical officers in relation to the office of district nurse or to any person holding that office appointed under the Order.

[3] Though the appointment of a medical officer may be permanent his contract may be open to change in its terms, and therefore a contract is still necessary in such case.

[4] Questions have arisen as to the propriety of using methylated spirit in the preparation of medical tinctures and extracts supplied by medical officers to their pauper patients, instead of pure spirit; it may therefore be useful to state that the Royal College of Physicians, by a minute dated November 25, 1857, have publicly expressed their disapproval of the practice. The permission of the Inland Revenue Commissioners to use methylated spirit, it is stated by those Commissioners, in a Circular Letter, dated February, 1858, does not countenance the use of such spirit in any manner not countenanced

be lawfully required to furnish such attendance or medicines by a written or printed order of the Guardians, or of a relieving officer of the Union, or of an overseer.[1]

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by the Colleges of Physicians of London, Edinburgh, or Dublin. As to the definition of the word "medicines," see Art. 227, *post.*

The Inland Revenue Board do not consider the supply in the same way as medicines by the medical officer of a workhouse of wines, spirits, etc. for sick patients in the workhouse to be a selling of such liquors for which Excise licences would be required.

[1] The medical officer is bound, if a domiciliary visit be necessary, to visit his patients at their own homes; and if serious inconvenience is likely to be caused to any pauper by coming to the medical officer, the visits should be so made. It does not follow, however, that the medical officer is to visit every sick pauper, when the pauper can himself, without injury or danger to his health, attend at the medical officer's surgery; but if the medical officer refuses or neglects to visit, he must be prepared to show that he was justified in the particular case.

Matters in relation to dental surgery fall within the scope of the duties of a medical officer. Thus if a destitute person be suffering from a diseased tooth, the medical officer, if required by proper authority, must render the requisite assistance. If the demand be made for any purpose other than that of treatment of the diseased tooth, it does not come within the scope of his duty.

In June, 1897, the Local Government Board issued a memorandum relative to the duties of district medical officers and medical officers of workhouses and infirmaries with regard to ophthalmia of new-born children, in which they state that their attention has been drawn to the fact that occasionally such officers have failed to record in their medical relief books the occurrence of ophthalmia of new-born children in cases under their care. "The Board think it necessary, therefore, to point out that it is the duty of every medical officer to enter these cases in his medical relief book, all the particulars indicated in that book being recorded, and that the book should be presented to the Guardians at each of their ordinary meetings.

"The Board deem it desirable, at the same time, to bring under the notice of medical officers the following extracts from the Report of the Royal Commission on the Blind, etc., 1889, on the subject of the disease referred to, viz.:—

"Page XIV.—'Another frequent cause (of blindness) is the inflammation of the eyes of new-born infants, which can be prevented, and, if taken in time, cured. It has been found by the Ophthalmological Society that 30 per cent. of the inmates of asylums (*i.e.* schools for the blind) are blinded from purulent ophthalmia in early life; and about 7,000 persons in the United Kingdom have lost their sight from that cause.'

"'Mr. Brudenell Carter recommends:—a weak solution of perchloride of mercury as the best preventive in such cases.'

"'Mr. Hulke prefers alum.'

"'Dr. Glascott states that:—It has been distinctly proved in the large maternity and foundling hospitals of the Continent that the percentage of cases of purulent ophthalmia in the new-born can be materially diminished by simply cleansing the eyes of all children with clean water as soon as they are born. More recently the number of sufferers has been further diminished by the use of antiseptics, such as weak solutions of boracic or salicylic acid, a two per cent. solution of carbolic acid, however, giving the best results. As a further development of the preventive plan of treatment, the method of Crédé has been introduced. It has the merit of being extremely simple and very

efficient. It consists in washing the infant's eyes with pure water as soon as it is born, and then by means of a drop tube instilling a single drop of a two per cent. solution of nitrate of silver into the eyes. This simple method of prevention should be known to, and carried out by, every midwife in the country, and what is more, parents should insist upon it being done.'

"The Board request that medical officers will furnish each midwife or nurse acting under their directions with such written instructions as they may deem necessary to give effect to these recommendations of the Royal Commission."

In cases of midwifery the medical officer is not permitted to employ a midwife as his substitute. If a midwife be employed, she must be employed by and paid by the Guardians, and not by the medical officer. In cases of childbirth, the practice of employing only female midwives in place of the medical officer, is one which, if adopted by the Guardians, should be exercised with due caution; and the Guardians should direct their officers in all cases of difficulty or danger at once to authorize the attendance of the medical officer. (57 O. C. N.S. 88.) Further with regard to Midwifery Orders, the Board say (54 O. C. N.S. 44), that "Medical assistance only forms a part of relief to the destitute poor, and that the same rules and principles apply to it as those which are applicable to any other kind of relief. Neither the Guardians of the Union nor the relieving officer are bound to relieve; nor, indeed, are they justified in relieving any person whose circumstances they have ascertained to be such as not to require relief. In cases in which there is good reason to believe that the applicant is able to pay for medical assistance himself, the Board usually recommend the Guardians, as the midwifery fee allowed to medical officers is an extra one, to cause it to be understood that relief of the nature in question will be granted by way of loan; and that the repayment of the whole, or of such part of the fee as the Guardians might determine, would be rigidly enforced by them; and to direct the relieving officer to notify the fact to every one who may apply to him for an order. The Board of Guardians may certainly notify that they require to have a fortnight or three weeks' previous notice of the intended application for the medical order; but if it have been omitted, and any case of sudden or urgent necessity arise, and aid is required by a person in a state of destitution, the relieving officer will not be justified in refusing to supply the requisite relief."

An overseer may grant a midwifery order when the confinement is imminent, but he is not to do so in anticipation of the confinement taking place days or weeks subsequently to the application for the order. In such a case the proper course is to refer the applicant to the relieving officer, whose duty it would then be to report the case to the Guardians and take their directions upon it.

A district medical officer sued the Guardians of his Union for the regulation fees for attendance in respect of confinements, one of which was a very special case, and also for the cost of a truss supplied by him to one of the patients. The attendances were given under the following circumstances: In January, 1887, the weather being very severe, one of the overseers gave orders to four women dwelling in his immediate neighbourhood, who were in a state of pregnancy, for medical attendance in respect of complaints more or less connected with, or at all events affecting their condition, but they were not confined till subsequent dates varying from six weeks to three months. The officer had, in pursuance of these orders, attended the women until and at their confinements, and it was admitted that the women were all proper objects of parochial medical relief, and that the officer was bound to attend them on presentation of the orders, and to report such attendances to the Guardians in his periodical reports (Art. 206, No. 4). The medical officer had performed his duties faithfully, but the overseer whose duty it was to have reported to the relieving officer the

grant of the orders, failed to do so, and consequently the relieving officer did not visit the houses of the women to whom the orders were given in accordance with Art. 215, No. 7. Under these circumstances it was held by His Honour Judge Stonor, that the medical officer, having reported his visits to the Guardians, and they and the relieving officer not having given orders for such visits, it became the duty of the relieving officer to visit the houses of the women, and, upon his report, for the Guardians to have given orders "for the guidance" of the relieving and medical officers under Art. 215, Nos. 1, 4, and 7, and that in the absence of such orders the medical officer was justified in continuing his attendances, if necessary or proper, and upon the confinements supervening, in attending them also, and that the sanction of the Board of Guardians for such attendances ought to be presumed. With regard to the truss, the judge said there was no evidence before him of any special agreement between the plaintiff and the defendants as to the supply of "medical appliances," and in the absence of such agreement, a truss being a "medical appliance," was included in the term "medicine" by the interpretation clause Art. 227, in respect of the supply of which the plaintiff received a fixed salary. As, however, there was evidence that on previous occasions the medical officer had been paid for trusses he had supplied, the judge thought that if this had been the case the Guardians, if they had the power, ought to pay for the truss as well as for the attendances. (*Tily* v. *The Brentford Board of Guardians*, 85 L. T. 11.)

In another case, which was an action for libel brought by a Poor Law medical officer, in which the plaintiff was charged with having allowed a woman to lie twenty-four hours with a broken leg, because no order had been obtained from the relieving officer for the medical officer's attendance, Cave, J., said: "Here the plaintiff was not only a medical man, but also a Poor Law medical officer, and bound to attend to the paupers on their obtaining the necessary order from the Guardians or their relieving officer. He had, however, a discretion in cases of emergency, and could attend without an order." (*Mason* v. *Chevens*, Local Government Chronicle, 1889, p. 1023.)

It is immaterial whether the poor person is in the receipt of other relief when a medical order is given; the fact of the person applying for such order and its being granted constitutes him *de facto* a pauper, and the medical officer is bound to attend. If he thinks that he is able to procure medical aid in his illness from his own resources, he should, nevertheless, continue his attendance till the next meeting of the Guardians, to whom he should report the circumstances, and take their future directions upon the case. The obligation upon those who have the administration of relief to supply necessary medical assistance to a person labouring under dangerous illness, though such person may not have received or have stood in need of relief previously to his illness, is established by the decision in *R.* v. *Warren*, Russ. & R. Crown Cases, 48 n. (See also *Hays* v. *Bryant*, 1. H. Bl. 253; and *Rex* v. *Saunders*, 7 C. & P. 277.) It may also be observed that a medical officer is bound to attend members of sick clubs if he receives a regular order from a relieving officer or overseer, or from the Board of Guardians, and that the Guardians, and not the medical officer, are the persons who have to decide whether a person is in such destitute circumstances as to entitle him to medical aid at the cost of the poor rate.

It not unfrequently happens that servants hired for a term fall sick whilst in service, and apply for medical aid or other necessaries at the cost of the poor rates. In reference to such cases it may be observed, that as in the absence of any special agreement the master is not legally bound to provide his servant with medical or surgical aid in sickness, the case must be treated as one of ordinary destitution, and such relief, medical or otherwise, as may be necessary, supplied by the Guardians or their officers, as the case may require. (See O. C. No. 20, pp. 297–298.) The Guardians can advance no claim on the master in

respect of the giving of such relief to his servant; but they might give the relief by way of loan, and then, under 4 & 5 Will. IV. c. 76, s. 59, attach in the hands of the master any wages which may be due or which may be subsequently earned, and so repay the cost of the relief. (See *Sellen* v. *Norman*, 4 Car. & P. 80; *Newby* v. *Wiltshire*, Cald. 527; 4 Dough, 284; 2 Esp. 739.) In *Reg.* v. *Smith*, 8 Car. & P. 153, Patteson, J., in summing up told the jury that a master is not by the general law bound to provide medical advice for his servant; but that the case is different with respect to an apprentice, and a master is bound, during the illness of his apprentice, to provide him with proper medicines. (See also *Wennall* v. *Adney*, 2 B. & P. 247; but see *Rex* v. *Wintersett*, Cald. 298; *Sellen* v. *Norman* and *Newby* v. *Wiltshire*, *supra*. Further on this subject, see 48 O. C. p. 93.)

If by the terms of the medical officer's appointment he is required to supply medicines to the sick poor, it is his duty to supply the medicines which he prescribes, in such a state that they admit of being conveyed to his pauper patients. If the medicine is fluid, he must supply a bottle or some other vessel; if solid, a box, etc. He may, however, require the paupers to preserve them, and return them when done with. Medical officers are not bound by any regulation in this order to forward, or cause to be forwarded, to the residences of the sick paupers the medicines which they may prescribe. If the paupers are able to go themselves for the medicine, or if they can send any member of their family or any other person, they may reasonably be expected to do so. In general, the medical officers co-operate in forwarding the medicines, so far as the means of sending medicine in their general practice may be available, without incurring additional expense. But if the paupers themselves are unable to go or send for the medicines, and if the medical officers cannot forward them without employing special messengers for the purpose, it becomes the duty of the relieving officers to provide for the conveyance of the medicine to the paupers, who must in no case be left without the medicine prescribed for them by the medical officer.

As regards the supply of expensive medicines to the sick poor, see Note to Art. 227, *post*.

A medical officer is not bound to attend any case without a regular order, but if he be sent for and attends the case without an order, or treats the patients as being under his care, he will be held responsible for any neglect which may occur, and will not be permitted to plead in justification the want of an order.

An overseer of the poor is bound to administer relief in cases of "sudden and urgent necessity;" his order to the medical officer to attend a case of sickness which is of "sudden and urgent necessity," is therefore of equal force with the order of the relieving officer. If the medical officer should refuse to attend, upon the order of an overseer, on the plea that the case is not one of "sudden and urgent necessity," he must be prepared to justify the refusal on that ground. If an overseer gives an order for medical attendance the medical officer should satisfy himself whether it be a lawful order or not, *i.e.* whether the case be one of "sudden and urgent necessity," and if he receive an order requiring his attendance in a case which is not sudden and urgent he may act upon it or not as he may think fit, requiring, if he act upon it, that the overseer giving the order should undertake personally to remunerate him for his services; but in general it would be advisable for him to attend the case, and afterwards represent the facts to the Board of Guardians, and take their directions as to his further attendance.

As regards the liability of an overseer when he gives an order for medical attendance in a case in which he was not justified in doing so, it has been held, upon an action brought in the County Court at Crewkerne (*Wills* v. *Smith*),

that the overseer incurred no personal liability. The following is a copy of the judgment in that case:—"Mr. Smith was overseer of North Perrot, and Mr. G. F. Wills was one of the surgeons of the Yeovil Union, acting in the Parish of North Perrot, and the action had been brought to recover six shillings and sixpence for medical charges and attendance on a boy, for whom the defendant, in his official capacity, had ordered relief. The questions were, whether it was a case of emergency, and whether the boy was a pauper, in which case the overseer would be justified in ordering relief. These questions had been gone into at the hearing of the case at the former Court, and the result was, that the defendant had ordered the relief believing it to be a case of necessity, and also believing the boy to be a pauper. But although these positions had not been made out, yet it was clear that no fraud was intended, and that the defendant had acted in what he considered to be the strict discharge of his duty. The relief, too, would have been gratuitous if rendered under the proper orders of the overseer, and therefore the plaintiff had sustained no loss. No claim, therefore, after all that had transpired, should be founded upon the personal liability of the defendant, and, taking all the circumstances into consideration, the verdict must be in his favour."

A medical officer is not empowered by the Orders of the Local Government Board to order food or articles of diet, as meat, milk, wine, or porter, for his pauper patients. Any direction that he may give to that effect will only amount to an expression of opinion on his part, that relief in food or other necessaries is required. The power of granting relief rests with the Guardians, and in case of sudden and urgent necessity with the relieving officer, and any certificate given by the medical officer for the allowance of extra nourishment to any of his patients can only be regarded as a recommendation or statement of his opinion as to what is required. If the certificate were to be taken in any other sense, it would have the effect of constituting the medical officer the absolute judge, not only of the kind of relief to be afforded, but also of the ability of the patient to provide it out of his own resources, which is entirely for the Guardians' consideration, in whom the discretion of giving or withholding relief of every kind is vested by law. The Guardians ought, of course, to be very guarded in the exercise of their discretion in this respect, and they should caution their officers also to be on their guard if any case should occur in which, acting on a sense of duty, they may deem it right to disregard either wholly or in part the medical officer's certificate, for, by so doing, they would incur responsibility which could only be justified by a knowledge that the circumstances of the individual were really such as to make the particular relief, certified as being necessary by the medical officer, improper to be given at the cost of the Union. If in any instance the relieving officer should, from his knowledge of the circumstances of the particular case, deem it to be his duty not to carry the directions of the medical officer into full effect, he ought, with the least possible delay, to report the facts to the Board of Guardians, and state to them his reasons for so acting, in order that they may decide whether he has exercised a sound discretion in the matter, and give directions accordingly.

The following are the observations of an eminent medical authority on the due supply of extra nourishment to the sick poor:—

"The well-doing of the sick poor and the interests of all who are concerned in their recovery depend far more upon an adequate and well-regulated provision for *diet in sickness* than upon the best and most liberal supply of drugs.

"A dietetic provision for the sick need not be inconsistent with the circumstances and habits of the class and place to which they belong; but it should be sufficient to restore them to health, to lift them out of the weakness

Art. 206.—No. 2. On the exhibition to him of a ticket, according to Art. 76, and on application made on behalf of the

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and helplessness which attend a protracted convalescence, and to fit them as speedily as possible for work.

"The miserable want of proper sick-diet in some cases, and the injudicious supply of proper articles by private charity in other cases, while interfering seriously with the object and the success of medical treatment, lead to an immense amount of chronic disease, infirmity, and mendicancy among that numerous class which is always hovering on the confines of pauperism."

An interesting correspondence on the subject of the discontinuance of the use of stimulants in workhouses and the substitution in lieu thereof of milk and beef-tea for the sick is contained in the Parliamentary Sessional Paper of the year 1876, No. 202.

The medical officer of the workhouse does not possess any authority to order rations or extra nourishment for the officers of the workhouse beyond the allowance assigned to them by the Guardians.

If any pauper refuses to adopt the remedies prescribed for his disease, the medical officer should report such fact to the Board of Guardians, and continue his attendance on the pauper, or at all events watch the case till he obtains the directions of the Guardians for his future guidance in regard to it.

A pauper lunatic settled in and relieved by the Guardians of one Union, but who resides in another Union, should, under Section 202 of 53 & 54 Vict. c. 5, be visited quarterly by the medical officer of the district in which the lunatic is residing; that officer should include the case so visited in his return, which is to be delivered to the clerk of the Union for which he acts as medical officer. The fee of two shillings and sixpence must, however, be paid by the Guardians by whom the relief is granted to the lunatic, as the statute provides that such sum shall be paid by the same persons and charged to the same account as the relief of the lunatic.

The 53 & 54 Vict. c. 5, s. 341, enacts that the word "lunatic" shall mean "an "idiot or person of unsound mind"; and "pauper" "a person wholly or partly "chargeable to a Union, county, or borough." The medical officer will decide generally whether any particular pauper is or is not a lunatic within the above definition, but the Guardians may, in any case, call upon him for a statement of the grounds for his treating the pauper as a lunatic or idiot.

With regard to the calling in of another medical man to attend upon a pauper under the care of the medical officer, see the observations of Erle, C.J., in *Haigh* v. *North Bierley*, 5 Jur. N.S. 511; 21 L. J. N.S. Q. B. 65. "Suppose," he said, "the Guardians were dissatisfied with the opinion pronounced by their medical officer, might they not call in another medical man?"

If the relief be given to parents for themselves and for their children, the latter are paupers, whom, according to 53 & 54 Vict. c. 5, s. 202, the medical officer is to visit; but if the relief be given for the parents alone, the children are not paupers, and if lunatics, need not be visited and returned in the list of lunatics.

The Poor Law Board, in a Circular dated April 2, 1868, with reference to Arts. 199, 200, *ante*, requested the co-operation of the Guardians in discouraging altogether the employment by medical officers of unqualified assistants.

By the Vaccination Act, 34 & 35 Vict. c. 98, s. 13, when the medical officer is in attendance as such upon a person sick of small-pox, and vaccinates any person who is resident in the same house with the sick person and has never been vaccinated or had the small-pox, or re-vaccinates any such resident person, he will be entitled to the same fee as that to which the public vaccinator would be entitled in the like case on application to the Guardians.

party to whom such ticket was given, to afford such medical attendance and medicines as he would be bound to supply if he had received in each case an Order from the Guardians to afford such attendance and medicines.

Art. 206.—No. 3. To inform the relieving officer of any poor person whom he may attend without an order.[1]

No. 4. To make a return to the Guardians at each ordinary meeting, in a book prepared according to the Form marked (P.) hereunto annexed,[2] and to insert therein the date of every attendance, and the other particulars required by such Form, in conformity with Art. 205, No. 4.

Provided, however, that the medical officer may, with the consent of the Guardians, but not otherwise, make the entries which he is directed to make in such book on detached sheets of paper, according to the same Form, and cause the same to be laid before the Guardians at every ordinary meeting, instead of such book; and the Guardians shall, in that case, cause such sheets to be bound up at the end of the year.

Duties of the Medical Officer for the Workhouse.

Art. 207.—The following shall be the duties of the medical officer for the workhouse :—[3]

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[1] See Art. 215, No. 4.

[2] See the substituted form in the Order of February 26, 1866, *post*.

[3] The Poor Law Board, by a General Order dated April 4, 1868, *post*, prescribed certain additional duties as regards workhouse medical officers.

In a Circular issued by the Board on January 29, 1897, the Board say that "the altered character of the inmates of the workhouse in the present day has brought the question of the infirmary wards and the arrangements that should be made for the care of the sick into special prominence." They further state that "The due performance by the medical officer of the workhouse of the duties attaching to his office is, of course, of paramount importance in ensuring proper administration in the sick wards, and, amongst the principal of these duties is that of advising the Guardians, by written reports, upon the dietary of the inmates, the drainage, ventilation, warmth, and other arrangements of the workhouse, and as to every defect which he may observe in the arrangement of the infirmary and sick wards, and as to the performance of their duties by the nurses of the sick. The Guardians should be careful to see that the reports required from him by the General Consolidated Order, and by the General Orders of April 4, 1868, and August 24, 1869, are regularly laid before them. The half-yearly statement required by the last-named Order the Board consider of especial importance. Care should also be taken that the requirements of the General Consolidated Order, by which the dietaries of the sick and of the

Art. 207.—No. 1. To attend at the workhouse at the periods fixed by the Guardians, and also when sent for by the master or matron.

No. 2. To attend duly and punctually upon all poor persons in the workhouse requiring medical attendance, and according to his agreement to supply the requisite medicines to such persons.[1]

No. 3. To examine the state of the paupers on their admission into the workhouse, and to give the requisite directions to the master according to Arts. 91 and 92.

No. 4. To give directions and make suggestions as to the diet, classification, and treatment of the sick paupers, and paupers of unsound mind, and to report to the Guardians any pauper of unsound mind in the workhouse whom he may deem to be dangerous, or fit to be sent to a lunatic asylum.[2]

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young children are placed entirely under the control of the medical officer, are complied with. The proper use of bed-cards in every case the Board deem of much importance; it is a safe-guard both to the nurses and their patients, that all directions of the medical officer should be given in writing. It is desirable that these cards should, in a great measure, show the history and treatment of each case, and they should be carefully preserved."

With regard to the record which the medical officer of the workhouse is required to keep of the condition of every lunatic in the workhouse, see the Circular Letter of June 24, 1897, in the note to Art. 101, *ante*, p. 295. And as to the treatment of new-born children in the workhouse in respect of Ophthalmia, see the Memorandum of the Local Government Board of June, 1897, in the note to Art. 206, *ante*, p. 396.

In cases of emergency, if it appears to the medical officer of the workhouse that the employment of a temporary nurse is required for the proper treatment of any case and he informs the master in writing accordingly, it will be the duty of the master to engage a person to act as nurse until the next meeting of the Guardians; see the Nursing in Workhouses Order, 1897, *post*.

[1] See the notes on Art. 206, No. 1, *ante*, p. 395.

In answer to a question whether the medical officer would be justified in using force in order to perform an operation which he considered necessary for the recovery of a diseased pauper inmate of the workhouse, such pauper refusing to submit to the operation, the Commissioners have stated that the question appeared to them to turn upon the point whether the pauper was competent to exercise a discretion of his own; and that if any medical practitioner could certify that the pauper was not of sound mind, they thought that the Guardians would be justified in authorising those means to be used which they were informed could alone save his life. On the other hand, they stated that if the patient was of sound mind, he must be allowed to judge for himself in the matter.

[2] As regards the diet of the paupers, see Art. 108, which empowers the medical officers of the workhouse to direct in writing such diet for any individual pauper as he may deem necessary. And as regards the duty of the medical

officer in the cases of paupers suffering from mental disease or bodily disease of an infectious or contagious character, see 30 & 31 Vict. c. 106, s. 22, *ante* (repealed, except as regards persons suffering from delirium tremens or from bodily disease of a contagious or infectious character, by 53 & 54 Vict. c. 5, s. 342).

With regard to the duties of the workhouse medical officers in respect of lunatics, see the note to Art. 101, *ante*, p. 291. For the institutions to which a lunatic may be sent, see Section 27 of the Lunacy Act, 1890, 53 & 54 Vict. c. 5, which prohibits the sending of a pauper lunatic to an asylum other than an asylum belonging wholly or in part to the county or borough in which the place from which he is sent, or the Parish in which he is adjudged to be settled, is situate, unless there is a subsisting contract for the reception of lunatics of such county or borough therein, or such borough otherwise contributes to the asylum into which the pauper is to be received, except the order for his reception is endorsed by a visitor of that asylum. Where a workhouse is situate in a county which does not include the Union to which the workhouse belongs, a summary reception order made by a justice of the county in which the workhouse is situate may order a lunatic in the workhouse to be received in any asylum, in which pauper-lunatics, chargeable to the Union to which the workhouse belongs, may legally be received (54 & 55 Vict. c. 65, s. 6).

The Poor Law Board have requested Guardians to take the necessary steps for ensuring that a female may accompany female lunatics on their removal to an asylum.—*Circ. Lr. of* March 21, 1870.

The Commissioners in Lunacy suggested to the Poor Law Board that the persons of all pauper-lunatics should, upon their admission into the workhouse, and upon their departure from it, be carefully examined by the medical officer; and that Board, being most anxious that every available protection should be afforded to this unfortunate class, concurred in the suggestion, and requested the Guardians to give the necessary directions for insuring such examination, and for preserving a record of it in each case.—*Circular Letters of* August 1, 1870.

In a letter of June 1, 1896, the Local Government Board advert to the letter of August 1, 1870, and state that:—"The Board have recently had brought under their attention instances in which there has been a failure on the part of the medical officer of the workhouse to make the requisite examination and duly to record the result, and they direct me, therefore, again to draw attention to the duties of workhouse medical officers in this matter. The examination should, as far as practicable, be made immediately upon the admission of the lunatic to the workhouse or immediately before his discharge therefrom, as the case may be; it should be of such a character as will permit of the medical officer ascertaining and certifying from personal knowledge not only the facts as to the existence of any disease, but also as to the presence or absence of any bruises or other injuries. The medical officer should also, in connection with his examination of a lunatic who is proposed to be removed from the workhouse, consider whether the physical condition of the patient is such that he can properly be removed. The Board recommend that if the removal should from any cause be delayed until the day following that upon which the medical examination was made, the patient should be again seen by the medical officer prior to the patient leaving the workhouse.

"It will of course be understood that the examination of the lunatic by the medical officer will not in any way relieve any other medical practitioner who may be called upon to give a certificate under the Lunacy Act, 1890, of his duty of personally examining the lunatic with the view of assuring himself of the facts indicating insanity, and of ascertaining that the lunatic is in a fit condition of bodily health to be removed to an asylum.

"The Board direct me at the same time to observe that they consider that

Art. 207.—No. 5. To give all necessary instructions as to the diet or treatment of children, and women suckling children, and to vaccinate such of the children as may require vaccination.[1]

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when a lunatic is detained in the workhouse the patient should be, both by day and by night, under the immediate charge of paid officers. If, however, it is found impracticable to dispense entirely with pauper assistance, such assistance should only be employed under the closest supervision of responsible officers.

"The Guardians and the medical officer are no doubt aware of the provision in Section 40 of the Lunacy Act, 1890, with regard to the use of mechanical restraint in the case of lunatics, and of the Regulations which have been issued by the Commissioners in Lunacy on the subject." For Section 40 and the regulations referred to see *ante* p. 297 *et seq.* See also the Circular Letter of June 24, 1897, in the note to Art. 101, *ante*, p. 295.

The Local Government Board in a Circular Letter issued on May 23, 1879, impressed upon Guardians the expediency of issuing directions to their officers that every person about to be removed to an asylum, workhouse, or infirmary, should, on the day of removal, be carefully examined by the medical officer in charge of the case, in order that he may satisfy himself, and may certify that the removal may, in his opinion, be effected with safety. The Board also stated that it is, moreover, important to allow as little time as possible to elapse between the examination by the medical officer and the actual removal of the pauper, as otherwise the condition of the patient may, in the meantime, materially change; and the Board recommended that if the removal should from any cause be delayed until the day following that upon which the medical examination is made, the patient should be again seen by the medical officer prior to his being removed.

The Local Government Board, in a Circular Letter dated December 7, 1872, say that they observe from the reports of their inspectors that outbreaks of contagious diseases, especially of Ophthalmia, have been of not unfrequent occurrence in the large district and separate pauper schools, and have been a source of much anxiety to the Boards of Managers and the Boards of Guardians under whose care those schools are placed. They say that of the various remedial and preventive measures which may be taken in the earliest stage of these diseases the immediate removal of any children affected from the body of the school to the infirmary is among the most important; and that, as the early symptoms of disease—especially in the first cases of an epidemic—are those which most easily escape detection, it appears to the Board desirable that frequent and regular inspection of the children in the body of the school should be made by the medical officer, for the purpose of securing the removal of such cases of sickness as the superintendent or matron may, even with the greatest diligence, have failed to observe. The Board consider that it would add greatly to the efficiency of such inspections if the medical officer examined the children weekly, and recorded concisely the result of his examination, in writing, for the information of the managers or Guardians as the case might be. As the children are all collected together such an examination would not occupy much time, and the Board feel assured that the medical officer would willingly make it if requested to do so. The Board add that they also think that, whenever epidemic disease is present in the school, a daily inspection of the children should be made.

With regard to the duty of the medical officer in respect of the bathing of idiots or persons of unsound mind in the workhouse, see the regulations on the subject for the guidance of the attendants on such persons, *post*, p. 411.

[1] With regard to the diet of children in the workhouse who are under seven years of age, see the General Order of May 4, 1897, *post*. Where the medical

Art. 207.—No. 6. To report in writing to the Guardians any defect in the diet, drainage, ventilation, warmth, or other arrangements of the workhouse, or any excess in the number of any class of inmates, which he may deem to be detrimental to the health of the inmates.[1]

No. 7. To report in writing to the Guardians any defect which he may observe in the arrangements of the infirmary, and in the performance of their duties by the nurses of the sick.[1]

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officer performs the vaccination in the workhouse, Section 6 of 30 & 31 Vict. c. 84, provides for the payment of a fee provided a contract has been duly entered into. It not unfrequently arises that the parents of children in a workhouse will not allow the medical officers to vaccinate their children, and in answer to an inquiry as to whether the Guardians had power to cause such children to be vaccinated without the consent of the parents in such a case, the Commissioners have stated that they are of opinion that the Guardians have, without the permission of the parent, the right to vaccinate any child in their custody, during any danger of contagion from the small-pox.

The following is extracted from the *Times* newspaper of May 13, 1881:—

VACCINATION.

Mr. Hopwood asked the President of the Local Government Board whether it was the fact that one of the medical inspectors appointed by the department at the Board of Guardians for St. Saviour's, Southwark, recently suggested that in future all children born in the workhouse should be vaccinated before they were allowed to leave, however young they might be; and in answer to questions, was clearly of opinion that the Guardians had the power to enforce this, even without the consent of the mother upon admission. It was pointed out to him that, in the opinion of some medical men, this would be injurious to the mother by causing much mental anxiety, and that fatal cases of this kind had keen known; but he replied that it would cause the mother still greater anxiety were the child to have small-pox; and whether such a course of proceeding was justifiable by any and what law; and, if not, whether he would not at once express disapproval of it.

The President: I find that the inspector did suggest that children born in the workhouse should be vaccinated before leaving, and that subject to the opinion of the medical officer in any particular case, this should be done on the sixth day after birth. He did not express any opinion of his own as to whether the Guardians could enforce this without the consent of the mother, but he did refer to an opinion of the Poor Law Board to the effect that they could. This opinion seems to have been given so far back as 1848.

Mr. Hopwood asked whether the order was a legal one.

The President: The hon. member asks my opinion on a point of law. My own opinion is that vaccination cannot be enforced in the circumstances if the mother objects.

[1] See also Art. 1 of the Order of April 4, 1868, *post*.

In a letter addressed to the Guardians of Kensington, and dated August 5, 1887, the Local Government Board stated that they had been advised that if, for the purpose of preserving order, under the provisions of Art. 207, it becomes necessary that a subordinate officer should cease to exercise his duties or should

Art. 207.—No. 8. To make a return to the Guardians, at each ordinary meeting, in a book prepared according to the Form (Q.) hereunto annexed, and to insert therein the date of every attendance, in conformity with Art. 205, and the other particulars required by such Form to be inserted by the medical officers, and to enter in such return the death of every pauper who shall die in the workhouse, together with the apparent cause thereof.[1]

No. 9. To enter in the commencement of such book, according to the Form (R.) hereunto annexed, the proper dietary

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leave any part of the premises, the master (and in the infirmary the medical officer) would be empowered to require him so to do.

In a Circular Letter addressed to the clerks to Guardians and dated January 29, 1895, the Local Government Board say that: "The Guardians should be satisfied that the nursing staff by day and by night is fully equal to the proper nursing of the sick, and that they should give their most careful consideration to any representations which might be made to them on the subject by the medical officer of the workhouse in the discharge of his prescribed duty. They should also be careful when they make appointments of nurses that the persons appointed are, by training and experience, fully equal to the responsible duties which they have to discharge.

[1] Compliance with the latter part of this rule will not supersede the necessity for giving a certificate of the apparent cause of the death of a pauper to the Registrar of Births and Deaths. It is only required that a statement of the apparent cause of the death should be inserted in the return. In no case do the Commissioners desire a *post-mortem* examination to take place solely for the purpose of satisfying this rule. Excepting by the direction of a coroner when holding an inquest, or of the Board of Guardians for any special, urgent, and peculiar reason which they may deem of sufficient importance to render such an examination necessary, or at the request of the nearest relatives of the deceased, the Commissioners deem that the medical officer would not be justified in making a *post-mortem* examination. They add, that they think that the Guardians would hardly be justified in directing in any particular case that a *post-mortem* examination should take place if the nearest relatives of the deceased objected clearly and decisively to that course.

Allowances of tobacco or snuff recommended for paupers should be entered in the proper columns of the Workhouse Medical Relief Book, and the period over which the allowance is to extend should be specified. When the entry has been once made, it need not be repeated every week. With regard to the allowance of tobacco and snuff to paupers in the workhouse, see Art. 1 of the General Order of November 3, 1892, *post*.

It has been held that a register of attendances, &c., kept by the medical officer of a Poor Law union, and laid before the Board of Guardians weekly for inspection, in obedience to rules made by the Poor Law Commissioners under 4 & 5 Will. IV. c. 76, s. 15, is not receivable in evidence for the party making it, as a public official book (*Merrick* v. *Wakley*, 8 A. & E. 170; 3 N. & P. 284; 1 W. W. & H. 268; 2 Jur. 838.)

for the sick paupers in the house in so many different scales as he shall deem expedient.[1]

Duties of the Master.

Art. 208.—The following shall be the duties of the master :—[2]

No. 1.—To admit paupers into the workhouse, in obedience to

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[1] A copy of the Dietary so framed should be hung up in the infirmaries or sick wards of the workhouse.

A Memorandum was issued by the Local Government Board, regarding returns of deaths and pauper sickness, together with a circular in which the Local Government Board request that the Guardians, will, if they have not already done so, take such steps in the matter as may be requisite. Such memorandum so far as it now relates to the Guardians, is as follows :—

Memorandum.

Returns of Deaths from Registrars.

Returns of Pauper Sickness from District Medical Officers.

Under Articles 14 & 15 of Section 4 of the General Order of November 11, 1872, every medical officer of health whose appointment has been approved by the Board is required to prepare an annual report comprising, amongst other things, tabular statements of the mortality and of the pauper sickness in his district. Information as to mortality and sickness is required by the medical officer of health not only in preparing these statements, but also in discharging the duties of his office, and this memorandum is intended to indicate the arrangements which should be made for furnishing him with such information.

III. The Guardians should request the Poor Law medical officers to give to the medical officer of health (or to the inspector of nuisances, for the information of the medical officer of health) acting within their respective districts, the earliest possible information of cases of dangerous infectious disease under their charge ; as it is evident that unless such information is given as soon as the cases occur, the action of the Sanitary Authority in regard to the prevention of infection may often fail in its effect.

IV. Under the Board's General Order of February 12, 1879 (see *post*), it is incumbent upon all district and workhouse medical officers appointed since February 28, 1879, to furnish the medical officer of health with returns of pauper sickness and deaths, as well as to notify the outbreak of dangerous infectious disease. A similar obligation has been imposed by the Board's Order of June 14, 1879, upon medical officers of district schools appointed after June 24, 1879.

[2] The master of a workhouse is answerable for the general order of the whole establishment; and minute personal attention on his part can alone detect and remedy defects in the discipline and cleanliness of the house. At the same time, decency requires that much of the detailed management of the female inmates and of the children should devolve on the matron and her assistants. The close and accurate inspection of sleeping apartments actually occupied by women, and the treatment of the infants and younger children, ought to be performed by a female. If the authority of the master be required to enforce obedience, he should at once be appealed to ; but the Commissioners are desirous that all his duties should be discharged with the strictest regard to propriety. The habits of many of the inmates of a workhouse will often be coarse and depraved, but the conduct of every officer of such an establishment should correspond with what those habits ought to be, rather than that with what they actually are.—*Instr. Letter.*

The temper and discretion required for the judicious discharge of the duties

the Orders specified in Art. 88, and also every person applying for admission who may appear to him to require relief through any sudden or urgent necessity, and to cause every

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of a workhouse master, and the confidence necessarily placed in his integrity, make it essential that the greatest care should be exercised in the choice of that officer. The master, too, is in some degree dependent on the aid afforded him by the other officers of the establishment, and the appointment of an honest and efficient porter is of the utmost importance. With this view the Commissioners advise the Guardians, whenever the workhouse is not of very small dimensions, to appoint a paid porter, and not to be satisfied with directing one of the paupers of the house to perform the functions allotted to that officer. The Commissioners believe it to be of rare occurrence that a pauper can be safely trusted to exercise the powers, and perform the duties of the porter, under the regulations of the Commissioners. For large workhouses, and particularly workhouses in towns (where applications for relief are frequently made by persons in urgent necessity at all hours of the day and night), the Commissioners always require the Guardians to appoint a paid officer to perform the duties of porter.—*Instr. Letter.*

The Commissioners likewise strongly disapprove of the practice of having recourse to a pauper as the instructor of either the male or female children. In no department of the workhouse is a careful selection of the person employed of greater importance than in the offices of schoolmaster or schoolmistress. Their incompetence, and those habits which are generally the cause or consequence of pauperism, affect not only the present comfort and conduct of the children entrusted to their care, but exercise a most pernicious influence on the subsequent welfare of those children, and on the likelihood of their permanent chargeability.—*Ibid.*

With respect to the schoolmaster or schoolmistress, the Commissioners remark, that in many instances differences have arisen between these officers and the master or matron; and as a want of harmony between the principal officers of the establishment cannot fail to impair their efficiency, and disturb the general discipline of the house, the Commissioners are desirous of inculcating upon all these officers the necessity of the utmost forbearance and command of temper in their mutual relations.—*Ibid.*

In their Circular Letter of January 29, 1895, the Local Government Board say that:—"In the larger workhouses the infirmaries have in many cases been placed under separate administration from the workhouse proper, with very beneficial results; but in cases where the buildings form part of the same establishment the master and matron necessarily remain the chief officers of the whole establishment, and primarily responsible for its administration and discipline. It seems to the Board important that this should be understood, as their experience shows that the improvement that is taking place in the character of workhouse nursing from the employment of trained nurses, occasionally leads to objections being raised to the legitimate exercise of the authority of the master and matron in the arrangements connected with the sick wards. The Board consider that so long as these establishments are constituted as at present, the nurses should be responsible to the medical officer for the treatment of the patients, but should clearly understand that in other matters they must defer to the authority of the master and matron."

By 5 & 6 Vict. c. 109, s. 6, the master of a workhouse is exempt from serving the office of Parish constable; and by 13 & 14 Vict. c. 101, s. 6, from serving the office of overseer or any other parochial office; but not by 33 & 34 Vict. c. 77, from serving on juries.

pauper, upon admission, to be examined by the medical officer, as is directed in Art. 91.[1]

Art. 208.—No. 2. To cause every male pauper above the age of seven years, upon admission, to be searched, cleansed, and clothed, and to be placed in the proper ward.[2]

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[1] See notes to Art. 88. In discharging the duty imposed upon him by this Article, the master is bound to exercise a sound and careful judgment, to the best of his ability, with reference to the condition of the applicant, as disclosed to him at the time. It would, however, be right that he should give due weight to any communication which he shall be satisfied has been sent to him by an inspector of police with reference to the case of any applicant for relief. Further, the fact of a person having been refused relief by the relieving officer would not of itself justify the master of the workhouse in declining to admit the applicant. Before refusing admission, in any case, it will be the duty of the master to satisfy himself that the person applying does not, at the time of application, require relief through any sudden or urgent necessity. (55 O. C. N.S. 64.)

Having once admitted a pauper into the workhouse, the master cannot afterwards refer the case to the relieving officer, but should report it to the Guardians at their next meeting, and take their directions for his future guidance.

As regards orders given by overseers, the Poor Law Board said that an overseer is only entitled to give orders for admission to the workhouse in cases of sudden and urgent necessity; and such an order is only operative until the next meeting of the Guardians, with whom it then rests to decide on the propriety of the pauper's continuing in the workhouse, or otherwise. (Art. 90, *ante*.) The Board, moreover, think it right to point out, that the workhouse is only provided for the reception of paupers. The Guardians of the Union, or, in their absence, the master of the workhouse, must determine what applicants for relief are paupers (that is, persons actually destitute) who should be admitted therein. It is true that the master is, by the effect of Art. 88 of the General Consolidated Order, relieved from the consequences of improperly admitting persons who are not paupers when they produce an order from an overseer; but the Board do not think that the terms of the Order conclude him, or prevent the exercise of his judgment as to the fact of the applicant being a pauper. If, therefore, the master, in the fulfilment of his duty, take upon himself the responsibility of deciding in any case of suspected or simulated destitution, the Board are of opinion that he may properly refuse admission to a person under such circumstances, who produces an order from an overseer. Of course, in refusing to admit a person producing such an order the master must be prepared to justify his conduct should any question afterwards arise upon it. In such a case as that of Hannah B——— appears from your statement to have been, the Board do not hesitate to express their opinion that the master would have been justified in so exercising his undoubted discretion. (36 O. C. N.S. 54.)

The Local Government Board say that the Guardians may authorise the master of a workhouse, when he admits a pauper under Art. 208, No. 1, to declare that the relief is given by way of loan.

[2] The master has no authority to detain or open letters addressed to pauper inmates of the workhouse, unless indeed he should have reason to believe that the communication is of an improper tendency; nor can he prevent paupers from receiving presents of money; he should, however, report the fact of a pauper being in possession of money to the Board of Guardians. The master is to decide, in the first instance, to which class a pauper on his admission to the workhouse shall be assigned; but in the event of a doubt arising as to a

Art. 208.—No. 3. To enforce industry, order, punctuality, and cleanliness, and the observance of all regulations for the

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pauper's proper class, he should be guided by the opinion of the medical officer, until the case is laid before the Guardians for their decision.

With regard to the bathing of workhouse inmates the Local Government Board issued on February 2, 1886, a Minute containing instructions on the subject. These instructions will be found set out in the Note to Art. 95, *ante* p. 275.

The following regulations have been framed by the Commissioners in Lunacy for the guidance of the attendants in the bathing of idiots or persons of unsound mind in workhouses, and are recommended by the Poor Law Board for adoption so far as the circumstances and arrangements of the workhouse will permit. See the circular of the Poor Law Board of March 21, 1870.

1. Every patient to be bathed immediately after admission, and once a week afterwards, unless exempted by medical order. Should there be the slightest doubt as to the advisability of bathing any patient owing to sickness, feebleness, or excitement, immediate reference to be made to the medical officer.

2. The name of every patient not having the customary bath to be reported to the medical officer.

3. In preparing a bath, *the* COLD *water is always to be turned on first.*

4. Before the patient enters the bath the temperature is to be ascertained by the thermometer, and is not to be less than 88 degrees, nor above 98 degrees. In case of the thermometer becoming inefficient from injury, &c., all bathing operations to be suspended until another be obtained.

5. Not more than one patient to be bathed in the same water.

6. *Under no circumstances whatever* are two patients to occupy the bath at the same time.

7. During the employment of the bath the room is never to be left without an attendant. At all other times the door is to remain locked, and the floor to be kept dry.

8. *Under no pretence whatever* is the patient's head to be put under water.

9. In the bath the body of each patient is to be well cleansed with soap. After coming out of the bath especial care must be taken to dry those patients who are feeble and helpless, and to clothe them as rapidly as possible.

10. The keys are never to remain on the bath taps, nor are they to be employed by patients. When not in use they are to be locked in the attendants' room.

11. Any marks, bruises, wounds, sores, local pain, evidence of disease of any kind, complained of by the patients, or noticed by the attendant during any of the bathing operations, to be immediately reported to the medical officer.

12. Any deficiency in the supply of warm water, soap, towels, &c., to be reported to the medical officer.

13. The attendants are to bear in mind that, except under medical order, the baths are to be employed solely for the purposes of cleanliness.

14. Neither the cold nor the shower bath is ever to be employed, except under medical order, and then only in presence of one of the officers. When not in use the door of the latter is to remain locked, and the key to be kept in the attendants' room.

15. It is the duty of the head attendant to be present at all baths employed under medical order, and to take care that the duration does not exceed the time specified in such order. He is also to supervise the whole of the ordinary bathing operations, to ascertain that the rules are rigidly carried out, and to

government of the workhouse by the paupers, and by the several officers, assistants, and servants therein.[1]

Art. 208.—No. 4. To read prayers to the paupers before breakfast, and after supper, every day, or cause prayers to be read, according to Art. 124.[2]

No. 5. To cause the paupers to be inspected and their names called over in conformity with Art. 103, in order that it may be seen that each individual is clean and in a proper state.

No. 6. To provide for and enforce the employment of the able-

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report to the medical superintendent every infringement that may come to his knowledge.

Local Authorities, which term includes Boards of Guardians, are now empowered by Section 1 of the Cleansing of Persons Act 1897 (60 & 61 Vict. c. 31) to provide for the cleansing of persons infested with vermin who apply to them in order to be cleansed. The Section enacts that:—"On and after the passing "of this Act any local authority shall have the power, when in their discretion "they shall see fit, to permit any person who shall apply to the said authority, "on the ground that he is infested with vermin, to have the use, free of charge, "of the apparatus (if any) which the authority possess for cleansing the person "and his clothing from vermin. The use of such apparatus shall not be con-"sidered to be parochial relief or charitable allowance to the person using the "same, or to the parent of such person, and no such person or parent shall by "reason thereof be deprived of any right or privilege or be subject to any dis-"qualification or disability.

"Local authorities may expend any reasonable sum on buildings, appliances, "and attendants that may be required for the carrying out of this Act, and any "expenses for these purposes may be defrayed out of any rate or fund applicable "by the authority for general sanitary purposes or for the relief of the "poor."

[1] With reference to this Article, it may be observed that the master can, without any special authority from the Board of Guardians, in regard to each case, take proceedings before the justices for the punishment of disorderly paupers in the workhouse; but when the circumstances allow of delay, it will be proper for him to take the directions of the Guardians before instituting the proceedings. If the offender will not go voluntarily before the justices, a summons or warrant, as the case may require, must be obtained; and until it can be executed, the offender may be detained in the workhouse. See O. C. ix. 96, and see 54 Geo. III. c. 170, s. 7, and 4 & 5 Will. IV. c. 76, s. 93.

As to the duty of the master to take disorderly paupers before justices, see 34 & 35 Vict. c. 108, s. 88, *ante*.

With regard to the power of the Guardians to suspend subordinate officers for the purpose of preserving order in the workhouse, see the letter of the Local Government Board of August 1887 in the Note to Art. 207 (7) *ante* p. 406. See also with regard to the enforcement of cleanliness amongst the inmates of the workhouse the Note to Art. 208. No. 2, *ante* p. 411.

[2] When the master is unable to read prayers himself, it will be proper for the schoolmaster to read them; and where there is no schoolmaster, for the porter or one of the best conducted paupers.

bodied adult paupers, during the hours of labour ; to assist in training the youths in such employment as will best fit them for gaining their own living ; to keep the partially disabled paupers occupied to the extent of their ability ; and to allow none who are capable of employment to be idle at any time.[1]

Art. 208.—No. 7. To visit the sleeping wards of the male paupers at eleven o'clock in the forenoon of every day, and see that such wards have been all duly cleansed and are properly ventilated.[2]

No. 8. To see that the meals of the paupers are duly provided, dressed, and served, according to the directions in Arts. 104 and 107, and to superintend the distribution of the food.[3]

No. 9. To say, or cause to be said, grace before and after meals.[4]

No. 10. To visit all the wards of the male paupers before nine o'clock every night in winter, and ten o'clock in summer, and see that all the male paupers are in bed, and that all fires and lights therein are extinguished, except so far as may be necessary for the sick.[5]

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[1] Particular attention should be paid to enforcing a task of work, under 5 & 6 Vict. c. 57, s. 5, or 34 & 35 Vict. c. 108, s. 6, from vagrants and tramps relieved in the workhouse with a night's lodging and supper or breakfast. See Note to Art. 99, No. 9, and 29 & 30 Vict. c. 113, s. 15, *ante*, and the minute of the Poor Law Board on Vagrancy, First Annual Report, p. 29, and the Circular Letter of the Poor Law Board of November 28, 1868. As to the employment of the inmates of the workhouse generally, see Arts. 102 and 112, and Notes; see also Note to Art. 112, and Arts. 114 and 210, No. 3.

[2] The master must also see that the beds are all made up and in proper order.

[3] See note to Art. 41, No. 4, *ante*, p. 228, as to supplying food to paupers waiting to see the Board of Guardians at the workhouse.

[4] See note to Art. 208, No. 4, which is also applicable to this regulation.

[5] In their Circular Letter of January 29, 1895, the Local Government Board say that :—

"The security of the inmates in case of fire is a matter which, whilst it applies with special force to the sick and helpless, should receive the careful consideration of the Guardians as regards all inmates of the establishment, and the Guardians should satisfy themselves that adequate means of escape from all wards are available, and that the means are ready to hand of extinguishing any fire at its first outbreak."

With regard to danger from fire in workhouses, the Board said in a Circular Letter issued on March 14, 1882 :—

"It is desirable that the Guardians should require a frequent inspection of

Art. 208.—No. 11. To receive from the porter the keys of the workhouse at nine o'clock every night, and to deliver them

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the premises to be made by the master, superintendent, or other responsible officer for the special purpose of seeing that no collections of paper, chopped wood, rags, straw, or other combustible substances are allowed in dangerous positions, such as in cupboards, closets, or cellars, or under stairs, or in close proximity to buildings; to ascertain that the various chimney flues are duly swept, and that no accumulations of soot take place in them, and that the flues themselves are not likely to become overheated so as to endanger the building; also to see that the various appliances are in their proper places, and that the tanks and cisterns are kept supplied with water, and that the means of communication between the wards occupied by the inmates and the apartments of the chief officers are in working order. A report of this inspection should be made to the Guardians at their first meeting in each month, or such other regular period as may be convenient.

"For the purpose of giving notice of an outbreak of fire, it is important that every distinct part of the building, whether detached or not, should have proper means of communication, either directly or indirectly, with the chief officer's apartments, and for this object efficient bell communication should be supplied.

"With reference to the appliances for extinguishing fire, it is of the utmost importance that at every workhouse and Poor Law Institution each distinct building occupied by inmates should possess some handy fire-extinguishing apparatus. The most simple means for this object is to have several buckets kept, for the sole purpose, always charged with water, on each floor and ready for instant application. These buckets may further be most usefully supplemented by a small hand pump, such as is used by the Metropolitan and other fire brigades. It is very portable, and can be worked by one man or woman without previous training; it occupies but little space, is inexpensive, and effectual.

"Portable chemical fire engines or extincteurs would be found useful in large institutions, where they could be placed under the charge of responsible paid officers, who should be fully instructed as to their use, and they should be kept in some conspicuous position easily accessible by the officers trained to use them.

"In large buildings, and where the supply of water is sufficient, a system of main pipes and hydrants may with advantage be provided and arranged so that hose pipes fitted with nozzles may be fixed in a few moments, thus allowing a powerful jet of water to be thrown on to any part of the interior or exterior of each of the blocks of buildings. Where there is not a sufficient head of water to give the required pressure, a small manual fire-engine, drawing its supply from a well, tank, or stream, would be useful.

"With reference to the means of exit for the inmates in case of fire or of alarm of fire, the buildings should be carefully examined with a view to ascertain the best way of rapidly removing the inmates of each block or ward should the necessity arise.

"Amongst the various appliances for aiding persons to escape from a building when on fire, and the ordinary means of exit are cut off, the following may be referred to:—

"The usual fire-escape or ladder with wire and canvas shoot behind it, the whole being mounted on a carriage and wheels.

"Ladders in short lengths fitting into each other, which should be kept in convenient and accessible places.

"Jumping sheets. When these are resorted to a specially-made stout canvas

to him again at six o'clock every morning, or at such hours as shall from time to time be fixed by the Guardians.

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sheet, 10 feet square, bound with strong rope and fitted with handles of the same material at intervals of one foot apart and all around it, and strengthened by strips of canvas or webbing underneath, would be found most valuable, and might be used with considerable safety if held tightly by ten or a dozen men, and a bed, truss of hay, or other soft substance be placed beneath it.

"Stout knotted lines. These, if kept on each floor or landing, may also be the means of saving life.

"Whatever form of apparatus is supplied to any building for fire prevention, or for fire extinguishing, or for aiding the escape of inmates of a building on fire, it is requisite that constant care should be taken to have the apparatus preserved in order, so as to be fit for immediate use."

In a Circular Letter dated February 12, 1891, and issued to their inspectors of workhouses, the Local Government Board say they "have had under their consideration the reports received from their general inspectors on different suggestions that have been made with regard to precautions against fires in workhouses and arrangements for the escape of inmates in case of fire. The Board concur in the conclusion at which the inspectors generally have arrived, that there would be no sufficient advantage in the issue of a further circular to Boards of Guardians on the subject. The circumstances of different workhouses vary so greatly that it is almost impossible to devise a series of suggestions which can be regarded as of general application. Moreover the primary responsibility for such arrangements as are necessary must rest with the Guardians. At the same time the Board are desirous that the question as to the arrangements for extinguishing fire and for the escape of the inmates in the case of fire should always be considered by an inspector on the occasion of his visit to the workhouse. If he is of opinion that they are insufficient, he should bring the matter specially under the attention of the Guardians either by an entry in the visitors' book or by such other means as he may think best. Where he deems it desirable, he might draw attention to the Board's Circular of March 14, 1882, and add any suggestions which occur to him as specially applicable to the circumstances of the particular workhouse. When any such entry is made by the inspector, it will be convenient if a copy is appended to his inspectional report, and where the inspector deems it desirable that the Board should supplement his action by a communication to the Guardians, he should so inform the Board. Apart from matters dealt with in the Circular Letter of 1882, there are some points which it would be well that the inspectors should bear in mind. They may be briefly summarised as follows:—

"1. That the doors which it would be necessary should be opened for the purpose of escape in the case of fire should be left unfastened at night, so far as this can be done consistently with the due separation of the sexes and classes.

"2. That in workhouses where a night porter is employed, he should, at regular intervals during the night, go round the exterior of the building to see that there are no signs of fire; and that his performance of this duty should be checked by a system of tell-tale clocks, such as exists in lunatic asylums, banks, and other large institutions.

"3. That where the staff of officers is sufficient, there should be fire drill and exercise in the use of such appliances as may be provided, care being taken that the members of any volunteer fire brigade in a workhouse are first thoroughly drilled and instructed as to (i) what

Art. 208.—No. 12. To see that the male paupers are properly clothed, and that their clothes are kept in proper repair.[1]

No. 13. To cause the birth of every child born in the workhouse to be registered by the Registrar of births and deaths within the space of one week after such child shall have been born; and also to enter such birth in a register kept according to Form (S.) hereunto annexed.[2]

No. 14. To send for the medical officer in case any pauper is taken ill or becomes insane, and to take care that all sick and insane paupers are duly visited by the medical officer, and are provided with such medicines and attendance, diet, and other necessaries as the medical officer or the Guardians may direct; and to apprise the nearest relation in the workhouse of the sickness of any pauper, and, in the case of dangerous sickness, to send for the chaplain, and any relative or friend of the pauper, resident within a reasonable distance, whom the pauper may desire to see.[3]

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would be each man's post and duty in connection with the saving of life, and (ii) what each is to do towards extinguishing the fire.

"4. That the Guardians should give special attention to the means of obtaining an adequate water supply in the case of fire.

"5. That where the circumstances conveniently admit of this, there should be telephonic communication—especially in the case of large workhouses—with the fire-brigade station of the town.

"6. That where gas is available there should at night be lights on such landings and staircases as would require to be used in case of fire.

"7. That highly inflammable stores should not be stored in the main building; and

"8. That for the different dormitories there should be alternative means of exit, especially in the case of buildings of three or more storeys."

[1] As regards clothing the paupers, see Art. 95 and note thereon.

[2] See the substituted form in the Order of the Poor Law Board, dated February 26, 1866, *post*. The births of still-born children must be entered in this register, as well as the births of children born alive. The Registration Act is silent as to still-born children. In the "Regulations for Registrars of Births and Deaths," as approved by the Secretary of State, the following direction is given (p. 11):—"Still-born children must not be registered; but if a child is born alive, and dies, how soon soever after birth, both the birth and the death must be registered separately in the proper form."

[3] If the illness be of a dangerous nature, care should be taken to send a *written* communication to the medical officer, and not a verbal message merely. But generally the master will act advisedly when he sends written communications in every case, as verbal messages are liable to be misunderstood. As to orders in midwifery cases, see Art. 182. As to the removal of dangerous lunatics to an asylum, see 53 & 54 Vict. c. 5, s. 24, *ante*, p. 291.

Art. 208.—No. 15. To take care that no pauper at the approach of death shall be left unattended either during the day or the night.[1]

No. 16. To give immediate information of the death of any pauper in the workhouse to the medical officer, and to the nearest relations of the deceased who may be known to him, and who may reside within a reasonable distance; and if the body be not removed within a reasonable time, to provide for the interment thereof.[2]

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[1] If a pauper be seriously and dangerously ill, the master will of course take care that someone sits up in attendance during the night, notwithstanding that the death of the pauper may not be immediately expected.

[2] It does not appear in what manner this notice is to be given, and whether the master is expected to send the notice by post. If the pauper's friends all reside at a distance, it would seem but proper that the master should send them notice of the death by post, if their addresses be known to him.

The following remarks from the Instructional Letter of the Poor Law Commissioners respecting the burial of paupers dying in the workhouse may be here inserted:—With respect to the place of burial of a pauper, it is to be observed that for the purposes of burial the question of settlement is wholly immaterial, the obligation to bury having existed long before the statute which created the present form of pauper settlement. The 7 & 8 Vict. c. 101, s. 31, gives a full and complete right to the Guardians to bury the body of a pauper dying in the workhouse in the churchyard of the Parish in which the workhouse is situate, unless the deceased person, or the husband or wife, or next of kin shall have otherwise desired; and it is incumbent upon the Guardians under that statute, when the burial of a poor person takes place under their direction, to pay the burial fee to the persons entitled to the fee or fees which by the custom of the parish in which the burial takes place can be legally claimed. But the Commissioners advise that, with a view of consulting the prevalent wishes of the poor on this subject, the body of every pauper of the Union dying in the workhouse should in general be interred in the churchyard of *his own parish, unless the incumbent of that parish should object* (but now see 28 & 29 Vict. c. 79, s. 10, *infra*). The Commissioners think that the most convenient course is to remove the body in a hearse; but, they said, it seems that any male inmates of the workhouse, of suitable age and strength, may be required by the Guardians to assist in carrying a coffin from the workhouse to a neighbouring burial-ground.—*Instr. Letter.* This, however, seems very doubtful.

Further, with regard to the notices required to be given on the burial of the bodies of poor persons dying in the workhouse, see the Burial Laws Amendment Act, 1880 (43 & 44 Vict. c. 41, s. 2) in Glen's Burial Board Acts, fourth edition.

The Local Government Board, in a Circular dated May 22, 1882 (12th Annual Report, p. 10), drew the attention of the Guardians to the subject of the arrangements for the disposition and burial of the bodies of poor persons dying in workhouses. They say that "Cases have recently been brought under the notice of the Board where, in consequence of the defective nature of these arrangements and of the want of proper supervision on the part of the workhouse officers, unfortunate mistakes have occurred, resulting in the

Art. 208.—No. 17. When requisite, to cause the death of every pauper dying in the workhouse to be duly registered by the

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burial of a pauper under a wrong name, in the interment taking place elsewhere than in the appropriate cemetery, or in the performance of a burial service over a coffin not containing a body.

"It is scarcely necessary to point out that mistakes, such as these, are calculated not only to wound the feelings of the relatives of the deceased, but to occasion public scandal, and the Board are extremely desirous that all necessary precautions should be taken to prevent their recurrence.

"In the first place the dead-house or mortuary, in which the bodies of persons dying in the workhouse or infirmary are deposited previously to interment, should be devoted exclusively to the purpose for which it is designed, and it should never be placed under the care of pauper inmates, without frequent and systematic supervision. It appears to the Board that the proper disposition of the bodies, as well as the necessary arrangements for their decent interment in the churchyard or cemetery, should be under the immediate direction of the master of the workhouse. Moreover, it is desirable that shells should be provided for the bodies until coffins are ready for their reception.

"In order that there may be no mistake as to identity, there should be affixed to the shroud, immediately after the laying-out of the body, two legibly written tickets each bearing the name of the deceased, the one to be placed on the outside of the coffin and the other to remain attached to the shroud. Moreover, the Board are of opinion that each body after it is placed in the coffin, but before the coffin is closed, should be inspected by the master of the workhouse, accompanied by the nurse or other subordinate officer who knew the deceased person when living, and who should be able to identify the body. If the master be prevented by unavoidable circumstances from doing this, the duty would devolve upon the assistant master or other responsible officer of the workhouse.

"Further, care should be taken that a proper coffin plate, giving the names, age, and date of the death of the deceased, is affixed to the lid of each coffin before it is closed, and this plate ought not under any circumstances to be removed. When a proper coffin plate cannot be conveniently provided, the particulars referred to may be inscribed in suitable letters on the coffin itself.

"Whilst the above precautions seem proper in all cases, they are especially needful in workhouses of considerable size; where it frequently happens that several bodies are in the mortuary at the same time awaiting interment, and where therefore unless due care is taken confusion is liable to occur.

"The Board have thought it right to offer these suggestions in preference to prescribing regulations upon this subject; and they trust that should any other safeguards against mistakes occur to the Guardians they may at once be adopted.

"It will doubtless appear to the Guardians desirable that the visiting committee should from time to time ascertain by inquiry whether the arrangements contemplated by this circular are duly observed.

"In conclusion, the Board would remind the Guardians of Unions from whence the unclaimed bodies of paupers dying in the workhouse are sent to a hospital or medical school that the provisions of the Anatomy Act should in all such cases be most strictly complied with."

By 7 & 8 Vict. c. 101, s. 56, the workhouse is constructively situated in the Parishes to which the paupers are respectively chargeable, but now by the Union Chargeability Act, 1865 (28 & 29 Vict. c. 79, s. 10) for the purposes of

the burial of any poor person dying in the workhouse of any Union, such workhouse shall be considered as situated in the Parish in the Union where such poor person resided last, previously to his removal to the workhouse; therefore only the fees payable by custom on the burial of a parishioner can be claimed when the dead body of a pauper is removed from the workhouse to the Parish of chargeability for burial. With regard to the payment of burial fees under 7 & 8 Vict. c. 101, s. 31, the rule is that where the burial takes place under the direction of the Guardians or any of their officers duly authorised, the fee or fees payable by the custom of the Parish "shall be paid out of the poor rates" for the burial, to the person or persons entitled by the custom to receive any fee.

Under 7 & 8 Vict. c. 101, s. 31, the Guardians are the persons empowered to take the requisite proceedings in regard to the burial of a poor person, and neither the friends of the deceased, nor the Guardians of the individual Parish, nor the overseers, have any authority to give directions for a burial under the provisions of the Act. As during the intervals of the meetings of the Guardians their officers have no authority to interfere in the burial of paupers without the express instructions of the Guardians, it is recommended that precise and definite regulations prescribing the course to be taken by their officers as regards the burial of poor persons, should be drawn up by the Guardians and entered on their minutes. If in any case the master of the workhouse being duly authorised should pay the cost of the burial of a pauper dying therein, he should charge the cost in his accounts.

With regard to the burial of pauper lunatics, Section 259 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5) enacts that:—"Where a Visiting Committee under-"takes the burial of any pauper lunatic, and the public burial ground of the "Parish where the death took place is closed or inconveniently crowded, the "burial may take place in a public burial ground of some other Parish, with "the consent of the minister and churchwardens of that Parish; and in that "case the Visiting Committee shall pay to the person entitled thereto the "burial fees payable under any Act or according to the custom of the place of "burial." Section 297 of the same Act enacts that:—"The necessary "expenses attending the burial of a pauper lunatic in any institution for "lunatics, shall be borne by the Union to which the lunatic is chargeable, or "the local authority liable for his maintenance, and shall be paid by the Guar-"dians of the Union, or by the treasurer of the local authority."

The Commissioners of Inland Revenue say that a license is required for a horse kept by the Guardians; that they will not require a license to be taken out for a hearse used to convey the bodies of paupers for burial if it be not used for hire or profit in any form; but a license is necessary for a carriage used to convey sick paupers. They will not charge duty as for a groom in respect of a pauper who grooms the horse kept by the Guardians, if such pauper does not receive any wages as groom, but a license must be taken out for the man who drives the horse and carriage; lastly, they will not insist upon a license being taken out for a common cart, used for drawing stones and other things required at the workhouses, if it be used solely for such purposes. The Guardians are not required to take out licenses for any of the officers of the workhouse. If the Guardians use armorial bearings they must take out a license.

As to the place of burial, see also 18 & 19 Vict. c. 79, s. 2, which enables Boards of Guardians to enter into agreements with cemetery companies or burial boards for the burial of paupers, and 20 & 21 Vict. c. 81, s. 6, as to the consecration of land to be set apart especially for the burial of paupers.

The prohibition in Section 31 of 7 & 8 Vict. c. 101, does not apply to the chaplain of a workhouse so as to prevent his receiving fees to which he may be

legally entitled as minister of the Parish for the burial of paupers taking place in his Parish.

The Poor Law Commissioners said, in their Official Circular, that the effect of the whole provision in 7 & 8 Vict. c. 101, s. 31, appears to them to be as follows:— 1. As a general rule, all bodies buried by Guardians are to be buried in a churchyard or in a consecrated burial-ground, and this in the Parish or township of the death. 2. But the burial in such churchyard or consecrated burial-ground may be dispensed with by the desire of the deceased, or husband, wife, or next-of-kin. 3. If the burial in the churchyard or consecrated burial-ground be dispensed with in compliance with such desire, the Guardians may apparently authorise the burial anywhere, *i.e.*, in unconsecrated ground, or in ground out of the Parish of the death. 4. Also the Guardians may authoritatively direct the burial to take place in the Parish where the deceased was chargeable. But this is a departure from the general law, and is in this clause made the exception. It is only authorised when the deceased or his relatives have desired it, or the Guardians see particular cause for it. This case may arise when there is an objection of the deceased or his friends to burial in the churchyard or consecrated burial-ground of the Parish. And if there be any burial-ground of the Parish or township (*i.e.*, belonging to the township) which is not consecrated, the Guardians may bury the body in such burial-ground. (10 O. C. N.S. 142.)

The Guardians should not compulsorily require the inmates of their workhouses to act as bearers on the occasion of the burial of the bodies of deceased paupers, but if any inmate should wish to attend the funeral of another inmate, or should voluntarily offer to assist at the funeral, there could be no objection to his doing so.

Boards of Guardians are now allowed to pay the customary fee for tolling the bell on the funeral taking place at the cost of the poor rates. See *Local Government Chronicle*, August 2, 1884, p. 613.

There is no provision of the law which makes it the duty of a master of a workhouse to admit the corpse of a person, who has not died therein, into the workhouse. Such corpse must remain in the custody of the persons who have possession of it until some proper place of deposit can be found for its reception. The workhouse is not necessarily a place for its deposit, and in some cases it might be improper that it should be received therein. But in many cases there may be no objection to its reception, especially in cases where the Guardians take upon themselves the charge of the burial, and where they have provided a proper mortuary.

There is nothing in 7 & 8 Vict. c. 101, s. 31, which would prevent the Guardians from paying a portion only of the funeral expenses according to the necessities of the case—but they should see that the customary burial fee is paid whenever they give directions for the burial.

Sums paid to dissenting ministers in respect of the interment of paupers are not properly termed "fees." Burial fees are payments either established by immemorial usage, or by statute; and neither description applies to payments which are made to dissenting ministers. What these payments should amount to must be a matter of contract and bargain between the Guardians and the minister. If the minister demand more than the Guardians are willing to pay, they can refuse to engage his services, and may seek some other person with whom to arrange, so as to meet the exigencies of the case. See also 47 J. P. 427.

If the unclaimed bodies of paupers who die in the workhouse be given up for the purposes of anatomical examination, the regulations contained in the Schools of Anatomy Act (2 & 3 Will. IV. c. 75), must be strictly adhered to by the master, otherwise he will subject himself to the penalties provided by that

Act—namely, imprisonment for a term not exceeding three months, or a fine not exceeding £50; but see *Reg.* v. *Feist*, Dears & B. C. C. 59; 8 Cox. C. C. 18; 4 Jur. 541; 27 L. J. M. C. 164; 31 L. T. o.s. 267, on this point.

With respect to the holding of coroners' inquests in workhouses, the Commissioners have stated that there may be particular cases in which the Guardians would be justified in allowing an inquest to be held in the workhouse on the body of a person found dead not within its walls—as where the inconvenience of a refusal would be great. In such cases the Guardians would no doubt think it their duty to allow the inquest being so held; but whenever they do so it will be proper that they should give the permission as a voluntary act, and not as the admission of a right. With regard to whether the medical officer is entitled to claim the usual remuneration for his services, irrespective of his office of medical officer, where he is required by the coroner to perform the *post-mortem* examination, see Section 22 of the Coroners Act, 1887 (50 & 51 Vict. c. 71) which enacts that:—"A legally qualified medical practitioner who has attended "at a coroner's inquest in obedience to a summons of the coroner under this "Act, shall be entitled to receive such remuneration as follows—that is to say, "(*a*) For attending to give evidence at any inquest whereat no *post-mortem* "examination has been made by such practitioner, one guinea; and (*b*) For "making a *post-mortem* examination of the body of the deceased, with or without an analysis of the contents of the stomach or intestines, and for attending "to give evidence thereon, two guineas. Provided that:—(1) Any fee or "remuneration shall not be paid to a medical practitioner for the performance "of a *post-mortem* examination instituted without the previous direction of the "coroner; (2) Where an inquest is held on the body of a person who has died "in a county or other lunatic asylum, or in a public hospital, infirmary, or other "medical institution, or in a building or place belonging thereto, or used for the "reception of the patients thereof, whether the same be supported by endowments, or by voluntary subscriptions, the medical officer, whose duty it may "have been to attend the deceased person as a medical officer of such institution "as aforesaid, shall not be entitled to such fee or remuneration."

It may be added that Section 23 imposes a penalty on medical practitioners who neglect to attend an inquest. The coroner by the law of England has an absolute right to enter with the inquest any house in which a dead body may be on which he proposes to hold an inquest, and it is an indictable misdemeanour wilfully to prevent the holding of an inquest of which a coroner has given notice, see *Reg.* v. *Stephenson*, 15 Cox C. C. 679; he should therefore not be denied admission to the workhouse for such a purpose. If he supplies the names of the inquest, they should be entered by the porter in his book. If he do not give their names, the porter should enter in the book the name of the coroner, and specify that he was accompanied by the inquest.

Coroners should wait until they are sent for by the peace officers of the place to whom it is the duty of those in whose houses violent or unnatural deaths occur to make immediate communication. If therefore any such death should occur in a workhouse, the Guardians or their officers should give notice to a constable of its occurrence, and not to the coroner direct.

With respect to money found in the possession of any pauper dying in the workhouse, it is enacted by 12 & 13 Vict. c. 103, s. 16, that the Guardians of the Union or Parish wherein such pauper shall die, may reimburse themselves the expenses incurred by them in and about the burial of such pauper, and in and about the maintenance of such pauper at any time during the twelve months previous to the decease. If there be any overplus, and the relief has not been advanced by way of loan, the Guardians are bound to return the amount of such overplus to any executor or administrator legally appointed. Money found on the body of a pauper who has died in the workhouse, and on whose body a

Registrar of Births and Deaths within five days after the day of such death ; and also to enter such death in a register kept according to Form (T.) hereunto annexed.[1]

Art. 208.—No. 18. To deliver an inventory of the clothes and other property of any pauper who may have died in the workhouse, to the Guardians at their next ordinary meeting.[2]

No. 19. To keep such portion of the Workhouse Medical Relief Book prescribed in this Order as is assigned to him in the Form marked (Q.), and to keep all books or accounts which he is, or hereafter may be, by any Order of the Commissioners, directed and required to keep ; to allow the same to be constantly open to the inspection of any of the Guardians of the Union, and to submit the same to the Guardians at their ordinary meeting.[3]

No. 20. To submit to the Guardians, at every ordinary meeting, an estimate of such provisions and other articles as are required for the use of the workhouse, and to

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coroner's inquest has been holden, cannot be applied to defraying the expenses of the inquest, which are payable out of the county rates.

It may be further added that the Guardians of a Union are not under any legal obligation to bury the dead bodies of persons dying in public hospitals (*Reg.* v. *Stewart*, 12 A. & E. 773 ; 4 P. & D. 349). The exercise of the power, given by 7 & 8 Vict. c. 101, s. 31, is discretionary on the part of the Guardians, who may decline to undertake the burial of any dead body not being in the workhouse, if they think fit so to do.

[1] See the substituted form in the Order of the Poor Law Board, dated February 26, 1866, *post*.

As regards the registration of deaths occurring in workhouses, see 37 & 38 Vict. c. 88, s. 10, in Glen's Registration Laws, 2nd edition. By Section 26 of the same Act a list of registrations of births and deaths in the Union with their residences shall be kept at the workhouse of such Union.

[2] As to the appropriation of the effects of a deceased pauper, see Note to No. 16 ; and as to the disposal of the clothing of deceased pauper, see Note to 7 O. C. p. 167.

[3] See Art. 19 of General Order for accounts, *post*, for the books required to be kept by the master of a workhouse.

The master of the workhouse is also required to keep a book for the use of the visiting Guardians under Section 54 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5), which enacts that :—" 1. The visiting Guardians of every Union shall, once at " least in each quarter, enter in a book to be provided and kept by the master " of the workhouse, such observations as they may think fit to make respecting " the diet, accommodation, and treatment of the lunatics or alleged lunatics in " the workhouse. 2. Such book shall be laid by the master before the Com- " missioner or Commissioners at his or their next visit."

receive and execute the directions of the Guardians thereupon.

Art. 208.—No. 21. To receive all provisions and other articles purchased or procured for the use of the workhouse, and before placing them in store to examine and compare them with the bills of parcels or invoices severally relating thereto; and after having proved the accuracy of such bills or invoices, to authenticate the same with his signature, and submit them to the Guardians at their next ordinary meeting.[1]

No. 22. To receive and take charge of all provisions, clothing, linen, and other articles belonging to the workhouse, or confided to his care by the Guardians, and issue the same to the matron or other persons as may be required.[2]

No. 23. To report to the Guardians from time to time the names of such children as the schoolmaster may recommend as fit to be put out to service, or other employment, and to take the necessary steps for carrying into effect the directions of the Guardians thereon.[3]

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[1] With reference to this regulation, see also Art. 19, No. 5, of the Accounts Order, *post*, and Note thereon.

A Board of Guardians, like any other purchasers of goods, may avail themselves of the services of the Public Analyst appointed under 38 & 39 Vict. c. 63, and pay out of their funds for the analysis of any goods or provisions supplied for use in the workhouse or the relief of the poor, see the Guardians of the *Enniskillen Union* v. *Hilliard*, 15 Cox C. C. 643.

[2] The refuse of the workhouse must be sold and brought to account for the benefit of the establishment. In no case will the master be justified in appropriating the produce of the sale of such refuse, or of old unserviceable stores, to his own use. See Note to Art. 172, *ante*, p. 358.

[3] The master must make this report, whether or not the parents of the children be in the workhouse. Now under the General Order of July 10, 1897, *post*, the Guardians may when they deem it expedient, incur a reasonable expenditure in providing an outfit for any child chargeable to any Poor Law Union in England or Wales, on such child being sent to service by the Guardians, see further with regard to such Order the Circular Letter of the Local Government Board of July 14, 1897, in the Note to that Order.

The 14 & 15 Vict. c. 11, for the better protection of persons who are under the care and control of others as apprentices or servants, by Section 3 requires the Guardians to keep a register, wherein shall be entered the name of every young person under the age of 16, hired or taken as a servant from the workhouse, together with other particulars. By Section 4 the Guardians are required, so long as the young person shall be under 16, and known to them to reside as a servant or apprentice *in the same service* into which such young person went from the workhouse within the Union or five miles from any part thereof, to cause the relieving officer to visit the person at least *twice* in every

Art. 208.—No. 24. To take care that the wards, rooms, larder, kitchen, and all other offices of the workhouse, and all the utensils and furniture thereof, be kept clean and in good order; and as often as any defect in the same, or in the state of the workhouse, shall occur, to report the same in writing to the Guardians at their next ordinary meeting.[1]

No. 25. To submit to the Guardians, at every ordinary meeting, a report of the number of the inmates in the workhouse, according to the Form (U.) hereunto annexed.

No. 26. To bring before the Visiting Committee or the Guardians any pauper inmate desirous of making a complaint or application to the Guardians.

No. 27. To report forthwith to the Medical Officer and to the Guardians, in writing, all cases in which any restraint or

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year, and to report to them in writing whether he has found reason to believe that such person is not supplied with necessary food, or is subjected to cruel or illegal treatment in any respect. With reference to this Act generally, see the Circular of the Poor Law Board of June 26, 1851, and the Circular of the Local Government Board, dated July 31, 1880, requiring a register of visits to boys and girls to be kept.

The Local Government Board say that it has been brought under their notice that some difficulty has been felt with respect to the nature and extent of the inquiries which the relieving officer is entitled to make as above mentioned. It may happen that the master or mistress, instead of paying the servant the stipulated wages in money, may supply clothing which is old, or useless, or unsuitable, or valued at an exorbitant rate. In such a case a doubt may sometimes arise as to how far the relieving officer ought to make inquiry as to the particular circumstances referred to; but whenever the effect of the proceeding in question appears to be in point of fact so far injurious to the personal condition of the child as to amount to "cruel or illegal treatment in any respect" the Board are clearly of opinion that the relieving officer ought to make it the subject of special inquiry, and of written report to the Guardians accordingly.—*Circular Letter*, May 31, 1873.

Any young person who goes out to service from the workhouse ceases to be chargeable or under the control of the Guardians, who have no authority to take the wages or interfere with the service in such a case. The Guardians in such cases should confine themselves to the duties of supervision as pointed out in the above circular.

Now by 39 & 40 Vict. c. 61, s. 33, the Guardians of any Union or Parish, or the managers of any district school, may appoint and pay any officer or other competent person to visit and report upon the condition, treatment, and conduct of any poor child under the age of 16 who shall have gone into service from the workhouse of such Union or Parish or from such district school.

If a child over ten years of age leave the workhouse to take employment, such child cannot be employed unless the requirements of Section 5 and subsection 2, of the Elementary Education Act, 1876 (39 & 40 Vict. c. 79), have been complied with.

[1] See Note to Art. 41 (fifthly), *ante*, p. 230.

compulsion may have been used towards any pauper inmate of unsound mind in the workhouse.[1]

Art. 208.—No. 28. To keep a book in which he shall enter all his written reports to the Guardians or to the medical officer, and to lay the same before the Guardians at every ordinary meeting.

No. 29. To inform the Visiting Committee and the Guardians of the state of the workhouse in every department, and to report in writing to the Guardians any negligence or other misconduct on the part of any of the subordinate officers or servants of the establishment ; and generally to observe and fulfil all lawful orders and directions of the Guardians suitable to his office.

Art. 209.—The master shall not, except in case of necessity, purchase or procure any articles for the use of the workhouse, nor order any alterations or repairs of any part of the premises, or of the furniture or other articles belonging thereto, nor pay any moneys on account of the workhouse, or of the Union, without the authority of the Guardians, nor apply any articles belonging to the Guardians to purposes other than those authorized or approved of by such Guardians.[2]

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[1] No pauper who requires habitual or frequent restraint, and is consequently dangerous to himself or others, is to be retained in the workhouse for a longer period than fourteen days. See Art. 101 ; and the Notes thereto.

The Local Government Board recommend that strait waistcoats be not used in the case of any workhouse inmates without the sanction of the medical officer of the workhouse. But if he be absent, and the master require to take immediate steps to restrain a violent inmate, and if he finds it necessary to make use of a strait waistcoat, the Board think he will not be acting illegally in so doing.

In an Irish case it was held that Guardians of the Poor are not answerable in damages in their corporate capacity for injuries caused by the negligence of their officials in the treatment of poor patients received into workhouse hospitals. In the case referred to the plaintiff sued the Guardians of a Union under Lord Campbell's Act for damages in respect of the negligence of the officials of the Guardians whereby the death of her son, a patient in the workhouse infirmary, was accelerated, if not caused. It was held, however, by the Court of Appeal that the action would not lie against the Guardians for the negligence of their officials. *Dunbar* v. *The Guardians of the Poor of the Ardee Union* (1897), 2 I. R. 76.

[2] See Note to Art. 41 (fifthly), *ante*, p. 230.

Duties of the Matron.

Art. 210.—The following shall be the duties of the matron :—[1]

No. 1. In the absence of the master, or during his inability to act, to act as his substitute in the admission of paupers into the workhouse, according to Arts. 88 and 208, Nos. 1 and 2, and to cause every pauper upon such admission to be examined by the medical officer, as is directed in Art. 91.

No. 2. To cause the pauper children under the age of seven years, and the female paupers, to be searched, cleansed, and clothed upon their admission, and to be placed in their proper wards.

No. 3. To provide for and enforce the employment of the able-bodied female paupers during the hours of labour, and to keep the partially disabled female paupers occupied to the extent of their ability, and to assist the schoolmistress in training up the children so as to best fit them for service.[2]

No. 4. To call over the names of the paupers, as is directed in Art. 103, to inspect their persons, and see that each individual is clean.

No. 5. To visit the sleeping wards of the female paupers at eleven o'clock in the forenoon of every day, and to see that

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[1] With regard to the authority of the matron in the arrangements connected with the sick wards of the workhouse infirmary see the Circular Letter of the Local Government Board of January 29, 1895, in the Note to Art. 208, *ante*, p. 409.

In an action under Lord Campbell's Act for damages for the death of the plaintiff's husband, a pauper lunatic, who had been killed by falling out of the infirmary window, through the alleged negligence of the infirmary nurse, it was submitted on behalf of the defendants that no action would lie against the Guardians collectively for negligence on the part of their servants, and the Irish case of *Brenhan* v. *The Poor Law Guardians of Limerick Union*, L. R. Ir. 2 C. L. 42, was relied upon, Huddleston B. held that there was no evidence of negligence of any person 'for whose conduct the defendants were responsible.' *Casey* v. *The Guardians of St. George's in the East.—Local Government Chronicle*, 1888, p. 346.

[2] See note to Art. 112, and Arts. 114 and 208, No. 6. With regard to the employment of female paupers in picking oakum, reference may be made to a letter of the Local Government Board, published in the *Local Government Chronicle* of January 4, 1879, in support of such employment for females.

such wards have been all duly cleansed, and are properly ventilated.

Art. 210.—No. 6. To visit all the wards of the females and children [1] every night before nine o'clock, and to ascertain that all the paupers in such wards are in bed, and all fires and lights not necessary for the sick or for women suckling their children, therein extinguished.[2]

No. 7. To pay particular attention to the moral conduct and orderly behaviour of the females and children, and to see that they are clean and decent in their dress and persons.

No. 8. To superintend and give the necessary directions for making and mending the linen and clothing supplied to the male paupers, and all the clothing supplied to the female paupers and children, and to take care that all such clothing be properly numbered and marked on the inside with the name of the Union.

No. 9. To see that every pauper in the workhouse has clean linen and stockings once a week, and that all the beds and bedding be kept in a clean and wholesome state.

No. 10. To take charge of the linen and stockings for the use of the paupers, and the other linen in use in the workhouse, and to apply the same to such purposes as shall be authorized or approved of by the Guardians, and to no other.

No. 11. To superintend and give the necessary directions concerning the washing, drying, and getting up of the linen, stockings, and blankets, and to see that the same be not dried in the sleeping wards or in the sick wards.

No. 12. To take proper care of the children and sick paupers, and to provide the proper diet for the same, and for women suckling infants, and to furnish them with such changes of clothes and linen as may be necessary.

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[1] The word "children" includes only those in class 7, specified in Art. 98, *ante*

[2] See *ante*, p. 413, as to danger from fire in workhouses.

Art. 210.—No. 13. To assist the master in the general management and superintendence of the workhouse, and especially in—

Enforcing the observance of good order, cleanliness, punctuality, industry, and decency of demeanour among the paupers ;

Cleansing and ventilating the sleeping wards and the dining-hall, and all other parts of the premises ;

Placing in store and taking charge of the provisions, clothing, linen, and other articles belonging to the Union.

No. 14. When requested by the porter, in pursuance of Art. 214, No. 5, to search any female entering or leaving the workhouse under the circumstances described in that Article.

No. 15. To report to the master any negligence or other misconduct on the part of any of the female officers or servants of the establishment, or any case in which restraint or compulsion may have been used towards any female inmate of unsound mind.

No. 16. And generally to observe and fulfil all lawful orders and directions of the Guardians suitable to her office.

Duties of the Chaplain.

Art. 211.—The following shall be the duties of the chaplain :—[1]

No. 1. To read prayers and preach a sermon to the paupers and other inmates of the workhouse on every Sunday, and on

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[1] With respect to religious ministrations in workhouses, by dissenting ministers, see Art. 122 and Note thereon. In former editions of this work, it was said that to "read prayers" meant to read without change or mutilation the whole morning service or the afternoon service, as commonly read in churches, with the litany and commandments, etc., as usual on Sunday mornings, and that every clergyman's engagements at his ordination bind him to a strict observance of this rule. The Queen's Advocate, Sir J. D. Harding, has, however, it is understood, advised that the words "to read prayers" do not compel the chaplain to read verbatim on every Sunday the whole order for morning prayer, as commonly read in churches.

The chaplain is not required to baptise children in the workhouse, except under circumstances which would justify the administration of baptism in a private house; nor is he required to church women who may be confined in the workhouse. The children should be baptised in the Parish church, and the mothers should be churched there also. It is necessary that the particulars of baptisms in the workhouse should be entered in the registry in the custody of the rector or vicar of the Parish in which the workhouse is situated, see 52 Geo. III. c. 146, s. 7; but apparently no fee can be demanded for making such entry.

Good Friday and Christmas Day, unless the Guardians, with the consent of the Commissioners, may otherwise direct.[1]

Art. 211.—No. 2. To examine the children,[2] and to catechize such as belong to the Church of England, at least once in every month, and to make a record of the same, and state the dates of his attendance, the general progress and condition of the children, and the moral and religious state of the inmates generally, in a book to be kept for that purpose, to be laid

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The pauper inmates should be allowed to receive the Holy Communion at the Parish church; and where there is no workhouse chapel used exclusively for the purpose of divine worship, this rite should not be administered in the workhouse, except to the sick and disabled. Where there is a chapel, the communion may be celebrated in it, with the consent of the Bishop of the diocese; but even in that case those inmates who desire it should be allowed to attend the Parish church at Easter and Christmas. See also Note to Art. 124, *ante*, p. 322.

In some Unions the workhouse chapel is licensed by the Bishop of the diocese, but the Bishop's authority in that respect is not very clear. The licence, it seems, should be granted to the minister to officiate either generally in the "——— Union Workhouse at ———," or "in such apartment in the ——— Union Workhouse at ———" as may be found most convenient. Such a chapel cannot be consecrated by the Bishop unless the freehold be conveyed to the Ecclesiastical Commissioners, and this the Guardians have no power to do. Further upon these points see the case and opinion of Dr. Adams in the report of the Poor Law Commissioners on the further amendment of the Poor Law, p. 112.

The chaplain of the workhouse has no duty to perform under 52 Geo. III. c. 146, s. 7, in transmitting an account of the baptisms performed in the workhouse to the Registrar of the diocese. (4 O. C. 84.)

But as the chaplain is not subject to the control of the incumbent of the Parish in which the workhouse is situate, it is a question for himself to decide how far he will exercise his functions as to the baptism of the children born in the workhouse. See also p. 345, *ante*.

[1] The following opinion of Dr. Adams may here be quoted from the "Report of the Poor Law Commissioners on the Amendment of the Law," p. 112: "I think that, with the bishop's licence, it is not requisite that any part of the workhouse should be consecrated to sanction a clergyman of the establishment in the performance of any of the duties required of the chaplain of the workhouse by the Poor Law Commissioners."

It is usual for the Guardians to provide a surplice for the chaplain of the workhouse to be used in his ministrations at the workhouse; and the Poor Law Board deemed this a proper course with a view to the due performance of divine service in accordance with the ritual of the Church of England.

There is no authority which requires the Guardians to provide any instrument to accompany the congregation of a workhouse chapel, where, according to the rubric, they are required to sing at divine service; still the Guardians may expend a reasonable sum in providing an organ for the workhouse chapel.

[2] This applies to the general as well as to the religious examination of the workhouse children. See 53 Off. Cir. N.S. 21.

before the Guardians at their next ordinary meeting, and to be termed "THE CHAPLAIN'S REPORT."[1]

Art. 211.—No. 3. To visit the sick paupers, and to administer religious consolation to them in the workhouse, at such periods as the Guardians may appoint, and when applied to for that purpose by the master or matron.

DUTIES OF THE SCHOOLMASTER AND SCHOOLMISTRESS.

Art 212.—The following shall be the duties of the schoolmaster and schoolmistress for the workhouse, or either of them :—[2]

[1] The chaplain's report book should be kept in the custody of the workhouse master, unless the Guardians should give directions to the contrary. But no individual Guardian is entitled to inspect it without the express authority of the Board of Guardians, unless he is a member of the Visiting Committee.

[2] With regard to the visitation of certain District schools by the Board of Management of such schools, see the General Order of the Local Government Board, November 26, 1894, *post*.

With a view to encouraging the appointment of competent persons to these offices, the repayment of their salaries to the Union is made conditional upon their obtaining certificates of efficiency, competency, probation, or permission, as the case may be.

The following are the regulations on this subject :—

Poor Law schools are periodically visited by inspectors, who report thereon to the Board, who thereupon issue to the schoolmaster or schoolmistress a certificate in the various grades and divisions, according to the proficiency exhibited by the teacher.

The amount to be repaid to the Union from the Parliamentary Grant is regulated by the grade of the certificate which the teacher obtains, and by the number of children in the school, according to the following scale :—

Grades and Divisions of Certificates for Service in Poor Law Schools.		MASTERS.		MISTRESSES.		Sum to be allowed in respect of each Scholar in addition to the Minimum Allowance.
		Minimum Allowance from the Grant.	Maximum Allowance from the Grant.	Minimum Allowance from the Grant.	Maximum Allowance from the Grant.	
		£	£	£	£	*s.*
First Grade	1	30	60	24	48	12
	2	30	55	24	44	11
	3	30	50	24	40	10
Second Grade	1	25	45	20	36	7
	2	25	40	20	32	6
	3	25	35	20	28	5
Third Grade	1	20	30	16	24	4
	2	20	25	16	20	3
	3	20	20	16	16	—
Fourth Grade .		15	15	12	12	—

Art. 212.—No. 1. To instruct the boys and girls according to the directions in Art. 114.

The Poor Law Board laid down the following conditions of payment:—

The whole amount issued to each union from the treasury must be paid by the Guardians to the teacher.

If the salary at which the Guardians have engaged the teacher exceeds the amount issued from the treasury, the difference must continue to be paid to the teacher out of the poor rate, until the Poor Law Board has agreed to the engagement of the same or another teacher at a reduced salary.

If the teacher does not reside in the workhouse, and is not provided with rations, the Guardians must allow the teacher the sum of £15 a year in lieu thereof out of the poor rate.

The teacher must have convenient and respectably furnished apartments; rations, the same in kind and quality as are supplied to the master of a workhouse; must be subjected to no menial offices; must have proper assistance in the management of the children when not in school.

If the inspectors report that any Poor Law School is not furnished with the necessary books and school apparatus, the Guardians must provide them.

Industrial instructors' as well as schoolmasters' and schoolmistresses' salaries, are, under certain conditions, repaid to the Guardians upon the special report of the school inspectors.

In cases in which the schoolmaster or schoolmistress has the assistance of one or more assistant teachers the Local Government Board have determined that in future the following rules shall be adopted in these cases:—

1. That when the number of children in the boys' or girls' or infants department of a school is not larger than is sufficient to admit of the payment in respect of the head-teacher of the maximum allowance according to the grade of his or her certificate no payment shall be made on account of an assistant-teacher beyond the maximum allowance payable under the certificate of such assistant-teacher.

2. That when the number of children in the boys' or girls' or infants' department of a school exceeds that which is required for the payment in respect of the head-teacher of the maximum allowance according to his or her certificate the children in excess of that number shall be taken into account for the purpose of an allowance in respect of an assistant-teacher according to the usual scale in addition to the maximum sum payable under the certificate awarded to such assistant-teacher.

3. That when there are two or more assistant-teachers in the boys' or girls' or infants' department of a school no payment other than the minimum allowance under the certificate awarded to the officer shall be made in respect of any assistant-teacher other than the first unless the number of children in the department is more than sufficient to admit of the payment in respect of the head-teacher and the first-assistant teacher of the maximum allowances which are payable under their certificates, and that when the children are in excess of that number, the number in excess shall be taken into consideration for the purpose of an allowance in respect of a second, and if the number is such as to admit of it of a third or fourth assistant-teacher in addition to the maximum allowance payable under the certificates of such assistant-teachers.

These arrangements will not apply to assistant-teachers now in office, but only to such as may be appointed after the date of this communication, *i.e.* August 9, 1884.—14th Annual Report Local Government Board, p. 31.

The Poor Law Board, in a Circular dated March 12, 1867, stated that they are of opinion that the following scale would be a simple, and at the same time a fair and proper one:—

That when the Guardians provide board and lodging, two-thirds of the officer's salary should be allowed from the grant. When they do not provide board and lodging, one-half of the salary should be so allowed.

Thus in either case about one-half of the salary, inclusive of board and lodging, would be borne by the Guardians, and one-half be repaid to them out of the fund provided by Parliament. If, however, the services of the officer are given solely for the instruction of the children, as in the case of a band master or drill master, the whole salary may properly be allowed from the Parliamentary grant. As regards the number of officers for whom the payments should be made, the Board are of opinion that an industrial teacher should not be allowed for less than about thirty children, unless in schools in which such a teacher is employed instead of a schoolmaster or schoolmistress. There should also be not less than six children under instruction to entitle the Guardians to a payment on account of the teacher's salary. The inspectors in reporting on the industrial teachers will ascertain that they do not merely employ the boys and girls in assisting them in their work, but that they give them *bonâ fide* instruction, and that the children exhibit a satisfactory proficiency or skill in the trade taught.

The following regulations of the Committee of Council on Education relative to teachers in district or workhouse schools have been promulgated by the Local Government Board, who have directed that they may be mounted and hung up in the school-rooms for the information of the teachers :—

1. The teachers in district and workhouse schools may be admitted to examination for the certificates issued by the Education Department, at the examinations held at the training schools in December in each year:

(i.) Who satisfy Art. 47 (A) of the Code 1873 :—that is, who have resided as students for one year in training schools under inspection; or,

(ii.) Who are 21 years of age ; have served with credit for at least two years in a district or workhouse school ; are recommended by the Local Government Board ; and hold at the date of examination certificates of efficiency, or certificates of competency of the first class.

2. If a student, on leaving a training college, is appointed to a situation as teacher in a workhouse or district school, his service in that school (if not less than two years) will be taken into account if he subsequently removes to a public elementary school. If he does so, their lordships will be prepared to issue his parchment certificate on receiving a favourable report on his practical skill as a teacher from one of Her Majesty's inspectors, after his visit to a school in which the said teacher has been employed for a period of not less than three months before the date of the inspector's visit.

The period of a teacher's service in a workhouse or district school will also be taken into account in subsequently revising his certificate, under Art. 55 of the code.

The teacher must then produce and deliver to Her Majesty's inspector, for transmission to this office, certificates of good conduct and good service from the Inspector of the Local Government Board charged with the supervision of the schools in which he has been employed, and showing the dates and duration of his employment in such schools.

These rules will also apply to female teachers.

In the event of any teacher duly qualified according to Regulation No. 1 (i. and ii.) desiring to sit for examination for a certificate at one of the examinations held in December at the several training schools, an application to that effect should be made by the teacher to the inspector of workhouse or district schools in the district, prior to September 1 in each year. See Circular Letter of the Local Government Board, dated March 13, 1876.

With regard to the issue by the Local Government Board of parchment

Art. 212.—No. 2. To regulate the discipline and arrangements of the school, and the industrial and moral training of the children, subject to the direction of the Guardians.[1]

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certificates to teachers in Poor Law Schools, that Board in a circular issued on January 21, 1890, state that they have had under their consideration the disadvantages under which certain persons employed as teachers in Poor Law Schools have hitherto been placed through not being able while so employed to obtain the parchment certificates of the Education Department.

The Board have been in communication with the Committee of Council on Education on the subject, and their Lordships, with the view of assisting in removing the disadvantages referred to, have agreed to the following arrangements:—

"When a teacher in a Poor Law School has completed the prescribed period of probation (Article 62), and the fact is reported by the Local Government Board to the Education Department, one of Her Majesty's Inspectors will be directed to visit the school and make the necessary report upon which a certificate can be issued."

Article 62 of the code of regulations issued by the Education Department to which reference is made in their Lordships' letter as defining "the prescribed period of probation," provides that "candidates for certificates after successfully passing their examinations, must, as teachers continually engaged in the same schools, obtain two favourable Reports from an Inspector, with an interval of at least one year between them; and if the first of these Reports be not preceded by service of at least six months since the examination, a third Report, at an interval of at least one year after the second Report, is required."

When therefore a teacher in a Poor Law School, who is in all other respects qualified to receive a certificate, has completed the term of service prescribed by that Article, and has received two or (where necessary) three favourable reports from the Board's School Inspector, the Education Department will cause a visit to be paid by one of their Inspectors, and if his report is favourable will then issue a certificate.

"The Board have pleasure in informing Boards of Guardians and managers of Poor Law Schools of this arrangement, which they trust will meet the complaint which has frequently been made by Poor Law teachers of the disadvantages to which they were subjected by being unable to obtain parchment certificates whilst in the service of the Guardians and Managers."

See now with regard to the annual grants from the Exchequer in respect of the remuneration of teachers in Poor Law schools, the Circular Letters of the Local Government Board to Clerks to Guardians, June 14, 1889; to Clerks to Guardians in the County of London, July 19, 1889, and to the Clerks to the Managers of District Schools, September 16, 1889.

[1] With regard to this regulation, reference should be made to the General Orders of October 27, 1877, and April 3, 1878, *post*. Under this regulation it is the duty of the schoolmaster and schoolmistress to superintend the children out of school-hours, as well as during the periods when they are actually under instruction. As to granting leave of absence to children attending workhouse schools, see note to Art. 116.

The schoolmistress is not required by the regulations either to give notice to the master of her intention to be absent temporarily from the workhouse, or to ask his permission when quitting it. It is, however, competent to the Guardians, under Art. 152, to frame a regulation upon the subject if they consider it expedient to do so. (57 O. C. N.S. p. 94.)

Art. 212.—No. 3. To accompany the children when they quit the workhouse for exercise, or for attendance at public worship, unless the Guardians shall otherwise direct.

No. 4. To keep the children clean in their persons, and orderly and decorous in their conduct.[1]

No. 5. To assist the master and matron respectively in maintaining due subordination in the workhouse.

Duties of a Nurse.

Art. 213.—The following shall be the duties of a nurse for the workhouse :—[2]

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[1] The master and matron respectively must see that the boys and girls are properly clothed (Art. 208, No. 12 ; Art. 210, No. 8) ; but if the schoolmaster or schoolmistress should observe that the children's clothing requires repairing or washing, they should direct the attention of the master or matron to the matter.

It is the duty of the schoolmaster and schoolmistress to superintend and take charge of boys and girls respectively who are attending school out of school hours, as well as when they are under instruction.

By Art. 210, No. 7, it is the duty of the matron to see that the children are clean and decent in their persons ; and under Art. 212, No. 4, the duty of the schoolmistress in this respect is limited to the children in her school ; that of the matron extends to all the children in the workhouse. The matron should make the requisite arrangements for the actual washing, etc., of the children, in which duty some respectable inmate of the workhouse might be employed. The schoolmistress should not be required personally to assist, beyond giving a general superintendence as regards the children under her care ; but blame would attach to her as well as to the matron, if any just ground of complaint as to cleanliness should exist. Generally, it may be added that in any details in which the regulations do not contain specific directions, the Guardians may themselves lay down such rules as may appear to them advisable, provided they are not inconsistent with the regulations.

[2] With regard to the duties to be performed by district nurses appointed by Boards of Guardians, see the General Order of January 27, 1892, *post*. In a Circular Letter issued by the Poor Law Board on May 5, 1865, that Board said, referring to the duties to be performed by nurses in the workhouse, that it is obvious that they require, in any workhouse where there are many sick patients, great care and attention on the part of the nurse. The office is one of very serious responsibility and labour, and requires to be filled by a person of experience in the treatment of the sick, of great respectability of character, and of diligent and decorous habits. Such person cannot discharge the duties of the office singly, but must have the assistance of others of both sexes ; and there is scarcely less need of the same qualities in the persons who are to be the assistants than of those required for the chief officer. Hence the Board say it is necessary that the nurses should be adequately remunerated, and that they should be appointed after a strict investigation of their qualifications for the office. But the Board consider it of the highest importance that the assistants to the nurse should also be paid officers. By appointing paid assistants the Guardians will have an opportunity of selecting persons whose qualifications for the office can be properly ascertained, and they will also be able to hold

such officers responsible for negligence or misconduct, as in the case of the superior officers of the workhouse. The Board recommend the Guardians, as far as possible, to discontinue the practice of appointing pauper inmates of the workhouse to act as assistant nurses in the infirmary or sick ward. Where the arrangements of the workhouse will permit, it is very desirable that special accommodation should be provided for the nurse and the paid assistants, so that they may be always ready to attend upon the patients, and be removed as much as possible from the distraction which the proceedings in a large workhouse are calculated to produce.

The employment of pauper inmates of the workhouse to perform the duties of nurses in the sick or lying-in wards, or in otherwise nursing any pauper in the workhouse who requires nursing, has now been ordered to be discontinued by the Nursing in Workhouses Order, 1897, *post*. The Order also prohibits the employment of such inmates as attendants unless they are approved by the medical officer of the workhouse for the purpose and act under the immediate supervision of a paid officer of the Guardians. Provision is also made by the Order for the appointment of superintendent nurses and with respect to the duties of such superintendent nurses. The Order does not apply, however, to any infirmary or school which is under administration separate from the workhouse.

In a Circular Letter issued by the Local Government Board on January 29, 1895, with reference to the administration of workhouses, that Board said, with regard to those workhouses in which the infirmary forms part of the same establishment as the workhouse proper that it is important that it should be understood that in such establishments the master and matron necessarily remain the chief officers of the whole establishment, and primarily responsible for its administration and discipline, as the Board's experience showed that the improvement that is taking place in the character of workhouse nursing from the employment of trained nurses occasionally leads to objections being raised to the legitimate exercise of the authority of the master and matron in the arrangements connected with the sick wards; and that the Board considered that so long as these establishments remained so constituted, the nurses should be responsible to the medical officer for the treatment of the patients, but should clearly understand that in other matters they must defer to the authority of the master and matron. In the same letter the Board stated that it was no doubt the case that the majority of the Boards of Guardians had, under the advice of the Board, and at the instance of their inspectors, improved the system of nursing in the workhouses, and that in many workhouses an adequate standard of efficiency had been attained. But, notwithstanding this, there were many workhouses where the nursing arrangements had not been brought to the standard of modern requirements, and the Board strongly urged on the Guardians that this matter should receive their most careful consideration.

The Board then set out the portion of the Circular Letter issued on May 5, 1865, which is set out in the previous portion of this Note, and stated that the difficulty of obtaining such nurses as those referred to had, in some instances, been assigned by Boards of Guardians as a sufficient reason for not complying with the recommendations in such Circular. But whatever might have been the case in the past, in view of the general advance that had taken place in recent years in the provision for training nurses, no such difficulty should now arise, and the Board thought it desirable to draw the attention of Guardians generally to the Memorandum of the Board's Inspector, Dr. Downes, dated April, 1892, with reference to the general question of nursing arrangements in workhouses.

The Memorandum referred to stated that:—

"In workhouses where pauper nursing is dispensed with, it is usually found that the majority of paid nurses and assistant nurses to the average number of occupied sick beds should be from about one to fifteen to one to ten, this allowance including night nurses and nurses off duty.

"The actual provision must largely depend on the size of the infirmary and the character of the cases, but it should be remembered that, although the sick are mostly chronic, a large number are of such a kind as to require constant care and attention.

"In some Unions the practice of employing as paid 'scrubbers' widows, who would otherwise be chargeable to the rates, has been successful.

"In the larger workhouses the nurses should be under the direct control of a trained and experienced superintendent, or head nurse, subject to the directions of the medical officer in all matters of treatment, and of the master and matron, so far as the Orders of the Local Government Board may require, in regard to discipline. In workhouse infirmaries under separate administration the matron should herself be a trained nurse and have charge of the nursing staff.

"It is very essential that due provision should be made for efficient nursing by night. This, above all, is a time when the sick wards should be watched by responsible officers; it is a period of much trial to the sick.

"Attention to the warmth and ventilation of the wards, and to the administration of medicine, stimulants, or food, the application of poultices, management of the natural wants of the feeble and paralytic, and care for those in pain, or dying, are all duties which should be confided to none but responsible nurses. Want of proper assistance to 'wet' cases at night-time not only greatly increases work for the day nurse, but is one great cause of bedsore and suffering.

"When arrangements are duly made for paid night nursing, the day nurses ought to be enabled to obtain undisturbed rest away from the immediate vicinity of the sick wards.

"In their Circular Letter the Poor Law Board expressed their opinion 'that where the arrangements of the workhouse will permit, it is very desirable that special accommodation should be provided for the nurse and the paid assistants, so that they may be always ready to attend upon the patients, and to be removed as much as possible from the distraction which the proceedings in a large workhouse are calculated to produce.'

"In some of the smaller workhouses this provision may be made on a separate floor of the infirmary, or frequently some other portion of the workhouse may be adapted for the purpose. In the largest workhouses it may be requisite to furnish a detached nurses' home. In either case the cost would be largely counterbalanced—in the former probably more than counterbalanced—by the value of increased sick-ward accommodation consequent on the removal of wardspeople.

"Many advantages have been found to follow the establishment of nursing on the lines above indicated. Not nursing alone, but medical attendance is increased in efficiency, and experience shows that with improved treatment, speedier cure and lessened stay of curable cases may be looked for.

"One of the chief duties of a skilled nurse is to watch the dietaries, and by her reports to enable the medical officer to prescribe for each patient such food as may be suitable and acceptable, so that waste shall sink to a minimum. Few, perhaps, realise how large an economy and how much increase of comfort to the sick may be thus effected.

"It will be generally admitted that the sick poor can usually be better tended and nursed by skilled nurses in well-equipped sick wards than in their own homes; and the regularity, neatness, and order of the wards tend to

diminish the repugnance to entering the workhouse, which is often evinced by the sick poor of the better class when reduced to want by failing health.

"Frequently wards of indifferent construction may be much improved in wholesomeness by the care of a well-instructed nurse.

"Nursing, while demanding special personal qualifications, must, like every business, be learned; and by establishing a well-considered system of nursing the Guardians of a large workhouse may, in due course, train their own nurses, and assist in supplying a demand which is certain to increase.

"In balance sheet form, the financial side of the question would stand somewhat thus:—

Salaries.	Efficiency.
Uniforms.	Saving in waste.
Rations.	Saving in wear of appliances.
Quarters.	Detection of malingering.
	Curable cases more quickly fit for discharge.
	Increased sick-ward accommodation.
	Training of probationers.

"The diminution of suffering consequent on skilled nursing is a gain which cannot be expressed.

"One important point remains. Much evil frequently results from the continuance in office of nurses long incapacitated by ill-health or advancing years.

"It is obviously very desirable to guard against this, by enabling nurses to retire when they are no longer able to discharge their duties with efficiency.

"The Guardians are aware of the powers which they possess as regards granting superannuation allowances, and attention may be especially directed to the facilities which are now afforded to nurses for making provision against sickness and old age."

With regard to the superannuation of nurses, see the provisions of the Poor Law Officers' Superannuation Act, 1896; and of the Amending Act of 1897, in the Note to Article 172, *ante*, pp. 359 and 361.

General reference may also be made in this place to the report of the medical officer of the Poor Law Board on the sufficiency of the arrangements for the care and treatment of the sick in various workhouses in different parts of England, dated April 15, 1867, and to the Order of April 4, 1868, *post*.

SUGGESTED RULES FOR NURSES AND ASSISTANTS IN WORKHOUSE INFIRMARIES.

A. It shall be the duty of every Nurse—

1. To take care that her wards are duly warmed and ventilated, to maintain quiet and order therein, and report to the medical officer any misconduct of the patients or visitors.

2. To attend to the comfort of the patients, and to see that they are in every way kept clean and tidy, and to inform the medical officer immediately if any patient becomes worse.

3. To personally administer all medicines, stimulants, and applications, according to the directions of the medical officer, keeping them at other times safely in her room. To keep all poisons in a cupboard, locked up.

4. To allow no article of food or liquor to be brought into the wards, except what is ordered by the medical officer, and not to permit the patients to alter in any way their prescribed diet.

5. To remain in her wards during visiting hours, seeing that the rules for

patients' friends are strictly observed, and to allow no visitors to enter at other times unless provided with a pass from the medical officer or matron.

6. To accept no presents from patients or patients' visitors.

7. To take to the steward any money or valuables found on a patient.

8. To allow no patient to interfere with the windows, fires, or gas, nor any smoking, except in the balconies and garden, nor any needlework to be done which has not been approved of by the matron.

9. To allow no article of clothing, bandage, &c., to be washed, dried, or ironed in or about the wards; nor any cooking to take place, except eggs, which may be cooked in the adjoining kitchen.

10. To direct and control the assistants, and see that the scrubbers do not carry parcels or messages into or out of the infirmary.

11. Not to leave her wards while on duty, except when required by the regulations of the infirmary, nor absent herself from sickness, without at once acquainting the matron.

12. To wear in the infirmary the uniform provided, no jewellery, coloured ribbons, &c., being allowed, and observe such orders as the matron may issue with regard to the observance of this rule.

13. To have her meals in the mess-room, and only carry away from it such food as is specially allowed. No food of any kind is to be taken to the bed-rooms, except after permission from the matron.

14. To take whatever duty the medical officer requires.

15. To readily and punctually obey all orders of the matron and medical officer.

B. It shall be the duty of every Day Nurse—

16. On commencing duty in the wards at 7.30 A.M. to receive the night nurse's report, and send down dirty linen to the laundry by the lift.

17. To see that the patients have been washed, the beds made, and the breakfast properly served.

18. To superintend the cleaning and scouring of the wards, and report to the matron any neglect on the part of the scrubbers.

19. To make a report in the book provided for the purpose of any repairs, &c., required in her wards.

20. To carve and serve out the food to the patients under her care, rendering assistance to those who need it; and to have the dinner things cleared away by 1.0 P.M.

21. To be careful to remain at her wards during the temporary absence of her assistant, and see that the assistant does not leave in her absence.

22. To keep an inventory of all the articles in her ward, and submit it to the matron, for entries of articles supplied or condemned.

23. To see that the remains of each meal are promptly removed by the assistants out of the building, and to return to the steward any beer or stimulants not consumed by the patient for whom it was issued.

24. Personally to deliver to the night nurse written instructions as to particular patients in a book kept in the day-room for the purpose, and to give similar instructions to the nurse or assistant left in charge on going out on leave.

25. To read prayers every night in her wards before 7.50 P.M., all patients being previously in bed, and to see that all fires are made up, scuttles filled, and gas lowered before going off duty.

26. To leave the wards and day-rooms at 8.0 P.M., and not return to them till next morning. This does not apply to the midwife, nor to the lunatic attendant.

27. Each day nurse is expected to attend the afternoon service in the Guardians' Chapel on alternate Sundays.

C. It shall be the duty of every Night Nurse—

28. To commence duty in the wards at 7.45 P.M., and receive and carry out the instructions of the day nurse as to the treatment of particular patients, taking care that a moderate light is kept burning through the night.

29. To remain in the wards assigned to her, and see that her assistants do the same.

30. To allow no talking in the wards after the gas is lowered at 8.0 P.M.

31. To see that the breakfasts are served at 7.0 A.M., all patients being previously washed, and all beds made.

32. Personally to make a verbal report to the day nurse before going off duty at 8.0 A.M.

33. To leave at the matron's office at 8.0 A.M. a signed and dated report of the hours of arrival of the scrubbers, and of any unpunctuality of the day assistants, or of breakfast coming up.

34. All night nurses are expected to attend the afternoon service in the Guardians' Chapel every Sunday.

D. Every Nurse will if possible be allowed—

35. (*a*) Fourteen days' holiday annually, on application to the Guardians through the medical officer.

(*b*) *When on day duty*, a fixed half-day each week, and three hours to attend church on alternate Sundays with those they attend the Guardians' Chapel.

(*c*) *When on night duty*, a whole day once a month, and 2½ hours daily.

(*d*) And such other leave as may be thought convenient.

36. In no case whatever shall a nurse leave the infirmary without a pass, specifying the hour of return; and before or punctually at the hour named, she must report herself at the matron's office.

37. With regard to taking meals and rest, the nurses will observe the following hours—half-an-hour being allowed for each meal, in the mess-room:

When on day duty, to rise at 6.30 A.M., have breakfast at 7.0 A.M; dinner at 1.0 P.M.; supper at 8.0 P.M.; and to go to bed at 10.0 P.M. No lights allowed after 10.30 P.M.

When on night duty, to leave their bed-rooms at 4.30 P.M., have evening meal at 7.15 P.M.; morning meal at 8.15 A.M.; and go to bed at 9.0 A.M.

E. The following Rules have been framed by the Guardians respecting Visitors to the Nurses—

38. That friends be allowed to visit the nurses on Sunday and Thursday, and that the visits be limited to one hour's duration, between 2.0 and 8.0 P.M., except on express permission from the medical officer or matron.

39. That all persons who desire to see the nurses be shown into the mess-room, after permission of the matron, and there seen by them, and that *female* friends be allowed to go to the nurses' private rooms at the discretion of the matron.

40. That no visitor be admitted before 2.0 P.M., or be allowed to remain after 8.0 P.M.; and that no visitor to the night nurses be admitted during the hours allotted to their rest, viz., before 4.0 P.M.

F. It shall be the duty of every Assistant—

41. To attend on the patients under the direction of the nurse in charge; to keep clean all utensils, crockery, &c.; and assist in maintaining the cleanliness

Art. 213.—No. 1. To attend upon the sick in the sick and lying-in wards, and to administer to them all medicines and medical applications, according to the directions of the medical officer.

No. 2. To inform the medical officer of any defects which may be observed in the arrangements of the sick or lying-in ward.

No. 3. To take care that a light is kept at night in the sick ward.

Duties of the Porter.

Art. 214.—The following shall be the duties of the porter of the workhouse :—

No. 1. To keep the gate and to prevent any person, not being an officer of the workhouse, or of the Union, an Assistant Poor Law Commissioner, or any person authorized by law, or by the Commissioners or Guardians, from entering into or going out of the house without the leave of the master or matron.

No. 2. To keep a book in which he shall enter the name and business of every officer or other person who shall go into the workhouse, and the name of every officer or other person who shall go out thereof, together with the time of such officer's or person's going in or out.[1]

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of the wards in whatever way is required; to lay the tables, and remove out of the building the remains of each meal; to take the cards and baskets to the steward's office and dispensary, and fetch them at the appointed hours; to remain in her wards during the temporary absence of the nurse; to take charge of the wards when the nurse is away, and perform all her duties; to have her meals in the mess-room; to take whatever duty the medical officer requires and to observe the general rules for nurses in Section A.

42. *Day assistants* rise at 5.30 A.M.; breakfast at 6.0 A.M.; go on duty at 6.30 A.M.; dine at 1.30 P.M.; have tea at 5.0 P.M.; go off duty, and have supper at 8.0 P.M.; go to bed at 10.0 P.M. No lights allowed after 10.30 P.M.

Night assistants observe the same hours as night nurses.

Half-an-hour is allowed for each of the above meals in the mess-room.

43. Leave will be granted the assistants, and visitors allowed, under the same regulations as to the nurses.

44. The Guardians forbid any nurse or subordinate officer to introduce into the infirmary wine, beer, spirits, or any fermented liquor, either for their own or other person's use.

[1] The names of the workhouse and all other Union officers must be entered in the porter's book every time they leave the workhouse and return, however

Art. 214.—No. 3. To receive all paupers who apply or present themselves for admission in conformity with Art. 88, and, if the master and matron be both absent, to place such paupers in the receiving ward until the master or matron return.[1]

No. 4. To examine all parcels and goods before they are received into the workhouse, and prevent the admission of any spirituous or fermented liquors, or other articles contrary to any of the regulations contained in this Order, or otherwise contrary to law.[2]

No. 5. To search any male pauper entering or leaving the workhouse whom he may suspect of having possession of any spirits or other prohibited articles, and to require any other person entering the workhouse whom he may suspect of having possession of any such spirits or prohibited articles to satisfy him to the contrary before he permit such person to be admitted; and, in the case of any female, to cause the matron to be called, for the purpose of searching her, if necessary.[3]

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frequently that may be in the course of the day. The porter is to enter the ingress and egress of the following persons:—The Guardians on board and other days; the clerk and those having business at his office; the relieving officer; the master, matron, and other officers, with their friends visiting them; persons coming in with goods, fuel, etc.; paupers admitted into the house; paupers discharged therefrom; mendicants admitted and discharged; persons attending funerals; applicants on board days; the chaplain; the medical officer; all persons going to church or chapel, and returning therefrom; and also the visits of the Poor Law inspectors; school inspectors; Commissioners in Lunacy; and all other persons having a statutory right to visit the workhouse.

So also if the register office be within the walls of the workhouse, the porter must enter in his book the names of all persons resorting to the office for registration or other purposes.

With regard to the entry of the name of the Coroner when he enters the workhouse with the inquest, see Note to Art. 208, No. 16, p. 421.

[1] It is considered that the latter part of this Article applies to all paupers who present themselves for admission, whether with or without an order, and whether their case be of "sudden or urgent necessity," or not. When the master returns, it will be for him to decide whether they shall be allowed to remain in the house.

[2] If the register office be within the walls of the workhouse, the porter is not required to examine parcels relating to registration business which may be sent there addressed to or intended for the superintendent registrar.

[3] The following are examples of prohibited articles: spirituous or fermented liquors; letters or printed papers, as books, pamphlets, etc., being of an improper tendency; cards or dice; matches or other highly combustible articles. The

Art. 214.—No. 6. To examine all parcels taken by any pauper out of the workhouse, and to prevent the undue removal of any article from the premises.

No. 7. To lock all the outer doors, and take the keys to the master, at nine o'clock every night, and to receive them back from him every morning at six o'clock, or at such hours as shall from time to time be fixed by the Guardians; and if any application for admission to the workhouse be made after the keys shall have been so taken to the master, to apprise the master forthwith of such application.[1]

No. 8. To assist the master and matron in preserving order, and in enforcing obedience and due subordination in the workhouse.[2]

No. 9. To inform the master of all things affecting the security and order of the workhouse, and to obey all lawful directions of the master or matron and of the Guardians, suitable to his office.

Duties of a Relieving Officer.

Art. 215.—The following shall be the duties of a relieving officer :—[3]

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porter cannot take from paupers money or trinkets which he may find in their possession; but he ought to report the finding of any such upon a pauper to the master, who should then make his report to the Guardians, as the circumstances of the case may require. This rule does not authorise the detaining or opening letters addressed to pauper inmates of the house; neither does it require the porter to search the workhouse officers for prohibited articles, these officers being entitled to introduce spirituous liquors into the workhouse for their own use; nor does it authorise the porter to search persons who present themselves as visitors to the inmates of the workhouse. See also Art. 210, No. 14.

[1] It is only the keys of the doors leading immediately to the street, for which Art. 208, No. 11, and Art. 214, No. 7, provide. The Guardians can give any directions they think fit as to the keys of the doors of the workhouse yards or other keys of the workhouse, and the master of the workhouse will be bound by those directions.

[2] As to the porter's duty to take refractory paupers before justices, see 34 & 35 Vict. c. 108, s. 8, *ante*.

It is considered that the duty of the porter "to assist the master in enforcing obedience" applies to the regulations for vagrants, including their bathing.

[3] The Local Government Board in a Circular Letter of July 11, 1896, drew the attention of the Guardians to the great importance of proper investigation being made with respect to all cases of application for relief; and said with regard to the duties of Relieving Officers :—"It is the duty of the Relieving Officer,

Art. 215.—No. 1. To attend all ordinary meetings of the Guardians, and to attend all other meetings when summoned by the clerk.

No. 2. To receive all applications for relief made to him within his district, or relating to any parish situated within his

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when such application is made to him, forthwith to examine into the circumstances of the case by visiting the house of the applicant if it is situate within his district, and by making all necessary inquiries into the state of health, the ability to work, the condition and family, and the means of the applicant, and to report the result of his inquiries to the Guardians at their next ordinary meeting. He is also to visit from time to time, as requisite, all paupers receiving relief, and to report concerning them as the Guardians may direct. He is further duly and punctually to supply the weekly allowances of all paupers belonging to his district or being within the same. It is very important that, where persons are receiving out-door relief, frequent visits should be paid, and the Relieving Officer should arrange the mode of payment of relief so as to avoid unnecessary inconvenience to the recipients, and should, as far as practicable, pay the relief to the recipients personally. In all cases full information as to the circumstances should be given by the Relieving Officer in his Application and Report Book. In order that these duties may be promptly discharged, it is essential that there should be an adequate number of Relieving Officers, and the Board are desirous of bringing this matter specially under the attention of the Guardians."

A relieving officer should never be absent from his district without the express permission of the Guardians, and without leaving some one in charge. It is considered undesirable that relieving officers should be employed by the Guardians in the transaction of any business which requires them to be absent from their district. They have no duty to discharge in respect to obtaining orders of removal of poor persons to the places of their settlement in England, and they therefore should abstain from all interference in such cases. As regards the removal of Irish and Scotch paupers to Ireland and Scotland, see the statutes 8 & 9 Vict. c. 117; 24 & 25 Vict. c. 76; 25 & 26 Vict. c. 113, and 26 & 27 Vict. c. 89. With regard to the duty of a relieving officer in respect of the removal of lunatic paupers to and from lunatic asylums, see Note to Art. 207, No. 4, *ante*, p. 403, and the Circular Letter of the Local Government Board of June 24, 1897, in the Note to Art. 101, *ante*, p. 295. Where the lunatic asylum is at a distance from the relieving officer's district, it is not expedient that he should accompany the lunatic to the asylum, as he should not leave his district without the special leave of the Guardians.

By Section 13 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5), where a relieving officer has knowledge that any person within his district who is not a pauper and not wandering at large is deemed to be a lunatic and is not under proper care and control, or is cruelly treated or neglected, such relieving officer is required within three days after obtaining the knowledge to give information thereof on oath to a justice of the peace appointed to act as a judicial authority under the Act. So, too, by Section 14 (2), any relieving officer having knowledge either by notice from the medical officer or otherwise, that any pauper resident within his district is deemed to be a lunatic, is required within three days to give notice of such fact to a justice of the peace having jurisdiction where the pauper resides. By Section 18 (1), every relieving officer having knowledge that any person (whether a pauper or not) wandering at large within his district is deemed to be a lunatic, is required immediately to apprehend and take the alleged lunatic, or cause him to be apprehended and taken, before a justice. Should the justice

district, and forthwith to examine into the circumstances of every case by visiting the house of the applicant (if situated within his district), and by making all necessary inquiries into the state of health, the ability to work, the condition and family, and the means of such applicant, and to report

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before whom any pauper alleged to be a lunatic is brought order him to be received and detained in an institution for lunatics, it will be the duty of the relieving officer who brought the lunatic before the justice to forthwith convey the lunatic to such institution (*Ib.* s. 16).

Having regard to 11 & 12 Vict. c. 43, s. 2, it is not competent for a relieving officer to execute a warrant for the apprehension of a person charged with deserting his family.

By 5 & 6 Vict. c. 109, s. 6, a relieving officer is exempt from serving as parish constable, and by 13 & 14 Vict. c. 101, s. 6, from serving as overseer or any other parochial office, but not as a juror. See further 33 & 34 Vict. c. 77, as to the qualifications of special and common jurors.

Where a relieving officer is satisfied that it is necessary for the public safety or the welfare of an alleged lunatic with regard to whom it is his duty to take any proceedings under the Act, that the alleged lunatic should, before any such proceedings can be taken, be placed under care and control, he may remove the alleged lunatic to the workhouse of the Union in which the alleged lunatic is, and the master of the workhouse shall, unless there is no proper accommodation in the workhouse for the alleged lunatic, receive and relieve and detain him therein, and the relieving officer is before the expiration of three days to take the requisite proceedings with regard to the alleged lunatic (*Ib.* s. 20).

Section 24 (6) of the Act requires a relieving officer, upon receipt of notice in writing from the medical officer of the workhouse, under the section as to a lunatic detained in the workhouse, to take the necessary steps for obtaining an order for the removal of the lunatic to an asylum.

Where under Section 77 of the Lunacy Act, 1890, the visitors of an asylum order a pauper lunatic confined therein to be discharged, except on the application of a relative or friend under Section 57, they may, when they think fit, send a notice in writing signed by the clerk of the asylum, by post or otherwise, of their intention to discharge the lunatic, to a relieving officer of the Union to which the lunatic is chargeable; upon receipt of such notice the relieving officer is required to cause the lunatic upon his discharge to be forthwith removed to the workhouse of the Union to which he is chargeable, or, if the lunatic is chargeable to a county or borough, to the workhouse of the Union from which he was sent to the asylum (*Ib.* s. 80).

Where it is the duty of a relieving officer under the Lunacy Act, 1890, to convey a lunatic to or from an institution for lunatics, Section 2 (1) of the Lunacy Act, 1890 (54 & 55 Vict. c. 65), enables the officer to make proper arrangements for the performance of the duty by some other person or persons; and sub-Section 2 of the same section enacts that:—"Where in a Union there "are two or more relieving officers, and the Guardians, with the sanction of the "Local Government Board, direct one relieving officer to discharge throughout "the Union the duties of a relieving officer in respect of lunatics, every other "relieving officer in the Union shall inform the officer so directed of any case "of a lunatic, with which it would otherwise devolve upon such other relieving "officer to deal, and it shall be the duty of the relieving officer receiving such "information to deal with the case, and the other relieving officer shall be dis-"charged from any further duty in the matter." With regard to this enactment, the Local Government Board say, in their Circular Letter of September 18,

the result of such inquiries in the prescribed form to the Guardians at their next ordinary meeting; and also to visit from time to time, as requisite, all paupers receiving relief, and to report concerning the same as the Guardians may direct.[1]

1891, that they "would only be prepared to give their sanction in the case of very populous Unions or Parishes not extending over a wide area."

Under Section 3 of the Public Health (London) Act, 1891 (54 & 55 Vict. c. 76), it is the duty of every relieving officer in the metropolis, in accordance with the regulations of the authority having control over him, to give information of the existence of any nuisance liable to be dealt with summarily under the Act. For what are nuisances liable to be so dealt with, see Section 2 of the Act. Section 3 also provides that it shall be the duty of the authority having control over the officer to make regulations.

With regard to these enactments, the Local Government Board, in a Circular Letter issued to the Clerks to Guardians on November 30, 1891, say it is desirable that, as far as practicable, the information should be given in such a way as may be most convenient to the sanitary authority. Reference is also made in the same Circular to the provisions in sub-Section 2 of Section 3 of the Poor Law Act, 1889 (52 & 53 Vict. c. 56), under which the expenses incurred by the managers of the Metropolitan Asylums District for the maintenance of a person who is not a pauper and who has been admitted into one of their hospitals as suffering from fever, smallpox, or diphtheria, are to be paid by the Guardians of the Union or Parish from which he is received, and may be recovered by the Guardians from such person or from any person liable by law to maintain him. And it is pointed out that sub-Sections 1, 2, and 3 of Section 3 are repealed by Section 142 of the Public Health (London) Act, 1891, and are for the most part re-enacted in Section 80 of that Act. The provision above referred to, under which the Guardians may recover the expenses in question from the patient or from any person liable to maintain him is not re-enacted, and consequently the Guardians are not empowered to recover any such expenses. They will still be liable to pay those expenses, and the amount will be repaid to them out of the Metropolitan Common Poor Fund.

[1] It is important for the relieving officer to observe that it is his duty to visit at their dwellings all persons who have applied for relief as soon as possible after he has received the application. The relieving officer should, moreover, observe that he is responsible for all persons who apply for or receive relief in his district, and that he cannot discharge himself of this responsibility by any agreement or understanding between himself or the Guardians, and the Guardians or relieving officer of another Union. (See the minute of the Commissioners on the relief of non-resident paupers, in their Seventh Annual Report, and also the provisions of this Order relating to the relief of non-settled and non-resident poor, Arts. 77–80.)

The Guardians may require that the visits of the relieving officer to the residences of the paupers shall be made at such frequent intervals as they may see fit, having regard to the extent of the district of the officer and his duties generally.

It is incumbent upon the relieving officer to report to the Guardians in his Application and Report Book every application for relief made to him by or on behalf of a poor person however often repeated, and though previous applications have been refused by the Guardians.

The relieving officer is not bound to attend the case of an applicant for relief unless the person be actually destitute in some Parish or place in his

Art. 215.—No. 3. In any case of sickness or accident requiring relief by medical attendance, to procure such attendance by giving an order on the district medical officer, in the Form (V.) hereunto annexed, or by such other means as the urgency of the case may require.[1]

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district. He is not required to relieve a pauper settled in a Parish in his district, when such pauper resides in a Parish in another relieving officer's district, even though such Parish be in the same Union; but it is considered that if they live within so short a distance as to enable the relieving officer, without interference with the duties which he has to discharge within his district, to visit them, it is his duty to do so, and relieve them himself. As regards the relief of poor persons residing in places which were extra-parochial, see 20 Vict. c. 19, under which such places are now constituted Parishes, and all of them added to Unions, or have become absorbed in Unions by virtue of 31 & 32 Vict. c. 122, s. 27.

With reference to the above, the Local Government Board, referring to this work, state, "That it is not an official publication, and that they are in no way responsible for it, but they point out that the above passage quoted refers to the duty of the relieving officer, and not to the action of the Guardians, and that although it may be the relieving officer's duty to proceed as stated, if directed by the Guardians to do so, the Guardians are under no obligation to give him such directions, and it is certainly not his duty so to act without such directions."

If an application be made to the relieving officer on behalf of a poor person at the time the Board are sitting, he should forthwith report the case to the Guardians, and take their directions upon it, and this notwithstanding that he may not have had time to inquire into the case; and he must report to the Guardians every fresh application he receives, though in any particular case they may have already refused to allow relief to the applicant. The relieving officer is not required to make any written suggestion as to the amount of relief which, in his opinion, each case requires; but he should be prepared to state his opinion orally upon the subject to the Board of Guardians when called upon to do so. He is bound to give the Guardians all necessary information in his possession which may contribute to the efficient discharge of their duties as regards the relief of the poor; and it will be proper that he should make them acquainted with all cases of destitution which come under his observation, even though the destitute persons may not have applied to him for relief. Sometimes persons who are in the custody of the law are in a state of destitution, and in such cases, if the prisoner be within the district of the relieving officer, it would be incumbent upon him to receive the application for relief in the usual manner, and report it to the Guardians. But see 4 O. C. 46, as to supplying relief to a child born in a prison.

It is the duty of the relieving officer to ascertain what relatives every applicant for relief has, and how far they are able to assist in maintaining the applicant.

[1] This regulation is altered by Art. 11 of the General Order of April 22, 1871 (*post*), as regards certain Unions and Parishes in the Metropolis.

If the ailment be such as to afford reasonable ground for the attendance of a medical man, and the applicant be unable to procure medical aid for himself and family, the relieving officer should give the order, but not otherwise. In cases requiring immediate medical or surgical attendance, when the services of the medical officer of the district cannot be promptly obtained, the relieving officer may upon the emergency employ any other medical man to attend the

Art. 215.—No. 4. To ascertain from time to time, from the district medical officer, the names of any poor persons whom such medical officer may have attended or supplied with medicines without having received an order from himself to that effect.[1]

No. 5. In every case of a poor person receiving medical relief, as soon as may be, and from time to time afterwards, to visit the house of such person, and until the next ordinary meeting of the Guardians, to supply such relief (not being in money) as the case on his own view, or on the certificate of the district medical officer, may seem to require.[2]

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case; but the medical officer of the district should be directed to take charge of it as soon as practicable. With regard to the grant of midwifery orders for the wives of labourers, it may be here stated that medical aid is a part of general relief, and must be administered according to the same rules. Neither the Guardians nor the relieving officer are bound to relieve, nor are they justified in relieving, any persons whose circumstances they have ascertained to be such as not to require relief at the cost of the poor rates. They will not properly discharge their duties if, by a fear of incurring responsibility, they are deterred from withholding relief where the position, station, and circumstances of the applicants have satisfied them that it ought not to be allowed; but the safest course in such cases is for the Guardians to give notice that, whenever the circumstances of the applicant render him a fit object, the medical aid would be granted by way of loan, and the repayment of the whole of the medical fee would be enforced.

The relieving officer may, as the circumstances of the case may render it expedient, deliver the order himself to the medical officer, or he may give it to the applicant to take to the medical officer if able to do so.

In Unions or separate Parishes in which any district nurse is appointed under The Appointment of District Nurses Order of January 27, 1897 (*post*), the Guardians are required by Art. 6 of that Order to make regulations in regard to the duties of the relieving officers in relation to the office of such nurse or to any person holding that office.

[1] In case the medical officer should have attended any paupers without an order from the relieving officer (as, for example, under an order from the Board of Guardians, or from an overseer), it will be the duty of the relieving officer to ascertain the names of such paupers, and to visit them.

The Vaccination Act, 30 & 31 Vict. c. 84, s. 11, contemplates that a relieving officer may in writing "refer any child" to the public vaccinator for vaccination.

With regard to the right of a district medical officer to recover fees for attending pauper patients without having received an order from the relieving officer for such attendance, see *Tiley* v. *The Brentford Board of Guardians*, in the Note to Art. 206½(1), *ante*, p. 398.

[2] This regulation is in accordance with the provisions of the 4 & 5 Will. IV. c. 76, s. 54, which directs that in such cases any relief given by an overseer shall be given "in articles of absolute necessity, but not in money." The relieving officer will not be excused from a personal visit to the house of the

Art. 215.—No. 6. In every case of sudden or urgent necessity, to afford such relief to the destitute person as may be requisite, either by giving such person an order of admission into the workhouse, and conveying him thereto if necessary, or by affording him relief out of the workhouse, provided that the same be not given in money, whether such destitute person be settled in any Parish comprised in the Union or not.[1]

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sick person, even though the disease under which such person labours is of an infectious or contagious nature, as fever, smallpox, etc. He is as much bound as the medical officer to visit fever and other infectious or contagious cases. With respect to the duty of the relieving officer in the administration of relief to sick paupers upon the certificate of the medical officer, it is to be observed that the visit which the relieving officer is required to make under this regulation should, as a general rule, take place before he orders the relief stated in the certificate to be required by the pauper. When his other duties do not allow of his at once visiting the case, he is authorised to afford relief on the certificate of the medical officer as relief urgently needed, and he should then visit the case as soon afterwards as may be possible. A relieving officer must in all cases be responsible for the exercise of the discretion granted to him by the provisions of the Consolidated Order.

[1] In case of sudden or urgent necessity, the Commissioners remark that it is the duty of the relieving officer to administer the appropriate relief needed (such as food, lodging, or medical assistance), and not to save his own trouble by giving money to a pauper at a moment when he may be unable to use it. If the relieving officer gives an order for the workhouse, and affords the means of conveyance to it, he is considered to have furnished adequate relief, provided the person be in a fit state for removal, and be not in actual want of food. In the latter case, immediate out-relief in kind should be given, according to the necessities of the pauper. If the sickness be of a serious nature, the removal of the pauper should not be effected without a medical certificate, if it can be obtained without delay, and without apprehension of danger to the pauper by having to wait for it.—*Instr. Letter.*

The exercise of a relieving officer's discretion under this Article is controlled by the provisions of the Order of December 21, 1844, *post*; and in dealing with cases of able-bodied paupers under circumstances of "urgent necessity," these provisions must be observed. If the case be "sudden *and* urgent," out-door relief in kind may be given. If it be only "sudden" *or* "urgent," an order for the workhouse should be given and the pauper conveyed thither if necessary.

The Guardians, the Local Government Board think, may authorise the relieving officer when he gives relief on his own responsibility, under Art. 215, No. 6, to declare that the relief is given by way of loan.

The relieving officer acting under the regulation in Art. 215, No. 6, acts independently of the Guardians, who have no power over the relief which their officer may give in a case of sudden or urgent necessity. He must, however, satisfy the auditor that the circumstances of the case of the destitute person were such as to justify his giving the relief.

A relieving officer has, however, no absolute discretion in deciding what is a case of urgent necessity; and, therefore, a relieving officer having refused relief in an alleged case of urgent necessity, and being convicted of such refusal,

the Court being of opinion that the convicting justice was right in his view of the facts, refused to quash the conviction. (*Clark* v. *Joslin*, 27 L. T. N.S. 762.) On this subject see also the remarks of Mr. Justice Hawkins, *ante*, p. 227.

If in any case, owing to the sickness, tender age of the children, the distance of the residence of the family from the workhouse, or any other cause, any members of the family are unable to walk to the workhouse, and have not the means of conveyance to it, it will be the relieving officer's duty to provide for their conveyance, and the expense he incurs in so doing he will charge as out-relief given under circumstances of "sudden or urgent necessity," under the circumstances above assumed. It will be the duty of the relieving officer to take this course, though the order of admission to the workhouse may have been given by the Guardians, and though they may not have given any directions in regard to the conveyance of the family to the workhouse.

Section 3 of 34 & 35 Vict. c. 108 (The Pauper Inmates Discharge and Regulations Act, 1871), describes the term "casual pauper" as meaning any destitute wayfarer or wanderer applying for or receiving relief, and they will be dealt with accordingly; but as regards cases of paupers who are not casual paupers or vagrants, when a relieving officer is applied to by a destitute person for relief, if it be not a case of sudden or urgent necessity, it is incumbent upon him to enter the case in his Application and Report Book, and to take the directions of the Guardians thereon at their next meeting. If the case be one of sudden or urgent necessity, he is to make an entry of it on his Application and Report Book in like manner, and give relief in kind or an order for admission to the workhouse, according as in his judgment may at the time be most expedient.

If an overseer in a case of sudden and urgent necessity gives an order for the workhouse, and incurs an expense in sending the pauper to the workhouse, he should charge the expense in his own accounts, and submit it to the auditor. If the auditor allows it, it will remain a charge on the Parish, not to be repaid out of the common fund of the Union, from which it does not appear that the Parish can obtain reimbursement.

If a pauper refuses an offer of relief in the workhouse, and if, in consequence of such refusal, the case should become one of "sudden or urgent necessity," so as to render relief of some kind absolutely necessary, the relieving officer in that case would be bound to afford relief out of the house in articles of absolute necessity until the next meeting of the Guardians. It will, however, be necessary that the relieving officer should act with great care and discretion in all such cases, and it will be his duty to report the circumstances to the Guardians, and to take their further directions for his future guidance. It should also be observed that it is the duty of the relieving officer, under this regulation, to administer relief without reference to the place where the applicant had last slept.

It is sometimes found that aged poor persons will not accept relief in a workhouse, even though they are in such a state of mind and body as to be incapable of taking care of themselves out of it. Such cases are extremely difficult to deal with, as the Guardians cannot compel destitute persons to enter the workhouse against their will. The only available course of proceeding appears to be for the Guardians to order the relieving officer to stop the allowance of out-door relief, and, if the pauper refuses to enter the workhouse, to direct the officer to watch the case, and afford such temporary relief in kind as the urgency of it may render necessary during the intervals of the Guardians' meetings.

Guardians sometimes determine from prudential and philanthropic motives to take children who are not being properly brought up by their parents, or other relations, into the workhouse, though no application may have been

made to them to do so. In reference to such cases it should be stated that, if the children are not really destitute, the Guardians would not be legally justified in interfering with them, notwithstanding that they may have reason to apprehend that they will be brought up to a life of immorality. If they be really destitute the case will, of course, be different, and the Guardians, in dealing with it, will be guided by a due consideration of the facts of each case as they may arise.

As regards the burial of paupers, it should be observed that a relieving officer is not legally bound to interfere in any way unless "duly authorised" (7 & 8 Vict. c. 101, s. 31) to direct the burial at the expense of the poor rates; *i.e.*, he must either have a general authority from the Guardians, or a special authority in regard to the particular burial; and the authority should be expressed by a resolution of the Guardians, duly recorded in their minutes. Such a resolution may be passed by the Guardians in the following terms:—"Resolved, that in pursuance of 7 & 8 Vict. c. 101, s. 31, this Board hereby authorise the relieving officers of this Union, between the intervals of the meetings of the Guardians, to bury, at the expense of the poor rates, any dead bodies within their respective districts, and also any deceased paupers who at the time of death were in receipt of relief from this Board. It is also ordered that the relieving officers report such cases, and produce vouchers for the amount expended, at the next meeting of the Guardians for their sanction."

With regard to lunatic soldiers, it is provided by the Army Act, 1881 (44 & 45 Vict. c. 58), Section 91, as amended by Section 5 of the Army (Annual) 1889 (52 & 53 Vict. c. 3), by Section 6 of the Army (Annual) Act, 1891 (54 & 55 Vict. c. 5), and by Section 5 of the Army (Annual) Act, 1894 (57 & 58 Vict. c. 3):

(1) That a Secretary of State may, if he think proper, on account of a soldier's lunacy, cause any soldier of the regular forces on his discharge, and his wife and child, or any of them, to be sent to the Parish or Union, to which under the statutes for the time being in force, he appears, from the statements made in his attestation paper and other available information, to be chargeable; and such soldier, wife, or child, if delivered after reasonable notice in England or Ireland at the workhouse in which persons settled in such Parish or Union are received, and in Scotland to the inspector of poor of such Parish, shall be received by the master or other proper officer of such workhouse or such inspector of poor, as the case may be:

(2) Provided that a Secretary of State where it appears to him that any such soldier is a dangerous lunatic, and is in such a state of health as not to be liable to suffer bodily or mental injury by his removal, may, by order signified under his hand, or under the hand of an under secretary, send such lunatic direct to an asylum, registered hospital, licensed house, or other place in which pauper lunatics can legally be confined, and for the purpose of the said order the above-mentioned Parish or Union shall be deemed to be the Parish or Union from which such lunatic is sent.

(3) In England the lunatic shall be sent to the asylum, hospital, house or place to which a person in the workhouse aforesaid, on becoming a dangerous lunatic, can by law be removed, and an Order of the Secretary of State under this section shall be of the same effect as *a summary reception order within the meaning of the Lunacy Act,* 1890, *and the like proceedings shall be taken thereon as on an Order under that Act.*

By Section 3 of the Naval Enlistment Act, 1884 (47 & 48 Vict. c. 46) s. 91 of the Army Act, 1881, shall apply to a person in the naval service of Her Majesty.

By the Army Act, 1881, s. 145 as amended by Section 7 of the Army (Annual) Act, 1891 (54 & 55 Vict. c. 5)—(1) A soldier of the regular forces shall be liable to contribute to the maintenance of his wife and children, and also to the

maintenance of any bastard child of which he may be proved to be the father, to the same extent as if he were not a soldier; but execution in respect of any such liability, or of any order or decree in respect of such maintenance, shall not issue against his person, pay, arms, ammunition, equipments, instruments, regimental necessaries, or clothing; nor shall he be liable to be punished for the offence of deserting or neglecting to maintain his wife or family, or any member thereof, or of leaving her or them chargeable to any Union, Parish, or place.

(2) When any order or decree is made under any Act or at common law, *for payment by a man who is or subsequently becomes a soldier of the regular forces*, either of the cost of the maintenance of his wife or child, or of any bastard child of which he is the putative father, or of the cost of any relief given to his wife or child by way of loan, a copy of such order or decree shall be sent to the Secretary of State, and in the case—

(*a*) Of such order or decree being so sent; or

(*b*) Of it appearing to the satisfaction of a Secretary of State that a soldier of the regular forces has deserted or left in destitute circumstances, without reasonable cause, his wife or any of his legitimate children, under 14 years of age, the Secretary of State shall (46 & 47 Vict. c. 6, s. 7), order a portion, not exceeding 6*d.*, of the daily pay of a non-commissioned officer who is not below the rank of sergeant, and not exceeding 3*d.* of the daily pay of any other soldier, to be deducted from such daily pay, and to be appropriated in the first case in liquidation of the sum adjudged to be paid by such order or decree, and in the second case towards the maintenance of such wife or children in such manner as the Secretary of State thinks fit.

(3) Where a proceeding is instituted against a soldier of the regular forces under any Act or at common law for the purpose of enforcing against him any such liability as above in this section mentioned, and such soldier is quartered out of the jurisdiction of the Court, or if the proceeding is before a Court of Summary Jurisdiction out of the petty sessional division in which the proceeding is instituted, the process shall be served on the commanding officer of such soldier, and such service shall not be valid unless there be left therewith, in the hands of the commanding officer, a sum of money (to be adjudged as costs incurred in obtaining the order or decree if made against the soldier), sufficient to enable him to attend the hearing of the case and return to his quarters, and such sum may be expended by the commanding officer for that purpose; and no process whatever, under any Act or at common law, in any proceeding in this section mentioned shall be valid against a soldier of the regular forces, if served after such soldier is under orders for service beyond the seas.

The practice of the War Department is to keep in a hospital or an asylum all soldiers whose insanity is of a violent, suicidal, or otherwise dangerous character, and to discharge such only as are imbecile, or harmless, and capable of management in a workhouse, or by friends. On discharge a temporary pension is in most cases provided.

The lunatic wives of soldiers arriving from abroad are not received into military hospitals, but are at once handed over to the workhouse or ordinary Poor Law authorities.

The Secretary of State for War is prepared to consider any claim made under the 177th Article of War, provided that in the case of a wife claiming, the marriage is proved by certificate or otherwise, and that the applicant can produce satisfactory testimonials to character and as to having been deserted and

left destitute by her husband. The 177th Article of War is as follows:—"Our Secretary of State for War may also withhold a portion, not exceeding threepence for each day, of the daily pay of any soldier if it shall appear to his satisfaction that such soldier has deserted his wife or any of his legitimate children under fourteen years of age, or left them in destitute circumstances without reasonable cause; and our Secretary of State may allot the pay thus withheld to the maintenance of such wife and children in such manner as he may think fit."

The following is the Royal Warrant as to pensions of soldiers now in force:—

VICTORIA R.

WHEREAS by Section 2 of the "Pensions and Yeomanry Pay Act, 1884" (47 & 48 Vict. c. 55), it is provided that on and after the commencement of the Act it shall be lawful for Us, from time to time, to make orders relating to pensions of soldiers;

And whereas by Section 8 of the schedule of the said Act, it is provided that the Act 19 & 20 Vict. c. 15, shall, so far as it relates to Chelsea out-pensioners, be repealed;

And whereas it has seemed good to Us that similar provisions to those contained in Sections 8 and 9 of the Act 19 Vict. c. 15, above referred to, shall be made by warrant;

Now, therefore, Our will and pleasure is, and We do by this Our Warrant, which shall have effect from January 1, 1885, direct as follows:—

1. If any Chelsea pensioner shall be relieved or become chargeable in Great Britain or Ireland in respect of relief afforded to himself, or to any person whom he is liable to maintain, or, if in any case, Our Secretary of State for War for the time being, and the Guardians of the Poor of any Union or Parish, or the overseers of any Parish or township not under a Board of Guardians, or the Parochial Board of any Parish in Scotland, think it desirable that the whole or any part of the pension of such pensioner should be advanced out of the poor's rate, or funds applicable to the relief of the poor, Our Secretary of State may, by any writing under his hand, or under the hand of any officer or person employed by him, agree with such Guardians, or overseers, or Parochial Board, for the repayment by them out of the pension of any such pensioner, of the amount of relief so advanced to, or expended on his account, not exceeding, in any case where relief has been administered to his wife or one child only, whom he is bound to maintain, the amount of one half, or, where such relief has been administered to two or more such children, or to his wife and one or more such child or children, the amount of two-thirds of his pension so advanced.

2. In case any Chelsea pensioner shall be, or become, insane, Our Secretary of State may, upon being satisfied of such insanity, order that the pension of such insane pensioner, or so much thereof as shall appear to the said Secretary of State to be necessary for his care and maintenance, be paid to such Guardians of the Poor, or overseers, or Parochial Board, or to the wife, child, or any other person to whom the care of such insane pensioner may be entrusted, or who may be chargeable for, or liable to, the expense of his care and maintenance; and the receipt of the person or persons to whom the same shall be so paid shall be a sufficient voucher and discharge for so much money as shall appear to have been paid thereon: Provided always that where no claim or demand shall be made for the support of any such insane pensioner, or where the charge for his care and maintenance does not amount to the full rate of his pension, then, and in every such case, Our Secretary of State may, at his discretion, order his pension, or so much thereof as may not be necessary for

his care and maintenance as aforesaid, to be paid for his wife, or child, or children, if he have any.

Given at Our Court at Windsor, this 14th day of March, 1885, in the 48th year of Our reign.

By Her Majesty's command,

HARTINGTON.

Claims for payment of pensions due to army pensioners in the workhouse should be made by the relieving officer upon Army Form O, 1805, which will be obtained on application to the Paymaster of Pensions, War Office, at the beginning of March, June, September, and December. The amounts due are then paid by the paymaster of the district from which the pauper draws his pension. Army Form O, 1805, is as follows:—

ARMY FORM O. 1805.

_____ *Union.*

Pensioners chargeable during the quarter ending _____ 188 .

NAME.	Regiment.	How long in Workhouse.			Ordinary Rate *per Diem* for Pauper Inmates.[1]	Amount due in respect of maintenance, &c.		
		Date of admission.	Date of discharge.	No. of Days.		Total. £	s.	d.

Union Offices _____ 188 .

_____ Relieving Officer and Collector.

[1] N.B.—The rate at which the charge is made must not exceed the rate entered in this column.

See also Pars. 651, 652, and 653 of the Financial Instructions in relation to army accounts, from which it appears that parochial charges for the maintenance of a pensioner should not exceed the ordinary rates of pauper inmates; and that, upon receipt of a claim from the parochial authorities, the paying officer may pay the amount thereof, so far as the pension is available, provided such amount is calculated at rates not exceeding those specified, and the daily rate of pension. Cases in which higher claims are made on account of a pensioner who is in receipt of extra comforts, or who is maintained as a lunatic at the cost of the Parish or Union in the county or other asylum, should be referred to the War Office for instructions. Repayment for parochial relief can only be claimed from the pension for the quarter succeeding that in respect to which such relief has been given, and no arrears can be charged against any pension which may subsequently accrue. A notification of the claims for repayment of relief should be notified by the Guardians to the officer paying the pension, at least three weeks before the end of the quarter. Such claims will

Art. 215.—No. 7. To report to the Guardians at their next ordinary meeting all cases reported to him by an overseer in conformity with Art. 218, and to obey the directions of the Guardians with reference to the relief administered in such cases.[1]

No. 8. To perform the duties with respect to pauper apprentices prescribed by Arts. 60, 61, and 62.

No. 9. To give all reasonable aid and assistance at the request of any other relieving officer of the Union by examining into the case of any applicant for relief, or administering relief to any pauper whose name has been entered on the books of such other relieving officer, and who may be within his own district.[2]

No. 10. Duly and punctually to supply the weekly allowances of all paupers belonging to his district, or being within the same, and to pay or administer the relief of all paupers within his district to the amount and in the manner in which he may have been lawfully ordered by the Guardians to pay or administer the same.[3]

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not be paid, however, until after the end of the first month in the quarter, so as to allow the pensioner time to appeal in the event of an overcharge.

[1] The intention of this Rule is that the relieving officer shall report to the Guardians all cases reported to him by an overseer, in conformity with Art. 1 of the General Order, on duties of overseers, dated April 22, 1842, *post*. In the regulations issued to new Unions this Rule stands thus:—"To report to the Guardians at their next ordinary meeting, all cases of relief given by an overseer, which may be reported to him by an overseer, and to obey the directions of the Guardians with reference to the relief administered in such cases."

[2] The relieving officer is not bound to give such aid and assistance to the relieving officers of other Unions, nor is he required to write to the officers of other Unions advising relief to be given to paupers belonging to such other Unions, and removable thereto, who are resident within his district. Any urgent case of want should be relieved at once, without any reference to the question of the pauper's settlement. As regards the mode of conducting the official correspondence with officers of other Unions regarding relief cases, as well as other matters, see Note to Art. 202, No. 3. The clerk to the Guardians is the proper officer to correspond in all matters relating to the relief of the poor, and not the relieving officer. See the remarks on the subject, *ante*, p. 385.

[3] It is enacted by Section 40 of the Elementary Education Act, 1876 (39 & 40 Vict. c. 79), that where relief out of the workhouse is given by the Guardians or their order, by way of weekly or other continuing allowance to the parent of any child above the age of five years who has not reached the standard

Art. 215.—No. 11. To visit, relieve, and otherwise attend to non-settled poor being within his district, according to the

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in reading, writing, and arithmetic, prescribed by Standard 3 of the Code of 1876, or who for the time being either is prohibited by this Act from being taken into full time employment, or is required by any bye-law under Section 74 of the Elementary Education Act, 1873, as amended by this Act, to attend school, or to any such child, it shall be a condition for the continuance of such relief that elementary education in reading, writing, and arithmetic shall be provided for such child, and the Guardians shall give such further relief (if any) as may be necessary for that purpose.

Any such relief to a parent as above-mentioned shall not be granted on condition of the child attending any public elementary school other than such as may be selected by the parent, nor refused because the child attends or does not attend any particular elementary school.—*Ib.*

The Guardians shall not have power under this section to give any relief to a parent in order to enable such parent to pay more than the ordinary fee payable at the school which he selects, or more than the fee which under this Act they can enable a parent to pay in any other case.—*Ib.*

All relief given by the Guardians under this section shall be deemed to be relief within the meaning of the Acts relating to the relief of the poor, and shall be paid out of their common fund, and where given by the Guardians of any Union in the Metropolis as defined by the Metropolitan Poor Act, 1867, shall be deemed to be expenses payable from the Metropolitan Common Poor Fund within the meaning of Section 69 of that Act, and shall be repaid to such Guardians accordingly.—*Ib.*

In their Circular of November 22, 1872, issued by the Local Government Board relative to the education of out-door pauper children and the provisions of 18 & 19 Vict. c. 34, which was passed for the purpose of providing for the education of poor children whose parents were, or who were themselves, in the receipt of out-door relief, which provisions have been superseded by those contained in the enactments in the Elementary Education Act, 1870 and 1876, above referred to, the Board said:—"The intention of the Legislature in passing the Act was, no doubt, that the Guardians should be enabled to treat the want of means on the part of the parent to provide education for his child, or the want of means on the part of the child, as a species of destitution to be relieved, like all other destitution, by the ratepayers. . . . The Legislature did not, however, make it actually compulsory upon the Guardians to provide this species of relief, but left them a discretionary power upon the subject. . . . It appears to be highly desirable that, in the exercise of this discretion, the Guardians should, upon each application for relief, inquire whether the children of the applicant are being educated, and if, by reason of the inability of the parent to send them to school . . . they are not being educated, that, in connection with their administration of out-relief, the Guardians should afford the parent such relief, as may enable him to comply with the law, which expressly contemplates that his children shall be educated. The Board think that the Guardians will generally be able to approve of the school to which the parent proposes to send his children, and that they may confide to him the payment of the school fees in such school."

This Circular was issued before the abolition by the Elementary Education Act 1891 (54 & 55 Vict. c. 56), of school fees in the case of all schools receiving a fee grant; it will still, however, be applicable in those cases in which there is no such school for the children to attend.

See now with regard to the payment of school fees by Guardians, the Note to Art. 41, thirdly, *ante*, p. 220, and the Circular Letter of the Local Govern-

directions of the Guardians, whose officer he is, and in no other way, subject always to the obligation imposed on him in cases of sudden or urgent necessity.

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ment Board of September 17, 1891, with reference to the provisions of the Elementary Education Act, 1891 (54 & 55 Vict. c. 56), referred to therein.

By 45 & 46 Vict. c. 58, s. 13, the Guardians who send any pauper child to a school certified under 25 & 26 Vict. c. 43, may pay the reasonable expenses incurred in the maintenance, clothing, and education of such child whilst in such school to an amount not exceeding such rate of payment as may be sanctioned by the Local Government Board for pauper children sent to such school.

With reference to the former enactment, the Local Government Board say that it would be competent for the Guardians to grant out-door relief, if they were satisfied that the child was receiving efficient elementary education in reading, writing, and arithmetic, although the education might not be given at a public elementary or certified school. At the same time the Board consider that the Guardians may, if they think proper, refuse out-door relief, unless such education is given in a school the attendance at which would qualify the child for future employment; and that it appears to the Board that this course should be pursued in any case in which satisfactory proof is not given that the education is efficient.

In answer to a question in the House of Commons, Mr. Mundella, when Vice-President of the Council, stated that—"A Board of Guardians can claim the admission of in-door pauper children to any public elementary school, whether voluntary or denominational, on tendering the ordinary fee payable at the school, provided such fee does not exceed 3*d.* per week."—*Local Gov. Chron.*, Aug. 5, 1882, p. 614.

Further, with reference to the Elementary Education Act, 1876, see the General Orders of the Local Government Board, *post.*

The relieving officer must in all cases pay the paupers at the times and places directed by the Guardians; and he has no authority, between the intervals of the Guardians' meetings, to vary the amount of relief which has been ordered by them; should he do so, he must be prepared to show either obvious or manifest fraud on the part of the pauper, or a cessation of the circumstances under which the relief was given, as, in the case of illness, that the pauper has recovered or obtained employment at adequate wages. When the ground of withholding the relief is the cessation of the illness of the pauper, a medical certificate will be indispensable. On the other hand, the relieving officer has power to allow additional relief in kind in cases of sudden or urgent necessity. On this point see 7 O. C. 232. The relieving officer cannot order the discharge of a pauper from the workhouse who has been once received therein. He should confine himself to the relief of paupers who are actually residing within his district, as he is not required to relieve any destitute person who may be residing in the district of another relieving officer. The officer who receives the application from the pauper and is ordered by the Guardians to administer the relief, should do so, and charge the costs in his accounts accordingly. (See also Note (*e*) in Art. 215, No. 2.)

The Poor Law Board recommend that Guardians should, as a general rule, appoint some one or more places in each Parish (not being for obvious reasons either a public-house or a shop), at which, at a time fixed by them and duly made public, it shall be the duty of the relieving officer to attend, for the purpose of administering relief. Such an arrangement will at once enable the Guardians to exercise due control over the relief arrangements, will render

Art. 215.—No. 12. To set apart one or more pages in his out-door relief list, in which he shall duly and punctually enter

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attendance for the receipt of relief as little burthensome as possible to the poor, and will afford due facilities for new applications.—*Circular Letter*, December 9, 1868.

The appointment, however, of a station, at which the paupers, who are able to do so, may attend to receive their relief, should not render the relieving officer unmindful of the important duty imposed upon him by the regulations of the Board, of visiting the house of any applicant for relief; and also of visiting from time to time all paupers receiving relief, and making due inquiries into the existing circumstances of each case. See Art. 215, No. 2, *ante*, p. 445. Nor will the relieving officer be exonerated from the duty of administering the requisite relief at the houses of paupers, who may be wholly incapable from infirmity of body of attending at the station, and may have no means of sending for their relief.—*Ib.*

The Board say that they do not doubt that, in the great majority of instances, the duty of administering out-relief is discharged by relieving officers with care and fidelity, but they think that the system already in operation in many cases, of which they now recommend the universal adoption, will afford a more effectual and permanent security against neglect. To this end they, further, strongly advise Guardians to require their relieving officers to keep a diary, to be laid before the Guardians at each meeting, stating shortly their times of arrival at, and departure from, each relief station, the name and residence of each pauper visited at his or her own home on each day, and such other particulars as, without imposing unnecessary labour on relieving officers, they may deem requisite.—*Circular Letter*, December 9, 1868.

The Board further recommend that, in all cases where practicable, proper weights and scales should be kept at each out-relief station, and the use of them, so far as is necessary to check imposition, be made obligatory upon the relieving officer.—*Ib.*

Relief to non-resident paupers belonging to a Parish in his district may be administered by the relieving officer, if their names are entered in his Application and Report Book, and if they live within so short a distance as to enable him to visit and relieve them himself without interfering with the duties he has to discharge within his district. In that case he would account for the relief given in the same manner as that allowed to paupers living within his district. If the non-resident paupers live at a distance, the relieving officer should not make the payments to them, but they should be relieved in the manner provided by Arts. 77, 78, 79, and 80, and the repayments of such relief should be made by the Guardians. On no account should the relieving officer enter in his accounts relief which he does not pay himself.

As the Guardians cannot lawfully give out-door relief to able-bodied paupers without the sanction of the Local Government Board, the relieving officer will be liable to be called upon by the auditor to repay out of his own pocket any relief which he may have given under the orders of the Guardians contrary to the provisions of the General Prohibitory Order. When he is ordered by the Guardians to give out-door relief to able-bodied paupers whose cases do not come within any of the exceptions to Art. 1 of the Prohibitory Order, he ought to satisfy himself that the clerk reports the cases to the Board for their sanction before the expiration of fifteen days from the day on which the relief is ordered to be given. Relieving officers cannot lawfully give money to casual poor persons and wayfarers to enable them to remove to another Union or Parish If any Union or Parish officer endeavours illegally to remove the burden of maintenance to another Parish or Union, or without any such intention defrays

or gives moneys to defray the travelling expenses of the wayfarer, he will not only meet with the severest displeasure of the Commissioners, but also be liable to be indicted and proceeded against under 9 & 10 Vict. c. 66, s. 6, which imposes a penalty, not exceeding five pounds and not less than forty shillings, upon any officer of any Parish or Union who shall, contrary to law, with intent to cause any poor person to become chargeable to any Parish to which such person was not then chargeable, convey any poor person out of the Parish for which such officer acts, or cause or procure any poor person to be so conveyed, provided in consequence thereof such poor person becomes chargeable to some other Parish. But it is legal for a relieving officer, after having received the proper written directions from the Guardians so to do, to defray the cost of the conveyance of a sick pauper to a hospital or infirmary at a distance, or to a place for sea bathing, and the cost of his relief therein, and also the cost of the return journey.

By 28 & 29 Vict. c. 79, s. 6, where the Guardians of any Union or Parish shall be satisfied that any pauper is settled within and removable to their Union or Parish, and shall consent, under their common seal, to receive such pauper without an order of removal, the Guardians seeking to remove such pauper may do so without any such order.

With reference to the above provision the Poor Law Board said:—

"Henceforth the respective Boards of Guardians will communicate mutually as to the removal of any pauper who may become chargeable, and if the facts be agreed upon and the settlement and removal be admitted, the pauper may be removed without the necessity of any depositions or order of justices, and consequently without the expense which attends those proceedings.

"The Guardians will under these provisions have to ascertain for themselves both the settlement and the removability of the paupers, and where they are removable, the Board of Guardians where the paupers are living will have to remove them.

"It will necessarily become a question for the consideration of the Guardians to determine what course they shall adopt in carrying this measure into execution. The Board recommend them to make no lasting arrangement at present. They think it will be most advisable that the Boards of Guardians should await the experience of some few months, at least, before they undertake to provide for anything beyond the cases which may arise. But the Board must at once state that they would most strongly object to any proposal for making the master of the workhouse or the relieving officer act as removing officer.

"It is highly injurious to the management of relief of the poor, that either of those officers should be absent from the workhouse or his district for any purpose which is not in the discharge of his regular duties. Neglect of the poor, under such circumstances, is too probable an event to enable the Board to sanction any such arrangement."—*Instr. Letter*, February 28, 1866.

If a pauper who is removable refuses to be removed without an order, the Guardians will have, notwithstanding 28 & 29 Vict. c. 73, s. 6, no alternative but to obtain an order or continue to relieve him as a non-settled pauper.

In this place it may be mentioned, that by Section 3, c. 24, of the Coast Guard Regulations issued by the Admiralty, provision is made for granting travelling allowances to widows and children of coast-guardsmen to enable them to return to the Parishes to which they belong.

Reference may here be made to the Minutes of the Poor Law Commissioners on the subject of relief in clothing, and relief to members of Friendly Societies (Sixth Annual Report, 1840, pp. 93, 97). See also *ante*, pp. 217 and 218, and as to pauper lunatics members of Friendly Societies, see 39 & 40 Vict. c. 61, s. 23.

up the payments made by authority of his own Board of Guardians to non-settled poor, and to take credit for such payments in his receipt and expenditure book.[1]

Art. 215. – No. 13. To present his weekly accounts to the clerk for his inspection and authentication before every ordinary meeting of the Guardians, and to the Guardians, at such meeting, for their approval.

No. 14. To submit to the auditor of the Union all his books, accounts, and vouchers, at the place of audit, and at such time and in such manner as may be required by the regulations of the Commissioners.[2]

No. 15. To assist the clerk in conducting and completing the annual or other election of Guardians according to the regulations of the Commissioners.[3]

No. 16. To observe and execute all lawful orders and directions of the Guardians applicable to his office.[4]

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[1] That is, poor persons chargeable to, or in receipt of relief from the Guardians of other Unions.

[2] This duty is not contingent upon the relieving officer receiving notice of the day appointed for the audit. He is bound to inform himself of the time of the audit, of which notice will be given by the clerk. (4 O.C. 79.)

[3] The relieving officer is not entitled to any extra remuneration for this service, unless it be specially awarded to him by the Guardians, with the sanction of the Local Government Board, under Art. 172; but see Art. 5 of the General Order (Consolidated), February 14, 1877, by which Art. 215, No. 15, appears virtually to have been repealed. See now with regard to the children of Guardians the Orders set out at the commencement of this work.

[4] The order or direction of the Guardians should be expressed in the form of a resolution duly recorded in the minutes of the day.

As regards the attendance of relieving officers as witnesses upon any matter relating solely to the business of any particular Parish when so required by the Parish officers, the Poor Law Board have stated that, as the whole time of the relieving officer is engaged by the Guardians, he is not legally entitled to claim compensation for his personal attendance as a witness in any case in which either the Guardians of the Union or the Parish officers may require his evidence, but that he may properly claim to be reimbursed any reasonable extra expenses which he may be put to in attending the Court to give evidence. As a general rule, the Board consider that a relieving officer should attend in any such case without putting the Parish officers to the expense and trouble of procuring and serving either a summons or a subpœna, if he can do so without materially interfering with the discharge of the duties of his office. (See also the case *Re Eastern Counties Railway Company and Overseers of Moulton*, 25 L. J. M. C. 49; 54 O. C. N.S. 48.) In 39 O. C. N.S. 112, on the same point, the Poor Law Board say that by 7 & 8 Vict. c. 101, s. 70, justices have power of determining what is a fair and reasonable remuneration to be paid to witnesses who attend before them in poor removal cases. With regard to the relieving

Art. 216.—The relieving officer shall in no case take credit in his accounts, or enter as paid or given by way of relief, any money or other articles which have not been paid or given previously to the taking of such credit, or the making of such entry ; and he shall not take credit in such accounts for any money paid to any tradesman or other person without producing, at the next ordinary meeting of the Guardians, a bill from such tradesman or person, with voucher of payment.[1]

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officer they say that, as he is bound to give up his whole time to the service of the Union, this remuneration should not be more than sufficient to cover the expenses which he may incur in the attendance, as for instance, the refreshment which he may require, and the actual cost of his travelling. But with regard to the clerk to the Guardians, as he is not bound to give up his whole time to the service of the Union, the Board consider that he should be paid a reasonable remuneration for his attendance in the same way as other witnesses are paid. What is a reasonable remuneration will be a question for the justices to determine in reference to the circumstances of each case.

Under the Registration Act, 1868 (31 & 32 Vict. c. 58, s. 29), the revising barrister is empowered to summon any relieving officer to attend before him in his Court, and he shall attend accordingly, and answer all such questions as may be put to him by the barrister. By Section 31 :—" Any expense incurred by " any relieving officer in attending a revising barrister in pursuance of this Act " (the amount to be certified by the revising barrister), shall be deemed to be " expenses properly incurred by him in the execution of his duty as relieving " officer, and shall be defrayed accordingly."

[1] Any departure from the strict injunction contained in this Rule, on being discovered, will meet with the severest displeasure of the Local Government Board, and may lead to the loss of the officer's situation.

With regard to the duty of a relieving officer to remove lunatics to asylums, see the Note to Art. 215, *ante*, p. 443.

Under Section 320 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5) :—" Any person " who makes default in sending to the Commissioners or any other person any " return, report, extract, copy, statement, notice, plan, or document, or any " information within his knowledge or obtainable by him, when required so to " do under this Act or any other Act relating to lunacy, or any rules made under " this Act or in complying with the said Acts or rules, shall for each day or " part of a day during which the default continues, be liable to a penalty not " exceeding ten pounds, unless a penalty is expressly imposed by this or any " other Act for such default : Provided that all or any part of the cumulative " penalties may be remitted by the Court in any case in which it is made to " appear to the satisfaction of the Court that the original default or its continu- " ance during any period of time arose from mere accident or oversight, and not " from wilful or culpable neglect on the part of the person sued."

Under the corresponding section of the Lunatic Asylums Act, 1853 (16 & 17 Vict. c. 97, s. 70), which is repealed by the Act of 1890, *a relieving officer was*, at the Clerkenwell Police Court on February 11, 1874, *fined* £10 for neglecting to take the statutory steps for removing to an asylum a lunatic resident in his Parish, and not under proper care and control.

Generally with regard to the provisions of the Lunacy Act, 1890, and of the Lunacy Act, 1891, see the Circular Letters of the Local Government Board of April 23, 1890, and September 18, 1891, in the Appendix, *post*.

Duties of a Superintendent of out-door Labour.

Art. 217.—The duties of a superintendent of out-door labour shall be to superintend any able-bodied paupers, not inmates of the workhouse, who may be set to work by the Guardians, to take care that they perform the work respectively assigned to them, and to report truly to the Guardians respecting the performance of such work.[1]

RECEIPT AND PAYMENT OF MONEY BY OFFICERS.

Art. 218.—No clerk, relieving officer, master, or other officer appointed to or holding any office under this Order, shall, directly or indirectly, receive or bargain to receive any gratuity, percentage, or allowance of any kind with reference to any contract with the Guardians, or in respect of any payment made or to be made for goods supplied or work executed according to the order of such Guardians or on their behalf.[2]

Art. 219.—No clerk shall, directly or indirectly, cause to be paid to himself, or shall pay away on his own account or for his own benefit, any cheque drawn by the Guardians, and made payable to any person other than himself.

Art. 220.—Every clerk receiving any cheque or money from the Guardians on account of any other party, shall transmit the same within fourteen days to the proper persons, and shall produce the receipt or acknowledgment for the same at the next ordinary meeting after the same has come to his hands.[3]

Art. 221.—Every officer of the Union who may receive money on behalf of the Guardians thereof, shall forthwith pay the same into the hands of the treasurer of the Union, to the credit of the

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[1] See the provisions of the Supplemental Out-door Labour Test Order, *post*, which, however, has only been issued to the Unions, the names of which follow the Order.

[2] See now with regard to the receipt of gratuities, &c., by public officers, as an inducement to do or forbear to do anything in which the body of which he is an officer is concerned, the provisions of the Public Bodies Corrupt Practices Act, 1889 (52 & 53 Vict. c. 69), in the Note to Art. 44, *ante*, p. 235.

[3] See Art. 51, and Note, p. 241, as to the attendance of contractors and tradesmen to receive payment of their accounts.

Guardians, notwithstanding that any salary or balance may be due from the Union to such officer.[1]

Art. 222.—No relieving officer or other officer of any Guardians, nor any assistant overseer or collector, shall receive money for the relief of any non-settled pauper on behalf of any officer, or of the Guardians of any other Parish or Union, or shall constitute himself in any way the agent of any officer or Guardian of such other Parish or Union, except as is provided in this Order.[2]

Art. 223.—If any money be transmitted to any officer, contrary to the provisions of this Order, such officer shall forthwith pay such money into the hands of the treasurer of the Union whose officer he is, and shall report to the Guardians at their next meeting the fact that such money has been so received and paid, and shall make a true entry accordingly in his accounts.

EXPLANATION OF TERMS.

Art. 224.—Whenever the word "Parish" is used in this Order, it shall be taken to include any place maintaining its own poor, whether parochial or extra-parochial.[3]

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[1] This Article is imperative even though the officer, if a relieving officer, may not at the time have sufficient money in his hands belonging to the Guardians to pay the poor with. The word "forthwith" must be taken to signify "with all convenient speed"; and the Article must be most strictly observed by the whole of the officers. It has been held with regard to covenants to pay money, the words "immediately on demand," must bear a reasonable construction, so as to allow the debtor time to procure the money and make inquiries as to whom he may safely pay it. (*Toms* v. *Wilson*, 9 Jur. N.S. 492; 4 B. & S. 442; 32 L. J. Q. B. 382; 7 L. T. N.S. 421; 11 W. R. 117; approved and followed by the Privy Council in *Moore* v. *Shelley*, 8 App. Cas. 285; 52 L. J. P. C. 35; 48 L. T. N.S. 918.)

[2] This Article only prohibits the receipt of money by an officer to be applied by such officer in relieving any non-settled pauper. It does not prevent an officer from receiving money in repayment of relief already afforded by order of his Board of Guardians to a non-settled pauper. But in the event of money so coming into an officer's hands, it will be his duty to pay it over to the treasurer, as directed by Arts. 221 and 223. As regards the administration of relief to non-settled poor, see Arts. 77–80.

[3] By the Interpretation Act, 1889 (52 & 53 Vict. c. 63) s. 5, in every Act passed after the year 1866 whether before or after the commencement of the Interpretation Act, 1889, the expression "Parish" shall, unless the contrary intention appears, mean as respects England and Wales a place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed.

Art. 225.—Whenever the word "overseer" is used in this Order, it shall be taken to include any person acting or legally bound to act in the discharge of any of the duties usually performed by overseers of the poor, so far as such duties are referred to in this Order.[1]

Art. 226.—Whenever the word "Commissioners" is used in this Order it shall be taken to mean the Poor Law Commissioners.[2]

Art. 227.—Whenever the word "medicines" is used in this Order, it shall be taken to include all medical and surgical appliances; whenever the words "medical attendance" are used in this Order, they shall be taken to include surgical attendance; and whenever the words "medical relief" are used in this Order, they shall be taken to include relief by surgical as well as medical attendance.[3]

As to extra-parochial places, see 20 Vict. c. 19, by which such places are constituted Parishes for all the purposes of the Assessment to the Poor Rate, the Relief of the Poor, the County, Police, or Borough Rate, the Burial of the Dead, the Removal of Nuisances, the Registration of Parliamentary and Municipal Voters, and the Registration of Births and Deaths. See also 31 & 32 Vict. c. 122, s. 27.

[1] The word "overseer," therefore, will include a churchwarden, who by virtue of his office is an overseer of the poor, and it will also include an assistant overseer, having the duties of an overseer delegated to him in his warrant of appointment, under 59 Geo. III. c. 12, s. 7.

The word "overseer" also includes an assistant overseer, who is the servant of the inhabitants, notwithstanding the fact that under Section 5 (1) of the Local Government Act, 1894, the power of appointing and revoking the appointment of an assistant overseer in every rural Parish having a Parish Council is transferred to and vested in the Parish Council. It was therefore held that an assistant overseer was properly described in an indictment for embezzling the proceeds of rates collected by him, as in the employment as servant of the inhabitants of the Parish; and that the money he was alleged to have embezzled was properly described in the indictment as the property of the inhabitants of the Parish. (*Reg.* v. *Smalman* (1897), 1 Q. B. 4; 75 L. T. N.S. 394; 17 Cox. C. C. 451; 66 L. J. Q. B. 82; 61 J. P. 312; 45 W. R. 249.)

[2] This Article is omitted in the Consolidated Orders subsequently issued.

The powers of the Poor Law Commissioners having ceased, the word "Commissioner" is now to be taken to mean "the Local Government Board." (34 & 35 Vict. c. 70, s. 2; see also the Circular of the Local Government Board in their First Annual Report, p. 17.)

[3] The supply of an expensive medicine, such as cod-liver oil, may be made the subject of a special agreement with the Guardians on the appointment of the medical officer.

The Poor Law Board, in a Circular dated April 12, 1865, referring to the report of the House of Commons on Poor Relief (Session 1864), and to the recommendation of the Committee that in future cod-liver oil, quinine, and other expensive medicines shall be provided at the expense of the Guardians,

Art. 228.—Whenever the words "medical officer" are used in this Order, they shall be taken to include any person duly licensed as a medical man, who may have contracted or agreed with any Guardians for the supply of medicines or for medical attendance.[1]

Art. 229.—Whenever the words "clerk,"[2] "master" or "matron"

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subject to the Orders and Regulations of the Poor Law Board, request the Guardians to consider whether an alteration in the medical arrangements as regards the supply of the medicines referred to cannot be made whenever a new appointment of a medical officer may become necessary; or, with the consent of the present medical officers, during the continuance of their existing contracts.

With regard to the mode in which the proposed object can most conveniently be effected the Board are of opinion:—1. That it may be advisable to provide a store of cod-liver oil at the workhouse, or at some other convenient places of deposit in the Union, and to supply it to the sick poor on the prescription of the medical officers, through the relieving officers, in the same way as wine, or other extras recommended by the medical officers in the way of nourishment are supplied. 2. That quinine and other expensive medicines may be supplied—either by an order of the medical officer on a chemist, the cost of the medicines so ordered being paid for by the Guardians to such chemist as goods or provisions supplied in relief, or, by the medical officers themselves, who may send in an account quarterly to the Guardians of the cost of the medicines in question which they may have supplied to their pauper patients.

The former plan the Board say may probably be convenient in the town Unions; the latter in the country Unions. And they add that cod-liver oil, and any other medicines intended to be so supplied, should be specified and excepted from the provisions of the medical contract, which require generally that medical officers should themselves provide the requisite medicines and medical appliances for their pauper patients.

The Unions in which cod-liver oil, quinine, and other expensive medicines are supplied by the Guardians, and in which *all* medicines are supplied by the Guardians, and not by the medical officers, are set forth in a Parliamentary Paper, Session 1877, No. 147.

An "elastic bandage" would come within the term "surgical appliance" (58 O. C. N.S. 103), though the proper interpretation of the words, when applied to articles of use of wear, would seem to include only such things as a medical practitioner would supply to his private patients, and not such as he would recommend the patients to obtain from tradesmen or dealers themselves. Leeches would also come within the meaning of the same term. (4 O. C. 88.)

A "truss" is a surgical appliance within the meaning of this Article; so also is a pessary, which is in the nature of a truss; but a specific payment for them to the medical officer may be provided for under his agreement.

[1] But see the Medical Act, 21 & 22 Vict. c. 96, and Note to Art. 168, *ante*, p. 354.

[2] The definition in this Article of the word "clerk" is omitted in the Consolidated Order issued to new Unions, and is defined in the following substantive Article:—"The word 'clerk' shall mean the clerk to the Guardians, and shall extend in this Order to the person who may be appointed, under Art. 2, to act as such in the performance of the duties hereby prescribed relating to the election of Guardians."

are used in this Order, they shall be taken to mean the clerk to the Guardians, and the master or matron of the workhouse respectively.

Art. 230.—The term "non-resident poor" in this Order shall be taken to mean all paupers in receipt of relief allowed on account of any Union in relation to which the term is used, but not residing therein.

Art. 231.—The term "non-settled poor" in this Order shall be taken to mean all paupers residing in the Union in relation to which the term is used, but to whom relief is allowed on account of some Parish or Union other than that in which they reside.[1]

Art. 232.—Whenever, in describing any person or party, matter or thing, the word importing the singular number or the masculine gender only is used in this Order, the same shall be taken to include, and shall be applied to, several persons or parties, as well as one person or party, and females as well as males, and several matters or things, as well as one matter or thing respectively, unless there be something in the subject or context repugnant to such construction.

Art. 233.—Whenever in this Order any article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

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[1] This definition of "non-settled poor" does not include "irremovable poor," under 9 & 10 Vict. c. 66, who are "non-settled" in relation to the Union from which they are "irremovable."

In the Consolidated Orders subsequently issued, the following additional Article is inserted:—"The word 'child' shall signify a person under the age "of twenty-one years."

All classes of poor (with the exception of lunatics made chargeable to the county, and certain classes of poor in Unions and Parishes within the Metropolitan district) are now chargeable to the common fund. The Union Chargeability Act, 1865, 28 & 29 Vict. c. 79, s. 1, repeals so much of 4 & 5 Will. IV. c. 76, s. 26, as requires Parishes in Unions to defray expenses of their own poor. Henceforth "all the cost of the relief to the poor, and the expenses of the burial of the dead body of any poor person under the direction of the Guardians, or of any of their officers duly authorised (see 7 & 8 Vict. c. 101, s. 31) in such Union thenceforth incurred, and all charges thenceforth incurred by the Guardians of such Union in respect of vaccination (see 30 & 31 Vict. c. 84), and registration fees and expenses (see 6 & 7 Will. IV. c. 86, s. 29) shall be charged upon the common fund thereof."

SCHEDULES.

* * * * *

FORM F.[1]

To the Clerk of the Guardians of the Union.

Requisition for an Extraordinary Meeting of Guardians.

We, the undersigned, being two of the Guardians of the Poor of the Union, do hereby require an Extraordinary Meeting of the Guardians of the said Union to be summoned, to be holden at on the day of 18 , at o'clock in the forenoon, to take into consideration [*set out the business*].

_____
_____ } Guardians.

FORM G.—*Notice of change of Period, Time, or Place of Meeting.*[2]

day of 18 .

To *A. B.*, Guardian of the Poor of the Union.

Sir,—You are hereby informed that the next Ordinary Meeting of the Guardians of the Poor of the Union will take place at on day, the day of 18 , at o'clock in the noon, for the transaction of business; and that the Ordinary Meetings of the said Guardians will henceforth be held [*weekly or fortnightly, as the case may be,*] at the same place, on the same day of the week, and at the same hour.

_____Signature of Clerk to the Guardians.

[1] See Art. 34.

[2] See Art. 35.

FORM H.—*Notice of an Adjourned Meeting of Guardians.*[1]

———

day of 18 .

To *A. B.*, Guardian of the Poor of the Union.

Sir,—This is to give you notice, that an adjourned meeting of the Guardians of the Poor of the Union will be held at on the day of 18 , which meeting you are hereby requested to attend.

——— Signature of Clerk to the Guardians.

———

FORM I.—*Notice of an Extraordinary Meeting of Guardians.*[1]

———

day of 18 .

To *A. B.*, Guardian of the Poor of the Union.

Sir,—I am directed by *C. D.* and *E. F.*, two of the Guardians of the Poor of the Union, to summon an Extraordinary Meeting of the Guardians of the Poor of the said Union, at on the day of 18 , at o'clock in the forenoon, to take into consideration [*set out the business*], which meeting you are requested to attend.

——— Signature of Clerk to the Guardians.

———

FORM K.—*Out Relief Ticket.*[2]

——— UNION.

Weekly Relief ordered day of 18 .

Name	Money	Loaves	For what Period
	Other Articles		

———Signature of Relieving Officer.

[1] See Art. 35.

[2] See Art. 43.

FORM L.—*Ticket for Permanent Medical List.*

(See Art. 76.)

_____ UNION.

Date _____

Good until the _____ day of _____ 18 _____.

Name of Pauper _____

Residence of Pauper _____

Name of Medical Officer _____

Residence _____

Usual hour at which he is at home _____

_____

FORM M.—*Order for Contributions, See Art.* 83; *and the substituted Form in the Order of the Poor Law Board, dated February* 26, 1866, *post.*

FORM N. (See Art. 102.)

	Time of rising	Interval for Breakfast	Time for Work	Interval for Dinner	Time for Work	Interval for Supper	Time for going to bed
From March 25 to September 29	½ before 6	From ½ past 6 to 7	From 7 to 12	From 12 to 1	From 1 to 6	From 6 to 7	8 o'clock
From September 29 to March 25	½ before 7	½ past 7 to 8	From 8 to 12	From 12 to 1	From 1 to 6	From 6 to 7	8 o'clock

FORM O.—*Workhouse Punishment Book.* (See Art. 143.)

No. of the Case	Name	Offence	Date of Offence	Punishment inflicted by Master or other officer	Opinion of the Guardians thereon	Punishment ordered by Board of Guardians	Date of Punishment	Initials of Clerk	Observations

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FORM P.—*District Medical Relief Book. See Art.* 206, *No.* 4; *and the substituted Form in the Order of the Poor Law Board of February* 26, 1866, *post.*

FORM Q.—*Workhouse Medical*

(A.) To be filled up by the Medical Officer.

Initials of Medical Officer in attendance on every case.	Name of the Sick Pauper.	When admitted to Sick Ward.	When discharged.	Nature of disease.	Days when attended.							Males. The No.[1] of the Dietary on which placed.							Females. The No.[1] of the Dietary on which placed.							Extras. What ordered.	Extras. When ordered.	Extras. When discontinued.	State or Termination of the Case, and in the event of Death the apparent cause thereof.[2]
					S	M	T	W	Th	F	Sat	S	M	T	W	Th	F	Sat	S	M	T	W	Th	F	Sat				
					Total No. each day																							

Total quantity consumed.

[1] Dietaries for the Sick are to be numbered thus : No. 1. House

As regards the Sick Paupers on Diet No. 1 (House Diet), the extras only
the "Daily Provisions Consumption Account," for which see Form 26 of the
March, 1847.[3]

The Number of the Paupers on each description of the Dietaries and
close of each week to a Summary at the end of the Book to be

WEEKLY

No. of the Dietary	Description of Classes in the Diet Table.	Sunday.
1	House Diet.—Males	
1	House Diet.—Females	
2	Full Diet.—Males	
2	Full Diet.—Females	
3	Low Diet.—Males	
3	Low Diet.—Females	
4	Fever Diet.—Males	
4	Fever Diet.—Females	
	Total number of Sick Paupers .	

[2] *i.e.* Cured, Dead, Improved, worse than last week.
[3] See now the Order of January 14, 1867, *post.*

Relief Book. (See Art. 107, No. 8.) [1]

(B.) To be filled up by the Master of the Workhouse, with the articles actually given.

Quantity of Provisions consumed.												Extras Provided.									
Bread.	Meat.	Bacon.	Cheese.	Rice.	Oatmeal.	Milk.						Ale.	Porter.	Wine.	Brandy.	Gin.					Remarks.
lbs.	lbs.	lbs.	lbs.	lbs.	lbs.	pints.						pints.	pints.	pints.	pints.	pints.					

Diet. No. 2. Full Diet. No. 3. Low Diet. No. 4. Fever Diet.

should be entered in this book, since their ordinary Diet will appear in General Order of the Commissioners, bearing date the 17th day of

according to the several Sexes, is to be carried by the Master at the prepared in the following Form :—

SUMMARY.

Number of Patients each day.						Collective Number of days.
Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.	

[1] A different Form of Workhouse Medical Relief Book has been prescribed for the Township of Manchester by an Order of the Poor Law Board, dated February 18, 1869; and a similar Form has been prescribed for the West Derby Union by an Order dated March 17, 1870.

FORM R. (See Art. 207, No. 9.)

[1] DIETARY FOR SICK PAUPERS.

No.										
No. 1	House Diet being the ordinary Diet for the Paupers in the House.									
No. 2		Breakfast		Dinner					Supper	
——	Full Diet .	ounces	pints	ounces	pints	ounces	ounces	pints	ounces	pints.
2	Males . .									
2	Females . .									
3		Breakfast		Dinner					Supper	
——	Low Diet .	ounces	pints	ounces	pints	ounces	ounces	pints	ounces	pints
3	Males . .									
3	Females . .									
4		Breakfast		Dinner					Supper	
——	Fever Diet .	ounces	pints	ounces	pints	ounces	ounces	pints	ounces	pints
4	Males . .									
4	Females . .									

N.B.—Sugar, Arrowroot, Sago, Butter, Milk, Wine, Spirits, Porter, and Beer, are in all cases to be treated as extras, to be expressly ordered when required, and the quantity to be specified in the proper column of the Book.[2]

[1] If thought proper by the Medical Officer, any additional number of Dietaries may be introduced, and numbered consecutively.

FORM S.—*See Art.* 208, *No.* 13; *and the substituted Form in the Order of the Poor Law Board of February* 26, 1866, *post*.

FORM T.—*See Art.* 208, *No.* 117; *and the substituted Form in the Order of the Poor Law Board of February* 26, 1866, *pos*

[2] The note to Form R. refers to the articles therein mentioned when "expressly ordered," in which case they are to be treated as "extras." But when "tea" is specified in the "Dietaries for Sick Paupers" for "breakfast," or "supper," a suitable quantity of Milk or Sugar may be understood to be included; and it will not be necessary in that case to enter these articles as "extras," as they will not be "expressly ordered."

FORM U. (See Art. 208, No. 25.)

—— UNION WORKHOUSE. *Week ending*——, 18—.

WARDS.	Beds therein.	Number of Occupants, each Night.							Total.	Observations.
		S.	M.	T.	W.	Th.	F.	Sat.		
Able-bodied Men .										
Old Men . . .										
Boys . . .										
Male Infirmary .										
—— Infectious .										
—— Receiving .										
Total .										
Able-bodied Women										
Old Women . .										
Girls . . .										
Female Infirmary .										
Lying-in Ward .										
Female Infectious .										
——— Receiving .										
Total .										

The foregoing is a true statement.

_____ *Master.*

_____ *Matron.*

FORM V.—*The Medical Relief Order Check Book.*

(See Art. 215, No. 3.)

*No.*____

To____, Medical Officer

Name_____

Age_____

Residence_____

Nature of Case_____

Forwarded by_____ at

____o'clock in the____

of the__day of___18__

_____ *Relieving Officer.*

*No.*_____

To_____, Medical Officer,_____ Union.

SIR,

You are hereby requested to visit and undertake the treatment of the undermentioned case.

Name_____

Age_____

Residence_____

Nature of Case [1] _____

Forwarded by_____ at____ o'clock in the_____

of the_____ day of_____ 18__

Relieving Officer.

[1] This is to be filled up so as to distinguish :—1. Midwifery cases. 2. Fractures and accidents. 3. Cases of urgency, which require immediate attention.

SCHEDULE.

Unions.[1]

Aberaeron.
Abergavenny.
Aberystwith.
Abingdon.
Alcester.
Alderbury.[2]
Alnwick.
Alresford.
Alton.
Altrincham.[3]
Amersham.
Amesbury.
Ampthill.
Andover.
Anglesey.
Ashbourne.
Ashby-de-la-Zouch.
Ashton-under-Lyne.
Ashton.
Atcham.
Atherstone.
Auckland.
Axbridge.
Axminster.
Aylesbury.
Aylsham.

Bakewell.
Bala.
Banbury.
Bangor and Beaumaris.
Barnet.
Barnstaple.
Barrow-upon-Soar.
Basford.
Basingstoke.
Bath.
Battle.
Beaminster.
Bedale.
Bedford.
Bedminster.
Belford.
Bellingham.
Belper.
Berkhampstead.
Berwick-upon-Tweed.
Beverley.
Bicester.
Bideford.
Biggleswade.
Billericay.
Billesdon.
Bingham.
Bishop Stortford.
Blaby.
Blackburn.
Blandford.
Blean.
Blofield.
Blything.
Bodmin.
Bolton.
Bootle.
Bosmere and Claydon.
Boston.
Bourn.
Brackley.
Bradfield.
Bradford (Wilts).[4]
Bradford (Yorkshire).
Braintree.
Brampton.
Brecknock.
Brentford.
Bridge.
Bridgend and Cowbridge.
Bridgnorth.
Bridgwater.
Bridlington.
Bridport.
Brixworth.
Bromley.
Bromsgrove.
Bromyard.
Buckingham.
Builth.
Buntingford.
Burnley.
Burton-upon-Trent.
Bury.

Caistor.[5]
Calne.
Cambridge.
Camelford.
Cardiff.
Cardigan.
Carlisle.
Carmarthen.
Carnarvon.
Castle Ward.
Catherington.
Caxton and Arrington.
Cerne.

[1] The Unions, the names of which are printed in italics, are those not contained in the Schedule to the Out-door Relief Prohibition Order of December 21, 1844, *post*, p. 508.

[2] Now the Salisbury Union.

[3] Now the Bucklow Union.

[4] Now the Bradford-on-Avon Union.

[5] By Orders of the Local Government Board of March 5, 1890, certain of the Parishes in the Caistor Union were separated therefrom and formed into the Grimsby Union; and by an Order of April 3, 1890, the General Consolidation Order of July 24, 1847, was applied to the latter Union.

Chailey.
Chapel-en-le-Frith.
Chard.
Cheadle.
Chelmsford.
Cheltenham.
Chepstow.
Chertsey.
Chesterfield.
Chester-le-Street.
Chesterton.
Chippenham.
Chipping Norton.
Chipping Sodbury.
Chorley.
Chorlton.
Christchurch.
Church Stretton.
Cirencester.
City of London.
Cleobury Mortimer.
Clifton.[1]
Clitheroe.
Clun.
Clutton.
Cockermouth.
Colchester.
Congleton.
Conway.
Cookham.
Corwen.
Cosford.
Cranbrook.
Crediton.
Crickhowel.
Cricklade and Wootton Bassett.
Croydon.
Cuckfield.

Darlington.
Dartford.
Daventry.
Depwade.
Derby.
Devizes.
Dewsbury.
Docking.[2]
Dolgelly.
Doncaster.
Dorchester.
Dore.
Dorking.
Dover.
Downham.
Drayton.
Driffield.
Droitwich.
Droxford.
Dudley.
Dulverton.
Dunmow.
Durham.
Dursley.

Easington.
Easingwold.
Eastbourne.
Easthampstead.
Eastry.
East Ashford.
East Grinstead.
East Retford.
East Ward.
Ecclesall Bierlow.
Edmonton.
Elham.
Ellesmere.
Ely.
Epping.
Epsom.
Erpingham.
Eton.
Evesham.

Falmouth.
Fareham.
Farringdon.
Farnham.
Faversham.
Festiniog.
Foleshill.
Fordingbridge.
Freebridge Lynn.
Frome.
Fulham.
Fylde, The.

Gainsborough.

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[1] By an Order of the Local Government Board, issued under 39 & 40 Vict. c. 61, s. 13, dated February 22, 1877, and published in the *London Gazette* of Friday, February 23, 1877 :—

Art. 1.—On and after the Fourteenth day of March, One thousand eight hundred and seventy-seven, the name of the said (Clifton) Union shall be changed to the Barton Regis Union, and the Guardians of the Poor thereof shall be termed "The Guardians of the Poor of the Barton Regis Union."

Art. 2.—All orders, rules, and regulations heretofore issued by the Poor Law Commissioners, the Poor Law Board, or the Local Government Board, to the Guardians of the Poor of the Clifton Union, which may be in force in the said Clifton Union, and in the several Parishes and places comprised therein, on the Thirteenth day of March, One thousand eight hundred and seventy-seven, shall be and continue to be in force in the said Barton Regis Union, and in the several Parishes and places comprised therein, as though they had been addressed to such Union by the name of the Barton Regis Union.

[2] Docking is a Union for settlement. See 4 & 5 Will. IV. c. 76, s. 33.

Garstang.
Gateshead.
Glanford Brigg.
Glendale.
Glossop.[1]
Gloucester.
Godstone.
Goole.
Grantham.
Gravesend and Milton.
Greenwich.
Guildford.
Guiltcross.
Guisborough.

Hackney.
Hailsham.
Halifax.
Halstead.
Haltwhistle.
Hambledon.
Hardingstone.
Hartismere.
Hartley Wintney.
Haslingden.
Hastings.
Hatfield.
Havant.
Haverfordwest.
Hay.
Hayfield.
Headington.
Helmsley Blackmoor.
Helston.
Hemel Hempstead.
Hendon.
Henley.
Henstead.
Hereford.
Hertford.
Hexham.
Highworth and Swindon.
Hinckley.
Hitchin.
Holbeach.
Holborn.
Hollingbourn.
Holsworthy.
Holywell.
Honiton.
Hoo.
Horncastle.
Horsham.
Houghton-le-Spring.
Howden.
Hoxne.
Huddersfield.
Hungerford.
Huntingdon.
Hursley.

Ipswich.
Isle of Thanet.

Keighley.
Kendal.
Kettering.
Keynsham.
Kidderminster.
Kingsbridge.
Kingsclere.
King's Lynn.
King's Norton.
Kingston.
Kingswinford.
Kington.
Knighton.

Lampeter.
Lancaster.
Lanchester.
Langport.
Launceston.
Ledbury.
Leek.
Leicester.
Leigh.
Leighton Buzzard.
Leominster.
Lewes.
Lewisham.
Lexden and Winstree.
Leyburn.
Lichfield.
Lincoln.
Linton.
Liskeard.
Llandilo Fawr.
Llandovery.
Llanelly.
Llanfyllin.
Llanrwst.
Loddon and Clavering.
Longtown.
Loughborough.
Louth.
Ludlow.
Luton.
Lutterworth.
Lymington.

Macclesfield.
Machynlleth.
Madeley.
Maidstone.
Maldon.
Malling.
Malmesbury.
Malton.
Mansfield.
Market Bosworth.
Market Harborough.
Marlborough.
Martley.
Medway.
Melksham.
Melton Mowbray.
Mere.
Meriden.
Merthyr Tydvil.
Midhurst.
Mildenhall.
Milton.
Mitford and Launditch.
Monmouth.
Morpeth.

Nantwich.

[1] Glossop is a Union for rating and settlement. See *ib.* ss. 33, 34.

Narberth.
Neath.
Newark.
Newbury.
Newcastle-in-Emlyn.
Newcastle-under-Lyme.
Newcastle-upon-Tyne.
Newent.
Newhaven.
Newmarket.
Newport (Monmouth).
Newport (Salop).
Newport Pagnell.
Newton Abbot.
Newtown and Llanidloes.
New Forest.
New Winchester.
Northallerton.
Northampton.
Northleach.
Northwich.
North Aylesford.[1]
North Witchford.
Nottingham.
Nuneaton.

Oakham.
Okehampton.
Ongar.
Ormskirk.
Orsett.
Oundle.

Pately Bridge.
Patrington.
Pembroke.
Penkridge.[2]
Penrith.
Penzance.
Pershore.
Peterborough.
Petersfield.
Petworth.
Pewsey.
Pickering.
Plomesgate.
Plympton St. Mary.
Pocklington.
Pontypool.
Poole.
Poplar.
Portsea Island.
Pottersbury.
Prescot.
Presteigne.[3]
Preston.
Pwllheli.

Radford.[4]
Reading.
Redruth.
Reeth.
Reigate.
Rhyader.
Richmond (Surrey).
Richmond (Yorkshire).
Ringwood.
Risbridge.
Rochdale.
Rochford.
Romford.
Romney Marsh.
Romsey.
Ross.
Rothbury.
Rotherham.
Royston.
Rugby.
Runcorn.
Ruthin.
Rye.

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[1] This is now called the Stroud Union. See Fourteenth Annual Report of Local Government Board, page 1.

[2] By an Order of the Local Government Board issued under 39 & 40 Vict. c. 61, s. 13, dated February 5, 1877, and published in the *London Gazette* of Tuesday, February 6, 1877 :—

Art. 1.—On and after the Fourteenth day of March, One thousand eight hundred and seventy-seven, the name of the said (Penkridge) Union shall be changed to the Cannock Union, and the Guardians of the Poor thereof shall be termed "The Guardians of the Poor of the Cannock Union."

Art. 2.—All orders, rules, and regulations heretofore issued by the Poor Law Commissioners, the Poor Law Board, or the Local Government Board, to the Guardians of the Poor of the Penkridge Union, which may be in force in the said Penkridge Union, and in the several Parishes and places comprised therein, on the Thirteenth day of March, One thousand eight hundred and seventy-seven, shall be and continue to be in force in the said Cannock Union, and in the several Parishes and places comprised therein, as though they had been addressed to such Union by the name of the Cannock Union.

[3] Under the powers given by the 39 & 40 Vict. c. 61, s. 11, the Local Government Board, by an Order dated February 27, 1877, ordered that the Presteigne Union on March 25, 1877, shall be dissolved. The Parishes comprised in it were then added to adjoining Unions.

[4] This Union was dissolved on March 25, 1880, and the Parishes added to the Nottingham Union on March 26, 1880.

Saffron Walden.
St. Albans.
St. Asaph.
St. Austell.
St. Columb Major.
St. Faith's.
St. German's.
St. Ives.
St. Neot's.
St. Olave's.
St. Saviour's.
St. Thomas.
Salford.
Scarborough.
Sculcoates.
Sedbergh.
Sedgefield.
Seisdon.
Selby.
Settle.
Sevenoaks.
Shaftesbury.
Shardlow.
Sheffield.
Sheppy.
Shepton Mallet.
Sherbourne.
Shiffnal.
Shipston-upon-Stour.
Skipton.
Skirlaugh.
Sleaford.
Solihull.
Southam.
Southwell.
South Molton.
South Shields.
South Stoneham.
Spalding.
Spilsby.
Stafford.
Staines.
Stamford.
Stepney.
Steyning.
Stockbridge.
Stockport.
Stockton.
Stokesley.
Stone.
Stourbridge.
Stow.
Stow-on-the-Wold.
Strand.
Stratford-upon-Avon.
Stratton.
Stroud.
Sturminster.
Sudbury.
Sunderland.
Swaffham.
Swansea.

Tamworth.
Taunton.
Tavistock.
Teesdale.
Tenbury.
Tendring.
Tenterden.
Tetbury.
Tewkesbury.
Thakeham.
Thame.
Thetford.
Thingoe.
Thirsk.
Thornbury.
Thorne.
Thrapston.
Ticehurst.
Tisbury.
Tiverton.
Todmorden.
Tonbridge.
Torrington.
Totnes.
Towcester.
Tregaron.
Truro.
Tynemouth.
Uckfield.
Ulverston.
Uppingham.
Upton-upon-Severn.
Uttoxeter.
Uxbridge.

Wakefield.
Wallingford.
Walsall.
Walsingham.
Wandsworth and Clapham.
Wangford.
Wantage.
Ware.
Wareham and Purbeck.
Warminster.
Warrington.
Warwick.
Watford.
Wayland.
Weardale.
Wellingborough.
Wellington (Salop).
Wellington (Somerset).
Wells.
Welwyn.
Wem.
Weobley.
Westbourne.
Westbury.[1]
Westbury and Whorwelsdown.
West Ashford.
West Bromwich.
West Derby.
West Firle.
West Ham.
West Hampnett.
West Ward.
Weymouth.
Wheatenhurst.
Whitby.

[1] Now called the Westbury-on-Severn Union.

Whitchurch (Southampton).
Whitechapel.
Wokingham.
Wolstanton and Burslem.
Wolverhampton.
Whitehaven.
Wigan.
Wigton.
Williton.
Wilton.
Wimborne and Cranborne.
Wincanton.
Winchcombe.
Windsor.
Winslow.
Wirral.
Wisbeach.
Witham.[1]
Witney.
Woburn.
Woodbridge.
Woodstock.
Worcester.
Worksop.
Wortley.
Wrexham.
Wycombe.

Yeovil.
York.

Given under the Seal of the Local Government Board, July 24, 1847.

Consolidated Orders similar to the foregoing Order have been issued to the following Unions upon the dates set opposite to the names of such Unions, viz. :—

Aysgarth	January 28, 1869.
Barnsley	June 12, 1850.
Barton-upon-Irwell	January 24, 1850.
Bedwellty	March 19, 1849.
Birkenhead	April 8, 1861.
Bramley	January 7, 1863.
Chester	October 12, 1869.
Coventry	April 13, 1874.
East Preston	September 30, 1869.
Exeter	May 30, 1878.
Forden	April 4, 1870.
Gower	October 19, 1857.
Great Ouseburn	August 4, 1854.
Hartlepool	April 4, 1859.
Hawarden	February 25, 1853.
Hemsworth	October 29, 1850.
Holbeck	June 26, 1869.
Holyhead	February 15, 1853.
Hunslet	June 30, 1869.
Isle of Wight	September 18, 1865.
Kirkby Moorside	February 9, 1850.
Knaresborough	June 28, 1854.
Leeds	July 6, 1869.
Lunesdale	April 6, 1869.
Middlesborough	July 16, 1875.
North Bierley	February 14, 1849.

[1] This Union was dissolved on March 25, 1880, and the Parishes were added to the Braintree, Lexden, and Winstree and Maldon Unions respectively on March 26, 1880.

Oldham	November 22, 1847.
Penistone	February 2, 1850.
Pontardawe	April 12, 1875.
Pontefract	March 1, 1862.
Pontypridd	December 29, 1862.
Prestwich	August 2, 1850.
Ripon	February 8, 1853.
St. George's	April 23, 1870.
Stamford	March 16, 1849.
Smallburgh	October 18, 1869.
Tadcaster	March 7, 1862.
Tarvin[1]	July 24, 1847.
Westminster	April 13, 1868.
Wetherby	March 4, 1861.
Wharfedale	March 7, 1861.
Whitchurch (Salop)	February 19, 1853.
Woolwich	April 8, 1868.

A Consolidated Order, similar to that of July 24, 1847, was issued on December 8, 1847, to the following Parishes and township, namely :—

Alston-with-Garrigill.
East Stonehouse.
St. George-in-the-East.
St. Giles, Camberwell.
St. Luke, Chelsea.
St. Matthew, Bethnal Green.
St. Mary Abbotts, Kensington.
St. Mary, Lambeth.
Paddington.
Stoke-upon-Trent.[2]
Whittlesea, St. Mary and St. Andrew.[3]
Great Yarmouth.[4]

[1] The name of the Great Broughton Union was changed to that of the Tarvin Union by an Order of the Poor Law Board, dated March 9, 1871, by which it is further ordered and directed that all orders, rules, and regulations heretofore issued by the Poor Law Commissioners and Poor Law Board to the Guardians of the Poor of the Great Broughton Union which were in force in the said Union, and in the several Parishes, townships, and places thereof, on March 14, 1871, shall be and continue to be in force in the Tarvin Union, and in the several Parishes, townships, and places which shall be contained therein, as though they had been directed to the said Union by the name of the Tarvin Union.

[2] By an Order of the Local Government Board of November 14, 1894, the parishes of Hanley, Stoke-upon-Trent, Longton, Fenton and Stoke Rural, into which the Parish of Stoke-upon-Trent had been divided by operation of the Local Government Act, 1894, were formed into the Stoke-upon-Trent Union ; and by an Order of December 19, 1894, the General Consolidated Order of July 24, 1847, was applied to the Union so formed.

[3] By the operation of the Local Government Act, 1894, the united Parishes of St. Mary and St. Andrew, Whittlesea, were divided into the Parishes of Whittlesea Urban and Whittlesea Rural, and by an Order of the Local Government Board of November 28, 1894, such last mentioned Parishes were formed into the Whittlesea Union to which the General Consolidated Order of July 24, 1847, was applied by an Order dated December 19, 1894.

[4] By an Order of the Local Government Board of January 17, 1891, the

The Order is addressed, "To the Guardians of the Poor of the several Parishes and township above-named :—

"To the churchwardens and overseers of the said several Parishes and township ;—

"To the clerk or clerks to the Justices of the Petty Sessions held for the division or divisions in which the said Parishes and township are situate ;—

"And to all others whom it may concern ;"

and is, with the exception of the substitution of the word "Parish" for "Union," similar to the General Consolidated Order to Unions, *ante*, p. 200. Art. 161 of the Order of July 24, 1847, is omitted, it being inapplicable.

ORDERS ISSUED TO INCORPORATIONS.

Consolidated Orders modified to meet the provisions of the local Acts in each place, and omitting the provisions relating to the Election of Guardians, have been issued to the following :—

Bristol	April 24, 1856.
Amended	July 16, 1857, and November 23, 1870.

Similar Orders, but omitting the provisions relating to the apprenticeship of pauper children as well as those relating to the Election of Guardians, have been issued to—

Birmingham	January 16, 1853.
Amended	July 25, 1851, August 3, 1871, October 11, 1876.
Brighton	February 28, 1871.
Chichester.	March 27, 1852.
Amended	January 19, 1854, August 3, 1872.
Kingston-upon-Hull	March 2, 1850.
Norwich	October 27, 1863.
Oswestry	November 16, 1850.
Plymouth	August 6, 1853.
Amended	April 24, 1855, and August 26, 1857.

Parish of Gorleston was separated from the Hundred of Mutford and Lothingland and was with the Parish of Great Yarmouth formed into the Great Yarmouth Union, to which the General Consolidated Order of July 24, 1847, was applied by an Order of the Local Government Board dated March 20, 1891.

Southampton	February 26, 1850.
Amended	February 6, 1878.
Stoke Damerel	January 31, 1855.

An Order containing rules and regulations for the Government of the workhouse and the appointment and duties of workhouse officers was issued to the Oxford Incorporation, August 16, 1843.

In the Bury St. Edmund's East and West Flegg, Forehoe, and Mutford and Lothingland [1] Incorporations, the following General Orders of the Poor Law Commissioners are in force :—

Workhouse Rules and Regulations	February 5, 1842.
Medical Regulations	March 12, 1842.
Proceedings of Boards of Guardians	April 20, 1842.
Duties of Officers	April 21, 1842.

Consolidated Orders have subsequently been issued, on the dates undermentioned, to the following Parishes, in each of which relief to the poor is administered under a separate Board of Guardians, viz. :—

Alverstoke	October 16, 1868.
Barrow-in-Furness	April 15, 1876.
Manchester	May 31, 1850.
Arts. 172, 173, 174, 175, 176, 177, 178, regarding the payment of fees to the Medical Officers, have been suspended.	
Order altering form of Workhouse Medical Relief Book	February 18, 1869.
Mile End Old Town	April 4, 1857.
Saddleworth [2]	July 18, 1853.
St. Giles and St. George, Bloomsbury	April 20, 1868.
St. John, Hampstead	May 26, 1870.
St. Leonard, Shoreditch	January 15, 1868.
St. Mary, Islington	July 4, 1867.
St. Marylebone	July 31, 1867.

[1] By an Order of the Local Government Board of January 17, 1891, the Parish of Gorleston was separated from the Hundred of Mutford and Lothingland ; and by another Order of that Board of February 21, 1893, the remaining Parishes of the Hundred were formed into the Mutford and Lothingland Union. The General Consolidated Order of July 24, 1847, was applied to such Union by an Order of the Local Government Board of March 18, 1893.

[2] By the operation of the Local Government Act, 1894, the township of Saddleworth was divided into the Parishes of Saddleworth, Uppermill and Quickmere (Middle Division) ; and by an Order of the Local Government Board of November 19, 1894, such Parishes were formed into the Saddleworth Union. The General Consolidated Order of July 24, 1847, was applied to such Union by an Order of the Local Government Board of December 22, 1894.

St. Pancras	June 8, 1867.
Toxteth Park	June 16, 1857.
„ Amended	June 20, 1859.

By Orders of March 5, 1890, the Local Government Board separated certain of the Parishes which previously belonged to the Caistor Union from that Union, and formed them into the Grimsby Union, to which the General Consolidated Order of July 24, 1847, was applied by a subsequent Order dated April 3, 1890.

The General Order of May 9, 1842, regulates the proceedings of the Guardians or Vestry of Liverpool; and an Order containing rules and regulations for the Government of the workhouse, and the appointment and duties of workhouse officers, was issued to Liverpool on April 27, 1843.

Regulations have been issued for the Government of the schools of the workhouses of the following Unions and Places :—

Birkenhead	at Tranmere	August 21, 1869.
Birmingham[1]		August 26, 1885.
Brighton	„ Warren Farm	January 5, 1863.
Cardiff	„ Ely	January 2, 1864.
Chesterfield		
Holborn	„ Mitcham	March 27, 1851.
Leeds	„ Beckett-street	September 20, 1869.
Leicester	„ Workhouse	April 26, 1875.
Liverpool	„ Kirkdale	August 7, 1856.
Manchester	„ Swinton	July 6, 1852.
Merthyr Tydfil		August 8, 1877.
Mile End Old Town	„ Workhouse	December 11, 1861.
Newport (Mon.)	„ Caerleon	August 24, 1859.
Oxford	„ Cowley	November 24, 1854.
Ormskirk	„ Dickinson Street	
St. George-in-the-East	„ Plashet	June 14, 1852.
St. Giles & St. George, Bloomsbury	„ Isleworth	March 8, 1866. November 12, 1856.
St. Mary, Islington	„ Holloway	March 29, 1867. November 19, 1867.
St. Mary, Lambeth	„ Norwood	June 23, 1852.
St. Marylebone	„ Southall	June 1, 1860. July 31, 1867.
St. Matthew, Bethnal Green	„ Lewisham	May 23, 1871.

[1] Cottage homes for children have been provided by the Guardians of the Parish of Birmingham, at Marston Green, near Birmingham, for the government of which a special Order was issued on August 26, 1885.

St. Pancras . . .	at	Lewisham . . .	September 29, 1870
Strand	„	Edmonton . . .	January 3, 1856.
Swansea . . .			December 22, 1877.
Westminster . .	„	Battersea . . .	November 9, 1872.

And these several Orders have been amended by General Orders, dated respectively June 21, 1879, and September 12, 1879, *post.*

WORKHOUSE DIETARIES—GENERAL ORDER.

(Dated 16th February, 1848.)

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed.

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions are situate :—

And to all others whom it may concern.

WHEREAS the Poor Law Commissioners have, by various Orders under their hands and seals, issued to the several Unions named in the Schedule hereunto annexed, the dates whereof are set forth in the said Schedule, ordered and directed that the paupers of the respective classes and sexes who might then or thereafter be received and maintained in every workhouse of the said respective Unions should, during the period of their residence therein, be fed, dieted, and maintained with the food and in the manner described in the table or tables set forth in each Order respectively.

Now We, the Commissioners for administering the Laws for the Relief of the Poor in England, do hereby confirm all the said Orders now in force in the said several Unions ; and do order and direct, that the same shall continue to be acted upon and obeyed in the Unions to which the same shall have been respectively directed, until the said Commissioners shall, with reference to any one or more of such Unions, by their Order, otherwise direct.

Provided, however, that if the Guardians of any Union shall at any time or times deem it expedient that a change should be made, either temporarily or permanently, in the nature or quantity of the

food specified in the Order last issued to such Union, or in the manner therein described, and shall send a complete and accurate statement of the proposed alteration, in writing, signed by the presiding chairman of the meeting of the Board whereat the resolution for making such alteration was adopted, to the said Commissioners, and the said Commissioners shall sanction and approve of such alteration, the Guardians may, when the same shall have been so sanctioned and approved of, but not before, cause the same to be adopted and used in the workhouse or workhouses of the said Union, as the case may be, without any further Order of the said Commissioners in that behalf.

Provided also that nothing herein contained shall be taken to rescind or alter any provision or regulation of the Poor Law Commissioners contained in their General Order, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, and addressed to the said several Unions herein referred to, which applies to the subject of the diet of the paupers in the workhouse or workhouses of such Unions.[1]

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[1] With regard to the dieting of casual paupers, see Art. 10 of the Casual Paupers Regulation Order, of December 18, 1882, *post*, and the Amending Order with regard to children under the age of seven, of May 4, 1897, *post*.

The Order has been applied by the Local Government Board to the following Unions, by Orders bearing the date set opposite to the name of each Union respectively.

Mutford and Lothingland	February 21, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

SCHEDULE above referred to.

The Unions in this Schedule are those which are contained in the Schedule to the General Consolidated Order of July 24, 1847, *ante*, p. 474, excepting the following Unions :—

Anglesey.
Auckland.

Bala.
Bolton.
Broughton, Great.
Bradford (Yorks).
Builth.
Burnley.
Bury.

Camelford.
Cardigan.
Carlisle.
Chorley.
Congleton.
Conway.

Dolgelly.
Dulverton.
Durham.

Easington.
East Ward.

Fylde.

Garstang.
Glossop.

Haslingden.
Hemel Hempstead.
Holsworthy.
Houghton-le-Spring.
Huddersfield.

Keighley.
Kingston-upon-Thames.
Knighton.

Lampeter.
Lancaster.
Leigh.
Llandilo-Fawr.
Llanrwst.
Loddon and Clavering.
London, City of.
London, West.

Machynlleth.
Merthyr Tydvil.

Newcastle-in-Emlyn.
Nottingham.

Olave's, St.
Ormskirk.

Pateley Bridge.
Penrith.
Pocklington.
Presteigne.
Preston.
Pwllheli.

Rhayader.
Rochdale.
Romsey.
Runcorn.
Ruthin.

Salford.
Settle.
Stratton.

Todmorden.
Tregaron.

Wakefield.
Welwyn.
West Derby.
Wigan.
Wisbeach.
Wortley.

Given under our hands and Seal of Office, this 16*th day of February*, 1848.

(L.S.)

OUT-DOOR RELIEF PROHIBITORY ORDER.[1]

(Dated 21st December, 1844.)

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed ;—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said respective Unions :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and Places comprised within the said respective Unions are situate ;—

And to all whom it may concern.

We, the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the "Amendment and better Administration of the Laws relating to the "Poor in England and Wales*," do hereby rescind an Order, being a General Rule of the Poor Law Commissioners, bearing date the second day of August in the year of our Lord One thousand eight hundred and forty-one, except so far as the same rescinds any Order or Orders theretofore issued by the Poor Law Commissioners.

And we do hereby also rescind the Orders relative to the relief of able-bodied poor persons, issued by the Poor Law Commissioners to the several Unions hereunder mentioned, except so far as the

[1] It is most desirable that the person to whom relief is either granted or refused should be satisfied that the grant or refusal is determined by fixed rules, and not by partial or temporary consideration, and for this reason it is expedient that copies of the Prohibitory Order should be hung up in a conspicuous part of the workhouse and of the room in which the Guardians usually assemble.—*Instr. Letter*, December, 1839.

same rescind any Order or Orders theretofore issued by the said Commissioners, or relate to the out-door labour test for able-bodied male paupers ; that is to say :—

The Order bearing date the ninth day of December, One thousand eight hundred and forty-one, and issued to the Guardians of the Poor of the Burgh of Bury St. Edmunds ;

The Order bearing date the tenth day of January, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Aberystwith Union ;

The Order bearing date the fifteenth day of April, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Ruthin Union ;

The Order bearing date the thirtieth day of April, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Llanfyllin Union ;

The General Order bearing date the thirtieth day of July, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Longtown Union, the Guardians of the Poor of the Whitehaven Union, and the Guardians of the Poor of the Wigton Union ;

The Order bearing date the fifth day of August, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Cockermouth Union ;

The Order bearing date the ninth day of September, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Richmond Union, in the county of York ;

The Order bearing date the thirtieth day of November, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Ormskirk Union ;

The Order bearing date the seventeenth day of December, One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Hailsham Union ;

The Order bearing date the twenty-first day of January, One thousand eight hundred and forty-three, and issued to the Guardians of the Poor of the Chard Union ;

And the General Order bearing date the twenty-seventh day of June, One thousand eight hundred and forty-three, and issued to the Guardians of the Poor of the St. Asaph Union; the Guardians of the Poor of the Bala Union; the Guardians of the Poor of the Bridgend and Cowbridge Union; the Guardians of the Poor of the Corwen Union; the Guardians of the Poor of the Festiniog Union; and the Guardians of the Poor of the Pwllheli Union;

Provided that nothing herein contained shall apply to any relief given under or prohibited by any of the said Orders hereby rescinded.

And We do hereby Order, direct, and declare, with respect to each and every of the Unions named in the Schedule hereunto annexed as follows:—

Art. 1.—Every able-bodied person, male or female, requiring relief from any Parish within any of the said Unions shall be relieved only in the workhouse of the Union, together with such of the family of every such able-bodied person as may be resident with him or her, and may not be in employment, and together with the wife of every such able-bodied male person, if he be a married man, and if she be resident with him; save and except in the following cases [1]:—

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[1] The provisions of this Order, so far as they refer to poor persons requiring relief from "any parish," must now be read with reference to the provisions of the Union Chargeability Act, 1865, by which all such relief is now chargeable upon the common fund of the Union.

The only remark on the prohibitory clause which the Commissioners make is, that the Guardians under it are not bound to require any child of an able-bodied person who can support itself to accompany its parent into the workhouse, if it appear expedient that such child should continue in employment.—*Instr. Letter*, December 21, 1844.

All persons under sixteen years of age are not to be regarded as not able-bodied, thus—

Girls of fourteen and fifteen years of age who are able to maintain themselves by their own labour are able-bodied.

So also a lad of fifteen, or even fourteen years of age able to maintain himself by his own labour. But an orphan girl of twelve years of age cannot be considered to be an able-bodied person. If the father be alive and the child be under sixteen years of age no question arises, as the relief is given to him and not to the child. If a child be out at service, it is not necessarily an able-bodied person within the meaning of Art. 1. In deciding the question whether a child can or cannot be relieved out of the workhouse without the sanction of the Poor Law Board, regard must be had to the age of the child, and not merely

Art. 1.—1st. Where such person shall require relief on account of sudden and urgent necessity.[1]

2nd. Where such person shall require relief on account of any sickness, accident, or bodily or mental infirmity affecting such person, or any of his or her family.[2]

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to the fact that it is able to take a place of service suited to its years and its strength; but no age has been fixed when a child is to be considered able-bodied, nor when an adult shall cease to be such. Under no circumstances should the practice be resorted to of allowing weekly relief to boys and girls whilst they are in employment and in receipt of wages. The effect of such relief is to enable the employers to obtain the services of the children partly at the expense of the ratepayers, and also to prevent the children of independent labourers obtaining employment.

Neither are persons above sixty years of age necessarily to be regarded as "not able-bodied." It is a question of fact in each case, depending upon the physical strength and condition of the applicant for relief.

The Guardians must decide the question of able-bodied or not for themselves, according to the circumstances of each case; bearing in mind that an appeal ultimately lies to the auditors against their decision if they give exceptional relief to a destitute person who, at the time, is really able-bodied.

[1] By "sudden and urgent necessity" (which words are used in Section 54 of 4 & 5 Will. IV. c. 76), the Commissioners understand any case of destitution requiring instant relief. It is to be remarked further, that this exception does not authorise *permanent* out-door relief in any case. A case originally of sudden and urgent necessity, which subsequently requires continued relief, loses its character of suddenness and urgency. The relief subsequently required will be either ordinary relief, and therefore to be given in the workhouse, or it may be extraordinary, and given for example, under the second exception to Art. 1.—*Instr. Letter.* However, no general rule can be laid down for the interpretation of those words further than that the circumstances contemplated must be of an exceptional character. See, however, Note to Art. 215, No. 6, *ante*, p. 448.

[2] The second exception provides for the case of any able-bodied man who is himself insane or temporarily sick, or who has met with an accident, or any of whose family require to be relieved on the ground of insanity, infirmity, accident, or sickness.—*Instr. Letter.* The Guardians should bear in mind that when they resolve to give relief in consequence of the sickness of any member of the family of an able-bodied man, the amount of loss sustained, or additional expense incurred in consequence of such sickness, is, under ordinary circumstances, the proper standard by which to regulate the amount of the exceptional relief to be given. The case of a woman who is actually confined in childbirth will be a case of sickness coming within this exception, until she is recovered from her confinement, and is able to resume her usual occupation; but mere pregnancy is not within the exception, if it be not accompanied by sickness. The word "family" in this exception includes illegitimate children.

The Guardians may provide a nurse for an outdoor pauper who is sick, as well as any other kind of relief which the necessities of the pauper may require.

Power is now given to the Guardians by the General Order of January 27, 1892, *post*, to appoint persons to act as nurses of the sick poor relieved by the Guardians out of the workhouse, who are to be called District Nurses.

A person suffering from delirium tremens became violent in his own house, and a relieving officer was sent for who ordered his removal to the workhouse, where he was kept for some days. He was then examined by a doctor and

Art. 1.—3rd. Where such person shall require relief for the purpose of defraying the expenses, either wholly or in part, of the burial of any of his or her family.[1]

4th. Where such person, being a widow, shall be in the first six months of her widowhood.[2]

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taken before magistrates as a lunatic, but was discharged by them as not being a lunatic. The Guardians having incurred expenses in respect of such person brought an action against him to recover such expenses, and the Court held that apart from the Lunacy Acts there was a common law liability upon such person to repay to the Guardians the expenses they had incurred; and that they were therefore entitled to recover them. (*The Guardians of West Ham* v. *Pearson*, 62 L. T. N. S. 638.)

[1] Under this exception relief may be given to able-bodied persons for the funerals of any members of their families, without requiring them to come into the workhouse.—*Instr. Letter.*

It is entirely optional with the Guardians whether they will undertake the burial of the dead body of any poor person or not under 7 & 8 Vict. c. 101, s. 31, and they may prescribe the conditions under which alone they will consent to bury the body at the expense of the poor rates. A relieving officer has of himself no authority to supply the means of burial in the intervals between the meetings of the Guardians; the Guardians may, however, give him a general authority to do so; but in that event he must act strictly in accordance with the terms of the authority given to him in regard to pauper funerals; as to such general authority see Note to Art. 215, No. 6, of the General Consolidated Order, *ante*, p. 450. The words of the statute "poor person," are not confined to a person actually chargeable to the poor rates. If the Guardians have entered into a contract for pauper funerals, they, and not the relieving officers, should pay the contractor. *Reg.* v. *Vann*, 21 L. J. M. C. 39; 2 Den. C. C. 325; T. & M. 622; 15 Jur. 1,090, shows that a parent is bound to provide Christian burial for the body of a deceased child if he has the means; but if he has not the means, though the body remains unburied and becomes a nuisance to the neighbourhood, he is not indictable for the nuisance, notwithstanding he could have obtained money for the burial expenses by way of loan from the Poor Law authorities, for he is not bound to incur a debt. Nevertheless such a person would be liable to summary proceedings against him under the Public Health Act, 1875; and in the Metropolis under the Nuisances Removal Act.

In the case of a person dying of an infectious disease and the body being removed to a mortuary, and the friends not providing for the burial, it will be the duty of the relieving officer under 38 & 39 Vict. c. 55, s. 142, to bury the body; but he may recover the expenses in a summary manner from any person liable to pay them.

By Section 297 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5) "the necessary "expenses attending the removal, discharge, or burial of a pauper lunatic in "any institution for lunatics, shall be borne by the Union to which the lunatic "is chargeable, or the local authority liable for his maintenance, and shall "be paid by the Guardians of the Union or by the Treasurer of the Local "authority."

[2] The exception of widows during the first six months of their widowhood is adopted with a view of enabling persons thus situated to have an adequate interval for the purpose of making such arrangements for their support as their altered condition may require.—*Instr. Letter.* If an able-bodied widow have no child or children dependent upon her for support, out-door relief cannot be granted to her beyond the six months named in this Article, without

Art. 1.—5th. Where such person shall be a widow, and have a legitimate child or legitimate children dependent upon her, and incapable of earning his, her, or their livelihood, and have no illegitimate child born after the commencement of her widowhood.[1]

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the previous consent of the Local Government Board, obtained under Art. 6, *post*.

[1] The exception of widows with children, so far as it relates to able-bodied women in employment, is one which the Guardians ought to exercise great circumspection in applying in practice. The Guardians, when administering relief under it, ought to take into account, that when small weekly allowances in aid of wages are made, they too commonly serve to excuse relations from the payment of contributions to a larger amount; and that the out-door allowances, when given indiscriminately in widowhood, tend to put an end to provident habits, in respect of insurance in sick clubs or otherwise. It should, moreover, be borne in mind, that allowances made by the Parish to able-bodied widows in employment do not always confer the advantages intended, inasmuch as their wages, as in the case of able-bodied men, are commonly reduced in consideration of the allowance from the Parish; and that such reduction of the wages, combined with the excuse furnished to relations or friends for withholding their contributions, together with the pauper habits thus engendered, often renders such allowances to widows in aid of wages an injury rather than a benefit to them; whilst in some districts this class of able-bodied widows may be so numerous that their labour, thus depreciated at the expense of the ratepayers, may be substituted for the more highly paid labour of independent labourers. The Commissioners trust that the Guardians will seldom find that the ordinary rate of earnings of able-bodied women is so low as not to enable them to support one child at the least; and that the Guardians will not adopt any such general rule as that of relieving all widows with one, or with any fixed number of children, but will make a careful inquiry into every case thus to be relieved.—*Instr. Letter.* It only seems necessary to observe further in reference to this exception, that if a woman after her widowhood have an illegitimate child, her case will no longer be within the exception; but if the illegitimate child should afterwards die, her case will again fall within the exception, and the Guardians will be at liberty to give her out-door relief if they think fit so to do. And further, that if a woman have illegitimate children before her marriage, and afterwards becomes a widow and have no legitimate children dependent upon her, her case will not be within exception 5 to Art. 1; but if she have legitimate children dependent upon her, her case, notwithstanding her having an illegitimate child born before marriage, will fall within the exception. But note the omission of the words "dependent upon her" in the last part of the exception. If a widow have an illegitimate child not dependent upon her, and legitimate children who are dependent upon her, her case will not come within the exception so long as the illegitimate child lives.

If being a widow she has an illegitimate child and again marries and again becomes a widow and has not again an illegitimate child, her case will be within the exception, as the exception to the Article is to be construed as having reference to the existing widowhood of the woman.

The fifth exception is to be construed as having reference to the actual widowhood of the woman, and not to the first widowhood in a case in which the woman marries again, and becomes a second time a widow.

A woman deserted by her husband, and having only legitimate children dependent upon her, applied for out-door relief, and as her case did not appear

Art. 1.—6th. Where such person shall be confined in any gaol or place of safe custody, subject always to the regulation contained in Article 4.[1]

7th. Where such person shall be the wife, or child, of any able-bodied man who shall be in the service of Her Majesty as a soldier, sailor, or marine.[2]

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to come under either section of the Out-Door Relief Prohibitory Order, the sanction of the Local Government Board was asked for the payment to her of out-door relief.

That Board replied as follows :—

"The case would appear to come under exception 5 to Article 1 of the General Out-Door Relief Prohibitory Order in connection with the provision contained in the statute 39 & 40 Vict. cap. 61, section 18, and, therefore, the sanction of the Board is not requisite to the allowance of the relief proposed."

A deserted wife with children, but having no child born since her desertion, comes within exception 5 to Art. 1, regard being had to the 39 & 40 Vict. c. 61, s. 18.

[1] It sometimes becomes necessary that the Guardians should be empowered to give relief to the wife and children in cases where the husband cannot be required to enter the workhouse on account of his being in a place of legal confinement.—*Instr. Letter.* It may be added here, that it sometimes happens that a person in the custody of the law prior to committal for trial is in destitute circumstances and in need of relief. If in such a case application be made on his behalf to the Guardians or to the relieving officer, it is considered that the Guardians or that officer should provide the prisoner with such relief in kind as may be absolutely necessary. If the prisoner be sick and in such a state of urgent necessity as to require immediate medical assistance and has no means at hand to obtain it, the relieving officer should give an order for medical aid, and report the case to the Guardians at their next meeting, with whom it will rest to discontinue the relief or not as they may think fit.

[2] The state of the law in reference to married women, explained in the Note to the eighth exception, and the peculiar rights and obligations of soldiers, sailors, and marines, render it desirable to give great latitude to the proceedings of the Board of Guardians in respect of the families of persons in these departments of the Queen's service. The seventh exception, therefore, allows of relief of any kind being given to the wife or children of a soldier, sailor, or marine, whether in or out of the workhouse, without requiring the husband to come into the workhouse.—*Instr. Letter.* Reference may here be made to sects. 20 and 21 of 45 & 46 Vict. c. 75, the Married Women's Property Act, 1882.

On the subject of relief to wives of men in Army and Militia Reserves, the Local Government Board in a letter addressed on May 24, 1878, to the Guardians of the Bromsgrove Union, say that it must be borne in mind that an allowance is made by the Government for the wives and children of the men of the Army and Militia Reserve at the rate of 6*d.* a day for each woman and 2*d.* a day for each child under 14 years of age, and it is most important to note further than an order has now been made by the Secretary of State for War for the payment of these amounts monthly in advance ;—that the cases, therefore, which are likely to arise will only be those of temporary distress, and, looking to the important point that the position of the applicants will contrast favourably with that of other persons who are left entirely without means of support, the Board cannot but think that, as a rule, an able-bodied woman with the Government allowance and such assistance as her

Art. 1.—8th. Where any able-bodied person, not being a soldier, sailor, or marine, shall not reside within the Union, but the wife, child, or children of such persons shall reside within the same, the Board of Guardians of the Union, according to their discretion, may, subject to the regulation contained in Art. 4, afford relief in the workhouse to such wife, child, or children, or may

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husband ought to have been able to provide from his deferred pay, or to be able to afford from time to time afterwards from his pay and allowances, should have no difficulty in finding, if not immediately, at least within a reasonable period after her husband's departure, sufficient employment to enable her to maintain adequately herself and her children, if any:—that as to the kind of relief which should be given, the Board are of opinion that, where the applications are made for the first time, and the Guardians are quite satisfied that some assistance is necessary, out-door relief may not improperly be granted for a short period, in order to enable the applicants to make such arrangements for their support as their altered circumstances may really require. When, however, a sufficient time has been allowed for this purpose, it appears to the Board that, in the interest of the applicants and of their families, no less than in that of the ratepayers, the ordinary principles which should regulate the administration of relief should be impartially applied. At the same time it will be for the Guardians to deal with each case according to the special circumstances attending it, and the Board add that it is, of course, competent for the Guardians to declare any relief given in these cases as relief by way of loan, and it will rest with them to decide to what extent this course shall be adopted.

The Board add the following particulars for the information and guidance of the Guardians in coming to a decision as to the manner in which, and the extent to which, relief should be granted in any individual case:—

"Each man in the First Class Army Reserve is entitled to receive, before being called up, deferred pay at the rate of 2*d.* a day, payable annually on March 31 in each year, and also to Army Reserve pay at the rate of 4*d.* a day, payable quarterly on the last day of March, June, September, and December. Thus, on March 31, 1878, each man in the First Class Army Reserve received, or was entitled to receive, a sum of £4 10*s.* 10*d.*, and his total receipts for the year ended on that day were £9 2*s.* 6*d.* After joining their respective regiments, the paymaster or other officer appointed will afford to such of them as may wish to remit money to their families, facilities for so doing, by furnishing them gratis with Post Office Orders.

"With regard to the Militia Reserve men, however, the Board understand that, owing to the fact that the date of calling up the Reserve Forces (April 3, 1878) is nearly the same as that for the commencement of their annual training, these are entitled to a sum of only £2 in respect of the Spring 1878 training; but this sum has not yet been paid to them.

"In consequence of the Proclamation calling them up, both the Army and Militia Reserves are now incorporated with the Regular Forces, and each man receives the same rate of pay as a private of the corps which he may join. Their pecuniary position is, perhaps, best described in the following extract from a Parliamentary paper just published:—

"'It has been calculated that a prudent soldier can deposit 3*s.* a week at the least in the saving's bank.' (Extract from Horse Guards General Order 36, of 1874). This is exclusive of the deferred pay of 2*d.* per day, which has since been granted from April 1, 1876."

allow out-door relief for any such child or children being within the age of nurture, and resident with the mother within the Union.[1]

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[1] The eighth exception provides for the case of a wife whose husband is absent from her, either by desertion or otherwise, and is necessary in consequence of the state of the law applicable to women thus situated. It has been held that in such cases relief to the children was not relief to the wife; consequently, the wife could not be compelled to come with her children into the workhouse, although a new provision has been made by the statute 7 & 8 Vict. c. 101, s. 25, to be noticed at full hereafter, in respect of certain women separated from their husbands. If, however, under any circumstances she require relief for herself, the Guardians may require her to receive it in the workhouse: and if she require relief for her children, the Guardians may require such of them as are above the age of nurture to receive it in the workhouse, whether she do or do not come into the workhouse. As regards, however, children under the age of nurture (to be within the age of nurture a child must be within seven years of age) who may be living with the mother, the Guardians cannot remove them from her; so that if she require relief for them and them only, the Guardians must, except in the case hereafter provided for, give out-relief, if relief be necessary.—*Instr. Letter.* It is a well-recognised rule with regard to the maintenance of the poor, that while a child is under seven years of age, it shall not be separated from the mother for the purpose of being maintained by the Parish in which it is settled; see the observations of Lord Campbell, C.J., on this point, in *Reg.* v. *Clark in re Rice*, 7 E. & B. 186; 3 Jur. N.S. Q. B. 336; 26 L. J. Q. B. 169; under seven, he said, is called the age of nurture which is the peculiar nurture required by a child from its mother, which is entirely different from guardianship for nurture which belongs to the father in his lifetime, even from the birth of the child. With regard to relieving a child under the age of nurture, apart from its mother, and the liability of such child to be removed to the place of its settlement, reference may be made to *Reg.* v. *Combs*, 5 E. & B. 892; 25 L. J. M. C. 59; 2 Jur. N.S. 255. *Reg.* v. *Birmingham*, 5 Q. B. 210; 2 E. & D. 153; 13 L. J. M. C. 1; 7 Jur. 1,014, shows that the mother cannot consent to the separation from her of her children who are within the age of nurture; it is the right of the children within that age to be with their mother. With reference to the relief of deserted wives and children, see the Circular of the Poor Law Commissioners, App. (A.), No. 6, p. 83, Fifth Annual Report of Poor Law Commissioners. If the wife or children of a soldier become destitute, she or they must be relieved, and the Guardians cannot establish any legal claim against the husband for maintenance whilst he is in the service, nor can they attach his pay by way of reimbursement, as he is exempted from such liability by the provisions of the Army Act, 1881. It would be prudent in such cases, however, to declare the relief to be given by way of loan, and after he leaves the service perhaps some portion of it might be recovered. With regard to the relief of the families of men who are serving in the Militia, see 52 O. C. N.S. pp. 9, 10.

Art. 1 of this Order, exception 8, requires that able-bodied women, deserted by their husbands, should only receive relief in the workhouse. If such a woman requires relief for her children, any child under the age of nurture and residing with the mother may receive out-door relief; but the children above that age must be taken into the workhouse. This is expressly provided for by the 8th exception to the Article in cases in which the husband has left the Union in which the wife resides. If, however, he has gone beyond the seas,

Art. 2.—In every case in which out-door relief shall be given on account of sickness, accident, or infirmity to any able-bodied male person resident within any of the said Unions, or to any member of the family of any able-bodied male person, an extract from the medical officer's weekly report (if any such officer shall have attended

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under Art. 4, she is entitled to be relieved in the same manner and subject to the same conditions as if she were a widow.

The following is from the *Times* newspaper of February 3, 1872 :—

Sir,—Your issue of January 29 contains an interesting account of a Conference held at Reading on the 27th, on "Out-door Relief." The gathering consisted of Poor Law Guardians, and was convened by Mr. Henley, the well-known Poor Law Inspector.

I beg to draw attention to the second resolution carried on this occasion :—

"That out-door relief should not, except in special cases, be granted to any woman deserted by her husband during the first twelve months after her desertion, or to any able-bodied widow with one child only."

The following "rider" was also carried :—

"No relief should be given to women deserted by their husbands except upon loan, and every married woman not actually residing with her husband (except in cases of regular soldiers, sailors, and marines upon service, and confined lunatics) should, for purposes of relief, be treated as deserted by her husband."

Let me record an actual case of desertion. "Happy Jack," a misnamed drunken neighbour of mine, a labourer, deserts "unhappy Martha," and leaves her with six small children, "totally unprovided for." She comes to me for advice. She is able-bodied; does not want to be "shut up;" hopes to get a living for herself by her needle or in the fields, but asks for "summut for the poor children."

I take down *Glen's Poor Law Board Orders*, a notable authority. I am directed to Prohibitory Order, Art. 1, exception 8, note C [(*a*) in this edition]. I evolve, as I fancy correctly, with the aid of an "expert," the following :—

"1. That a deserted woman, unless her husband be beyond the seas, is not responsible for the maintenance of her children.

"2. That relief to her children is not relief to her as in the case of a father or widowed mother.

"3. That she cannot be separated from her children under seven, they being thus within the age of nurture."

The conclusion I gather from the above is that if Martha requires relief for herself and children, she and they can only have it "in the house;" but that if she asks relief only for the children, the law awards her relief only for her children above the age of seven years in the house and relief for those under that age out of the house, and that the Guardians, destitution and desertion being proved, have absolutely no choice in the matter.

To my surprise, the Reading resolutions and accompanying discussion ignore all this—one speaker, it is true, alluded to it, but nothing appears to have come of it. If I am right, the omission of all reference to the exceptional legal position of deserted women in regard to their children is a material one, and may lead to much unintentional injustice. If deserted women without children only are included in the resolution, should not this have been clearly stated? Who is in fault—the inspector, the conference, "Glen," or, as is most probable, myself?

A Puzzled Guardian of the Poor.

the case), stating the nature of such sickness, accident, or infirmity, shall be specially entered in the minutes of the proceedings of the Board of Guardians of the day on which the relief is ordered or subsequently allowed.

But if the Board of Guardians shall think fit, a certificate under the hand of a medical officer of the Union, or of the medical practitioner in attendance on the party, shall be laid before the Board, stating the nature of such sickness, accident, or infirmity, and a copy of the same shall be in like manner entered in the minutes.[1]

Art. 3.—No relief shall be given from the poor rates of any Parish comprised in any of the said Unions to any person who does not reside in some place within the Union, save and except in the following cases [2] :—

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[1] The regulation which requires the entry on the minutes of the medical officer's report, or a medical certificate in case of relief being given to an able-bodied pauper on account of sickness, accident, &c., has been introduced in consequence of a tendency which has displayed itself in various parts of the country, to make exceptions to the prohibitory order on too slight grounds, and the Commissioners think that this provision will have the usual effect of calling the special attention of the Guardians to every such case. If the pauper should not have been attended by a medical officer of the Union, a certificate may be given either by the medical practitioner who may have attended him, or by a medical officer of the Union who may visit him for the purpose.—*Instr. Letter.* The entry in the minutes here referred to, it will be perceived, refers to the medical reports or certificates on which the Orders of the Guardians for relief are founded, and is in no way interfered with by the Order for the accounts, *post.*

[2] Under the provisions of this Article, the Guardians may relieve a pauper residing within the Union, though not residing in the Parish to which he belongs; the Commissioners, however, are far from wishing to encourage even this species of non-resident relief. It is true that the frauds and evils which are incidental to non-resident relief, in consequence of the want of inspection and the difficulty in transmitting the relief, do not occur with reference to paupers resident within the Union, who are within the reach of the relieving officers, but, nevertheless, the ratepayers of the Parish charged with the relief, who by means of the quarterly list of paupers can, by personal observation of those who reside in their Parish, ascertain whether they are fit objects for relief, are deprived of this protection, where the pauper for whom they pay is resident at a distant part of the Union. The relief of paupers out of their Parish, and out of the relieving district in which the Parish is comprised, is not unattended with difficulties, both of a legal and practical nature, which are sufficient to make it desirable that the Guardians should not, without sufficient ground, permit new cases of this nature, even within the Union. The Commissioners have stated fully their views on the subject of non-resident relief, as respects both its legality and expediency, in a minute dated January 26, 1841. See their Seventh Annual Report, p. 106.—*Instr. Letter.* The foregoing observations of the Poor Law Commissioners on this Article must, however, now be read with reference to the Union Chargeability Act, 1865.

Art. 3 of the Prohibitory Order applies to the granting of non-resident relief,

Art. 3.—1st. Where such person, being casually within such Parish, shall become destitute.[1]

2nd. Where such person shall require relief on account of any sickness, accident, or bodily or mental infirmity, affecting such person, or any of his or her family.[2]

3rd. Where such person shall be entitled to receive relief from any Parish in which he or she may not be resident under any order which justices may by law be authorised to make.[3]

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which it prohibits within certain exceptions; but it does not make any distinction between in-door and out-door relief within the Union; and there is apparently no reason for applying the prohibition as to non-resident relief to the case of poor children who are residing within the Union, whilst the father or mother, liable for their maintenance, is out of the Union.

[1] The Commissioners have introduced this exception in order to meet the cases of vagrants, who may become casually destitute within the Union. It is the duty of the Guardians to relieve persons so situated, without reference to the place of their settlement or residence. The Commissioners have not introduced into this Article an exception on account of sudden and urgent necessity. (See Note to Art. 1, exception 1.) Cases of sudden and urgent necessity manifestly require prompt attention and vigilant inspection which can only be exercised by the Guardians and their officers in the district where the necessity arises.—*Instr. Letter.*

[2] This exception corresponds to the second exception to Art. 1. The Commissioners introduced the exception on account of the difficulty which a want of the power of giving temporary relief to non-residents in case of sickness has been found to create in some parts of the country. The Commissioners, however, caution the Guardians against giving temporary relief in cases of sickness to persons not resident within the Union, unless they are able to obtain accurate information concerning the case, and can ensure adequate and prompt relief, both medical and otherwise. It may be observed that this exception permits poor persons to be sent to establishments out of the Union intended for the treatment of their respective infirmities, as hospitals for the sick, asylums for the insane, and schools for the blind or deaf and dumb.—*Instr. Letter.* Since this Order was issued, however, the 9 & 10 Vict. c. 66, s. 4, has prevented the removal of a poor person who has become chargeable to a Parish, in which he was not settled, in consequence of temporary sickness. In such a case the Guardians cannot grant non-resident relief, as such relief as may be necessary is properly chargeable to the common fund of the Union in which the pauper is resident. The Guardians may, however, under this exception, grant non-resident relief to any poor persons whose sickness, &c., is of a permanent character. Moreover, if the case of a pauper falls within the exception, and it be desirable to send the pauper to a hospital out of the Union for medical treatment, or to a sea-bathing infirmary for the benefit of sea-bathing, as is desirable in case of scrofula, it would be legally competent for the Guardians to make the customary payment to the hospital in respect of the pauper, as the temporary sojourn of the pauper at the seaside under such circumstances would not constitute an interruption of residence in the Union.

[3] The third exception is intended expressly to except from the operation of the Order the cases of relief given to non-resident lunatics in asylums under orders of justices, and to persons under orders for removal.—*Instr. Letter.*

Art. 3.—4th. Where such person, being a widow, shall be in the first six months of her widowhood.[1]

5th. Where such person is a widow, who has a legitimate child dependent on her for support, and no illegitimate child born after the commencement of her widowhood, and who at the time of her husband's death was resident with him in some place other than the Parish of her legal settlement, and not situated in the Union in which such Parish may be comprised.[2]

6th. Where such person shall be a child under the age of sixteen,

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[1] This exception is similar to the fourth exception to Art. 1, the reasons for which are stated in the note to that exception.—*Instr. Letter.* But see 9 & 10 Vict. c. 66, s. 2, which makes a widow irremovable, and consequently chargeable to the Union in which she is residing for one year after her husband's death provided she was living with him at the time of his death, and has not afterwards changed her residence. In such a case the Guardians cannot lawfully grant non-resident relief, and the statute consequently overrides this exception.

[2] This exception is that which the Legislature has introduced in 7 & 8 Vict. c. 101, s. 26, and upon which the Commissioners made their remarks in their Circular Letter to Boards of Guardians, dated October 17, 1844. Upon that enactment the Commissioners in the Circular referred to observe, "That the widow must have been resident with her husband at the time of his death, not only out of the Parish of her settlement, but also out of the Union in which that Parish may be comprised. The object of the clause appears to be to avoid the disturbance of those connections and mode of life at a distance from the Union to which the family may have become accustomed, and which existed at the time of the husband's death. Where all the conditions exist which would enable the Guardians to grant non-resident relief, they are still to use their discretion as to whether non-resident relief to the widow is in each particular case desirable. The general objection to such relief, such as the difficulty of ascertaining the circumstances of paupers beyond the power of inspection of the Guardians of their officers, and the further difficulties attendant on the transmissions of relief to places where the Guardians have no authority and no official agency, will be weighed by the Guardians. This power is one entrusted to Boards of Guardians only. Overseers acquire no authority under this provision to administer non-resident relief to the class of widows described. It must be borne in mind by Guardians and their officers that they are in nowise exempted from their previous obligation to relieve any widow who may be in their Parish or Union requiring relief, by the power thus given to the Guardians of the place of her settlement to afford her non-resident relief, and even when that power is exerted, if, notwithstanding the relief sent to her by her Parish, she or her children require additional or further relief, the officers of the place where she is, are still bound, as heretofore, to afford her the relief which the circumstances require." The exception does not provide for relief in the Parish only in which the widow was residing at the time of her husband's death, but enables the Guardians to give non-resident relief to the widow anywhere in England.

maintained in a workhouse or establishment for the education of pauper children not situate within the Union.[1]

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[1] This exception removes the restriction upon Guardians from sending children to a workhouse or establishment for the training of pauper children, which may be situated out of their Union, where, but for the prohibition of relief to non-residents contained in the Order, they might lawfully do so.—*Instr. Letter.* The 7 & 8 Vict. c. 101, s. 51 (amended by 29 & 30 Vict. c. 113, s. 16, which latter section is repealed by 56 & 57 Vict. c. 14), empowers the Guardians of any Parish or Union to send infant poor, not above the age of sixteen years, being chargeable to such Parish or Union, who are orphans or are deserted by their parents, or whose parents or surviving parents or guardians are consenting thereto, to any district school formed under that Act. See also 14 & 15 Vict. c. 105, s. 6, as to sending, with the consent of the Poor Law Board, certain children to a workhouse belonging to another Union or Parish, where there is adequate accommodation. Reference may also be made to 12 & 13 Vict. c. 103, s. 14, enabling Guardians to contract to receive into their workhouses certain poor persons belonging to other Unions or Parishes within certain limits.

The sixth exception in Art. 3 also applies to children sent to certified establishments for the instruction of blind, deaf, dumb, lame, deformed, or idiotic persons. Under 25 & 26 Vict. c. 43, s. 1, the Guardians may send any poor child who is an orphan, or deserted by his or her parents, or surviving parent, or whose parents or surviving parent shall consent, to any school including schools for the blind, certified by the Local Government Board in the manner directed by the Act, and supported wholly or partially by voluntary subscriptions, the managers of which are willing to receive such child, and may pay the expenses incurred in the maintenance, lodging, and education of such child, not exceeding the total sum which would have been charged for the maintenance of such child if received in the workhouse during the period of maintenance in the institution, and the cost of conveyance of the child thereto, and, in case of death, the cost of burial; but the provision as to the charge of the cost of maintenance has been amended by 45 & 46 Vict. c. 58, s. 13. See also 29 & 30 Vict. c. 113, s. 14, as to educating pauper children in the religion to which they belong. Generally with reference to these two statutes, see *ante*, pp. 221 and 222.

Provision is now made for the elementary education of blind and deaf children by the Elementary Education (Blind and Deaf Children) Act, 1893 (56 & 57 Vict. c. 42). But Section 13 of that Act enacts that:—

"(1.) As from the first day of July one thousand eight hundred and ninety-"four so much of any enactment in force at that date as empowers Boards of "Guardians to send blind or deaf children to school shall be repealed, except "as to children who are—

"(*a*) idiots or imbeciles; or

"(*b*) resident in a workhouse or in an institution to which they have been "sent by a Board of Guardians from a workhouse; or

"(*c*) boarded out by Guardians.

"(2.) Provided that, where any blind or deaf child with respect to whom "the powers of Guardians cease in pursuance of this section is on the first day "of July one thousand eight hundred and ninety-four relieved in any institution "by a Board of Guardians, the child shall continue chargeable as if this Act "had not passed, until the expiration of six months' notice to be given by the "Guardians, if they think fit, to the school authority of the district from which "the child was sent."

The Local Government Board, on March 23, 1891, addressed a letter to

Art. 3.—7th. Where such person shall be the wife or child residing within the Union, of some person not able-bodied, and not residing within the Union.[1]

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their inspectors adverting to a previous letter drawing attention to the statements and recommendations of the Royal Commission on the blind, the deaf and dumb, &c., with reference to the treatment of blind or deaf and dumb persons in connection with poor relief. With regard to children of the classes referred to, the Board observed that it was not proposed by the Bill then before Parliament that the powers of Boards of Guardians to send blind or deaf children to institutions should cease in the case of children who were resident in a workhouse. The Board were desirous that the inspectors, on the occasion of their visits to the workhouses, should continue to give special attention to the cases of children of the classes mentioned, and that they should, either by an entry in the Visitors' Book or by such other means as they might think best, recommend the Guardians to provide for the removal of any such child to a separate institution, when the circumstances appeared to render this course desirable. In the cases also of adults who were capable of instruction either in reading or in industry, it would be desirable that the inspector when he found that no such means of instruction were provided, should ascertain whether provision for this purpose could not be made by the Guardians for these inmates whilst they continued in the workhouse. The Board further stated that there would no doubt be cases of Unions where it would be very difficult to make any provision for such instruction. Where this was so, the inspector might suggest that arrangements might be made under which inmates of this class might be sent temporarily under contract with the Guardians to the workhouse of some town union where facilities for instruction existed, either in the workhouse or in the town. In the latter case, the Board stated it would be necessary that the inmates should be allowed to leave the workhouse at such times as might be required for the purpose of receiving the needful instruction. As regarded the aged blind in workhouses, the suggestion made by some of the inspectors that arrangements should be made for reading aloud might in the opinion of the Board be adopted with advantage; and the Board concluded the letter by stating that they would be glad if the inspectors, as they visited each workhouse, would bear in mind the foregoing recommendations.

This section does not relieve children from their liability under 43 Eliz. c. 2, s. 7, to relieve and maintain and to contribute to the maintenance of their parents. (See *Arrowsmith* v. *Dickenson and another*, 20 Q. B. D. 252; 58 L. T. N. S. 632; 36 W. R. 507; 52 J. P. 308.)

Where the mother, a Roman Catholic, of a child whose father was dead, had consented to the child being placed in a Protestant school for destitute children, when afterwards in a workhouse, desired that the child should be removed to a Roman Catholic school, the Court refused a *habeas corpus* to remove the child, the mother before being in the workhouse having neglected her, and lived a drunken and immoral life, and the child being desirous of remaining where she was. (*In re Turner, Ex parte Turner*, 41 L. J. Q. B. 142; 25 L. T. N.S. 907.)

As to adult blind or deaf and dumb paupers being sent to institutions established for the reception of such persons, see 30 & 31 Vict. c. 136, s. 21, and as to children so afflicted, see 31 & 32 Vict. c. 122, s. 42. See also 4 & 5 Will. IV. c. 76, s. 56, which enacts that all relief given to or on account of any child or children under the age of 16 *not being blind or deaf and dumb*, shall be considered as given to the husband of such wife or to the father of such child or children as the case may be, and any relief given to or on account of any child or children under the age of 16 of any widow shall be considered as given to such widow.

[1] This exception enables the Guardians to relieve the resident family of a

Art. 3.—8th. Where such person shall have been in the receipt of relief from some Parish in the Union from which such person seeks relief at some time within the twelve calendar months next preceding the date of that one of the several Orders hereinbefore recited which was applicable to that Union, being settled in such Parish and not being resident within the Union at the time of the allowance of the relief.

Art. 4.—Where the husband of any woman is beyond the seas, or in custody of the law, or in confinement in a licensed house or asylum as a lunatic or idiot, all relief which the Guardians shall give to his wife, or her child or children, shall be given to such woman in the same manner, and subject to the same conditions, as if she were a widow.[1]

Art. 5.—It shall not be lawful for the Guardians or any of their officers, or for the overseer or overseers of any Parish in the Union to pay, wholly or in part, the rent of the house or lodging of

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non-resident man, provided he be not able-bodied, without requiring them to come into the workhouse.—*Instr. Letter.*

[1] This Article is introduced in conformity with the provisions contained in 7 & 8 Vict. c. 101, s. 25, in regard to the relief of women separated from their husbands, in certain cases particularly specified, who are by that provision to be treated as widows in respect to relief to be afforded to them by Guardians. In the Circular Letter of October 17, 1844, on this subject, the Commissioners remark, "married women whose children required and received relief were not, before the passing of this Act, liable to any conditions in respect of such relief, and could cast off their children upon the Parish, however well such women might be able to maintain their children, or to contribute to their maintenance. Widows, on the other hand, were liable to the like conditions and consequences of relief afforded to themselves and their children as the fathers of legitimate children are. The present Act declares that while the husband of any woman is beyond the seas (that is, *out of Great Britain*), or in custody of the law, or in confinement in any licensed house or asylum as a lunatic or idiot, all relief given to the wife, or to her child or children, shall, notwithstanding her coverture, be given to her in the same manner and subject to the same conditions as if she were a widow." (Section 25.) And again, "where widows are obliged to receive relief for their children within the Union, or within the workhouse, these married women will be subject to the like conditions."—*Instr. Letter.* Now, by 39 & 40 Vict. c. 61, s. 18, the provision in 7 & 8 Vict. c. 101, s. 25, shall supply to a married woman living separate from her husband.

No liability is imposed upon a married woman by 39 & 40 Vict. c. 61, s. 18, with regard to relief that may be given to her children; but now, by the Married Woman's Property Act, 1882 (45 & 46 Vict. c. 75, s. 21), a married woman having separate property shall be liable for the maintenance of her children and grandchildren in like manner as her husband is liable, but he is not thereby relieved from his liability in that respect.

any pauper, or to apply any portion of the relief ordered to be given to any pauper in payment of any such rent, or to retain any portion of such relief for the purpose of directly or indirectly discharging such rent, in full or in part, for any such pauper [1] :

Provided always that nothing in this Article contained shall apply to any shelter or temporary lodging, procured in any case of sudden and urgent necessity, or mental imbecility, or shall be taken to prevent the said Guardians, in regulating the amount of relief to be afforded to any particular person, from considering the expense to be incurred by such person in providing lodging.[2]

Art. 6.—Provided always, that in case the Guardians of any of the said Unions depart in any particular instance from any of the regulations hereinbefore contained, and within fifteen days after such departure report the same, and the grounds thereof, to the Poor Law Commissioners, and the Poor Law Commissioners approve of such departure, then the relief granted in such particular instance shall, if otherwise lawful, not be deemed to be unlawful, or be subject to be disallowed.[3]

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[1] This Article is intended to prevent a practice which has prevailed in some parts of the country, whereby the poor rates have been made a fund for the payments of rents directly to the landlord. In all cases where the pauper is so far destitute as to require a lodging, or the means of paying for one, if the Guardians do not deem it expedient in the particular case to require the party to come into the workhouse, they should supply to the pauper the means of paying for such lodging.—*Instr. Letter.*

[2] The Commissioners state that it is possible, although not probable, that cases may occasionally arise which present very peculiar circumstances, and which do not fall within any of the exceptions contained in the present Order. The Commissioners think it desirable in cases of that kind, in which the immediate withdrawal or denial of out-door relief might appear likely to produce serious evil to the applicant, that the Guardians should give out-door relief or take a portion of the applicant's family into the workhouse, and report the case within fifteen days to the Commissioners as a case of peculiar urgency, in order that they may give their opinion thereupon. The Commissioners have accordingly introduced this proviso enabling the Guardians to pursue this course with respect to exceptional cases of this description.—*Instr. Letter.*

With respect to the allowance of relief given by the relieving officer on the order of the Guardians under this Article, see Note on Art. 215, No. 10 of the General Consolidated Order, *ante*, p. 454.

[3] When out-door relief is given to able-bodied poor persons whose cases do not come within any of the exceptions to Art. 1, with the intention of setting such poor persons to work under the Supplemental Out-door Labour Test Order (*post*) in return for such relief, unless the case be reported to the Local Government Board for their sanction under this Article, the cost of the relief will be

Art. 7.—No relief which may be contrary to any regulation in this Order shall be given by way of loan ; and any relief which may be given to, or on any account of, any person above the age of twenty-one, or to his wife, or any part of his or her family under the age of sixteen, under Art. 1, or any of the exceptions thereto, or under any of the exceptions to Art. 3, or under Art. 4, or under the proviso in Art. 6, may, if the Guardians think fit, be given by way of loan.[1]

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liable to be disallowed by the auditor. The Labour Test Order, though it requires something more, does not dispense with the requirement of Art. 6 of this Order. The approval of the Local Government Board to a departure from any of the regulations contained in this Order is signified by a letter signed by their secretary or one of their assistant secretaries. On this point see 29 & 30 Vict. c. 113, s. 4.

It was formerly necessary that the allowance of clothing to the children of out-door paupers going to service should be reported to the Local Government Board under Art. 6 of Order of December 21, 1844 ; except where the child was leaving the workhouse to go to service and the clothing was supplied from the workhouse stores as in-door relief and so entered in the master's books. Now, however, the sanction of the Local Government Board is rendered unnecessary, the Guardians being empowered by the General Order of July 10, 1897 (*post*), to provide outfits for children chargeable to the Union on their being sent out to service. See with regard to that Order the Circular of July 14, 1897, issued therewith.

[1] The first part of Art. 7 is introduced in order to put an end to a misapprehension of the law which existed in some Boards of Guardians, viz., that although the Prohibitory Order prevented them from *giving* out-door relief they might nevertheless *lend* it. The second part of the Article enables the Guardians to make all the relief which may be given to persons above twenty-one years of age, or their families, a loan under the 58th Section of 4 & 5 Will. IV. c. 76.—*Instr. Letter.* Servants falling sick whilst in the employment of their masters frequently apply for relief during their sickness, and unless there is a special agreement between the master and servant, the former is not liable to provide the latter with medical or surgical aid in case of sickness. If such an agreement existed in any case, it would give the servant a remedy against the master ; but in no case have the Guardians any claim against the master for relief which they may give to his servant. In such a case the Guardians may give the relief on loan, and they may under 4 & 5 Will. IV. c. 76, s. 59, attach in the hands of the master any future wages which the servant may earn. On this point see *ante*, p. 398. Medical relief, as the exact cost of it in any individual case cannot in general be severed from the total cost of medical relief in the Union, does not seem to be such relief as can be given by way of loan. But in some Unions it is nevertheless so given ; and in the case of relief given on account of sickness or of orders upon the medical officer to attend the wives of labourers in their confinement, for which a specific fee is paid, it is open to the Guardians to declare the relief to be given by way of loan. The Guardians should notify to any such applicants that the relief would be granted by way of loan, and that the repayment of the whole, or such part as the Guardians might determine, would be strictly enforced by them. It must be borne in mind that unless the relief at the time that is given be expressly declared to be given by

Art. 8.—Whenever the word "Parish" is used in this Order, it shall be taken to include any place separately maintaining its own poor, whether parochial or extra-parochial.

Art. 9.—Whenever the word "Union" is used in this Order, it shall be taken to include not only an union of Parishes formed under the provisions of the hereinbefore recited Act, but also any Union or Parishes incorporated or united for the relief or maintenance of the poor under any Local Act of Parliament.[1]

Art. 10.—Whenever the word "Guardians" is used in this Order, it shall be taken to include not only Guardians appointed or entitled

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way of loan, it cannot be recovered from the applicant afterwards. As to the application of property coming into the possession of paupers, in repayment of relief, see 11 & 12 Vict. c. 110, s. 10, and 12 & 13 Vict. c. 103, s. 16; and as to the application of the property of a lunatic chargeable to any Union, see Section 299 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5). The distinction between relief by way of loan and a loan should also be borne in mind. The Guardians are not empowered to lend money to any one whether destitute or not; all that they can legally do is to relieve destitution where it exists, and declare that the relief is given by way of loan, and not absolutely. The relief when so given should be administered by the relieving officer in the same manner as ordinary relief, and entered by him in his accounts. Afterwards it will rest with the Guardians to take the proper steps for its recovery; they may employ the collector of the Guardians, if there be one, if not, the relieving officer to collect the money; but if legal proceedings are necessary to enforce repayment, they should be conducted by the clerk, pursuant to Art. 3 of the Consolidated Order Amendment Order of February 26, 1866, *post*. As to the mode of obtaining repayment of relief given to pensioners of Greenwich and Chelsea Hospitals and lunatic pensioners, see *ante*, p. 452.

With regard to the common law right of the Guardians to recover from any person expenses incurred on his behalf, see *The Guardians of West Ham* v. *Pearson*, *ante*, p. 492.

A poor person cannot be compelled to accept relief by way of loan to enable him to bury the dead body of one of his family, for he is not bound to accept a loan and render himself liable to be proceeded against. There is no doubt, Lord Campbell, C.J., said, that if a parent has the means of providing Christian burial for his child, he is bound to do so; but he is not liable to be indicted for a nuisance if he has not the means of burying it. He cannot sell the child's body or cast it into a river; but unless he has the means of giving it Christian burial he does not commit a crime by leaving it unburied, although it may be a nuisance to the neighbourhood, for which, he added, the Parish officers would probably be liable. (*Reg.* v. *Vann*, 21 L. J. N. S. M. C. 41; 2 Den. C. C. 325; T. & M. 632; 15 Jur. 1,090.)

As regards the allowance of school fees by way of loan, see the General Order, *post*.

[1] Arts. 9 & 10.—These Articles are introduced because the Order is addressed to some Unions of Parishes formed, not under 4 & 5 Will. IV. c. 76, but under Local Acts of Parliament, viz., Bury St. Edmunds, East and West Flegg, and Forehoe.

In concluding the notes on this Order, it is desirable to call attention to a

to act under the provisions of the said hereinbefore recited Act, but also any governors, directors, managers, or acting Guardians entitled

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provision which has been made with reference to the relief of destitute seamen by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60), viz. :—

"*Destitute Seamen.*

"Section 184.—(1.) If any person being a native of any country in Asia or "Africa, or of any island in the South Sea or the Pacific Ocean, or of any other "country not having a consular officer in the United Kingdom, is brought to the "United Kingdom in a ship, British or foreign, as a seaman, and is left in the "United Kingdom, and within six months of his being so left becomes charge-"able upon the Poor rate, or commits any act by reason whereof he is liable to "be convicted as an idle and disorderly person, or any other act of vagrancy, the "master or owner of the ship, or in case of a foreign ship the person who is "consignee of the ship at the time of the seaman being so left as aforesaid, shall "be liable to a fine not exceeding thirty pounds, unless he can show that the "person left as aforesaid quitted the ship without the consent of the master, or "that the master, owner, or consignee has afforded him due means of returning "to his native country, or to the country in which he was shipped.

"(2.) The court inflicting the fine may order the whole or any part "of the fine to be applied towards the relief or sending home of the person "left.

"Section 185.—(1.) It shall be the duty of the Secretary of State in Council "of India to take charge of and send home or otherwise provide for all lascars "or other natives of India who are found destitute in the United Kingdom.

"(2.) If any such destitute person is relieved and maintained by a Board of "Guardians in a Poor Law Union in England or Ireland, or by the inspector of "the poor in any Parish in Scotland, the Board or inspector may give notice "thereof in writing to the Secretary of State in Council of India, specifying, so "far as is practicable, the following particulars : namely :—

"(*a*) the name of the person relieved or maintained ; and

"(*b*) the part of India of which he professes to be a native ; and

"(*c*) the name of the ship in which he was brought to the United Kingdom ; "and

"(*d*) the port abroad from which the ship sailed, and the port in the United "Kingdom at which the ship arrived when he was so brought to the "United Kingdom, and the time of the arrival.

"(3.) The Secretary of State in Council of India shall repay to the Board of "Guardians or inspector out of the revenues of India all moneys duly expended "by them or him in relieving or maintaining the destitute person after the time "at which the notice is given, and any money so paid or otherwise paid by the "said Secretary of State, on account of the relief or maintenance or passage "home of the destitute person, shall be a joint and several debt due to the said "Secretary of State from the master and owner of the ship by which the "destitute person was brought to the United Kingdom.

"(4.) This Section shall apply only to such lascars or other natives of India "as have been brought to the United Kingdom either as seamen, or for "employment as seamen, or for employment by the owner of the ship bringing "them."

By an Act of the Governor-General of India in Council (No. xxi. of 1869), vagrants or persons of European extraction, American, and Australasians found asking alms or wandering about without employment or visible means of subsistence, may be forwarded from India at the expense of the Local Government of India to any port in this country.

to act in the ordering of relief to the poor from the poor rates under any Local Act of Parliament.[1]

Art. 11.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

SCHEDULE

Containing the names of the Unions to which the present Order applies.

(The Unions contained in this Schedule are those mentioned in the Schedule to the General Consolidated Order of July 24, 1847, *ante*, p. 474, with the exception of those Unions the names of which are printed in italics.) In addition to the first-mentioned Unions, the following Unions are also contained in this Schedule, viz. :— East and West Flegg and Forehoe.

Given under our hands and Seal of Office, this 21*st day of December*, 1844.

On December 21, 1843, an Order similar to the foregoing, but omitting the words "and not situated in the Union in which such Parish may be comprised" (at the end of the 5th exception to Art. 3), was issued to the following single Parishes in which relief to the poor is administered under Boards of Guardians :—

Alston-with-Garrigill.
East Stonehouse.
Great Yarmouth.
St. Mary and St. Andrew, Whittlesea.
Stoke-upon-Trent.

On August 17, 1852, General Orders similar to the foregoing Order of December 21, 1844, were issued to the

Chertsey.
Easington.
Kingston-upon-Thames, and Stockton Unions.

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[1] See Note 1, p. 506.

And also on January 6, 1857, to the

Camelford.	Helston, and
Dulverton.	Holsworthy Unions.

Orders prohibiting out-door relief to the able bodied poor have also, since the issue of the General Order of December 21, 1844, been issued to the following Unions and places on the dates undermentioned :—

Ashbourne	December 5, 1849.
Aysgarth	June 18, 1860.
Bangor and Beaumaris	March 30, 1849.
Bedwellty	February 24, 1864.
Bodmin	May 15, 1851.
Bootle	June 13, 1856.
Bramley	December 6, 1871.
Bridlington	October 16, 1849.
Canterbury	April 5, 1851.
Carnarvon	March 30, 1849.
Chester	November 22, 1869.
Congleton	February 9, 1846.
Falmouth	January 13, 1853.
Farnham	March 6, 1848.
Forden	November 23, 1870.
Gower	March 24, 1866.
Great Ouseburn	January 14, 1859.
Hartlepool	December 13, 1861.
Hatfield	May 5, 1845.
Hawarden	July 12, 1855.
Helmsley Blackmoor	July 21, 1855.
King's Lynn	August 8, 1874.
Kirkby Moorside	February 7, 1852.
Knaresborough	May 7, 1858.
Llanrwst	March 30, 1849.
Macclesfield	October 2, 1852.
Newton and Llanidloes	April 24, 1845.
Oswestry	November 16, 1850.
Pocklington	July 2, 1856.
Pontefract	May 23, 1879.
Pontypridd	February 26, 1866.
Rhayader	March 21, 1881.
Ripon	February 28, 1856.
Stamford	March 27, 1849.
Sedbergh	July 31, 1855.
Smallburgh	November 19, 1869.
Stokesley	February 14, 1852.

Stratton	May 15, 1851.
Tarvin	March 10, 1858.
Truro	January 13, 1853.
Wight, Isle of	September 15, 1879.
York	May 18, 1852.

An Order regulating the administration of out-door relief was issued to the City of Oxford on December 19, 1848.

Orders have also been issued to the following places, containing provisions of the Prohibitory Out-door Relief Regulation, and Non-Resident Relief Orders :—

Conway	November 28, 1859.
Dolgelly	November 26, 1858.
Machynlleth	December 13, 1861.
Merthyr Tydvil	October 1, 1870.
Northallerton	June 30, 1862.
Runcorn	May 5, 1860.

In each of these cases the Particular Order should be referred to, as it is not always in the precise terms of the Order given in the text, *ante*, p. 534.

The Out-door Relief Prohibitory Order was issued as a General Order, on August 31, 1875, to the following Unions, viz. :—

Anglesey.	Holyhead.

OUT-DOOR RELIEF REGULATION ORDER.

(Dated 14th December, 1852.)

To the Guardians of the Poor of the several UNIONS and PARISHES named in the Schedules hereunto annexed :—

To the Churchwardens and Overseers of the Parishes comprised in the said Unions, and the said several other Parishes named in the said Schedules :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions and Parishes are situate :—

And to all others whom it may concern.

WHEREAS the Poor Law Board, by their Order bearing the date of August 25 last, and addressed to the several Unions and Parishes named in the Schedules hereunto annexed, did make certain rules and regulations for the administration of the relief to the out-door poor, and it is expedient that the same should be modified :

Now, therefore, We, the Poor Law Board, in pursuance of the authorities vested in us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act "for the Amendment and better Administration of the Laws relating to "the Poor in England and Wales,*" and by all other Acts amending the same, do hereby rescind the said Order, except so far as it rescinded an Order theretofore issued by the Poor Law Commissioners or Poor Law Board to the said Unions and Parishes named in the Schedules hereunto annexed,[1] and except as to every matter done or

[1] The following is the rescinding clause of the Order of August 25, 1852, that is here referred to :—"We, the Poor Law Board, in pursuance, etc., etc., do

commenced in obedience thereto, and we do hereby Order, direct, and declare, with respect to each and every of the said Unions and Parishes from and after the first day of January next, as follows :—

Art. 1.—Whenever the Guardians allow relief to any able-bodied male person, out of the workhouse, one-half at least of the relief so allowed shall be given in articles of food or fuel, or in other articles of absolute necessity.[1]

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hereby rescind so much of every Order, whether general or special, heretofore issued by the Poor Law Commissioners or Poor Law Board to the several Unions and Parishes named in the schedules hereunto annexed, as relates to the several subjects herein provided for."

The Poor Law Board, with reference to the Order of August 25, 1852, stated that they thought it expedient to issue to certain Unions and Parishes, in many of which no regulations concerning out-door relief are now in force, a General Order regulating the administration of relief, and prescribing, among other things, an out-door labour test for able-bodied males.

The principle kept in view in all the provisions of this Order is that which was established by 43rd Eliz. c. 2, namely, that the disabled poor shall be relieved and the able-bodied be employed; which ruling principle of the Poor Law is laid down in these words by that statute—the churchwardens and overseers shall "take order from time to time for setting to work the children of "all such whose parents shall not, by the said churchwardens 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 use (using) no ordinary and daily trade of "life to get their living by; and also, to raise, weekly or otherwise, a convenient "stock of flax, hemp, wood, thread, iron, and other ware and stuff, to set the "poor on work; and also, competent sums of money for and towards the "necessary relief of the lame, impotent, old, blind, and such other among them "being poor and not able to work."

The Guardians at the present day stand in the place of the churchwardens and overseers, and the Poor Law Board therefore addressed to them the following remarks explanatory of the several Articles of the Order:—

The Board are of opinion that where there is a commodious and efficient workhouse, it is best that the able-bodied paupers should be received and set to work therein; but, looking to the circumstances of most of the Unions and Parishes in London and in some other populous places, they have not thought it expedient in this Order to prohibit out-door relief to any class of paupers; at the same time they leave the Guardians at liberty to offer relief in the workhouse only in every case in which they may consider it right to apply that test of destitution, or in which they consider that form of relief the most suitable to the necessity of the applicant and the circumstances of the case.—*Instr. Letter*, August 25, 1852.

[1] The object of this provision is to prevent the misapplication of the relief furnished, and the general rule is to be observed whether work is exacted in return for the relief or not.—*Instr. Letter*, August 25, 1852.

In this Article all words which relate to any other class of destitute poor than able-bodied males have been omitted, and, as it is now framed, the Guardians have therefore full discretion as to the description of relief to be given to indigent poor of every other class. The Board cannot, however, but observe, that whilst they have introduced this modification in deference to the numerous

Art. 2.—In any case in which the Guardians allow relief for a longer period than one week to an indigent poor person, resident within their Union or Parish respectively, without requiring that such person shall be received into the workhouse, such relief shall be given or administered weekly, or at such more frequent periods as they may deem expedient.[1]

Art. 3.—It shall not be lawful for the Guardians or their officers[2]—

To establish any applicant for relief in trade or business :

Nor to redeem from pawn for any such applicant any tools, implements, or other articles :

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representations of the Boards of Guardians who have addressed them on the subject, they entertain a strong conviction, which is justified by the practice of several well-managed Unions and Parishes, that a certain portion of relief may properly be given in kind, with benefit to the ratepayers and advantage to the poor. The Board are induced, therefore, to express a confident hope that this mode of relief, the beneficial results of which are attested by experience, will be generally adopted by Boards of Guardians in the due exercise of that discretionary power with which they are invested.—*Instr. Letter*, December 14, 1852.

The Poor Law Board considered that Art. 1 of the General Order of December 14, 1852, does not apply to the case of a man who, though ordinarily able-bodied is suffering from sickness at the time of his obtaining relief; nor to the case of a man who, being able-bodied, requires relief on account of the sickness of his wife or of any of his children under sixteen years of age.—57 O. C. (N.S.) 82.

[1] Art. 2 prevents the practice of delivering a large amount of relief to a pauper at once in cases in which it is intended that the relief shall be for a considerable period, and the amount is consequently more than the immediate destitution of the pauper requires. The object of the Board in this Article is mainly to save poor persons in the receipt of relief from being exposed to the temptation of expending at once money given to them beyond their present necessities.—*Instr. Letter*, August 25, 1852.

Words have been introduced in Art. 2 limiting the obligation to administer the relief weekly to cases of poor persons resident within the Union or Parish so as to avoid any inconvenience or difficulty which might be experienced in extending the application of the regulation to non-resident poor. The Board have also inserted words for the purpose of more clearly showing that there is nothing in this Article to prevent Guardians from directing that the relief ordered be given more frequently than once a week, if they think fit to direct that a portion only be given at a time. All that is necessary is, that each week's relief should be given within the week.—*Instr. Letter*, December 14, 1852.

[2] This article is general in its terms, and it applies to in-door paupers as well as to those who are relieved out of the workhouse. Moreover, it will be observed that it contains an absolute prohibition of the application of the Poor Rates to any of the purposes mentioned; and that the Article cannot in any case be dispensed with under the provisions contained in Art. 10 of this Order.

Nor to purchase and give to such applicant any tools, implements, or other articles, except articles of clothing or bedding, where urgently needed, and such articles as are hereinbefore referred to in Art. 1 :

Nor to pay, directly or indirectly, the expense of the conveyance of any poor person, unless conveyed under the provisions of some statute [1] or under an Order of justices or other lawful authority, or in conformity with some Order or regulation of the Poor Law Commissioners or the Poor Law Board, except in the following cases, viz. :—

1st.—In the case of a person conveyed to or from a district school, or an hospital or infirmary, or a lunatic asylum, or a house licensed or hospital registered for the reception of lunatics ; [2]

2nd.—The case of a person conveyed to the Workhouse of the Union or Parish in which such person is at the time chargeable ;

3rd.—The case of a person conveyed to or from any other Workhouse or other house or establishment for the reception of poor persons, in which for the time being it shall be lawful for the Guardians to place such person ;

Nor to give money to or on account of any such applicant for the purpose of effecting any of the objects in this Article mentioned ;

Nor to pay, wholly or in part, the rent of the house or lodging of any pauper, nor to apply any portion of the relief ordered to be given to any pauper in payment of any such rent, nor

[1] The apprenticeship of pauper boys to the sea-service being authorised by statute, the expenses of their conveyance to the place where they are to be bound, or to sail from, would come within this exception.

As to such apprenticeships, see *ante*, p. 252. This prohibition must also be read subject to the provisions of Art. 8 of the Boarding Out Order, 1870 (*post*) and of the Paupers' Conveyance Expenses Order 1898, *post*.

[2] Where expenses have been incurred by Guardians in relation to a lunatic in possession of property, application may be made to the County Court for an order for payment of the expenses, and such order may be enforced against any property of the lunatic in the same way as a judgment of the County Court; see Section 300 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5). With regard to the common law right of the Guardians to recover moneys expended for the benefit of any person, see *The Guardians of West Ham Union* v. *Pearson*, *ante*, p. 492.

to retain any portion of such relief for the purpose of directly or indirectly discharging such rent, in full or in part for any such pauper :

Provided always, that nothing in this Article contained shall apply to any shelter or temporary lodging procured for a poor person in any case of sudden or urgent necessity or mental imbecility.

Art. 4.—No relief shall be given from the poor rates of any of the said Parishes, or of any Parish comprised in any of the said Unions, to any person who does not reside in some place within such Parish or Union respectively, save and except in the following cases :—

1st. The case of a person casually within such parish, and destitute.[1]

2nd. The case of a person requiring relief on account of any sickness, accident, or bodily or mental infirmity, affecting him or her, or any of his or her family.

3rd. The case of a widow, having a legitimate child dependent on her for support, and no illegitimate child born after the commencement of her widowhood, and who at the time of her husband's death was resident with him in some place other than the Parish of her legal settlement, and not situated in the Union in which such Parish is comprised.

4th. The case of a child under the age of sixteen maintained in a workhouse or establishment for the education of poor children not situate within the Union or Parish.

5th. The case of the wife or child residing within such Parish or Union of some person not residing therein.

6th. The case of a person who has been in the receipt of relief from such Parish, or from some Parish in the Union from which he or she seeks relief, at some time within the twelve calendar months next preceding the date of this Order.[2]

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[1] With regard to the relief of casual Paupers, see the Casual Paupers' Regulation Order, December 18, 1882, *post.*

[2] Art. 4 imposes a restriction upon the allowance of relief to non-resident paupers, with certain exceptions, wherein a discretionary power, subject, however, to the restrictions imposed by the other Articles of this Order, is left to the

Art. 5.—No relief shall be given to any able-bodied male person while he is employed for wages or other hire or remuneration by any person.[1]

Art. 6.—Every able-bodied male person if relieved out of the workhouse, shall be set to work by the Guardians, and be kept employed under their direction and superintendence so long as he continues to receive relief.[2]

Guardians. It is obvious that relief to non-resident paupers is a form of relief peculiarly open to abuse, and the Poor Law Commissioners have in their Minute of January 26, 1841, Seventh Annual Report, p. 106, fully detailed the general objections and evils arising out of it. The present Order, however, in consideration of such relief having, in recent times, prevailed extensively, only provides for its gradual extinction, and still permits it in certain cases, where the denial might be most felt as a hardship. The relief of this kind which is authorised by the 7 & 8 Vict. c. 101, s. 26, to widows, is necessarily exempted from the rule. The Guardians will remember that, in cases where the non-resident pauper is irremovable by reason of the late Removal Act, there is no legal ground for their granting relief, which, if required, should be given by and charged upon the Union or Parish of the residence.—*Instr. Letter*, August 25, 1852.

[1] Art. 5 prohibits the giving relief to able-bodied male paupers while employed for wages. The evils of such a system of relief have been found so great in practice as to be almost universally admitted, and are prominently indicated by the Legislature in the 4 & 5 Will. IV. c. 76, s. 52, as forming the principal ground on which the Poor Law Commissioners were by that Act invested with the power and charged with the duty of making regulations for the due administration of relief to able-bodied persons. The Board desire however, to point out that what is intended actually to be prohibited is the giving relief at the same identical time as that at which the person receiving is in actual employment and in the receipt of wages (unless he falls within any of the exceptions afterwards set forth), and that relief given in any other case, as for instance, in that of a man working for wages on one day, and being without work the next, or working half the week, and being unemployed during the remainder, and being then in need of relief, is not prohibited by this Article.—*Instr. Letter*, December 14, 1852.

[2] Art. 6 prohibits the allowing relief to an able-bodied male pauper out of the workhouse unless he be set to work and kept at work by the Guardians as long as he continues to receive relief. Several cases, however, which are described in Art. 7, are exempted from the compulsory operation of this rule, though in all or any of them the Guardians may, if they think proper, upon a consideration of the circumstances, require work to be performed in return for the relief given. The Board must observe that every payment made by Guardians to paupers ought to assume the form of relief, not of wages, and consequently should be measured by the wants of the applicant, and not by the quantity of work done. It is, therefore, of primary importance that the paupers should labour under vigilant superintendence, and should be required to execute a task fixed accordingly to their physical ability. The General Consolidated Orders provide, in the Unions and Parishes to which they have been issued, for the appointment, and prescribe the duties of a Superintendent of Labour (Arts. 153 and 217); and where superintendence is mentioned in this Order, it is assumed that a Superintendent of Labour is, or is to be, appointed under

Art. 7.—Provided that the regulations in Arts. 5 and 6 shall not be imperative in the following cases :—

1st. The case of a person receiving relief on account of sudden and urgent necessity.

2nd. The case of a person receiving relief on account of any sickness, accident, or bodily or mental infirmity, affecting such person or any of his family.

3rd. The case of a person receiving relief for the purpose of defraying the expenses of the burial of any of his family.

4th. The case of the wife, child, or children of a person confined in any gaol or place of safe custody.

5th. The case of the wife, child, or children, resident within the Parish or Union of a person not residing therein.

Art. 8.—The Guardians shall, within thirty days after they shall have proceeded to act in execution of Art. 6, report to the Poor Law Board the place or places at which able-bodied male paupers shall be set to work, the sort or sorts of work in which they or any of them shall be employed, the times and mode of work, and the provision made for superintending them while working, and shall forthwith discontinue or alter the same, if the Poor Law Board shall so require.[1]

Art. 9.—No relief which shall be contrary to any regulation in this Order shall be given by way of loan, but any relief which may be given in conformity with the provisions of this Order to or on account of any person to whom relief may be lawfully given above the age of twenty-one, or to his wife, or any part of his or her family under the age of sixteen, may, if the Guardians shall think fit, be given by way of loan.[2]

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one of those Orders, or, where they have not been issued, by the general authority of the body administering relief in the Union or Parish, and the Board also assume that he shall be competent, under the direction of the Guardians, to enforce the performance of the required task.—*Instr. Letter*, August 25, 1852. See also the Instructional Letter of December 14, 1852.

[1] Art. 8 directs that the Guardians shall, within thirty days after the time when they begin to put this test in operation, supply the Poor Law Board with full information as to the measures they have taken for giving effect to the provisions of the Order.—*Instr. Letter*, August 25, 1852. As to the Guardians prescribing a task of work for paupers relieved out of the workhouse, see *supra*.

[2] Art. 9. The strict observance of this Article is important for the correction

Art. 10.—If the Guardians shall, upon consideration of the special circumstances of any particular case, deem it expedient to depart from any of the regulations hereinbefore contained (except those contained in Art. 8), and within twenty-one days after such departure shall report the same, and the grounds thereof, to the Poor Law Board, the relief which may have been so given in such case by such Guardians before an answer to such report shall have been returned by the said Board, shall not be deemed to be contrary to the provisions of this Order; and if the Poor Law Board shall approve of such departure, and shall notify such approval to the Guardians, all relief given in such case after such notification, so far as the same shall be in accordance with the terms and conditions of such approval, shall be lawful, anything in this Order to the contrary notwithstanding.[1]

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of a prevalent error regarding relief by way of loan. It is not unfrequently supposed that there are cases in which, though the Guardians may not *give* relief, they may *lend* it. But this Article points out what cannot legally be given must not be lent; and that the power of lending is only to be exercised where the Guardians think fit to do something less than absolutely give the relief applied for in cases where the application is lawful. In such cases, and in such only, they may lend it; and such loans should never be made without being in due time strictly recovered.—*Instr. Letter*, August 25, 1852.

As regards the allowance of school fees by way of loan, see the General Order, *post*.

[1] The Board have introduced important modifications in Art. 10, which is now in substance to the following effect, viz., that in any case in which the Guardians deem it expedient to depart from any of the provisions of the Order (with one exception), and to report the fact of such departure, with the reasons for it, within twenty-one days, to the Poor Law Board, the relief given by them in the interval between the date of such departure, and the receipt of an answer from the Board, shall not be deemed to involve any violation of this Order. The modification thus effected in the Article leaves to the Guardians full and unfettered discretion to deal, in the first instance, with any special case in which they may deem it expedient to give relief in a manner at variance with the provisions of this Order, and only requires them to report to the Board the fact of their having given such relief, and the grounds on which they have done so. As the exceptions provided in Arts. 4 and 7 are so numerous as to meet almost all cases, it appears to the Board that the instances in which the Guardians will consider it necessary to avail themselves of the provisions of Art. 10 for the purpose of giving relief, will, in all probability, be very few. While, therefore, the Board, on consideration of the special circumstances of many of the Unions and Parishes affected by the Order, and of the character of their population, have thought it expedient to introduce the modified provision now referred to, they trust that the judgment and experience of Boards of Guardians will lead them to abstain, as far as practicable, from any material departure from the sound principles of Poor Law administration upon which the Articles of this Order regulating relief are founded.—*Instr. Letter*, December 14, 1852.

Art. 11.—Whenever the word "Guardians" is used in this Order it shall be taken to include not only Guardians appointed or entitled to act, under the provisions of the said hereinbefore recited Act, but also any governors, directors, managers, acting guardians, vestrymen, or other officers in a Parish or Union, appointed or entitled to act as managers of the poor, and in the distribution or ordering of the relief of the poor from the poor rate, under any general or local Act.

Art. 12.—Whenever the word "Parish" is used in this Order, it shall be taken to include any place separately maintaining its own poor, whether parochial or extra-parochial.

Art. 13.—Whenever in describing any person or party,[1] matter, or thing, the word importing the singular number only is used in this Order, the same shall be taken to include, and shall be applied to several persons or parties as well as one person or party, and several matters or things as well as one matter or thing respectively, unless there be something in the subject or context repugnant to such construction.

Art. 14.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

SCHEDULE (A.)

Containing the Names of the Unions to which the above Order applies.

Ashton-under-Lyne.	Brentford.	Charlton.
Barnsley.	Builth.	Clitheroe.
Barton-upon-Irwell.	Burnley.	Coventry.
Bierley, North.	Bury.	Dewsbury.
Blackburn.	Carlisle.	Dulverton.
Bolton.	Chichester.	Ecclesall Bierlow.
Bradford in the West Riding, Yorkshire.	City of London.	Edmonton.
	Chorley.	Fulham.

[1] Note the words "person *or* party," "persons *or* parties," the latter word seeming to imply some other than a "person" or than "persons," perhaps several persons are intended to be referred to as a "party."

Fylde, The.
Garstang.
Gateshead.
Greenwich.
Hackney.
Halifax.
Haslingden.
Hemsworth.
Hendon.
Holborn.
Huddersfield.
Keighley.
Kendal.
Kingston-upon-Hull.
Lampeter.
Lancaster.
Leicester.
Leigh.
Lewisham.
Mutford and Lothingland.
Newcastle-upon-Tyne.
Nottingham.
Norwich.
Oldham.
Pateley Bridge.
Penistone.
Poplar.
Prescot.
Preston.
Prestwich.
Radford.
Richmond in the county of Surrey.
Rochdale.
Rotherham.
St. Olave's.
St. Saviour's.
Salford.
Salisbury.
Settle.
Sheffield.
Skipton.
Southampton.
Stepney.
Stockport.
Strand.
Sunderland.
Todmorden.
Tregaron.
Ulverstone.
Wakefield.
Wandsworth and Clapham.
Warrington.
West Derby.
Whitechapel.
Wigan.
Wortley.

SCHEDULE (B.)

Containing the Names of the Parishes to which the above Order applies.

Liverpool.
Manchester.
Paddington.
St. George-in-the-East.
St. Giles, Camberwell.
St. John, Hampstead.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary, Lambeth.
St. Mary, Bethnal Green.

Given under our Hands this 14th day of December, in the year 1852.

———*President.*

———*Secretary.*

The Outdoor Relief Regulation Order was issued as a General Order to certain Unions and Parishes in the Metropolis, on January 1, 1869, and is now in force in the following Unions :—

Westminster.
Woolwich.

And in the following Parishes :—

St. Giles-in-the-Fields and St. George, Bloomsbury.	St. Leonard, Shoreditch.
St. Mary, Islington.	St. Marylebone.
	St. Pancras.

It was also issued as a General Order to the following Unions on December 6, 1869 :—

Holbeck.	Hunslet.	Leeds.

Orders similar to the foregoing General Order of December 14, 1852, have also been issued separately to the following Unions and Places :—

Alverstoke	December 23, 1868.
Barrow in-Furness	April 15, 1876.
Birkenhead	December 9, 1861.
Bristol	April 24, 1856.
East Preston	November 16, 1870.
Exeter	September 20, 1856.
Lunesdale	October 18, 1869.
Middlesborough	July 16, 1875.
Mile End Old Town	March 4, 1861.
Plymouth	January 3, 1856.
Pontardawe	April 12, 1875.
Saddleworth	May 5, 1858.
Saint George's	September 11, 1872.
Stoke Damerel	August 22, 1870.
Toxteth Park	November 27, 1857. March 31, 1858.
Wharfedale	April 20, 1861.
Wetherby	April 13, 1861.

The Order was applied to the following Unions by Orders dated as follows :—

Mutford and Lothingland	March 18, 1893.
Saddleworth	November 19, 1894.

A relief regulation combined with a Labour Test Order, was issued on January 16, 1850, to the Parish of Birmingham.

The foregoing Order, dated December 14, 1852, was applied to the Exeter Union by an Order dated May 25, 1878.

OUT-DOOR LABOUR TEST ORDER.[1]

To the Guardians of the Poor of the UNION, in the County of :—

To the Churchwardens and Overseers of the Poor of the several Parishes and places comprised in the said Union :—

And to all others whom it may concern.

WE, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby Order, with respect to the relief of the Poor in the Union, in the County of as follows :—

Art. 1.—Every able-bodied male pauper who may receive relief within the Union, and may be relieved out of the workhouse, with the approbation of the Local Government Board, according to the 6th Article of the Order of the Poor Law Commissioners, dated the 21st day of December, 1844, addressed to the Guardians of the Poor

[1] With respect to this Order, see the Minute of the Poor Law Commissioners respecting the means of enforcing an out-door labour test, dated October 31, 1842, 9th Annual Report, p. 381.

Under the regulations the Guardians are empowered to relieve able-bodied applicants out of the workhouse on condition that they are set to work by the Guardians and kept employed as long as they continue to receive relief. These regulations the Board would not feel justified in relaxing with the view of authorising the relief of able-bodied persons at the cost of compulsorily levied rates, without any such test of destitution as is provided by admission to a properly managed workhouse, or the performance of an adequate task of work. The Guardians, so long as they have not adequate workhouse accommodation, should provide temporarily the means for applying a labour test, either by a stone yard or by hiring some building where a suitable task of work can be performed. There is no doubt that if the Guardians proceed energetically in the matter, they will have no difficulty in providing the means of applying a labour test in the course of a few days, and at no heavy cost to the ratepayers.

See with regard to the employment of the destitute poor the Circulars of the Local Government Board of November 14, 1892, and September 30, 1893, *ante*, pp. 214 and 215.

of the said Union, shall be relieved in the following manner ; that is to say :—

Half at least of the relief given to such pauper shall be given in food, clothing, and other articles of necessity.

No such pauper shall receive relief from the Guardians of the Union, or any of their officers, or any overseers of any Parish in the Union, while he is employed for wages or other hire or remuneration by any person ; but every such pauper so relieved shall be set to work by the Guardians.

Art. 2.—The Guardians shall, within fourteen days after the day when this Order comes into force, and from time to time afterwards as the Local Government Board may require, report to the Local Government Board the place or places at which able-bodied male paupers shall be so set to work in the Union, the sort or sorts of work in which they or any of them shall be employed, the times and mode of work, and all such other matters relating to the employment of such able-bodied paupers as the said Guardians shall deem material to be communicated to the Local Government Board, or as the Local Government Board shall require.[1]

Art. 3.—If the Guardians of the Union shall depart, in any particular instance, from any of the regulations hereinbefore contained, and shall, within fifteen days after such departure, report the same and the grounds thereof to the Local Government Board, and if the Local Government Board shall approve of such departure, then the relief granted in such particular instance shall, if otherwise lawful, not be deemed to be unlawful, or be subject to be disallowed.

Art. 4.—Whenever the word "Parish" is used in this Order, it shall be taken to signify any place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed.

And whereas provision is made in the General Order of the said

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[1] The 4 & 5 Will. IV. c. 76, s. 28, enables the Guardians to provide "utensils and materials for setting the poor on work" in the Unions, and also authorises the charging the cost and expenses so incurred to the common fund of the Union.

As regards the enforcement of a task of work for poor persons relieved out of the workhouse, see 29 & 30 Vict. c. 113, s. 15, *ante*, p. 284.

Poor Law Commissioners, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, addressed, among others, to the Guardians of the Poor of the said Union, for the appointment of an officer, to be termed a superintendent of out-door labour, and for the continuance in office of such officer, and it is expedient to provide for the suspension of such officer on other occasions than those provided for by the said last-mentioned Order :

We do therefore further order and direct, that if at any time the number of able-bodied male paupers requiring relief shall be so small as to render the services of such an officer unnecessary, the Guardians may suspend him from the performance of his duties until a further occasion shall arise.

Given under our Hands and Seal of Office, this day of , in the year One thousand eight hundred and .

———*President.*

———, *Secretary.*

Supplemental Out-door Labour Test Orders have been issued to the following Unions and Places :—

Abingdon	January 24, 1866.
Abergavenny	June 2, 1842.
Alderbury	February 14, 1849.
Alresford	June 2, 1847.
Altrincham	March 13, 1857.
Andover	December 18, 1846.
Ashby-de-la-Zouch	January 15, 1858.
Auckland	February 9, 1858.
Austel, St.	January 30, 1867.
Axbridge	March 2, 1847.
Axminster	June 20, 1844.
Aylesbury	January 24, 1848.
Aylsham	January 13, 1844.
Bakewell	December 10, 1864.
Banbury	January 21, 1868.
Barnet	January 12, 1849.
Barnstaple	May 22, 1847.
Barrow-on-Soar	June 2, 1847.
Basford	May 28, 1847.

Battle	June 2, 1847.
Beaminster	March 2, 1849.
Bedminster	March 17, 1847.
Berwick-upon-Tweed	April 4, 1850.
Beverley	January 24, 1850.
Bideford	June 5, 1847.
Biggleswade	November 5, 1868.
Billericay	November 30, 1849.
Bosmere and Claydon	February 2, 1850.
Boston	February 3, 1847.
Bradford (Wilts)	August 15, 1852. February 8, 1845.
Braintree	January 20, 1849.
Brampton	March 7, 1855.
Bridgnorth	March 23, 1858.
Bridgwater	December 21, 1846.
Bridport	March 6, 1848.
Bromsgrove	May 21, 1842. April 21, 1845.
Buntingford	January 24, 1843.
Calne	February 4, 1845.
Cambridge	February 3, 1848.
Camelford	July 27, 1849.
Cardiff	December 31, 1857.
Catherington	June 2, 1847.
Caxton and Arrington	January 12, 1847.
Chapel-en-le-Frith	May 21, 1842.
Chard	March 19, 1845.
Cheltenham	December 24, 1846.
Chepstow	March 27, 1858.
Chertsey	December 17, 1847.
Chesterfield	June 17, 1848.
Chesterton	February 14, 1849.
Chichester	March 27, 1852.
Chippenham	March 15, 1847.
Chipping Norton	December 22, 1846.
Chipping Sodbury	February 23, 1847.
Clifton	March 11, 1847.
Clutton	December 7, 1849.
Cockermouth	August 5, 1842.
Colchester	February 16, 1861.
Congleton	February 8, 1862.
Cookham	March 4, 1886.
Crediton	May 21, 1847.
Cuckfield	July 16, 1842. March 19, 1845.
Croydon	April 20, 1872.

Darlington	September 18, 1866.
Depwade	February 7, 1854.
Derby	December 12, 1867.
Downham	January 24, 1847.
Dudley	July 8, 1842. April 21, 1845.
Dunmow	May 31, 1847.
Dursley	April 1, 1847.
Easington	April 30, 1842.
Easingwold	February 13, 1850.
East Grinstead	February 2, 1850.
East Stonehouse	December 16, 1848.
Ely	January 19, 1854.
Evesham	January 16, 1850.
Falmouth	May 1, 1849.
Faversham	January 25, 1868.
Foleshill	December 13, 1847.
Freebridge Lynn	January 31, 1854.
Glossop	January 19, 1848.
Gloucester	April 1, 1847.
Goole	November 24, 1849.
Gravesend and Milton	February 12, 1855.
Great Yarmouth	February 28, 1855.
Guildford	June 2, 1847.
Guiltcross	March 17, 1853.
Guisborough	January 9, 1878.
Hailsham	December 17, 1842. March 19, 1845.
Halstead	January 20, 1849.
Hambledon	June 5, 1847.
Hastings	January 26, 1869.
Hayfield	February 4, 1862.
Hartismere	January 24, 1850.
Hartlepool	May 13, 1881.
Helston	January 29, 1846. March 19, 1879.
Highworth and Swindon	January 28, 1845.
Hinckley	April 15, 1863.
Hitchin	February 3, 1886.
Holbeach	January 25, 1854.
Holsworthy	July 31, 1849.
Horsham	January 25, 1845.
Hoxne	February 10, 1846.
Huntingdon	January 25, 1854.
Ipswich	February 22, 1855.
Kettering	January 25, 1847.
Kidderminster	January 12, 1849.

Kingsbridge	May 31, 1847.
King's Norton	February 7, 1849.
Kingston	January 5, 1871.
Lanchester	June 5, 1878.
Leek	December 17, 1857.
Leighton Buzzard	March 3, 1855.
Linton	January 7, 1854.
Llanelly	December 16, 1869.
Longtown	July 30, 1842.
Loughborough	December 9, 1857.
Luton	November 28, 1854.
Lymington	January 12, 1849.
Macclesfield	June 3, 1856.
Maidstone	February 27, 1857.
Maldon	December 7, 1847.
Malmesbury	January 24, 1850.
Mansfield	May 28, 1847.
Melksham	March 30, 1847.
Mere	February 25, 1847.
Mildenhall	January 16, 1854.
Melton	December 13, 1869.
Nantwich	January 23, 1843.
Newark	January 24, 1854.
Newbury	January 14, 1848.
New Forest	January 19, 1848.
Newmarket	December 30, 1846.
Newport (Monmouth)	January 12, 1849.
Newport Pagnell	December 15, 1843.
Newport (Salop)	July 15, 1843.
Newtown and Llanidloes	June 25, 1857.
Northampton	January 28, 1848.
North Aylesford	January 25, 1868.
Northwich	February 11, 1869.
North Witchford	January 24, 1854.
Nuneaton	December 30, 1847.
Ongar	June 22, 1847.
Ormskirk	June 20, 1862.
Oxford	December 19, 1848.
Peterborough	March 18, 1851.
Petersfield	June 2, 1847.
Pontypool	June 5, 1852.
Pontypridd	May 5, 1868.
Poole	January 21, 1850.
Portsea Island	February 18, 1858.
Richmond (Yorks.)	September 9, 1842.
Resbridge	January 21, 1850.
Romford	January 24, 1854.

Romsey	December 24, 1866.
Royston	January 10, 1854.
Rugby	June 8, 1886.
Rye	July 9, 1842.
Saffron Walden	January 25, 1854.
St. Colomb Major	May 31, 1847.
St. Faith	January 6, 1848.
St. Ives	January 13, 1854.
St. Mary Abbotts, Kensington	January 22, 1848.
Sculcoates	January 30, 1862.
Shepton Mallet	February 7, 1844.
Skipton	June 18, 1842.
South Molton	October 29, 1846.
South Shields	September 3, 1843.
Spalding	December 10, 1849.
Stockton	January 12, 1858.
Stoke-upon-Trent	February 28, 1860.
Stourbridge	April 21, 1854.
Stratton	July 28, 1849.
Sudbury	February 25, 1848.
Staines	January 6, 1871.
Taunton	January 20, 1849.
Tavistock	May 21, 1878.
Teesdale	April 15, 1848.
Tendring	February 8, 1856.
Tewkesbury	July 31, 1861.
Thame	January 11, 1847.
Thetford	April 7, 1852.
Thornbury	February 16, 1848.
Ticehurst	June 4, 1847.
Tiverton	May 22, 1847.
Tonbridge	February 13, 1857.
Torrington	November 28, 1846.
Tynemouth	February 19, 1850.
Uppingham	January 24, 1850.
Uxbridge	January 6, 1848.
Walsall	April 21, 1845.
Walsingham	January 30, 1861.
Wangford	December 23, 1848.
Ware	March 2, 1855.
Wareham and Purbeck	January 10, 1848.
Warwick	December 21, 1867.
Watford	March 8, 1849.
Wellington (Salop)	March 20, 1843.
Wellington (Somerset)	March 22, 1847.
Wells	March 13, 1847.
Wem	January 24, 1850.

West Ashford	January 1, 1870.
West Bromwich	April 21, 1845.
Westbury and Whorwelsdown	August 5, 1842.
West Ham	January 16, 1854.
Weymouth	December 31, 1867.
Whitby	November 28, 1848.
Whitehaven	July 30, 1842.
Wigton	March 2, 1855.
Wilton	March 2, 1855.
Wincanton	December 16, 1847.
Windsor	January 12, 1849.
Wirrall	May 3, 1849.
Wisbeach	January 13, 1854.
Witney	February 1, 1848.
Woburn	February 6, 1868.
Wokingham	December 30, 1846.
Wolstanton and Burslem	March 7, 1862.
Woodbridge	June 11, 1847.
Woodstock	January 26, 1858.
Worcester	January 20, 1849.
Wycombe	November 9, 1849.

ORDER RELATING TO GUARDIANS' ORDER UPON TREASURER.[1]

(Dated 7th April, 1857.)

To the Guardians of the Poor of the several UNIONS, PARISHES, and TOWNSHIPS named in the Schedule hereunto annexed :—

To the Treasurers of the said several Unions, Parishes, and Townships :—

To the Clerk or Clerks to Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions, Parishes, and Townships are respectively situate :—

And to all others whom it may concern.

WHEREAS, by a General Order of the Poor Law Commissioners bearing date the twenty-fourth day of July One thousand eight hundred and forty-seven, addressed to the Guardians of the Poor of the several Unions named in the First Schedule hereunto

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[1] The Poor Law Board having observed with much regret the frauds which have been committed by the officers of some Unions upon Boards of Guardians, and considering that the Form of Order for payment of money commonly used by the Guardians offers undue facility for the commission of such frauds, deemed it right to issue this General Order. The Board have now required that in all cases the Order shall be made payable to the person in whose favour it is drawn, or to *his Order.* Thus the creditor of the Guardians must obtain the Order, and the payment can only be made to him, or to some person through his endorsement, unless his name be forged upon it. The Board believe that if Art. 51 of the General Consolidated Order were in all cases duly and punctually observed, the affairs of the Guardians would be conducted in many Unions with greater regularity than is now the case, and there would be greater security for their creditors, and less risk of improper dealing with their cheques and orders for payment.—*Instr. Letter,* April 7, 1857.

annexed, and by divers other Orders, the dates whereof are respectively set forth in the Second Schedule hereunto annexed, addressed to the Guardians of the Poor of the several Unions, Parishes, and Townships therein named; and by a General Order bearing date the eighth day of December, One thousand eight hundred and forty-seven, addressed to the Guardians of the Poor of the several Parishes and Townships named in the Third Schedule hereunto annexed, certain regulations were made with reference to the proceedings and duties of such Guardians;

And whereas, among other matters it is provided therein that the Guardians shall pay every sum greater than five pounds by an Order, which shall be drawn upon their treasurer, and shall be signed by the presiding chairman and two other Guardians at a meeting, and shall be countersigned by the clerk;

And whereas it is expedient to prescribe a form in which all Orders shall in future be drawn by the said Guardians upon their treasurers as hereinafter mentioned;

Art. 1.—Now, therefore, We, the Poor Law Board, in pursuance of the powers given in and by the Statutes in that behalf made and provided, do hereby, with respect to the several Unions, Parishes, and Townships in the said Schedules mentioned, order and direct that every Order which shall be drawn by the said Guardians of the several Unions, Parishes, and Townships for a sum greater than five pounds, upon their respective treasurers, shall, from and after the twenty-fourth day of June next, be in the following form, that is to say: [1]—

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[1] If the Order be presented to the treasurer for payment indorsed by procuration, he will not be bound to pay it until he is satisfied that the person who has indorsed it had authority to do so. There appears, however, to be no reason why the general law of agency should not apply to the indorsement of Orders drawn by a Board of Guardians upon their treasurer. In *Attwood* v. *Munnings*, 7 B. and C. 283; 1 M. & R. 66, Bayley, J., with reference to a bill of exchange accepted by procuration, said that a person taking such bill ought to exercise due caution, for he must take it upon the credit of the party who assumes the authority to accept, and it would be only reasonable prudence to require the production of that authority.

If the prescribed form of Order be departed from in drawing the Order, the exemption from stamp duty will be lost. The Order does not apply to Orders for the payment of sums amounting to or under five pounds; and therefore, if such an Order be drawn, it will not be exempt from stamp duty.

(Date.)

(Place of Meeting.)

To *A. B.*, Treasurer of the Guardians of the Poor of the Union [Parish or Township], in the County of , at

Pay to *C. D.*, or Order, the sum of Pounds Shillings and Pence, and charge the same to the Account of the said Guardians.[1]

(Signed.)

_____ *Presiding Chairman.*

_____
_____
_____ } *Guardians of the Poor in the said Union [Parish or Township].*

Countersigned by _____

Clerk to the said Guardians.

N.B.—The Guardians request that this Order may be presented for payment within fourteen days from the date hereof, to the Treasurer at his house or usual place of business, and within the usual hours of business.[2]

[1] The Poor Law Board deemed it advisable to submit to the Commissioners of Inland Revenue, under 16 & 17 Vict. c. 59. s. 13, a copy of an Order drawn and issued by the Guardians of a Union upon their treasurer, who was not a banker, in favour of a creditor. The Board informed the Commissioners that the Order was drawn and executed in conformity with the 84th Article of the General Consolidated Order, and suggested that the 86th section of 4 & 5 Will. IV. c. 76, was therefore applicable, and rendered it exempt from the stamp duty which is chargeable upon a draft or order for the payment of a sum of money payable to the bearer on demand. The Commissioners in reply acquainted the Board that they considered that the draft was an instrument made in pursuance of the Poor Law Amendment Act, and therefore exempt from stamp duty.

The Board call the attention of the Guardians to the fact that the above-mentioned Order on the treasurer is drawn upon him by name, and not upon his banker, or any banking firm.—*Circular Letter*, January 4, 1844.

[2] This will merely operate as a request, and will have no legal effect as regards the Order itself. In a Circular of the Poor Law Board, dated March 24, 1854, they state, that having had occasion to communicate with the Commissioners of Inland Revenue on the subject of the liability to stamp duty of receipts given by the treasurers of Boards of Guardians, on the payment to them by Overseers of the Poor of contributions ordered by the Guardians, the Board have been informed that it is the opinion of the Commissioners that such receipts are exempt from stamp duty by virtue of the provisions of 4 & 5 Will. IV. c. 76, s. 86, the treasurer being an officer appointed in pursuance of that Act, and the contributions paid to him by the Overseers being likewise made in pursuance of the same statute, and they requested the Guardians to communicate such opinion to the treasurer. It may be added, that in the case of Orders drawn by Guardians in favour of their relieving officers for the pay-

Art. 2.—And We do hereby order the treasurer of the said Guardians to pay out of the moneys for the time being in his hands belonging to them, all orders for money which shall be drawn upon him in the above form, when the same shall be presented at his house or usual place of business, and within the usual hours of business.

FIRST SCHEDULE.

The Unions are those which are contained in the Schedule to the General Consolidated Order, dated July 24, 1847, *ante*, p. 474.

SECOND SCHEDULE.

Names of Unions, Parishes, and Townships not included in the General Orders.	Dates of Orders issued subsequently to the General Orders.
Barnsley	June 12, 1850.
Barton-upon-Irwell	January 24, 1850.
Bedwellty	March 19, 1849.
Great Ouseburn	August 4, 1854.
Hampstead, St. John	May 24, 1848.
Hawarden	February 25, 1853.
Hemsworth	October 29, 1850.
Holyhead	February 15, 1853.
Kirkby Moorside	February 9, 1850.
Knaresborough	June 28, 1854.
Manchester	May 31, 1850.
North Bierley	February 14, 1849.
Oldham	November 22, 1849.
Penistone	February 2, 1850.
Prestwich	August 2, 1850.
Ripon	February 8, 1853.
Saddleworth	July 18, 1853.
Stamford	March 16, 1849.
Whitchurch (Salop)	February 19, 1853.

ment of relief, that if such Orders should contain the indorsement of the relieving officer, they will suffice to prove the receipt of the money by him on account of the Guardians. If, however, the Guardians should require that the relieving officers should give a receipt for the cheques when they are handed to them, such receipts would not appear to be exempt from stamp duty, which the Guardians, and not their officer, should pay.

By Orders of the Local Government Board the Order has been applied to the following Unions.

Grimsby	April 3, 1890.
Mutford and Lothingland	February 21, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

MEDICAL APPOINTMENTS ORDER.

(Dated 25th May, 1857.)

To the Guardians of the Poor of the several UNIONS and INCORPORATIONS named in the Schedules hereunto annexed :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions and Incorporations are respectively situate :—

And to all others whom it may concern.

WHEREAS, by two Orders bearing date the fifteenth and the twenty-third days of February, One thousand eight hundred and fifty-five respectively,[1] addressed to the Guardians of the Poor of the several Unions set forth in the First Schedule hereunto annexed, and to the Guardians of the Poor of the several Incorporated Hundreds set forth in the Second Schedule hereunto annexed, the Poor Law Board did rescind parts of certain General Orders previously issued, and did make certain provisions regarding the period for which the Medical Officers of such Unions and Incorporations should hold their office ; and it is expedient that such provisions should be altered :—

Now, therefore, We, the Poor Law Board, in pursuance of the

[1] As it was found in practice that the Orders of February 15 and 23, 1855, did not give full effect to the recommendation of the Select Committee of the House of Commons on the subject of medical relief, the Poor Law Board felt it incumbent upon them to issue the present Order in their place, for the purpose as well of carrying out the views of the Committee, as regards permanency of tenure, more completely and satisfactorily, as of making provision in certain other respects for cases with regard to which experience showed that difficulties might arise. The present Order came into operation on June 24, 1857, but the former Order continues in force in regard to all officers who were appointed prior to that day. It will be seen that this Order applies to the medical officer of the workhouse, and to the district medical officer separately.—*Instr. Letter*, June 6, 1857.

powers given in and by the Statutes in that behalf made and provided, do hereby, from the twenty-fourth day of June next, rescind the said General Orders of the fifteenth and twenty-third days of February, One thousand eight hundred and fifty-five, except so far as they rescinded any part of former Orders, and except so far as they apply to officers appointed prior to the said twenty-fourth day of June next.

And we do hereby Order, with respect to every appointment of a medical officer in the said several Unions and Incorporations after the said twenty-fourth day of June next, as follows :—

Art. 1.—Every medical officer of a workhouse duly qualified at the time of his appointment according to the regulations of the Poor Law Board then in force, shall hold his office until he shall die, or resign, or be proved to be insane by evidence which the Poor Law Board shall deem sufficient, or become legally disqualified to hold such office, or be removed by the Poor Law Board.[1]

Art. 2.—Every district medical officer duly qualified as aforesaid at the time of his appointment, and then being, or within two months after his appointment becoming, resident within the district for which he shall be appointed to act, shall hold his office until he shall die, or resign, or be proved to be insane in the same manner as in the previous Article, or become legally disqualified to hold such office, or be removed by the said Board, or cease to reside within such district.[2]

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[1] Every medical officer of the workhouse, duly qualified when appointed, is to hold his office during his life, or until he resign or become insane, or legally disqualified to hold it, or be removed by the Poor Law Board.—*Instr. Letter*, June 6, 1857.

With regard to the discretionary power of the Local Government Board to remove officers under this Article, see the cases of *Donahoo* v. *The Local Government Board*, and *re Teather*, *ante*, p. 376, and *Reg.* v. *The Governors of Darlington School*, 6 Q. B. 682 ; 14 L. J. Q. B. 67, referred to by Erle, J., in the latter case.

Further with regard to the continuance in office of a medical or other officer, see Art. 197 of the General Consolidated Order, *ante*, p. 379.

[2] This Article applies to the district medical officer, who, being duly qualified at the time of his appointment, is either then resident within his district, or becomes so within two months afterwards. Such officer will continue to hold his office for the same period as the workhouse medical officer, unless he ceases to reside within his district, when his office will determine. It would

Art. 3.—If a medical officer not fully qualified or not resident within his district at the time of his appointment, or within two months thereof, shall afterwards complete his qualification or become resident within such district, as the case may be, the Guardians may, upon such completion of his qualification or becoming resident respectively, after giving such notice as would be necessary in respect of an appointment in case the office were vacant, pass a resolution empowering such medical officer to hold his office for the time specified in Art. 2, and if they transmit a copy of such resolution to the Poor Law Board, and if that Board consent, such officer, being so duly qualified and resident, shall be entitled thenceforth to hold such office accordingly.

Art. 4.—If the Guardians shall elect a District Medical Officer, whether duly qualified as aforesaid or otherwise, not residing within his district at the time of his appointment, and not becoming resident therein within two months after it, or shall elect as such medical officer a person not duly qualified as aforesaid, but licensed to practise medicine, and residing within his district at such time, the Guardians shall employ as a district medical officer such person not residing within his district, or such person not duly qualified as aforesaid (as the case may be), for such time only as the Poor Law Board shall approve of or direct ;[1] and when the Guardians shall make

be very satisfactory to the Board if Boards of Guardians were always able to secure the services of duly qualified medical officers resident within their districts. This, however, is not uniformly the case, and Guardians are occasionally under the necessity of appointing as medical officers professional persons not duly qualified or non-resident. In assenting under such circumstances to such appointments, the Board have deemed it unadvisable to confer upon such officers a permanent tenure of office. They are of opinion that the most convenient course is to treat such instances as exceptional, and they have accordingly by Art. 4 required every Board of Guardians which may be under the necessity of making any such appointment, to report to them all the circumstances which render it necessary ; and they have reserved to themselves the power of determining the period for which the officer in this exceptional case shall hold his office. The Board of Guardians are further required to cause a special entry to be placed upon their minutes to show the grounds of their appointment in such case.—*Instr. Letter*, June 6, 1857.

[1] In these cases the usual practice of the Board is to sanction the employment for a period of three years only.

With regard to the tenure of office in cases of non-residence within a district in the Metropolis, see the General Order, dated July 14, 1880, *post*.

any such election as in this Article specified, they shall cause a special minute to be made and entered on the usual record of their proceedings, stating the reasons which in their opinion make it necessary to employ such person not residing within the district in which he is to act, or not duly qualified as aforesaid, and forthwith transmit a copy of such minute to the said Board for their consideration.

Art. 5.—Where a change in the extent of the district of a medical officer shall be deemed necessary for the more convenient supply of medical relief to the poor, or otherwise for the general benefit of the Union or Incorporation, and he shall decline to acquiesce therein, the Guardians may, with the consent of the Poor Law Board, but not otherwise, and after six months' notice in writing, signed by their clerk, given to such medical officer, determine his office.[1]

Art. 6.—Provided, that nothing herein contained shall prevent the Guardians in any case of emergency, or under any special circumstances, from appointing one or more medical officers to act temporarily for such time and upon such terms as the Poor Law Board shall approve.[2]

Art. 7.—When any medical officer shall cease to hold his office

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[1] Art. 5 provides for cases in which the medical arrangements of the Union are not satisfactory, from the fact that some districts are too extensive for the proper attention to the poor, or too small to secure adequate remuneration to the medical officer. In such cases changes in these districts, however necessary, cannot be effected if the medical officers being permanently appointed to their districts decline, as they would have a legal right to do, to assent to any change; therefore, it has appeared to the Board advisable to guard against inconvenient results which might sometimes arise from the permanency of tenure as conferred by this Order upon medical officers. It is accordingly provided, that when the Guardians consider that a change in the extent of any district is necessary for the more convenient supply of medical relief to the poor, or otherwise for the general benefit of the Union, and the medical officer declines to acquiesce therein, the Guardians may, with the consent of this Board, determine the office of the medical officer. In order, however, that this change may not take place abruptly, or without due warning, a six months' notice in writing is to be given by the Guardians to the officer.—*Instr. Letter*, June 6, 1857.

[2] Art. 6 is intended to meet the cases of temporary appointments of medical officers in cases of emergency. If before a temporary appointment can be made the Guardians call in a medical man to attend any particular pauper who is sick and is in need of medical aid, they can do so and pay his charges for attendance; but when a temporary appointment is made under this Article the sanction of the Local Government Board must be obtained.

under any of the provisions herein contained,[1] the Guardians shall proceed to make a new appointment to the office rendered vacant, in the manner prescribed by the regulations of the Poor Law Commissioners or Poor Law Board in force at the time, unless by reason of any change in the extent of the district such office as previously constituted shall become unnecessary.

Art. 8.—If the Guardians shall have given notice to determine the continuance in office of any medical officer under this Order, and the Poor Law Board shall have consented thereto, the Guardians may appoint a successor to such officer at any time subsequent to their receiving such consent: Provided that nothing herein contained shall prevent such officer from being re-appointed if otherwise eligible.

FIRST SCHEDULE.

Contains the names of the Unions mentioned in the Schedule to the General Consolidated Order of July 24, 1847 (*ante*, p. 474), and also the following Unions :—

Barnsley.	Knaresborough.
Barton-upon-Irwell.	North Bierley.
Bedwellty.	Oldham.
Great Ouseburn.	Penistone.
Hawarden.	Prestwich.
Hemsworth.	Ripon.
Holyhead.	Samford.
Kirkby Moorside.	

SECOND SCHEDULE.

Names of Incorporations referred to in the annexed Order :—

The Incorporated Hundreds of East and West Flegg . . } in the county of Norfolk.
Forehoe . . . . .

[1] Art. 7 requiring the Guardians to fill up vacancies, corresponds with Art. 195 of the General Consolidated Order, and Art. 8 enabling the Guardians to appoint the successor to the officer whose office is determined by them under the above provision before the determination of his office, corresponds with Art. 197 of the same Order.

And the Incorporated Hundred of
Mutford and Lothingland, in the county of Suffolk.

Given under our Hands and Seal of Office, 25th day of May, 1857.

A General Order similar to the foregoing, with the following additional Article, namely :—

"Article 9.—The word 'Guardians' in this Order shall be taken to include any Governor, Director, Manager, Acting Guardian, or other Officer in a Parish or Township appointed or entitled to act as a Manager of the Poor, and in the distribution of the relief to the Poor from the Poor Rate, under any General or Local Act of Parliament,"

was issued by the Poor Law Board on August 10, 1870, to the following Parishes, Townships, and Places :—

Alston-with-Garrigill.
Alverstoke.
Birmingham.
Bristol.
Canterbury.
Chichester.
Coventry.
East Stonehouse.
Exeter.
Kingston-upon-Hull.
Manchester.
Mile End Old Town.
Oswestry.
Oxford.
Paddington.
Plymouth.
Saddleworth.
Southampton.
St. George-in-the-East.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. Giles, Camberwell.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Mary and St. Andrew, Whittlesey.
St. Marylebone.
St. Matthew, Bethnal Green.
St. Pancras.
Stoke Damerel.
Stoke-upon-Trent.
Toxteth Park.
Yarmouth, Great.

All Consolidated Orders issued subsequently to May 25, 1857, accord with the foregoing General Orders of May 25, 1857, and August 10, 1870.

The Order has been applied to the following Unions by Orders bearing the dates set opposite to the names of the Unions respectively.

Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894

RELIGIOUS INSTRUCTION ORDER.[1]

(Dated 23rd August, 1859.)

To the Guardians of the Poor of the several UNIONS named in the Schedules hereunto annexed :—

To the Churchwardens and Overseers of the Poor of the several Parishes comprised in the said Unions :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions are respectively situate :—

And to all others whom it may concern.

WHEREAS, by the Act passed in the fifth year of the reign of King William the Fourth, Chapter Seventy-six, it was, among other things, enacted, that no rules, orders, or regulations of the Poor Law Commissioners, nor any bye-laws then in force, or to be thereafter made, should oblige any inmate of any workhouse to attend any religious service celebrated in a mode contrary to the religious principles of such inmate, nor should authorise the education of any child in a workhouse in any religious creed other than that professed by the parents or surviving parent of such child, and to which such

[1] With reference to the above Order, the Poor Law Board, in their Circular Letter accompanying it, state that they have recently had under their consideration the regulations at present in force on the subject of the classification of the pauper inmates of workhouses according to their religious persuasion and the provisions now made for securing religious instruction for such of the inmates as are orphans. The Board have come to the conclusion that it is necessary to give more precise and definite instructions upon the above-mentioned points than those which at present exist, and they have accordingly decided upon issuing an Order, of which a copy accompanies this letter. The Board do not doubt that Boards of Guardians will give such directions to the master and matron as will secure a prompt and systematic compliance with the provisions of the present Order.

Further with reference to this Order, see 4 & 5 Will. IV. c. 76. s. 19, and 29 & 30 Vict. c. 113, s. 14.

parents or parent should object, or in the case of an orphan, to which the godfather or godmother of such orphan should object; and it was also provided that it should and might be lawful for any licensed minister of the religious persuasion of any inmate of such workhouse, at all times in the day, on the request of such inmate, to visit such workhouse for the purpose of affording religious assistance to such inmate, and also for the purpose of instructing his child or children in the principles of their religion;

And whereas, by an Order bearing date the Seventeenth day of March, One thousand eight hundred and forty-seven, being a General Order issued to the several Unions mentioned in the First Schedule hereunto annexed, and by various special Orders subsequently issued to the several Unions mentioned in the Second Schedule hereunto annexed, the Poor Law Commissioners and Poor Law Board respectively have ordered and directed that the master of every workhouse of the respective Unions shall punctually enter up and accurately keep a certain book termed the In-door Relief List, in which shall be entered for each Parish of the Union, in the form therein numbered 22 (except as regards the Order relating to the Hartlepool Union, wherein such form is numbered 21), the several particulars set forth in the said form;

And whereas the religious persuasion of each pauper inmate of the workhouse is one of the particulars set forth in that form;

And whereas it is desirable that provision should be made for the entry in such column of the religious persuasion of every orphan child whose godfather or godmother does not give information with regard to the religion of such orphan, and that other means should be taken for securing religious instruction to orphans in workhouses than exist at present.

Now, therefore, We, the Poor Law Board, under the authority of the Statutes in that behalf made and provided, hereby Order and direct as follows:—

Art. 1.—That whenever there shall be in the workhouse any orphan child under the age of fourteen years, the master of the said workhouse shall enter in such In-door Relief List, as the religious persuasion of such orphan, the religious creed which was professed

by the father of such orphan at the time of his death, if the master know or can ascertain the same by reasonable inquiry; or, if the same cannot be so ascertained, the creed professed by the mother of such orphan at the time of her death, if the same be known to the said master, or can be by him in like manner ascertained:

Provided always, that if the godfather or godmother of such orphan shall make any objection, this Article shall not have any force or application.

Art. 2.—Such orphan while an inmate of the workhouse, shall not be instructed in any other religious creed than that so entered, unless he or she, being above the age of twelve years, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject.

Art. 3.—The master of the workhouse shall, subject to the directions of the Guardians of the Union, take all practicable steps in order to procure the attendance at the workhouse from time to time, for the purpose of affording religious instruction to such orphan, of some minister of the religious persuasion of the said orphan, as ascertained according to the provisions of this Order, or according to the information of the godfather or godmother:

Provided always, that such attendance shall take place at such times as shall not be inconsistent with the discipline and good order of the workhouse.[1]

Art. 4.—The provisions herein contained applicable to the master of the workhouse shall extend to the matron in cases in which there shall be no master, or in which he shall be absent, or his office shall be vacant.

SCHEDULES referred to in the foregoing Order.

FIRST SCHEDULE.

The Unions in this Schedule are those which are included in the General Consolidated Order, *ante*, p. 474.

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[1] The religious instruction required by this Order and the time occupied in such instruction is not to be included in the time occupied in instruction in pursuance of the Instruction of children in Workhouses, and in Separate and District Schools Order of January 30, 1897; see Art. 7 of that Order, *post*.

SECOND SCHEDULE.

Names of Unions.	Dates of Orders.
Barnsley	April 23, 1850.
Barton-upon-Irwell	January 26, 1850.
Bedwellty	November 28, 1849.
Gower	November 9, 1857.
Great Ouseburn	July 6, 1854.
Hartlepool	May 26, 1859.
Hawarden	March 5, 1853.
Hemsworth	November 22, 1850.
Holyhead	February 19, 1853.
Kirkby Moorside	December 23, 1848.
Knaresborough	June 16, 1854.
North Bierley	February 14, 1849.
Oldham	November 20, 1848.
Penistone	November 22, 1849.
Prestwich	August 3, 1850.
Ripon	February 8, 1853.
Stamford	March 27, 1849.
Whitchurch (Salop)	February 25, 1853.

Given under our Hands and Seal of Office, this Twenty-third day of August, 1859.

The Order has also been applied to the following Unions by Orders of the Local Government Board bearing the dates set opposite to the names of the Unions respectively.

Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1893.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

MEDICAL OFFICERS' QUALIFICATION ORDER.

(Dated 10th December, 1859.)

To the Guardians of the Poor of the several UNIONS named in the Schedules hereunto annexed :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions are respectively situate :—

And to all others whom it may concern.

WHEREAS by a General Order, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, addressed to the several Unions named in the First Schedule hereunto annexed, and by divers other Orders addressed to the several Unions named in the Second Schedule hereunto annexed, the Poor Law Commissioners and Poor Law Board respectively did prescribe the qualification for the office of medical officer in such Unions ;

And whereas by "The Medical Act of 1858," it has been provided, that every person registered under that Act shall be entitled, according to his qualification or qualifications, to practise medicine or surgery, or medicine and surgery, as the case may be, in any part of Her Majesty's Dominions ;

And whereas by the said Act it was also provided, that after the First day of January, One thousand eight hundred and fifty-nine, which time was extended by an Act of the 22nd Vict. c. 21, to the First day of July last, no person should hold any appointment as a physician, surgeon, or other medical officer, in any house of industry, parochial or Union workhouse or poor-house, Parish, Union, or other

public establishment, body, or institution, unless he be registered under the said Medical Act ;

And whereas it is expedient that the regulations relating to the qualification for the office of medical officer in the Unions aforesaid should be altered for the future ;

Now, therefore, We, the Poor Law Board, acting in pursuance of the powers given in and by the Statutes in that behalf made and provided, hereby rescind, as regards every appointment to be made after the first day of March next, so much of any Orders and regulations issued to the Unions specified in the Schedules aforesaid as prescribes the qualification for the office of the medical officers thereof.

And we hereby order as follows :—

Art. 1.—After the said first day of March next no person shall be qualified to be appointed to the office of medical officer under any of the Orders above referred to, unless he shall be registered as aforesaid, and shall be qualified by law to practise both medicine and surgery in England and Wales, such qualification being established by the production to the Board of Guardians of a diploma, certificate of a degree, licence, or other instrument, granted or issued by competent legal authority in Great Britain or Ireland, testifying to the medical or surgical, or medical and surgical, qualification or qualifications of the candidate for such office.[1]

[1] In the Circular dated January 3, 1860, accompanying the General Order, as to the qualifications of medical officers, the Poor Law Board said that " the full qualification which has hitherto been required by the Board for such officers has consisted of a competent knowledge of medicine and surgery, and the legal capacity to exercise both those branches of medical science in England. The then existing law did not enable any person to practise medicine in England who did not possess a diploma or licence conferred upon him by some public constituted authority of that country, and consequently the qualification for medical officers was specially limited in the General Consolidated Order, in regard to medicine, in the manner prescribed in that Order. But the alteration of the law effected by ' The Medical Act of 1858 ' has removed the previous restrictions upon persons possessed of qualifications emanating from authorities out of England, and has enabled the persons registered under that Act to practise, according to their respective qualifications, medicine or surgery, in any part of Her Majesty's Dominions. The Board have therefore deemed it advisable to modify the provisions of the General Consolidated Order, and to enable any person who can establish his qualification to practise

both medicine and surgery by the production of proper testimonials, issued by competent legal authority in any part of the United Kingdom, to be a candidate for the office of medical officer in the Unions to which the Order is directed. The terms of the new Order appear to the Board to be sufficiently explicit in themselves to render any detailed explanation unnecessary. The Board think, however, that it will be convenient if they point out to the Guardians the nature of the testimonials which may be submitted to them, and what qualifications will be established by such testimonials. The following list will give the best information which the Board at present possesses on the subject:—

Authority granting the Qualification.	Name of Qualification.
Royal College of Physicians of London	Licence in Medicine.
Royal College of Physicians of Edinburgh	Licence in Medicine.
Royal College of Surgeons of England	Licence in Surgery.
Royal College of Surgeons of Edinburgh	Licence in Surgery.
Faculty of Physicians and Surgeons of Glasgow	Licence in Surgery.
Royal College of Surgeons of Ireland	Licence in Surgery.
Society of Apothecaries, London	Licence in Medicine.
University of London	Degree in Medicine.
University of Edinburgh	Degree in Medicine and Surgery.
University of Oxford	Degree in Medicine.
University of Cambridge	Degree in Medicine.
University of Glasgow	Degree in Medicine.
	Degree or Licence in Surgery.
University and King's College, Aberdeen	Degree in Medicine.
Marischal College and University, Aberdeen	Degree in Medicine and Surgery.

"The following have been since admitted:—

"Royal College of Physicians of London—Licence in Surgery.
Apothecaries' Hall of Dublin—Medicine.
University of St. Andrew—Medicine and Surgery.
University of Dublin—Medicine and Surgery.
University of London—Degree in Surgery.
King's and Queen's College, Ireland—Medicine.
University of Durham—Medicine and Surgery.
Queen's University in Ireland, which embraces Queen's Colleges in Belfast, Cork, and Galway—Medicine and Surgery.

"The Guardians should bear in mind that the provisions of the Order are general, and include all diplomas, degrees, or licences, 'granted or issued by competent legal authority in Great Britain and Ireland,' and the Poor Law Board will readily afford the best advice in their power to the Guardians in any case in which a candidate for the office of medical officer may submit to them testimonials of his qualification to practise medicine or surgery, emanating from any body not enumerated in this Circular. In this Order the Board have only provided for the complete qualification of the medical officer; and any special cases which may occasionally occur where a fully qualified candidate cannot be obtained, must be provided for by the Guardians under the provisions

Art. 2.—Evidence that any candidate was in practice as an Apothecary on the First day of August, One thousand eight hundred and fifteen, shall be taken to be equivalent to a certificate to practise from the Societies of Apothecaries in London.

Art. 3.—Any person being registered as aforesaid, who shall possess a warrant or commission as surgeon or assistant surgeon in Her Majesty's Navy,[1] or as surgeon or assistant surgeon in the service of the Honourable East India Company [2] dated previous to the First day of August, One thousand eight hundred and twenty-six, shall be qualified to be appointed to the office of medical officer as aforesaid.

Art. 4.—Nothing herein contained shall apply to the regulations contained in the General Order of this Board, bearing date the Twenty-fifth day of May, One thousand eight hundred and fifty-seven, which relate to the appointment or employment in special cases of persons not fully qualified.

FIRST SCHEDULE.

Names of Unions referred to in the annexed Order are those which are included in the General Consolidated Order, *ante*, p. 474.

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of the General Order bearing date May 25, 1857. It will be observed that the Order will only operate in respect of appointments to be made after March 1, 1860, and that it does not interfere with the registration of the officer, which is an additional requisite imposed by the Medical Act of 1858."

Degrees in medicine granted by Foreign Universities, although the persons upon whom they have been conferred may be registered in respect of them, cannot be recognised as conferring a qualification for the office of medical officer, inasmuch as they are not "granted by some competent authority in Great Britain or Ireland," as required by this Order.

[1] The words "*or as Surgeon or Assistant Surgeon or Apothecary in Her Majesty's Army*," were by a clerical error omitted in the original Order, but they are included in the subsequent Orders on this subject.

[2] The reference to surgeons or assistant surgeons in the service of the East India Company previous to April 1, 1826, must now be considered as obsolete.

The statute 39 & 40 Vict. c. 41, removes restriction on the quantity of qualifications for registration under the Medical Act, on the ground of sex, so that women may now be appointed as medical officers of workhouses and districts under the Consolidated Order.

SECOND SCHEDULE.

Names of Unions not included in the General Consolidated Order, dated July 24, 1847.	Dates of Orders issued subsequently to the General Consolidated Order.
Barnsley	June 12, 1850.
Barton-upon-Irwell	January 24, 1850.
Bedwellty	March 19, 1849.
Gower	October 19, 1857.
Great Ouseburn	August 4, 1854.
Hartlepool	April 4, 1859.
Hawarden	February 25, 1853.
Hemsworth	October 29, 1850.
Holyhead	February 15, 1853.
Kirkby Moorside	February 9, 1850.
Knaresborough	June 28, 1854.
North Bierley	February 14, 1849.
Oldham	November 22, 1847.
Penistone	February 2, 1850.
Prestwich	August 2, 1850.
Ripon	February 8, 1853.
Stamford	March 16, 1849.
Whitchurch (Salop)	February 19, 1863.

Given under our Hands and Seal of Office, this Tenth December, 1859.

On January 27, 1860, a General Order similar to the preceding was issued to—

The Incorporated Hundreds of
East and West Flegg
Forehoe } In the county of Norfolk,
And the Hundred of
Mutford and
Lothingland } In the county of Suffolk,
And is still in force in these Incorporations.

A similar General Order was also issued on January 27, 1860, to the Parishes and Townships mentioned in the Schedules to such Order, and is still in force in the Parishes and Townships mentioned in the Schedule to the General Consolidated Order of December 8, 1847, *ante*, p. 474, and in Manchester; Mile End Old Town; Saddleworth; St. John, Hampstead; and Toxteth Park.

And on February 9, 1860, a similar General Order was issued to certain incorporations and places under Local Acts, and appears to be still in force in the following places :—

Birmingham.	Oswestry.
Bristol.	Oxford.
Canterbury.	Plymouth.
Chichester.	Southampton.
Kingston-upon-Hull.	Stoke Damerel.
Liverpool.	St. Marylebone.

A similar General Order was issued on February 9, 1860, to the following school districts, viz. :—

Central London.	Reading and Wokingham.
Farnham.	South East Shropshire.
North Surrey.	South Metropolitan.

And Orders were issued on the dates set opposite to the names of the following Unions applying the provisions of the General Order of December 10, 1859, to each of such Unions :—

Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

COLLECTOR OF THE GUARDIANS ORDER.[1]

(Dated 7th October, 1865.)

To the Guardians of the Poor of the several UNIONS, PARISHES, and PLACES named in the Schedules hereunto annexed :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions, Parishes, and Places are situate :—

And to all others whom it may concern.

WHEREAS it is oftentimes expedient that Guardians of the Poor should appoint an officer to collect and receive moneys from time to time due and payable to them or on their account.

Now, therefore, We, the Poor Law Board, acting under the authority of the statutes in that behalf made and provided, hereby order and direct the Guardians of the Poor of the several Unions, Parishes, and Places named in the Schedules (B.) and (C.) hereunto annexed, as and when they shall see occasion to do so, to appoint a fit and proper person to collect the moneys due and payable to such Guardians, to be termed Collector of the Guardians.[2]

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[1] In their Circular Letter accompanying the above Order of October 7, 1865, the Poor Law Board stated as their reason for issuing it that they had been frequently applied to on the subject of the inconveniences experienced by Boards of Guardians in many Unions in regard to the collection of moneys payable to them, by reason of the want of a proper officer for such purpose. The Board, moreover, anticipated that after the complete establishment of Union chargeability, the demands for such an officer would increase.

This Order, it will be seen, has no reference to overseers. It is confined to debts or demands due to the Guardians, and does not apply to the poor rate.

[2] By the General Order of November 27, 1866, the Guardians may appoint more than one collector for the above purposes, as and when the Guardians shall see occasion to do so.

Under Section 62 of the Poor Law Amendment Act, 1844 (7 & 8 Vict.

And We further order, with respect to such appointment, as follows ; that is to say :—

MODE OF APPOINTMENT.

Art. 1.—Every officer to be appointed under this Order shall be appointed by a majority of the Guardians present at a meeting of the Board, and voting on the question of such appointment.

Every such appointment shall, as soon as the same has been made, be reported to the Poor Law Board by the clerk to the Guardians.

Art. 2.—Previous to an appointment to the aforesaid office being made under this Order, a notice that the question of making such appointment will be brought before the Board of Guardians shall be given and entered on their minutes at one of the two ordinary meetings of the said Board next preceding the meeting at which the appointment is made, or an advertisement, giving notice of the consideration of such appointment, shall be inserted in some public newspaper by the direction of the Guardians, at least seven days before the day on which such appointment is made. Provided that no such notice or advertisement shall be necessary for the appointment of a temporary substitute.

QUALIFICATION.

Art. 3.—Every person who shall be appointed to the office of collector under this Order shall agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted as liquidated damages from the amount of salary due at the time of such resignation.[1]

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c. 101), the Local Government Board has power to make Orders directing the Guardians of any Union to appoint a collector of poor rates for any Parish in their Union. Where such an Order is made the section prohibits the appointment of a collector for the Parish in respect of which the Order is made by any persons other than the Guardians. Although then Section 81 (6) of the Local Government Act, 1894 (56 & 57 Vict. c. 73), enacts that "so much of any "enactment as authorises the appointment of assistant overseers by a Board of "Guardians shall be repealed," and Section 5 (1) transfers to Parish Councils of rural Parishes the power of appointing assistant overseers, the power of the Local Government Board to order the Guardians to appoint a collector of poor rates remains unaffected. Where then such an Order is made it would appear that the collector of poor rates must be excluded from the duties of any assistant overseer appointed by the Parish Council.

[1] A relieving officer may be appointed collector with the consent of the Poor

Art. 4.—The duties of the collector shall be:—

No. 1. To collect, under the directions of the Guardians all sums of money from time to time due and payable to them other than such as under their orders or otherwise shall be payable to their treasurer.[1]

No. 2. To serve the orders of contributions upon the overseers when required by the Guardians to do so.

No. 3. To assist the clerk to the Guardians in filling up receipts, keeping books, and making returns which relate to any matter concerning the moneys payable to the Guardians which he may have collected or may have been required to collect.

No. 4. To produce to the Guardians or their clerk respectively, whenever required by them or him, the account books in his custody by virtue of his office as such collector, and to balance the same, and to furnish them with a true list of all defaulters in the payment of moneys due to them, and under their directions to attend the proceedings against such defaulters.

No. 5. To keep punctually a book according to the form set forth in the Schedule (A.) No. 1, hereunto annexed, and to duly enter therein all sums received and all sums paid by him, and to give in respect of all moneys received by him a receipt in the form in the said Schedule (A.) No. 2.[2]

No. 6. To pay all sums received by him to the treasurer of the said Guardians monthly, or at any shorter period if required

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Law Board, under Art. 166 of the Consolidated Order, *ante*, p. 353, but not the Clerk to the Guardians, as the two offices would be incompatible in the same person.

[1] The collector will collect only such sums of money as he may be directed by the Guardians to collect; and it will be seen that the duties of the collector are limited to the collection of money due to the Guardians, and do not extend to the ascertaining what moneys are due to them.

[2] See, however, Art. 17 of the General Order for Accounts, *post*.

Money which may be paid to the clerk of the Union, on account of the Guardians, should be paid in by him to the treasurer, and not handed over to the collector for him to account for and receive commission upon.

The collector is not required to write to persons at a distance who may be owing money to the Guardians; if any such correspondence be necessary it should be conducted by the clerk to the Guardians, who alone is authorised to write in their name.

by them to do so; and whenever the same shall amount to 50*l.* or upwards, to pay the same to the said treasurer as soon as practicable after the receipt thereof.

Art. 4.—No. 7. To submit to the Guardians at their ordinary meeting an account of the payments and disbursements made by him on their behalf, with proper vouchers where the same can be obtained, once a month, or at a shorter interval if he find it necessary to do so.

No. 8. To attend every meeting of the Guardians when required by them to do so, and every meeting of the Finance Committee, if there be one, and to obey all lawful orders and directions of such Guardians and Committee relating to his office.

No. 9. To attend the auditor at the audit of the accounts of the Guardians, and to obey all the regulations contained in the orders of accounts issued to the Unions and Parishes named in the said Schedules (B.) and (C.) hereunto annexed, which relate to the attendance and accounting of officers at the audit.[1]

Remuneration of the Officer.

Art. 5.—The Board of Guardians shall pay to the officer appointed to the office of collector under this Order such salary either by a fixed sum or by a poundage, as the Poor Law Board shall from time to time direct or approve; and shall also repay the amount expended or disbursed by him on their behalf according to the account rendered by him, so far as it shall be found to have been duly and properly incurred.

Art. 6.—The salary of such officer shall be payable from the day on which he commences the performance of his duties up to the day on which he shall cease to hold such office, and no longer, and shall be paid by quarterly payments at the several quarters ending at the usual Feast Days in the year, namely Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day, with a proportionate sum to be paid to his executors or administrators in case he shall die while

[1] See also Article 40 of the General Order for Accounts of January 14, 1867, *post.*

holding such office : and in the case of a payment by poundage, the same shall be calculated by the said Guardians at such several quarters upon the amount which the said Guardians shall ascertain to have been collected by such collector in the quarter then last ended, and the same shall be paid by the said Guardians at such times accordingly.

Art. 7.—It shall be competent for the Guardians to defer in whole or in part, the payment of the salary of such collector, until his accounts shall have been audited and allowed by the auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall forthwith be paid.

Art. 8.—No such collector who may be suspended, and who shall upon such suspension resign, or be removed by the Poor Law Board, shall be entitled to any salary from the date of such suspension ; and no such officer who shall be temporarily suspended from his office, by reason of his services not being required, shall be entitled to any salary pending such temporary suspension.

Security.

Art. 9.—The person appointed to such office shall give a bond in such penal sum as the said Guardians shall think fit, in the names of himself and two sufficient sureties, not being officers of the same Union or Parish as that for which he shall be appointed, conditioned for the due and faithful performance of the duties of the office : and every such collector shall give immediate notice to the said Guardians of the death, insolvency, or bankruptcy of either such sureties, and shall, when required by the said Guardians, produce a certificate signed by two householders, that his sureties are alive, and believed by them to be solvent, and shall supply a fresh surety in the place of any such surety who may die, or become bankrupt or insolvent : Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorised by statute to guarantee or secure the faithful discharge of the duties of any Poor Law officer.[1]

[1] See with regard to bonds given as security by officers to the Guardians, the Notes to Articles 184 and 185 of the General Consolidated Order of July 24, 1847, *ante*, pp. 372 and 373.

Art. 10.—The auditor shall, in the statement required by the General Orders of the Poor Law Commissioners and the Poor Law Board in that behalf, to be transmitted to them of the securities of the officers of the said Unions or Parishes, include the name of the collector for the time being appointed under this Order together with the particulars in the said General Orders required, and shall report thereon to the Board of Guardians, in like manner as therein set forth with reference to the securities of other officers.

Continuance in Office and Suspension of Officer.—Supply of Vacancy.

Art. 11.—Every collector shall hold the said office until he shall die, or resign, or be removed by the Poor Law Board, or be proved to be insane by evidence which such Board shall deem sufficient, unless the Guardians shall deem it advisable to discontinue the office, and shall inform the said Board accordingly ; and upon such death, resignation, removal, or insanity of any such officer, the said Guardians shall give notice thereof to the Poor Law Board, and proceed to appoint some person in his place, according to the provisions of this Order ; and in every case of a resignation, the clerk of the said Guardians shall transmit to the Poor Law Board a statement of the cause of such resignation, so far as it may be known to them.

Art. 12.—The said Guardians may, at their discretion, suspend from the discharge of his duties any such collector, and shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to the Poor Law Board, for their decision thereon, and if the Poor Law Board remove such suspension, he shall forthwith resume the performance of his duties.

Art. 13.—If any such collector be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay such person a reasonable compensation for his services ; and every such appointment, with a statement of the circumstances which have led to it, shall be

reported to the Poor Law Board, as soon as the same shall have been made, by the clerk to the Guardians.

Art. 14.—The word "Parish" in this Order shall mean every place which maintains its own poor separately, or for which a separate poor rate is made.

Art. 15.—The word "overseer" shall be taken to include any person acting or legally bound to act in the discharge of any of the duties usually performed by overseers, so far as they are referred to herein.

SCHEDULE (A.).

No. 1.—Form of Collector's Book.

_____ Union [*or* Parish].

RECEIPTS.					PAYMENTS TO THE TREASURER.		
Date.	No. of Receipt.	From whom received.	On what account.	Amount.	Date.	On what account	Amount.
				£ *s.* *d.*			£ *s.* *d.*

No. 2.—Form of Collector's Receipt.

This part to be retained by the Collector.

_____ *Union* [or *Parish*].

_____ *day of* _____ 18__.

Mr. _____

For _____

_____

£ : :

_____ *Union* [or *Parish*].

_____ *day of* _____ 18__.

Received of _____

the sum of _____

on behalf of the above-named Union [or *Parish*] *in respect of* _____

_____

_____

£ : :

(*Signed*)

_____

Collector for the said Union [or *Parish*].

SCHEDULE (B.).

Containing the names of Unions to which the foregoing Order refers.

[The Unions in the Schedule are those contained in the Schedule to the General Consolidated Order, *ante*, p. 474, and those mentioned in the Table of Consolidated Orders separately issued, *ante*, p. 479, except Aysgarth, Canterbury, Chester, East Preston, Forden, Holbeck, Hunslet, Leeds, Lunesdale, Norwich, St. George's, Shrewsbury, Smallburgh, Westminster, and Woolwich Unions.]

SCHEDULE (C.).

Containing the names of the Parishes, Townships, and Places referred to in the foregoing Order.

Alston-with Garrigill.
East Stonehouse.
Manchester.
Mile End Old Town.
Paddington.
Saddleworth.
St. George-in-the-East.
St. Giles, Camberwell.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary, Lambeth.
St. Matthew, Bethnal Green.
Stoke-upon-Trent.
Toxteth.
Whittlesey, St. Mary and St. Andrew.
Yarmouth, Great.

Given under our hands and Seal of Office, this Seventh day of October, 1865.

The Order has also been applied to the following Unions by Orders bearing the dates set opposite to the name of each Union respectively :—

Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

CONSOLIDATED ORDER AMENDMENT ORDER.

(Dated 26th February, 1866.)

To the Guardians of the Poor of the several Unions named in the Schedules hereunto annexed :—

To the Churchwardens and Overseers of the several Parishes and Places comprised within the said Unions :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and Places comprised within the said Unions are situate :—

And to all others whom it may concern.

Whereas, by reason of the passing of the "Union Chargeability "Act, 1865," it is expedient that certain alterations should be made in the General Order of the Poor Law Commissioners, bearing date the 24th day of July, 1847, issued to the several Unions named in the Schedule (A.) hereunto annexed, and in the similar Orders made and issued by the said Poor Law Commissioners and the Poor Law Board respectively to the several Unions named in the Schedule (B.) hereunto annexed.

Now, therefore, We, the Poor Law Board, in pursuance of the powers given in and by the Statutes in that behalf made and provided, hereby from and after the seventh day of March next, rescind the following Articles in the said Orders ; that is to say :—

"Art. 81.—The clerk shall, four weeks at least before the Twenty-fifth day of March and the Twenty-ninth day of September respectively in each year, refer to and ascertain

the cost to each Parish in the Union for the maintenance of the poor, and other separate charges, as well as for the common charges incurred in the half of the last half-year corresponding to the half-year next coming, and shall estimate and, as near as may be, divide amongst the Parishes any extraordinary charges to which the Union may be liable in the coming half-year, and he shall also estimate the probable balance due to or from the Parish at the end of the current half-year, and shall then prepare the Orders on the several Parishes for the sums which, upon such computation, it shall appear necessary for them to contribute to the expenses of the Union for the coming half-year; and the Orders so prepared shall be laid before the Guardians for their consideration three weeks at least before the expiration of the current half-year.

"Art. 82.—The Guardians shall make Orders on the overseers or other proper authorities of every Parish of the Union, from time to time, for the payment to the Guardians of all such sums as may be required by them for the relief of the poor of the Parish, and for the contribution of the Parish to the common fund of the Union, and for any other expenses chargeable by the Guardians on the Parish; and in such Orders the contributions shall be directed to be paid in one sum or by instalments, on days specified as to the Guardians may seem fit."

So much of the Articles in the said Orders as requires the clerk of the Guardians—

"To conduct all applications by or on behalf of the Guardians to any justice or justices at their special, petty, or general sessions, and if he be an attorney or solicitor, to perform and execute all legal business connected with the Union, or in which the Guardians shall be engaged, except prosecutions at the assizes, actions at law, suits in equity, or parliamentary business, without charge for anything beyond disbursements."

And so much of the said Orders as prescribes the forms in the

Schedules to the said Orders, termed "Order for Contributions," "District Medical Order Book," "Register of Births in the Workhouse," and "Register of Deaths in the Workhouse."

We hereby Order, from and after the said seventh day of March next, as follows [1]—

Art. 1.—The clerk shall, as soon as convenient before the 25th day of March next, and thenceforth four weeks at least before the 29th day of September and the 25th day of March respectively in each year, estimate the probable amount of the expenditure in the relief of the poor, and other charges by the Guardians on behalf of the Union, as well as any separate expenditure [2] chargeable against any Parish therein during the then next ensuing half-year, and estimate the probable balance due to or from each Parish at the end of the current half-year, and shall apportion the sums to be contributed by the several Parishes comprised in the Union, according to the law for the time being in force therein, and shall prepare the Orders on the overseers or other proper authorities of the several Parishes for the payment of such respective contributions, and of any such separate expenditure as aforesaid, and the Orders so prepared shall be laid before the Guardians for

[1] The 28 & 29 Vict. c. 79, s. 11, requires the Poor Law Board to make such Orders as may be requisite to render its provisions applicable to the proceedings and accounts of the Guardians and overseers; and the Board accordingly have issued this General Order, making such alterations in the General Consolidated Order as they think necessary.

The alterations the Board say, are not numerous, and will not require any particular explanation, but the Board have given their attention to the general provision relating to the duties of the clerk. It is most probable that the alteration of the law will simplify the keeping of the accounts in the Union, and thus to some extent diminish the labours of that officer. But as questions of fact and law, which arise out of the removal and settlement of the paupers of the Union, will now fall within the scope of his duties, and if he be an attorney he must undertake the conduct of the litigation which may arise out of them, the Board have deemed it right to reconsider the terms of the Article in the Consolidated Order which refers to this subject, and have enlarged the exception, so as to enable the clerk to make full charges for much of the business which may arise out of this change in the law. They have also had in their recollection the business which has been cast upon the Board of Guardians and their clerk, as their professional adviser, in litigations arising out of the Union Assessment Committee Acts.—*Instr. Letter*, February 28, 1866.

[2] The county rate is a separate charge in respect of each Parish, and therefore comes under the words "separate expenditure."

their consideration a reasonable time before the expiration of the current half-year.[1]

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[1] It is important that the Guardians should be careful to keep constantly a sufficient balance in the treasurer's hands to defray the current expenses of the Union; and for this purpose that they should make, from time to time, sufficient Orders for contributions upon the overseers of the several Parishes, and enforce the Orders in case the payment should be delayed. The Guardians must call for contributions from each Parish fully sufficient to meet the expenditure incurred in respect of it; and no such arrears should be allowed to accrue, in any case, as would cast the burdens of one Parish on the other Parishes of the Union.—*Instr. Letter.*

As to this and the following Article, see the correspondence in the Official Circular, Nos. 14 and 15, N.S. p. 217.

It has been the long established doctrine (see *Tawney's Case*, 2 Salk. 531; *Rex* v. *Goodcheap*, 6 T. R. 159; *Rex* v. *Wavell*, 1 Doug. 116; *Rex v. Dursley*, 5 Ad. & E. 15; H. & W. 9; 6 Nev. and M. 333) that overseers cannot levy retrospective rates, that is, that they cannot levy rates to defray debts incurred by Parish officers of former years, unless in cases where they are expressly authorized to do so by Act of Parliament, as in 41 Geo. III. c. 23, s. 9, and also in 11 & 12 Vict. c. 91, ss. 1, 2. (See also *Harrison* v. *Stickey*, 2 H. L. Cas. 108, and *Reg.* v. *Read*, 13 Q. B. 524; 4 New Sess. Cas. 7; 18 L. J. M. C. 164; 13 Jur. 789, where the rule as to retrospective rates is explained, and *Woods* v. *Reed*, 2 M. and W. 784, where reasons will be found why retrospective rates should not be levied.) The same rule has been held to apply to a Board of Guardians, who cannot under the powers conferred upon them by Arts. 1 and 2 of the Order of February 26, 1866, make an Order upon the overseers for the payment of money to defray debts or liabilities incurred in a former year. (See the case of *Waddington* v. *The Guardians of the City of London Union*, 1 E. B. & E. 370; 5 Jur. N.S. 262; 28 L. J. M. C. 113; 32 L. T. O.S. 225; 22 J. P. 755; and *Saul and Others* v. *The Wigton Rural Sanitary Authority*, 56 L. T. N.S. 438; 35 W. R. 252; 51 J. P. 406.)

A judgment was obtained against the Guardians, in respect of a debt incurred prior to the year for which a rate was made, and a bill was thereupon filed by the Attorney-General and the Guardians against the judgment creditor and the sheriff of London, praying that it might be declared that the lands and hereditaments and the goods and chattels in and about the Union workhouse and premises were held by the Guardians in trust for and on behalf of the Union, and that the same were not liable to satisfy the claims of the creditor and his judgment, and that the defendants might be restrained from levying writs of *fieri facias* and *elegit* levying execution against the goods, chattels, lands, hereditaments, moneys, or property of the Guardians. Upon demurrer, it was held by Wood, V.C., that money raised by rates for the relief of the poor is not applicable to the discharge of the claims of judgment creditors of the Board of Guardians in respect of debts incurred prior to the year for which the rate was raised; and *semble* that such money is applicable to the discharge of debts incurred within the year for which the rate was raised. (*Attorney-General* v. *Wilkinson*, 5 Jur. N.S. 538; 28 L. J. Ch. 392; 32 L. T. O.S. 386; 23 J. P. 211.)

As to the validity of a contribution Order, see *Hale* v. *The Guardians of the City of London Union*, 6 Jur. N.S. 74; 29 L. J. M. C. 5; 6 C. B. N.S. 863. In that case a contribution Order was made without taking into account a balance due to the particular Parish, and the Court held that the Order was illegally made, and could not be enforced; but when an estimate made under Art. 1 of the sum which will be required for the ensuing half-year includes a balance existing at the beginning of the half-year, which balance is made up of balances

Art. 2.—The Guardians shall make Orders on the overseers or other proper authorities of every Parish in the Union at the commencement of each half-year ending on the days above mentioned, and from time to time as occasion may arise, for the payment to the Guardians of all such sums as may be required by them as the contribution of the Parish to the common fund of the Union, and for any other expenses separately chargeable to the Guardians on the Parish ; and in such Orders the contributions shall be directed to be paid in one sum or by instalments, on days to be specified in such Orders, as to the Guardians may seem fit.[1]

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from preceding half-years, the Order for contribution is valid under Section 6 of 22 & 23 Vict. c. 49 (*City of London Union* v. *Acocks*, 8 C. B. N.S. 760 ; 24 J. P. 502).

Section 6 of 22 & 23 Vict. c. 49, enacts that :—"No call or Order for contributions made by any Guardians, nor any poor rate made to meet such call or Order, shall be deemed to be illegal on the ground that the same is made to provide for any debt, claim, or demand, the payment whereof is authorized by this Act, or on the ground that the said call or Order for contribution includes a balance due from any Parish or Parishes at the time when the half-yearly accounts are made up and balanced as aforesaid : Provided always, that when the fund out of which any such debt, claim or demand should have been discharged shall have been already paid by any Parish to the Board of Guardians of any Union, and shall not have been applied for that purpose, any funds which may be required to be again contributed to discharge such debt, claim, or demand shall be levied on each Parish in the Union in proportion to the rateable value of each such Parish." Where then a Contribution Order was made by Guardians in respect of expenses for the relief of the Poor, which included arrears accrued due from a Parish three years previously, such Order was held to be good under 22 & 23 Vict. c. 49, s. 6, although the arrears had not been inserted in any estimate or Order during those three years. (See *The Guardians of the Caistor Union* v. *The Overseers of North Kelsey*, 62 L. T. N.S. 731.)

[1] As to the mode of computing contributions of Parishes to the common fund, see the new provisions on the subject in 24 & 25 Vict. c. 56, ss. 9, 10, and 25 & 26 Vict. c. 103, s. 30, and 28 & 29 Vict. c. 79, by Section 12 of which the Guardians shall distribute the charges upon the common fund during and at the close of every half-year in the proportion according to which the Orders for the contributions to the common fund were made upon the several Parishes comprised in such Unions at the commencement of such half-year, notwithstanding the change which may be made in the valuation list of any Parish during such period.

With reference to the above, the Poor Law Board says :—"The statute 24 & 25 Vict. c. 55, s. 9, required the contributions to the common fund to be calculated according to the rateable value of the several Parishes comprised in the Union, and Section 10 referred the Guardians to the county or borough rate for a basis ; but by the Union Assessment Committee Act of 1862, the valuation lists, when approved for all the Parishes in the Union, were substituted as the proper basis for the calculation. Between the time when the contributions are calculated and the end of the half-year for which they are required, differences

may arise in the valuations, as shown by the county rate or the valuation lists, and doubts have been entertained as to the proper basis for adjusting the charges upon the several Parishes of the Union. These doubts are removed, and it is now directed that the Guardians shall distribute the charges at the close of every half-year, in the proportions according to which the Orders for the contributions were made at its commencement."—*Instr. Letter*, February 28, 1866.

It will be noticed that in the Form of Contribution Order the Guardians are not required to specify how much is called for on account of common fund, and how much on account of separate charges. In distributing the common charges under 28 & 29 Vict. c. 79, s. 12, the Guardians will do so upon the basis given by the statute, and that basis will be in their own possession. If its correctness should be questioned, when the audit of their accounts takes place, that will be the time to settle the question before the auditor.

The clerk will first form an estimate of the expenditure for the whole Union during the ensuing half-year. Having done so, he will then calculate what amount thereof each Parish must contribute according to its annual rateable value. The next step will be to estimate the probable balance in favour of or against each Parish, and deduct or add, as the case may be, the amount thereof from or to the amount of the common charges apportioned to each Parish to contribute; then the separate charges likely to be incurred on account of each Parish during the half-year must be ascertained, and the aggregate of the sums so found will be the sums for which the Contribution Orders are to be made.

The Contribution Orders may be made payable in one, two, or more instalments, as the Guardians think fit; but it is not desirable that the instalments should be more than two, as if they are, unnecessary trouble and expense is occasioned to the overseers.

It will be seen that this Order requires that the Contribution Orders shall be made at the commencement of each half-year ending on Michaelmas and Lady-Day respectively. This obviates the difficulty experienced under the former Order, when the Orders were made prior to the termination of the half-year ended at Lady-Day, and the old overseers went out of office before the money was paid to the treasurer of the Guardians, as it was thought by the Poor Law Board to be very doubtful whether, as regards an Order of contribution made upon existing overseers, succeeding overseers could be proceeded against for any neglect to pay to the Union treasurer the money required by the Order. (7 O. C. 217.)

The Order must be addressed to all the churchwardens and overseers by name, though it need not necessarily be served on more than one of them. See 12 & 13 Vict. c. 103, s. 7, *post*, p. 566. If there are churchwardens, they should be named in the Order where they are overseers *ex officio*, *i.e.* in Parishes, but not in townships, etc.

If the Parish officers should fail to pay the money required, the Guardians may proceed against them before the justices for a disobedience to the Orders of the Commissioners under Section 98 of 4 & 5 Will. IV. c. 76, as to which see *Holgate* v. *Brett*, *ante*, p. 390, or they may have recourse to the remedy afforded to the Guardians by 2 & 3 Vict. c. 84, s. 1. By the latter enactment it is enacted that :—"In every case in which any contribution by overseers or "other officers of any Parish of moneys required by the Board of Guardians or "persons acting as Guardians for such Parish or for any Union which shall "include such Parish for the performance of their duties, shall be in arrear, it "shall be lawful for any two justices acting within the district wherein such "Parish shall be situate, on application under the hand of the chairman or "acting chairman of such Board, to summon the said overseer or other officers "to show cause, at a special sessions to be summoned for the purpose, why

"such contribution has not been paid, and after hearing the complaint pre-
"ferred under the authority of such chairman or acting chairman, and on
"behalf of such Board, if the justices at such sessions shall think fit, by
"warrant under their hands and seals, to cause the amount of the contributions
"so in arrear, together with the costs occasioned by such arrear, to be levied
"and recovered from the said overseers or other officers, or any of them, in like
"manner as moneys assessed for the relief of the poor may be levied and
"recovered, and the amount of such arrear, together with the costs as afore-
"said, when levied and recovered, to be paid to the said Board: Provided
"always that no distress made under any such warrant of justices shall be
"replevisable." Unless there is a legal reason why the contributions should not be paid, the justices are bound under the foregoing enactment to grant a distress warrant for their recovery; see *Page* v. *Boteler*, 33 L. J. M. C. 101; 4 B. & S. 959; 10 Jur. N.S. 798; 12 W. R. 466; S. C. nom *Ex parte Bridgend and Cowbridge Guardians*, 9 L. T. N.S. 720, where it was held that it was no ground for refusing to grant a distress warrant for the recovery of a contribution required by Guardians from a Parish that there were no paupers in the Parish; and a mandamus was issued to the justices to issue their warrant of distress. But where Guardians of a Union had received contributions from a Parish based upon a valuation of such Parish which upon an appeal by an individual ratepayer was proved to have been incorrect, the Court held that the Guardians were bound to give the Parish credit in subsequent calls for contributions for the overpayments which had been made in respect of calls made while the appeal was pending. And that, where this had not been done, and the justices had accordingly refused to issue a distress warrant in respect of a subsequent call for contributions, the justices had exercised their discretion properly (*The Guardians of Tynemouth Union* v. *the Overseers of Backworth*, 59 L. T. N.S. 178; 57 L. J. M. C. 53; 52 J. P. 357). In case of its being necessary for the Guardians to proceed adversely against the Parish officers, the Commissioners recommend a recourse to the remedial proceeding afforded by 2 & 3 Vict. c. 84, s. 1, rather than to the penal proceeding authorised by 4 & 5 Will. IV. c. 76, s. 98.—*Instr. Letter.* With respect to the later enactment, see *Newbold* v. *Coltman*, 6 Exch. Rep. 189; 20 L. J. M. C. 149; 15 J. P. 372, in which it was held that the justices act ministerially and not judicially in proceedings at special sessions under the Act. If by reason of the neglect of the overseers to pay the money called for by the Guardians, any relief directed by the Guardians to be given be delayed or withheld during a period of seven days, proceedings can be taken against the overseers under the statute 7 & 8 Vict. c. 101, s. 63, which enacts that if the overseers of any Parish wilfully neglect to make or collect sufficient rates for the relief of the poor, or to pay such moneys to the Guardians of any Parish or Union as such Guardians may require, and if by reason of such neglect any relief directed by the Board of Guardians to be given to any poor person be delayed or withheld during a period of seven days, every such overseer shall, upon conviction thereof, forfeit and pay for every such offence any sum not exceeding £20. The powers conferred on the Guardians by 2 & 3 Vict. c. 84, render them responsible for securing a sufficient supply of funds from the Parish officers; and if the Guardians should fail to obtain from the Parish officers funds sufficient to defray the current expenditure of the Parish, they have no other legal power to procure funds to supply the deficiency. The Guardians are not in general empowered to borrow money on the security of the rates (except in the cases and for the purposes specially provided for by the statutes, such as the building of or procuring workhouses under 4 & 5 Will. IV. c. 76, and enabling poor persons to emigrate, under the same Act, and the making a survey or valuation of a Parish under 6 & 7 Will. IV. c. 96), or to pay interest for the money borrowed.—*Instr. Letter*, April

1842. But see *Reg.* v. *Bangor*, 10 Q. B. 91; 16 L. J. M. C. 58; 11 Jur. 587; 11 J. P. 160, as to charging the poor rates under 6 & 7 Will. IV. c. 96; and also *Reg.* v. *Hurstbourne-Tarrant*, E. B. & E. 246; 27 L. J. M. C. 214; 4 Jur. N.S. 783; 31 L. T. o.s. 115; 22 J. P. 817. See also as to the borrowing powers of Guardians, the memoranda of the Local Government Board relating thereto in the Appendix, *post*. If proceedings be instituted under 2 & 3 Vict. c. 84, s. 1, the clerk, acting upon his own responsibility, has no authority to stay those proceedings, but should apply to the Board of Guardians for further directions. See as to loans the Local Loans Act, 1875, 38 & 39 Vict. c. 83, and the General Order of November 14, 1878, *post*.

With reference to proceedings against Overseers to enforce Contribution Orders, s. 9 of 14 & 15 Vict. c. 105, is of much importance to Unions which extend into several separate jurisdictions. The treasurer of a Union may reside or have his place of business in one jurisdiction, while the overseer or officer who ought to pay money to the treasurer may live in another jurisdiction; and doubts have been entertained, when it has been necessary to take legal proceedings for default of payment, as to what justices were empowered to hear the complaint and enforce the payment. Under this section the justices of the county, district, or place in which the overseer or officer shall reside at the time of the default, or in which the treasurer shall reside or have his place of business, shall have jurisdiction to hear and determine the complaint. Those justices should therefore be applied to whose jurisdiction will be most convevient for the several parties in the particular case.

The 4 & 5 Will. IV. c. 76, renders the overseers liable to certain penalties if they wilfully neglect or disobey a Contribution Order of the Guardians; and 2 & 3 Vict. 84, s. 1, applies to the recovery of the money called for by such an Order, and of the costs incurred in enforcing payment. The two provisions being entirely distinct (that is to say, the one being penal and the other remedial), a conviction under 4 & 5 Will. IV. c. 76, for a disobedience of the Order, will not interfere with any subsequent proceedings which may be taken by the Guardians to enforce or recover payment of the money under 2 & 3 Vict. c. 84, s. 1. (56 O. C. N.S. 74.) In a case where a person had refused to exercise the office of Parish officer, and make a rate, though he had been appointed churchwarden of a chapelry within the Union, the clerk to the Guardians, by the direction of the Board of Guardians, obtained a warrant of justices to levy the amount claimed off the plaintiff's goods, under 2 & 3 Vict. c. 84, s. 1. Upon trespass brought by the plaintiff for this distress, it was held that the alleged trespass was an act done in pursuance of the provisions of 4 & 5 Will. IV. c. 76, and that therefore the defendant was entitled to notice of action and to the other protections afforded by the 104th section of that Act. (*Carter* v. *Filliter*, 1 Car. & M. 428; 6 J. P. 745.) The last mentioned section is repealed by Section 2 of the Public Authorities Protection Act, 1893 (56 & 57 Vict. c. 61). For the substituted provision, see Section 1 of that Act.

By Art. 203, No. 4, the treasurer is required, whenever there shall not be funds belonging to the Guardians in his hands, to report in writing the fact of such deficiency to the Poor Law Board.

It is considered that certified balances paid to the treasurer of the Guardians under 7 & 8 Vict. c. 101, s. 32, may be applied towards payment of the Contribution Order made upon the overseers of the particular Parish; for the statute enacts that "such money shall be applied by the Guardians to the "use of all or any of the Parishes included in such Union, according as all or "any of such Parishes may be interested in the sum so paid."

It is provided by 12 & 13 Vict. c. 103, s. 7, that where the Guardians of any Union or Parish shall make any Order for the payment of money upon overseers or other officers of any Parish upon whom they are empowered by law to make

And as regards the duties of the clerk, we hereby further Order that from and after the 25th day of March next it shall be his duty—

Art. 3.—To conduct all applications by or on behalf of the Guardians to any justice or justices at petty or special sessions, or out of sessions; and, if he be an attornev or solicitor, to perform and execute, without charge for anything beyond disbursements, all legal business connected with the Union, or in which the Guardians shall be engaged, except prosecutions at the assizes or quarter or general sessions, or Central Criminal Court, all other proceedings at the said quarter or general sessions, actions and other proceedings in the superior courts of law, suits and other proceedings in the superior courts of equity, and parliamentary business.[1]

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it, and a copy of such Order shall be served upon any one of such overseers or other officers, it shall be lawful for the said Guardians to enforce such Order against the person so served, as fully and as effectually as if a copy thereof had also been served upon every one of such overseers or other officers. A further provision is made by 14 & 15 Vict. c. 105, s. 9, which enacts that where the overseer or any other officer of any Parish, or any officer of a Union shall neglect to pay in due course of law money lawfully payable by him as such overseer or officer to the treasurer of such Union or Parish, residing or having his place of business in a county, district, or place different from that in which such overseer or officer shall reside at the time of any such default, and by reason of such neglect such overseer or officer shall be liable to be summoned before a justice or justices, any justice or justices of either county, district, or place, shall have jurisdiction to hear and determine the complaint.

[1] It is to be observed that business relating to the survey and valuation of Parishes, the sale of Parish property, and the application of the sale proceeds, is the business of the Guardians under the statutes relating thereto, and therefore the clerk is not entitled to make an extra charge for conducting the correspondence which arises out of, or for advising or assisting the Guardians in the performance of any of the acts or duties which become necessary in the furtherance of this business. Further on this point see 53 Off. Cir. N.S., p. 23.

It is the duty of the Clerk under this Article to obtain the necessary evidence of settlement, and to make the application to the justices on behalf of the Guardians for orders of removal. If he should incur any expense in so doing, he should make out an account thereof to the Guardians, who can repay the amount so far as they may think proper. His duty, however, does not extend to the actual removal of the paupers, for which the Guardians should make proper arrangements.

Though the business in connection with orders of removal comes within Art. 3 of this Order, the Poor Law Board recognizes the service as entitling the clerk to claim a gratuity under Art. 172, *ante*, p. 357. But the proceedings must have been taken in compliance with express directions from the Guardians. Long journeys undertaken by the clerk to make inquiries into settlements, attendances before justices, and preparation of legal documents in connection

with removals, are matters to be considered in awarding the gratuity. Costs out of pocket in travelling, agency charges, and counsel's fees for advising on evidence of settlement, which form no part of the duty of the clerk, are disbursements within the meaning of the Article.

As regards orders of maintenance under 43 Eliz. c. 2, s. 6, it will be his duty to make the application to the justices, and the Application and Report Book of the relieving officer will supply the information as to the relatives.

It will also be the clerk's duty under 31 & 32 Vict. c. 122, s. 33, to obtain an order upon a husband to maintain his wife; and upon a married woman having separate property for maintenance of her husband, 45 & 46 Vict. c. 75, s. 20; and for the maintenance of her children and grandchilden.—*Ib.* s. 21.

In order to bring the business within the exception to this Article, so far as the solicitor and the Union employing him are concerned, there must be an actual entry of the cause in the particular Court. If the proceeding be abandoned before the cause is entered in the Court, the business will not come within the exception.

It is to be remembered that under Art. 172 of the General Consolidated Order of July 24, 1847, *ante*, p. 357, the Guardians may, with the approval of the Local Government Board, pay their clerk a reasonable compensation on account of extraordinary services, or other unforeseen circumstances connected with his duties or the necessities of the Union. Where then upon the dissolution of a Union the clerk to the Guardians who was also an attorney applied to the Poor Law Board to award him compensation for the loss of his office and emoluments, and in awarding him compensation the Board took into consideration the profits the clerk had derived from conducting proceedings on behalf of the Guardians at inquisitions held by the Sheriff under the Lands Clauses Acts with reference to lands of the Guardians which had been taken by a railway company, it was held that the Board had acted rightly. In so deciding, Mellor, J., said "clearly such business as conducting cases at Sheriff's inquisitions is kindred to all these things enumerated in the Act of Parliament and was therefore incident not to his office of attorney but to his office of attorney and clerk to the Guardians of the Union." (*Reg.* v. *the Poor Law Board*, L. R. 6 Q. B. 785; 41 L. J. M. C. 16; 25 L. T. N.S. 304.) It was argued in opposition to the award that the clerk was bound to transact the work in question as part of the duties for which he received his salary, the work not being included in the exception to Article 3.

In appeals to the Quarter Sessions actually entered against orders of removal the proceedings are to be deemed proceedings at the Quarter Sessions from the time when the Guardians give their clerk instructions to commence the appeal, or to support an order of removal obtained by the Guardians when it is appealed against.

The Poor Law Board considered that if a clerk to a Board of Guardians be a solicitor or attorney, they would not be justified in employing any other solicitor or attorney instead of their clerk to transact any business which by this Article it is made the duty of the clerk to transact on behalf of the Guardians.

The prosecution of persons under the Vagrant Act for deserting their families and leaving them chargeable to the poor rates should be conducted by the Guardians or by their clerk under their directions, as they can pay the costs of such prosecutions according to the 7 & 8 Vict. c. 101, s. 59, and 28 & 29 Vict. c. 79, s. 9. It is, however, open to any person to prosecute offenders against the Vagrant Act, as the Act does not cast that duty upon any one in particular. The limitation in 11 & 12 Vict. c. 43, s. 11, does not here apply to an offence under Section 3 of the Vagrant Act, 5 Geo. IV. c. 83, for now proceedings may be taken against any person who runs away and leaves his wife or his child chargeable, or whereby she or they or any of them shall become chargeable to any Union

or Parish at any time within two years after the commission of the offence, and a summons or warrant in respect thereof may be issued upon the information of any relieving officer of the Guardians stating that relief has been applied for on behalf of the wife or child, and that he is informed, and believes that the husband or parent, as the case may be, has left the wife or child and gone away. The justices to hear the complaint against a husband under 31 & 32 Vict. c. 122, s. 33, may be other than those who summoned him to appear before them, but acting for the same petty sessional division: 39 & 40 Vict. c. 61, s. 19. As to the application of Jervis's Act to a prosecution under Section 4 of the Vagrant Act, see *Reeve* v. *Yeates*, 31 L. J. M. C. 241; 1 H. & C. 435; 8 Jur. N.S. 751; 10 W. R. 779, in Glen's "Summary Jurisdiction Acts," 5th ed. The limitation presented in respect of summary proceedings by 11 & 12 Vict. c. 43, s. 11, was held not to apply to proceedings under 31 & 32 Vict. c. 122, s. 33, the liability thereunder being a continuing one. (See *Alvestone Union Guardians* v. *Park*, 53 J. P. 629.) Neither the Guardians nor the overseers should interfere with prosecutions for other offences against the Vagrant Act.

Proceedings to effect the removal of Scotch or Irish paupers, under 8 & 9 Vict. c. 117, s. 2; 24 & 25 Vict. c. 76; 25 & 26 Vict. c. 113; and 26 & 27 Vict. c. 89, also fall within the scope of the clerk's duties, as prescribed by this Article; so also proceedings in Lunacy, when the pauper lunatics are confined in Lunatic Asylums (except, of course, appeals to Quarter Sessions), see 24 & 25 Vict. c. 55, s. 6. Under 53 & 54 Vict. c. 5. s. 292 (2), Orders as to the settlement or chargeability of pauper lunatics and for payment of expenses may be obtained by the Guardians of any Union, and it is not necessary that a complaint should be made by three Guardians personally before the justices. It should be made by the clerk in accordance with Article 3 under the authority of a resolution duly passed at a meeting of the Guardians. Guardians are enabled by Section 295 of 53 & 54 Vict. c. 5, to pay any money which they might be ordered under the Act to pay in respect of a pauper lunatic without an Order, and to charge the same to such account as they could have done if an Order had been made. It was formerly necessary that the statement of the grounds of an appeal against an Order adjudging the settlement of a pauper lunatic, should be signed by three Guardians at a meeting o the Board of Guardians; and the Middlesex Court of Quarter Sessions intimated in one case that they were prepared to allow, and in another case allowed, an objection to the hearing of an appeal on the ground that the notice of appeal did not purport to have been signed at a meeting of the Guardians; see *The Guardians of Norwich*, apps. v. *The Guardians of Fulham*, resps., 44 J. P. 285; and *The Shaftesbury Union* v. *The Paddington Union*, 45 J. P. 80. In the latter case the sessions had at a previous hearing allowed the objection on the ground that the notice and grounds of appeal were signed by the clerk to the Guardians only. *Ib.* 44 J. P. 684. Statements of the grounds of such appeals may now, however, be signed by the clerk to the Guardians; see 53 & 54 Vict. c. 5, s. 306. The proceedings for obtaining orders of maintenance in respect of pauper lunatics are regulated by Sections 286 to 298 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5); and the procedure upon appeals against such orders is provided for by Sections 301 to 313 of that Act.

With regard to the removal of Scotch Poor the Local Government Board say that they have reason to believe that, when applications are made for orders of removal in such cases sufficient care is not always taken to ascertain the precise Parish or combination in Scotland to which the pauper belongs; and they find that poor persons are occasionally sent to Parishes or combinations to which they do not belong. As a result of this practice such Parishes or combinations are sometimes put to much trouble and expense in ascertaining the actual place of settlement of the paupers, and in supporting them whilst the

necessary inquiries are being made, and in some cases to support paupers whom they ought not to be liable to maintain. The Board consider that this inconvenience might be avoided if care were taken to elicit by proper inquiry, either of the person whose removal is sought or of such other persons as may have it in their power to afford the necessary information, the precise place to which the pauper should be removed, and if steps were further taken to ascertain in what combination (if any) the alleged place of settlement is situated. The Board believe that if, when the Guardians are in doubt as to the proper place in Scotland, a communication were made to the Board of Supervision at Edinburgh, the proper information would be obtained, and much of the evil complained of avoided. The Board are further of opinion that it is not advisable to entrust the prosecution of these inquiries to the relieving officers, whose other duties may prevent them from devoting the necessary time to this object; and they consider that the Guardians should direct their clerk to make the necessary inquiries.—*Cir.*, January 23, 1875.

This regulation includes applications for orders of maintenance under 43 Elizabeth; for compelling payment of contributions to the Union by overseers; and generally all these cases in which summary remedies through the intervention of justices are given generally, and of which the Guardians may have occasion to avail themselves; it also includes applications for orders of removal at Petty Sessions, such being now the business of the Guardians under 28 & 29 Vict. c. 79. Criminal proceedings in Petty Sessions taken on behalf of the Guardians in their official character are within the scope of the clerk's duties under this rule. So where the proceedings are for the protection of the Guardians in the exercise of their official functions—as for absconding from the workhouse with the Union clothing, misbehaviour in the workhouse, or proceedings against officers for purloining, embezzling, or misapplying the property of the Union, or disobeying the orders of the Guardians, or against persons for illegally introducing spirituous liquors into the workhouse—so would conveyancing business connected with the sale of property belonging to the Guardians, or the purchase of property as for the enlargement of the workhouse premises. So also would appeals to Special Sessions under 27 & 28 Vict. c. 39, ss. 1, 2. In making applications to the justices, the clerk must attend such justices whenever the attendance may be required, according to the circumstances affecting the jurisdiction of the justices, whether within or without the Union. Of course there is nothing to prevent the overseers from employing the clerk, if he be an attorney or solicitor, to transact any legal business in which they may be engaged on behalf of their particular Parish; but he cannot act, or rather ought not to act, professionally as the advocate or agent on behalf of a particular Parish, in any matter in which the interests of that Parish and the interests of the whole of the Parishes in the Union are conflicting. If the Clerk be one of a firm, the firm cannot be employed to do work for the Guardians, and be paid their professional charges, when such work falls within this Article as one of the duties of the Clerk which he is to discharge without charge beyond disbursements out of pocket. See as to this, in regard to justices, *Broughton* v. *Broughton*, 25 L. J. Ch. 250. An action in the County Court is not within the exception to the rule, those courts not being superior courts of law or of equity.

But if the Clerk of the Union be clerk, treasurer, high bailiff, or other officer of the County Court, he should have regard to the prohibition and penalty in 51 & 52 Vict. c. 43, s. 41.

Any Clerk or other officer to any Board of Guardians, if duly empowered by such Board, may make or resist any application, claim, or complaint, or take and conduct any proceedings on behalf of such Board before any justice or justices of the peace at Petty or Special Sessions, or out of sessions, although

Art. 4.—He shall take care in every case that his bill for legal business against the Guardians shall be duly taxed before the same shall be paid.[1]

Art. 5.—The following Forms [2] shall be substituted for those above mentioned ; that is to say :—

Order for Contributions.[3]

To *A. B.* and *C. D.*, Overseers (or *) of the Parish of .

* Here insert the names of any parties in the Parish authorized to make the poor rate in place of the overseers.

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such Clerk or officer be not an attorney or solicitor, or have not obtained a stamped certificate. (7 & 8 Vict. c. 101, s. 68.) The privilege is not, however, extended by that Act to proceedings at general or quarter sessions. Upon this point, see *Reg.* v. *Buchanan*, 8 Q. B. 883 ; 15 L. J. Q. B. 227 ; 10 Jur. 736.

With reference to proceedings between two Unions in a court of law conducted by the respective clerks who are attorneys, and the right to costs in such case as against the unsuccessful party, the following cases may be consulted : *Attorney-General* v. *Shillibeer*, 19 L. J. Exch. 115 ; 4 Exch. 606 ; 14 L. T. o.s. 273. See also *Galloway* v. *Corporation of London*, L. R. 4 Eq. 90 ; 36 L. J. Ch. 978 ; 16 L. T. N.S. 407 ; 15 W. R. 1,032.

Assessment Committees are enabled by 27 & 28 Vict. c. 39, s. 2, to appear, with the consent of the Guardians, as respondents in appeals against poor rates levied in their Union ; but where such consent is not obtained they will not be entitled to their costs, although they may have received notice of appeal from the appellant and have appeared and been awarded costs by the Quarter Sessions. (*Assessment Committee of West Ham Union* v. *Justices of Essex* (1896), A. C. 443 ; 75 L. T. N.S. 1 ; 11 *Times*, L. R. 43.)

[1] With reference to the taxation of bills of law costs, see 7 & 8 Vict. c. 101, s. 39, and the General Order, *post*.

[2] See next page.

[3] Substituted for Form M., *ante*, p. 468.

The above form should not be departed from by the Guardians in making their Contribution Orders upon the overseers, but if it be desired there is no objection to the Guardians stating in a note at the foot of the Order the separate amounts required by the Order for poor rate, county rate, or any other rates.

Contribution Orders made by Guardians of the Poor of any of the Poor Law Unions wholly or partly comprised within the Administrative County of London on the overseers of any Parish for any sum which shall include an equalisation charge for the purposes of the Equalisation Fund formed under the authority of the London (Equalisation of Rates) Act, 1894, are to contain a note in following form, or in a form to the like effect :—

Note.—The sum of £ directed by this Order to be paid on the day of , includes a sum of £ in respect of the equalisation charge for the purposes of the Equalisation Fund authorized by the London (Equalisation of Rates) Act, 1894. The sum is computed as follows :—

	£	*s.*	*d.*
Contribution to Equalisation Fund at 3*d.* in the Pound			
Deduct grant from Equalisation Fund . . .			
Equalisation charge £			

District Medical Officer's

_____ Union

——Medical Officer of the ——district				Week ending ——— day of ——— 18									Week ending ——— day of ——— 18								
Name of Pauper	Age	Residence	Nature of Disease	Days when attended, or when medicines were furnished [1]							Necessaries ordered to be given to the Patient	Present state or Termination of the Case	Days when attended, or when medicines were furnished [1]							Necessaries ordered to be given to the Patient	Present state or Termination of the Case
				S	M	T	W	Th	F	Sat			S	M	T	W	Th	F	Sat		

[1] Attendances at the Patient's own house are to be denoted by the letter (H). Attendances seeing the Patient, by the letter (M). Any Attendance given by a Substitute or other Person

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Register of Births in the *Workhouse.*[2]

_____ Union. _____ *Master.*

Date of Birth	Whether Male or Female	Name of Parents or Mother	From what Parish Parents admitted [1]	When and where baptized	In what name baptized	Remarks

[1] *Note.*—In the case of a Vagrant admitted into the Workhouse who becomes a mother therein, the word Vagrant must be inserted.

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[1] Substituted for Form P., *ante* p. 469.
[2] Substituted for Form S., *ante* p. 472.

Relief Book.[1]

Week ending ——— day of ——— 18									Week ending ——— day of ——— 18									Observations
Days when attended, or when Medicines were furnished [1]							Necessaries ordered to be given to the Patient	Present state or Termination of the Case	Days when attended, or when Medicines were furnished [1]							Necessaries ordered to be given to the Patient	Present state or Termination of the Case	
S	M	T	W	Th	F	Sat			S	M	T	W	Th	F	Sat			

at the Surgery or Medical Officer's residence by the letter (S). Medicines supplied without instead of the Medical Officer is to be entered in *red* ink.

Register of Deaths in the _____ *Workhouse.*[3]

_____ Union. _____ *Master.*

Date of Death	Name	Age	From what Parish admitted [1]	Where buried

[1] *Note.*—In the case of a Vagrant admitted into the Workhouse who dies therein, the words 'admitted as a Vagrant' should be inserted.

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[3] Substituted for Form T., *ante*, p. 472.

You are hereby ordered and directed to pay to *F. G.*, of Treasurer of the Guardians of the Poor of the Union, at , on the day of , the sum of Pounds Shillings and Pence [*or* on the following days, that is to say, on the day of the sum of Pounds Shillings and Pence; and on the day of , the sum of Pounds Shillings and Pence], from the Poor Rates of the Parish of , as the contribution of the Parish to the common fund of the Union, and for such other expenses as are chargeable by the said Guardians on the said Parish separately and to take the receipt of the said *F. G.* indorsed upon this paper, for the said sum [*or* sums].

Given under our Hands, at a meeting of the Guardians of the Poor of the said Union, held on the day of 18 .

(Signed) *X. Y.* Presiding Chairman.
W. X.
U. V. } Guardians.

——— Countersignature of the Clerk to the Guardians.

Art. 6.—The word "Parish" in this Order shall mean every place for which a separate poor rate is made.[1]

Art. 7.—The word "overseers" shall be taken to include any person acting or legally bound to act in the discharge of any of the duties usually performed by overseers, so far as they are referred to herein.

SCHEDULE (A.)

The Unions in this Schedule are those mentioned in the General Consolidated Order, *ante*, p. 474.

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[1] These definitions are necessary, because since 28 & 29 Vict. c. 79, Parishes in Unions no longer separately maintain their own Poor, which is the interpretation of the word "Parish" in 4 & 5 Will. IV. c. 76, s. 109.

SCHEDULE (B.)

The Unions in this Schedule are those mentioned (excepting Aysgarth, Canterbury, Chester, Coventry, East Preston, Exeter, Forden, Holbeck, Hunslet, Leeds, Lunesdale, Middlesborough, Norwich, Pontardawe, St. George's, Shrewsbury, Smallburgh, Westminster, and Woolwich), *ante*, p. 479.

Given under our Hands and Seal of Office, this Twenty-sixth day of February, in the year 1866.

*** *The Consolidated Orders issued subsequently to the* 26*th February* 1866, *are in accordance with the above Order.*

By an Order dated 14th January 1878, and addressed to the Guardians of the Parishes of—

Alston-with-Garrigill.
East Stonehouse.
Great Yarmouth.
Manchester.
Mile End Old Town.
Paddington.
Saddleworth.
Saint George-in-the-East.
Saint Giles, Camberwell.
Saint Luke, Chelsea.
Saint Mary Abbotts, Kensington.
Saint Mary, Lambeth.
Saint Mary and St. Andrew, Whittlesey.
Saint Matthew, Bethnal Green.
Stoke-upon-Trent.
Toxteth Park,

the Local Government Board with respect to each of such Parishes Order as follows :—

Art. 2.—It shall be the duty of the clerk to the Guardians to conduct all applications by or on behalf of the Guardians to any Justice or Justices at Petty or Special Sessions, or out of Sessions, and if he be a solicitor, to perform and execute, without charge for anything beyond disbursements, all legal business connected with the Parish, or in which the Guardians shall be engaged, except prosecutions at the Assizes or the Central Criminal Court, and prosecutions or other proceedings at the Quarter or General Sessions, actions, suits and other proceedings in the High Court of Justice, or Court of Appeal, and Parliamentary business.[1]

Art. 3.—The clerk shall take care in every case that his bill for

[1] With regard to this Article see the Notes to Art. 3 of the Order of February 26, 1866, *ante*, p. 567.

legal business against the Guardians shall be duly taxed before the same shall be paid.[1]

Art. 4.—The term "Parish" in this Order includes any place which is under a separate Board of Guardians.

Further by such Order the Local Government Board direct that all the regulations and provisions contained in the Order dated October 7, 1865, shall apply to the collectors to be appointed under the authority of the Order of November 27, 1866.

An Order for the appointment of collectors of Guardians was issued to the Parish of St. Mary, Islington, on January 22, 1869, and another General Order similar to the foregoing to the following Unions, on January 4, 1871 :—

Aysgarth.	Hunslet.	Shrewsbury.
Chester.	Leeds.	Smallburgh.
East Preston.	Lunesdale.	Westminster.
Forden.	Norwich.	Woolwich.
Holbeck.	St. George's.	

A similar Order to the former was issued on September 8, 1854, by the Local Government Board, to the Parish of St. Pancras, and on April 9, 1875, to the following places, viz. :—

Alverstoke.	East and West Flegg.	St. Giles-in-the-Fields and St. George, Bloomsbury.
Birmingham.	Forehoe.	
Brighton.	Kingston-upon-Hull.	St. Marylebone.
Bury St. Edmunds.	Mutford and Lothingland.	Southampton.
Canterbury.	Oswestry.	Stoke Damerel.
Chichester.	Oxford.	
Exeter.	Plymouth.	

The Order has been applied to the following Unions by Orders bearing the dates set opposite to the names of the Unions respectively :—

Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

[1] See 7 & 8 Vict. c. 101, s. 39, as to the Taxation of Bills of Costs by the Clerk of the Peace, and the Order of November 21, 1844.

GENERAL ORDER FOR ACCOUNTS.

(Dated 14th January, 1867.)

To the Guardians of the Poor of the several Unions named in the Schedule (H.) hereunto annexed :—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said Unions :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes comprised within the said Unions are situate :—

And to all others whom it may concern.[1]

Whereas it is enacted in "The Union Chargeability Act, 1865," that the Poor Law Board shall, as soon as convenient, make all such Orders as may be requisite to render the provisions of that Act applicable to the proceedings and accounts of the Guardians of Unions and of Overseers of Parishes comprised therein.

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[1] The Poor Law Board issued this General Order in compliance with the direction contained in the 11th section of the statute 28 & 29 Vict. c. 79, to render the accounts of the Guardians conformable to the provisions of that Act. The Board have by this Order removed all the regulations in the former Orders of accounts which referred to parochial chargeability, but they have not removed the parochial division of paupers, as they have considered that for many purposes it will prove convenient to retain the entry and classification of paupers with reference to the Parishes in which they reside or from which they are removed into the workhouse.—*Instr. Letter*, January 22, 1867.

The Board have had portions of the Order applicable to the overseers, treasurer, master of the workhouse, and relieving officer printed for distribution among those officers for their immediate guidance.

Now, therefore, We, the Poor Law Board, in pursuance of the authorities vested in us by an Act of Parliament passed in the fifth year of the reign of King William the Fourth, intituled "*An Act "for the Amendment and better Administration of the Laws relating "to the Poor in England and Wales,*" hereby from the twenty-fifth day of March next, rescind all such Orders, and all such parts of any Orders, heretofore issued by the Poor Law Commissioners or the Poor Law Board to the several Unions named in the Schedule (H.) hereunto annexed, as relate to the keeping, examining, closing, auditing, allowing, and publishing of the Accounts of the said Unions, and of the Parishes therein, and of the officers thereof, or to the keeping of any books of account relating to such Unions or Parishes by any officer thereof,[1] other than a chaplain [2] or medical officer,[3] or to the accounting of any such officer to the auditor, or to any other party, so far as this present Order applies to the keeping of the same or similar books, and to the accounting of such officers, except as hereinafter excepted.

And We hereby, nevertheless, Order, that until the twenty-ninth day of September next the Guardians of any such Union, and the officers thereof, and the overseers of the Parishes therein, may keep their accounts and books of account in the Forms now used by them respectively, or adapt them where necessary to the Forms herein prescribed, as nearly as may be.

And subject thereto, in every case in which the Poor Law Board shall not assent to a departure from any of the Regulations contained in this Order, and in reference to such of the officers in the said Unions to whom this Order shall be applicable not yet appointed, as shall from time to time be appointed hereafter.

We hereby, from the said twenty-fifth day of March next, Order and Direct as follows :—

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[1] The General Orders rescinded by this Order are the following :—General Order for Accounts, March 17, 1847 ; Form of Poor Rate Order, November 18, 1850 ; Collection of Poor Rate Order, March 16, 1854. This Order also rescinds the Special Orders on the same subjects.

[2] See Art. 211, No. 2, of the Consolidated Order, *ante*, p. 429.

[3] See Art. 206, No. 4, *ante*, p. 402, and Art. 207, Nos. 8 & 9, of the General Consolidated Order, *ante*, p. 407.

KEEPING OF ACCOUNTS.

Parochial Accounts.

Overseers.

Art. 1.—The overseers[1] of every Parish in the Union shall (except so far as such books are kept under their direction by any collector) punctually enter and accurately keep according to the forms and direction in the Schedule (A.) hereunto annexed :—

A Rate Book.[2] In this book shall be inserted the particulars of the assessment and collection of the poor rate of the Parish, as set forth in the *Form* of Rate Book ; and in addition to the declaration required by the Union Assessment Committee Act, 1862,[3] or any Act amending the same,[4] where the Valuation List for the Parish shall have been finally approved of, and elsewhere in addition to the declaration required by the Statute 6 & 7 Will. IV. c. 96, such overseers shall, before any rate is presented to the Justices for their allowance, sign a declaration, in words at length, of the total amount of the rate so presented for allowance, according to the form or to the effect set forth in the said *Form.*[5]

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[1] Vestry clerks appointed for Parishes under 13 & 14 Vict. c. 57, are required by Section 7 of that Act to assist the overseers in making out their accounts whenever required by them to do so ; and also to examine the accounts of the assistant-overseer or collector of poor rates, and their returns of arrears. By the same section the vestry clerk is required to attend the audit of the accounts of the overseers, and to conduct all correspondence arising therefrom, and also to perform such other duties as are therein specified in connection with those of the overseers. He is also to keep the Parish deeds and documents, and the rate books and accounts which are closed. Section 7 of 13 & 14 Vict. c. 57 is now repealed so far as it relates to Parish meetings by Section 89 of the Local Government Act, 1894.

[2] The arrears of rates in column 2, which are not excused, are to be carried to column 13, headed "Recoverable Arrears of former Rates:" and the sums of that column and the amount of the new rate as stated in columns 11 or 12 being added together, will constitute the "total amount actually to be collected" to be entered in column 14.—*Instr. Letter*, March 17, 1847.

In making the poor rate special regard must now be had to the Poor Rate Assessment and Collection Act, 1869, 32 & 33 Vict. c. 41, and to the Circular of the Poor Law Board of November 23, 1869, which will be found in the Appendix to their 22nd Annual Report.

[3] See 25 & 26 Vict. c. 103, s. 28.

[4] See 27 & 28 Vict. c. 39, s. 11.

[5] By Section 28 of the Union Assessment Committee Act, 1862, (25 & 26 Vict. c. 123), "No rate for the relief of the poor, or other rate which by law is

(*a.*)—The several columns of the *Rate Book* which contain the gross estimated rental and rateable value, and the rate in the pound assessed upon the several persons liable to be assessed, the recoverable arrears and the total amount to be collected, shall be added up at the foot of every page, and the several totals shall be ascertained and set forth at the foot of the rate, before the same shall be submitted to the Justices for their allowance.[1]

(*b.*)—If the overseers shall deem it convenient, the rate may be divided into several portions corresponding with the several divisions of the Parish, if any, so as to bring all the rateable property of each division together, and there may be separate series of numbers for the assessments in every division, and

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" required to be based upon the poor rate, shall be of any force, unless the " hereditaments included in such rate, except as hereinafter provided, be rated " according to the annual rateable value thereof appearing in the valuation list " in force in such Parish "; and Section 5 of the Agricultural Rates Act, 1896, (59 & 60 Vict. c. 16) requires that in every valuation list: " Where separate " hereditaments are specified therein, the value of agricultural land shall be " stated separately from that of any building or other hereditament." Section 6 (3, *d*) of the latter Act enabled the Local Government Board to make regulations providing for the alteration of valuation lists and for applying and adopting any statutory form or procedure respecting the valuation list or poor rate; and that Board accordingly, by the Agricultural Rates Order, 1896, *post*, have prescribed a form of valuation list and also a form of rate to be substituted for the form in the Schedule to the Parochial Assessment Act, 1836 (6 & 7 Will. IV. c. 96).

By the Representation of the People Act, 1884, 48 Vict. c. 3, s. 9, sub-section (2) In every part of the United Kingdom it shall be the duty of the overseer annually in the months of April and May, or one of them, to inquire or ascertain with respect to every hereditament which comprises any dwelling-house, or dwelling-houses within the meaning of the Representation of the People Acts, whether any man other than the owner or other person rated, or liable to be rated, in respect of such hereditament, is entitled to be registered as a voter in respect of his being an inhabitant occupier of any such dwelling-house, and to enter in the rate book the name of every man so entitled, and the situation or description of the dwelling-house in respect of which he is entitled, and for the purposes of such entry a separate column shall be added to the rate book.

See the form of poor rate, *post*, p. 632.

[1] The amounts ascertained at the foot of each page may be carried on to the next page, or the several totals may be brought together at the end of the rate, for a gross total.—*Instr. Letter.*

It is the duty of the auditor to ascertain that the columns of the rate book are correctly cast; but the mode of doing so is a matter which is left to his own discretion, subject to his general responsibility for the correctness of the sums brought by the overseers into account.

they may in like manner bring together in the rate separate classes of rateable property.[1]

(*c.*)—The overseers may, if they think proper, bring together and assess under one number all or any portion of the properties situated in the Parish or in any separate division thereof, if there be any, belonging to the same person, and for which he shall be liable to be assessed as owner[2]:

Provided that nothing herein contained shall apply to any poor rate made under the authority of a Local Act by persons other than the overseers.

A Book of Receipts and Payments. On one side of this book shall be entered, according to the *Form* so named, an account of all moneys received by the overseers, by virtue of their office, on behalf of the Parish, and on the other side of such book the overseers shall enter, in like manner, with the proper dates, an account of all moneys paid and expended by them, by virtue of their office, on behalf of the Parish, and shall sign the same in the place prescribed in the said Form.[3]

And at the foot of every such account the overseers shall insert before each audit, a "*Memorandum*" in respect of each rate allowed by Justices during the half-year, containing the particulars set out in the Form.[4]

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[1] A poor rate may be in more books than one. (*Scadding* v. *Lorant*, 3 H. L. Cas. 418; 19 L. J. M. C. 5; 17 L. T. o.s. 225; 15 Jur. 955; *s.c.* in 13 Q. B. affirming *id.* at p. 687.)

[2] This Article is permissive and not compulsory. If one number should be adopted for the whole of the properties, the several occupations should nevertheless appear in the assessment, as well as the names of the occupiers and the rateable value of the several tenements, should be set out separately. It would, however, only be necessary to prepare one receipt in the Rate Receipt Check Book in respect of the rate upon all the properties brought together and assessed. If an owner occupy his own property, and is also rated for small tenements under 32 & 33 Vict. c. 41, he should be assessed under a separate number in respect of the property in his own occupation.

[3] Every transaction, excepting receipts from poor rates, should be entered under its true date in this book. Moneys received from the poor rate cannot be entered in this manner, but the total amount received on account of each rate during the half-year should be entered in one sum. In the *memorandum* at the foot of the account for the half-year should be entered in respect of each rate—(1), the total amount of the rate; (2), the amount legally excused in such rate; (3), the amount not recoverable; and (4), the sum remaining to be accounted for.—*Instr. Letter.*

[4] The auditor should not pass an account unless the particulars required by the *memorandum* are inserted.

Art. 2.—The overseers shall make out, in the Form so named, *A Balance Sheet of the Receipts and Payments* for every half-year, according to the said Receipt and Payment Book,[1] and shall sign the same in the place prescribed in the said Form, and deliver such balance sheet, and a duplicate thereof, to the auditor at the audit of their accounts, to be by him examined and signed. One of these sheets shall be delivered to the Clerk of the Guardians as hereinafter directed,[2] and the other shall, together with the Book of Receipts and Payments, be laid by the overseers before the next meeting of the Vestry,[3] and such balance sheet shall be preserved among the other parochial documents, and be open to the inspection of the ratepayers of the Parish.[4]

The 7 & 8 Vict. c. 101, s. 33, renders it illegal for Parish officers to alter their accounts after being duly made up for audit; when they are laid before the auditor, it then rests with him to decide upon the legality of every item therein; but see *Reg.* v. *Denbighshire, JJ.* 33 L. T. 145, and the observations thereon, *post.*

The overseers should be careful not to enter in the Receipt and Payment Book as receipts anything which they have not actually received, and to confine their entries to *actual* receipts and payments on account of the Parish. The account should show the balance of any money in their hands actually received at the time the account is closed; and the *memorandum* will show the balance due to the Parish in respect of uncollected rates.

[1] The balance sheet is to contain the total amount of each class of the overseer's receipts and payments for the half-year, arranged in the order and under the heads indicated in the Form.—*Instr. Letter.* By Art. 26, *post*, the overseer's accounts are to be made up and balanced to March 25 and September 29 in each year.

[2] See Art. 45, *post.*

[3] It will not be necessary for the overseers to call a vestry meeting for this special purpose. It will suffice if they lay the documents before the *next* vestry that is held after the audit.

[4] As to the custody of Parish documents, &c., see 58 Geo. III. c. 69, s. 6; 13 & 14 Vict. c. 57, s. 7 (repealed so far as regards Parish meetings by 56 & 57 Vict. c. 73, s. 89); 24 & 25 Vict. c. 125, s. 2, and 56 & 57 Vict. c. 73, ss. 17, 36 (3), 38 (3), & 43. The workhouse of a Union was held not to have been an improper repository for documents of a Parish within the Union so as to make them inadmissible in evidence when produced thence; *Slater* v. *Hodgson*, 9 Q. B. 727; 2 New. Sess. Cas. 488; and in *Reg.* v. *Eaton*, 10 Jur. 222, it was said that the Parish chest was the proper place of custody of the rate books of a Parish.

Upon the court being satisfied that a poor rate collector could not collect the rates without having the rate books in his possession, and that it had been usual for the overseers to deliver the books to him for that purpose, and that there was no legal impediment to their delivery to him, it was held that he was entitled as against the overseers to have the temporary possession of the books for such purpose. (*Reg.* v. *Christchurch*, 26 L. J. M. C. 68.)

Art. 3.—In every case in which there are more than thirty rate-payers on the rate book, and in which there is no collector, the overseer shall, and in cases where there is a less number of rate-payers, the overseers may, use :—

1. *A Rate Receipt Check Book*, the leaves of which shall contain the *Form* set forth in the Schedule. The receipts and notes thereof shall be numbered consecutively with numbers corresponding with those in the rate book.[1]

They may also, where they deem it expedient, use :—

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[1] The overseers are not bound to use a Rate Receipt Check Book when there are less than thirty ratepayers on the rate book. Collectors, however, being paid officers, are in all cases bound by Art. 7 to keep the Rate Receipt Check Book.—*Instr. Letter.*

In consequence of Section 11 (5) of the Local Government Act, 1894, the Local Government Board by a General Order of September 21, 1895, *post*, prescribed a new form of Demand Note for the poor rate ; and owing to the division in the valuation list of hereditaments in the same occupation in consequence of the Agricultural Rates Act, 1896, the Board have prescribed an altered form for the Rate Receipt Check Book and Demand Note to be used in every Parish in England and Wales in which is comprised agricultural land within the meaning of the last mentioned Act and in which a Rate Receipt Check Book is used ; see the General Order of April 13, 1897, *post.*

Arts. 3, 4, and 7 of this Order contemplate that when the amount of the rate paid requires a stamped receipt, it should be given by the overseers or collectors receiving the money. Such a receipt should therefore be given in all such cases, and adhesive stamps used. A tender of a poor rate in copper money to any amount exceeding one shilling at the same time, is not a legal tender ; and if country bank notes or cheques upon bankers be taken in payment of rates, they are at the risk of the persons who take them, as they do not constitute a legal tender.

When the owners are rated instead of the occupiers under Section 4 of the Act the rate receipts should be made out in their names.

With reference to the 32 & 33 Vict. c. 41, and the Rate Receipt Check Book, the Poor Law Board in their Circular of November 23, 1869, say that it appears to them that the Form of *Rate Receipt*, with a slight addition, will be available in the altered state of the law. It expresses the sum received, and the name of the person paying, and identifies the assessment and its amount.

By the terms of that Order the name of the ratepayer and of the sum to be collected are to be inserted when the receipt book is made up previously to the collection. If, at the time when the owner pays instead of the occupier, the name of the latter be erased, and that of the owner written over it, with the word *owner* added, and if the sum paid be substituted for that previously inserted, the receipt will be sufficient. The sum allowed to the owner should be placed under the total, and this amount being deducted from the previous total, the payment to be made by the owner will appear, and will be the sum which must be entered in column 15 of the rate book.

In the *note* on the counterfoil the name of the person described as *the owner* actually paying must be entered, as well as the sum which he pays.

An illustration of this form is subjoined :—

2. *A General Receipt Check Book*, for any sum received on account of such Parish other than in respect of rates.[1]

If the overseers think fit, they may cause a *Demand Note* to be printed in the *Rate Receipt Check Book*, according to the form in the said Schedule, which may be detached and left with the rate-payer or at his address when the payment of the rate is demanded, which Demand Note shall be numbered so as to correspond with the number of the receipt, and may show the particulars of the

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NEWTOWN UNION. No. 410.

Counterfoil.

Note.

Parish of St. Mary, the 3rd day of December, 1869.

Mr. John Smith,

Rate made on the 1st day of Oct., 1869.

(1st Instalment.)

	£	s	d
Arrear	0	3	0
	0	0	0
	0	3	0
Paid by Mr. Thomas Brown, of The Park, Owner . }	0	2	3
Allowance to him at 25 per cent. . . . . }	0	0	9
	0	3	0

NEWTOWN UNION. No. 410.

Receipt.

Parish of St. Mary, the 3rd day of December, 1869.

Thomas Brown, Owner.

Received of Mr. John Smith the sum of 2 shillings and 3 pence 2 shillings in respect of the poor rate of the above Parish, viz.:

	£	s	d
Rate made the 1st day of October, 1869, on £6, Assessment at One Shilling in the Pound . . }	0	6	0
Arrear of former rate . .	0	0	0
Total . . .	0	6	0
1st Instalment . . .	0	3	0
Allowance to Owner at 25 per Cent.	0	0	9
Paid by Owner . . .	0	2	3

Signed_____

Overseer *or* Collector.

As regards rates payable by instalments, the form of *rate receipt* which appears in the General Order for payments of rates by *instalments* must not be adopted; because that form applies to payments made by instalments in respect of rates which are due, and where a rate is declared to be payable by instalments each instalment is so far to be considered a rate which is due. Here, therefore, the previous form of receipt will be available, but the words *first* instalment or *second* instalment, as the case may be, should appear on the form, and it should be made out for the sum payable on the instalment. When payments in respect of the rate or any instalments of it are made on account only, the form of instalment receipt prescribed by the Order is the proper one to be used.

[1] No form for this book is prescribed by the Order.

claims or the purposes for which the rate is made, if the overseers think proper to have the same inserted therein.[1]

Art. 4.—When the whole or the balance of the amount due for poor rate shall be received from any person assessed, at that time and not before, the receipt applicable to such person's assessment shall be detached from the Rate Receipt Check Book, and the same shall be delivered, stamped with an adhesive stamp where the amount of the payment shall render such stamp necessary, to the person paying the same, and the note shall be retained in the book.[2]

In the receipt and in the note thereof so retained the true date of the payment of the money shall be inserted.

When payment of any rate shall be received by instalments, the fact of every payment shall be noted on the back of the receipt and on the note thereof, and the receipt shall not be given to the person paying the rate until the whole amount of the rate shall have been received, but an acknowledgment of the amount received shall be given in writing upon the Demand Note, or otherwise, as it shall be found convenient.

Art. 5.—The overseers of every Parish shall, whenever they are required so to do by the auditor for the time being, or by the Poor Law Board, accurately and truly make out a *Terrier* of the lands and tenements, and an *Inventory* of stock, moneys, goods, and effects belonging to such Parish, or given or applicable in aid of the poor rates thereof, according to the Forms so named.[3]

Collector of the Parish.[4]

Art. 6.—Every collector appointed for a Parish shall enter up

[1] See the General Order of June 14, 1875, *post*, as to the form of the Demand Note in urban Parishes, and the General Order of September 21, 1895, *post*, for the form of such Note in every rural Parish in England and Wales. As the collector is bound to obey all reasonable orders of the churchwardens and overseers it will be his duty to sign the Demand Note if the churchwardens and overseers should direct him to do so. There is not any objection to his using a block signature for the purpose, but it would not be proper to have his name printed as part of the document.

[2] Receipts for poor rates are not exempt from stamp duty by 4 & 5 Will. IV. 76, s. 86, because such a receipt is not an instrument made in pursuance of that Act, which does not apply to the collection of the Poor rates.

[3] The terrier and inventory are to be made out only when the auditor or Poor Law Board require them.

[4] As to the term "collector," see Art. 60, *post*. The Board have made

so much of any books or forms of the overseers relating to the valuation list,[1] or to the collection of the poor rate, as he may be directed to enter up by the overseers for the time being, and shall enter in the *Rate Book* all such particulars of every assessment as he shall be directed by such overseers to enter therein; and every such collector shall attend before the auditor at the same time as the overseers of the Parish for which he acts:

Provided that the signature of any such collector to any book presented to the auditor shall not be taken to stand for or to supply the place of the signature of any overseer which may be otherwise required by this Order.[2]

Art. 7.—Every such collector shall in all cases fill up and use as is hereinbefore directed in the case of overseers of Parishes in which there are more than thirty ratepayers on the rate book[3] a *Rate Receipt Check Book* in the form herein prescribed:

Provided that if the Guardians or the overseers direct, he shall keep an additional book, to be termed *The Instalment Rate Receipt*

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several additions to the forms of account kept by the collectors of the Poor rate, with the hope of providing more effectual security to the ratepayers of Parishes who are provided with such officers. They are sensible of the great difficulty that attends this subject in large Parishes where, owing to the vast number of ratepayers and the various contingencies which attend their circumstances, the collection of the rates is attended with delays and losses, and affords much opportunity for the exercise of fraud or embezzlement. Greater vigilance on the part of the overseers, the Guardians, and the auditor is required to protect the ratepayers from the results of such misconduct, and the Board have now introduced into the forms of account by these officers additional checks, which they trust will prove some aid to the examination and investigation of their accounts.—*Instr. Letter*, January 22, 1867. As to making out the valuation list by the vestry clerk, if there be one, see *Reg.* v. *Cumberlege*, L. R. 2 Q. B. D. 366; 46 L. J. M. C. 214; 36 L. T. N.S. 700; 41 J. P. 533; 25 W. R. 605; and *Hill* v. *Hippisley*, 29 J. P. 372; *Reg.* v. *The Overseers of Chorlton-upon-Medlock*, L. R. 1 Q. B. D. 62; 45 L. J. M. C. 33; 33 L. T. N.S. 526; 40 J. P. 533; 24 W. R. 110.

[1] See the Union Assessment Committee Acts, 25 & 26 Vict. c. 103, and 27 & 28 Vict. c. 39, in "Glen's Poor Law Statutes," vol. ii., and The Union Assessment Committee Acts, Eighth Ed. by R. Cunningham Glen, published by Knight and Co. Under this Article the overseers can call upon the collector or assistant overseer to make out for them the whole of the valuation list without paying them anything extra for the service.

[2] If a vestry clerk has been appointed for the Parish under 13 & 14 Vict. c. 57, certain duties with regard to the accounts of the collector will devolve upon him under Section 7 of that Act. This section is repealed, however, so far as it relates to Parish meetings by Section 89 of the Local Government Act, 1894.

[3] See Art. 3, *ante*, p. 583. See also the General Orders of June 14, 1875, and September 21, 1895, *post*.

Check Book, according to the Form in the said Schedule (A.) annexed, which shall be used by him as and when he receives any sum on account of the rate short of the full amount due. The receipt therefrom shall be given to the person paying, and the amount and date shall be entered in the note of this book, and upon the receipt in the other book.

Art. 8.—Every collector, before he shall proceed to collect any rate, shall prepare receipts in one book, or in several, if so directed by the overseers, in the aforesaid Form, numbered both on the receipt and the note book thereof with the same number consecutively throughout the book, and properly fill in the same respectively with the names of the several ratepayers, and the sum to be collected from each, and submit every such Rate Receipt Check Book, so numbered and filled up, to the overseers of the Parish for which such rate is to be collected, before he proceeds to collect the rate ; and such overseers shall cause the correctness of the numbering and the correspondence of the sums, and of the names filled in, with the Rate Book to which they relate, to be ascertained, and on the leaf next after the last of the receipts so made out in respect of any one rate, the said overseers shall certify the fact that such Receipt Check Book has been examined and ascertained to be correct and shall state in words at length the number of receipts filled up for the rate then to be collected ; which certificate shall be in the form set forth in the Schedule and shall be signed by the said overseers and correctly dated.[1]

If upon the closing of any rate there shall remain in the Rate Receipt Check Book any receipts made out for such rate unused, the collector to whom such book shall belong shall enter upon each of such receipts the reason of its not having been used and date and sign such entry.

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[1] The certificate should be signed by a majority of the churchwardens and overseers, or overseers, as the case may be (see Art. 59, *post*), and it may be attached to each separate Rate Receipt Check Book, without waiting for the whole of them to be verified.

If there be a vestry clerk appointed under the 13 & 14 Vict. c. 57, he may assist the overseers in the performance of their duties under this Article; but the overseers will nevertheless remain responsible for their adoption of his acts, and their signatures to the certificate.

Art. 9.—The collector shall every week pay over all moneys collected by him, or in his hands, belonging to the Parish, whenever the amount exceeds Five Pounds, to the banker whom the overseers may direct, to be placed to the account of one or more of them ; or, if directed by one of the overseers, to the treasurer of the Guardians of the Union, or to any other authority, in payment of any Order from such Guardians or other authority, then due, and in the absence of any such direction shall pay the same to one of the said overseers in person : provided that as often as at any time in the course of any week the sum or sums of money in the hands of such collector belonging to the Parish shall together exceed Fifty Pounds, he shall forthwith pay over such sum or sums in the manner hereinbefore directed.

Art. 10.—Every such collector shall keep a book,[1] to be called the *Collecting and Deposit Book*, according to the Form so named, in which shall be entered accurately, and under their true dates, all sums received and deposited and paid by him as such collector respectively, and also the number of every receipt given by such collector out of the *Rate Receipt Check Book* or the *Instalment Rate Receipt Check Book* (as the case may be), and he shall balance such book monthly, at the times specified in the following Article, and the overseer shall enter his initials against every sum stated to be deposited with him, which he shall receive.

Art. 11.—Every such collector shall keep a book containing blank forms of *Monthly Statements*, according to the Form in the Schedule (A.) and shall every month fill up one of such statements with the several particulars set forth in the said Form, which statement shall be made up to the last day of every calendar month inclusive ; except in the case of the month of March, when it shall be made up to the 25th, and in that of the month of September, when it shall be made up to the 29th ; so that any receipts or payments on the remaining days of those months respectively shall be included in the next monthly statement ; and he shall forthwith deliver a copy of such statement, signed by himself, to one of the

[1] This book is prescribed for the purpose of showing the amount in the collector's hands at any time.

overseers, and another to the Board of Guardians at their ordinary meeting next after the day when the same shall be made up :[1]

Provided that the Board of Guardians or the overseers may, if they think fit, require a statement, containing the several particulars set forth in the said Form, to be made out and delivered to them respectively every week or fortnight.

The overseer who receives the statement shall enter his initials in the column against the amount stated to be paid to the overseers, if he shall have received the sum there mentioned ; and both he and the clerk to the Guardians respectively shall mark on such statement the date of his receipt thereof, and preserve the copies delivered to him, and produce the same to the auditor at the next audit.[2]

Art. 12.—The collector shall previous to each audit make out *An Unpaid Rates Statement*, containing a statement of the rates allowed during the last half-year, with the dates of their allowance, and showing the name of every person rated to the relief of the Poor in respect of whom there shall be, at the end of the half-year for which the audit is being held, any arrear of the rate or rates made before that in the course of collection on the last day of that half-year, with the other particulars set forth in the *Form* in the Schedule hereunto annexed. He shall submit it to one of the overseers for his signature, and shall produce the same to the auditor at the audit.[3]

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[1] The Monthly Statement and Collecting and Deposit Book are confined to the Poor rate, and no entries should be made in them with respect to separate borough and county rates.

[2] The Collector's Monthly Statement, which will be made up from the materials contained in the "Collecting and Deposit Book," is, in pursuance of Art. 11, to be delivered by every collector to one or more of the overseers, and by every collector appointed under an Order of the Commissioners ; it is also to be delivered to the Board of Guardians. The object of this statement is to inform the overseers and the Board of Guardians of the state of the collector's account at the close of each month. The Commissioners request the particular attention of overseers and Boards of Guardians to the necessity of superintending the proceedings of persons employed in collecting the poor rates. Full opportunity for doing so will be given by the *Statement* now prescribed, and proper vigilance on the part of the local authorities may prevent loss.—*Instr. Letter*, March 17, 1847.

[3] Under Section 32 of 7 & 8 Vict. c. 101, the overseers are liable for any money which may be lost through their neglect ; and the auditor is empowered to surcharge them therewith. The object of this statement is to enable the

Art. 13.—In every case in which there shall be more than one collector employed in the collection of any one rate, the provisions in the several Articles hereinbefore made shall apply to the portion of such rate assigned to each collector as if such portion were one entire rate.

Art. 14.—Provided that nothing herein contained relating to the collector shall apply to a collector appointed under any Local Act by any other authority than the overseers, and provided also that where the Poor Law Board have made any special provision in respect of the making or collecting of the poor rate in any Parish, the Order containing such provision shall not be rescinded or affected by anything herein contained.[1]

General Accounts of the Union.

Clerk's Books.

Art. 15.—The clerk to the Board of Guardians shall enter from time to time at proper dates in the Minute Book of the Guardians a

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auditor to ascertain whether any, and what amount of poor rates may have been so lost; and also, whether any poor rates remain uncollected, which are recoverable, and which ought to have been collected. It is necessary for overseers to bear this in mind, as by Section 61 of 7 & 8 Vict. c. 101, every collector or assistant overseer is bound to obey the majority of the overseers of the Parish for which he acts in all matters relating to the collection of the rates; and it must, at the same time, be remembered that the responsibility of the overseers for the payment of contributions and other matters is not diminished by the appointment of a collector or assistant overseer, whom they themselves have the power of controlling.—*Instr. Letter*, March 17, 1847.

Where the condition of a collector's bond was to collect and pay over to the persons entitled all moneys collected, and the collector absconded: in an action by the Board of Guardians on the bond it was held that the sureties were not discharged from the bond, there being no proof of *laches* in the overseers or Guardians in not detecting the irregularities of the collector. (*Mansfield Union* v. *Wright*, L. R. 9 Q. B. D. 683; 47 J. P. 228; 47 L. T. N.S. 602.) Mere *laches* on the part of the Guardians, or mere passive acquiescence by them in acts which are contrary to the conditions of the bond will not afford proof of such connivance as will release the sureties from their obligations under the bond; see *The Mayor, &c. of Durham* v. *Fowler*, 22 Q. B. D. 394; 58 L. J. Q. B. 246; 53 J. P. 374, s.c. *Mayor &c. of Durham* v. *Crichton*, 60 L. T. N.S. 456.

[1] This Article is by an Order of the Local Government Board, dated September 2, 1874, rescinded as regards the Parish of Carshalton in the Epsom Union, and the provisions in this Order relating to collectors of poor rates are applicable to every collector of poor rates, and every deputy of any such collector appointed for that Parish under the authority of the Carshalton Local Act.

statement of the books and accounts inspected and examined by him,[1] and of all Orders drawn on the treasurer,[2] and of moneys paid or received, and all minutes relating to the allocation or division of charges, or any other pecuniary transaction of the Board of Guardians on behalf of the Union, or of any Parish therein; and shall insert marginal notes of reference to the folios of the respective ledgers in which the items relating to any of such Orders, payments, receipts, or other transactions are entered.

Art. 16.—The clerk shall punctually enter and accurately keep the following books of account, according to the Forms and directions in the Schedule (B.) hereunto annexed :—

A General Ledger[3] in which items of the various transactions relating to the receipt or payment of moneys by the Guardians and the supply of goods, provisions, or necessaries, or the execution of works, or performance of services, on behalf of the Union or of any Parish therein, contained in the Minute Book, shall be entered and posted up, according to their proper dates, under the following heads of account, and such additional heads as may be or may from time to time become necessary :—

In-Maintenance.[4]
Out-Relief.[5]
Non-resident Poor Account.[6]
Non-settled Poor Account.[7]
Relief declared on Loan.[8]

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[1] See Art. 25, *post*.

[2] See Arts. 1 and 2 of the Order of April 7, 1857, *ante*, pp. 531 and 533.

[3] No entry should be made in the Ledger unless it be authorised by an entry in the Minute Book; therefore the allocation of the common charges should be recorded in the Minutes of the Guardians as having been authorised by them before they are entered in the Ledger. The allocation will of necessity be entered in the Minutes of the day after the half-year's accounts are closed, *i.e.*, some day after the close of the half-year.

[4] See Arts. 62 and 63, *post*, as to the words, "Provisions," "Necessaries," and "In-Maintenance," and what should be included in the latter.

[5] See Art. 63, *post*, as to what should be included in "Out-Relief." Expenses connected with the removal of paupers to their places of settlement, and expenses connected with the removal of poor persons to or from the workhouse, should be charged to out-relief.

[6] See Arts. 77–80 of the General Consolidated Order, *ante*, pp. 257 and 258.

[7] "Non-settled Poor" are those who are residing in the Union, and are relieved by the Guardians on account of other Unions.

[8] See 4 & 5 Will. IV. c. 76, s. 58; and Art. 7 of the General Prohibitory

Lunatics Account.[1]
Extra Medical Fees.[2]
Emigration Expenses.[3]
Vaccination Expenses.[4]
Registration Expenses.[5]
County Rate.[6]
Salaries and Superannuations Account.[7]
Rations Account.
Building and Repairs Account.[8]
Workhouse Loan Account.[9]
Furniture and Property Account.
Provisions Account.
Clothing Account.
Necessaries and Miscellaneous Account.[10]

Order, *ante*, p. 505, and Art. 9 of the Out-door Relief Regulation Order, *ante*, p. 517.

[1] See 53 & 54 Vict. c. 5, ss. 57, 283–298. Expenses incurred in removing lunatics to or from asylums, and expenses connected with the charging of lunatics to the county, should be charged to this account.

[2] See Art. 177 of the General Consolidated Order, *ante*, p. 366.

[3] See 4 & 5 Will. IV. c. 76, s. 62; 7 & 8 Vict. c. 101, s. 29, and 29 & 30 Vict. c. 113, s. 9.

[4] See 30 & 31 Vict. c. 84.

[5] See 6 & 7 Will. IV. c. 86, s. 29; 7 Will. IV. and 1 Vict. c. 22, s. 27, and 37 & 38 Vict. c. 88, in Glen's "Registration of Births, Deaths, and Marriages Laws," second edition.

[6] See 15 & 16 Vict. c. 81, and 51 & 52 Vict. c. 41, s. 3.

[7] See 59 & 60 Vict. c. 50.

[8] See 4 & 5 Will. IV. c. 76, s. 24. The word "repairs" refers only to the building and fixtures.

[9] See 4 & 5 Will. IV. c. 76, s. 24, and 32 & 33 Vict. c. 45, s. 4. Since the latter of these enactments, the repayments of workhouse loans and interest are to be charged at once to the General or Common Fund Account.

As regards any workhouse loans which come within the operation of the Union Loans Act, 1869, the Board think that although the payments of instalments and interest thereon must be charged in the Ledger to the Common Fund, it will nevertheless be advisable that they should be entered as separate items and apportioned among the several Parishes according to the rateable value, distinct from the other common charges; and that they should also be duly inserted in the appropriate columns in the financial statement, as well as under the separate headings for "Instalments of Workhouse Loan" and "Interest" in the Parochial Ledger, and in the Parochial List and Statement of Account. The Board add that any outstanding loans which are required to be apportioned according to the former averages will be entered in the accounts in the same manner as heretofore.—*Instr. Letter*, August 22, 1872.

[10] With regard to this account, see the General Order of May 4, 1875, *post*, issued to certain Parishes in the Metropolis.

Parish Property Account.

Invoice Account.

Invoice Account, and if the Board of Guardians so direct, Tradesmen's Accounts.[1]

Collectors' Account.[2]

Treasurer's Account.

General or Common Fund Account.

General Balance.

With the respective dates of such transactions, and references to the folios of the Minute Book in which the entries relating to such transactions are contained, and to the folios of the corresponding credits and debits respectively.[3]

He shall keep an account in such Ledger, or in a separate Ledger, as the Guardians shall direct, to be called *The Parochial Ledger*,[4] with every Parish in the Union.

He shall keep another account in such Ledger, or in a separate Ledger of the same form, to be called *The Non-settled Poor Ledger*,[5] with every other Union and Parish chargeable with

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[1] With regard to the "Invoice Account," or "Tradesmen's Accounts," the Commissioners recommend that the invoices entered in the Master's *Day Book* (Book of Receipts and Payments, *post*), should be posted, either to the credit of an "Invoice Account," or, if the Board of Guardians so direct, to the credit of separate "Tradesmen's Account," and to the debit of the "Provisions Account," the "Common Charges Account" (General or Common Fund Account), or such other proper accounts as each may require.—*Instr. Letter.*

Cod-liver oil, and other expensive medicines, chloride of lime, &c., obtained for in-door and out-door purposes, should appear in these accounts.

[2] See the Collectors of the Guardians' Orders, *ante*, p. 550, and Art. 17, *post.*

[3] If the Union be in the Metropolis, it also will be necessary to keep in the ledger an "Asylum Account with the Managers of Asylums, under the Metropolitan Poor Act, 1867."

[4] The Parochial Ledger is intended to contain the accounts of the several Parishes with the Union, to the debit of which accounts are to be posted the portions of the several classes of expenditure chargeable to such Parishes; and to the credit of which are to be posted the contributions paid by the overseers to the treasurer of the Union, and any other sums to the credit of which the Parishes may be entitled, such, for example, as balances struck by the auditors, and paid over to the treasurer, in pursuance of 7 & 8 Vict. c. 101, s. 32. The Parochial Ledger will be adopted in such Unions only as contain a sufficient number of Parishes to make it desirable to do so. In small Unions it will probably be found most convenient to open accounts with the several Parishes in the General Ledger, as has been the custom under the former Order.—*Instr. Letter*, March, 1847.

[5] See Arts. 77–80 of the General Consolidated Order, *ante*, pp. 257 to 260. The

the relief granted to the non-settled poor in the Union ; and every such account shall be debited with the amounts to be charged against, and credited with the amounts discharged by, such Union and Parish.

He shall also keep the following books :—

1. *The Relief Order Book*, in which shall be entered the names of all persons applying for relief, whether through the relieving officer or directly to the Board, with a minute of the Order made on such application in each case and the particulars set forth in the Form in the said Schedule.[1]
2. *The Order Check Book.*[2] This book shall be kept according to the Form so named, and shall contain all orders given by the Guardians for provisions, stores, repairs, and for other

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Commissioners think that it may be found convenient in Unions, in which there are accounts for relief to non-settled poor against many other Unions, to keep such accounts in a separate ledger, so that the account against each of such Unions for several years may appear at one view, and also be separated from the general accounts of the Union advancing the relief.

With regard to the necessity for keeping the Parochial Ledger, and the Ledger for Non-settled Poor in separate books, the clerk will take the directions of the Board of Guardians. No extra trouble will be imposed upon him by the mere separation of the books.—*Instr. Letter*, March, 1847.

[1] If relief committees shall have been appointed for districts in the Union (see the Form for Relief Committees Orders), the proviso in Art. 24, *post*, will apply to the Relief Order Books kept by such committee.

The Relief Order Book is to contain entries of those cases in which the Board of Guardians order relief to be given, or allow relief provisionally given by the relieving officers. It will not be necessary that minutes of any orders for relief entered in this book should be entered also in the ordinary minute book, but minutes may be made therein referring to the particulars recorded in this book ; care should be taken that the entries in this book correspond with those in the *Application and Report Book*, on which it is a check, the latter being ordinarily in the custody of the relieving officer.—*Instr. Letter*, March, 1847.

Art. 16 (1) applies where the relieving officer gives a provisional order for relief under Art. 88 of the General Consolidated Order, *ante*, p. 267. Such relief is to be confirmed by the Guardians; but relief in cases of sudden or urgent necessity is given upon the sole responsibility of the relieving officer, and does not require confirmation by the Guardians.

[2] This book is to be used in every case in which orders are given by the Board of Guardians for articles to be supplied, or for work or repairs to be done.—*Instr. Letter.* The order of the Guardians for the supply of goods must precede all expenditure; and no officer has authority to order goods of any description, and afterwards to obtain the confirmation of the Guardians of his act. It will be observed that the language of this article is general, and that it applies to all goods, &c., supplied to the Guardians. Further with regard to this Article, see Note to Art. 41 (fifthly), of the General Consolidated Order, *ante*, p. 230.

articles of work, and notes of such orders, and forms of the invoices to accompany commodities supplied, or to be delivered when work is done; such orders, when signed by the clerk, together with the form of invoice, shall be detached from the said book, and issued to the tradesman or other persons dealt with or employed, to be returned and disposed of in the manner described thereon; and the notes, certified by the clerk's initials, shall be retained in the said book.

3. *The Pauper Classification Book*, in which, at the end of every half-year shall be entered, in the columns appropriated for that purpose, the number of persons of each class relieved during the half-year, and the other particulars set forth therein.[1]

4. *The Petty Cash Book*,[2] in which shall be entered promptly, and in the order of date, an account of the sums received by the clerk for petty disbursements, and of the sums, not exceeding 5*l.* each, paid by him thereout by direction of the Board of Guardians or on his own authority in any case of urgency, which account shall be balanced quarterly, and laid before the Board of Guardians at their ordinary meetings, and

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[1] This book is to be made up from the statistical portion of the In-door and Out-door Relief Lists, the Non-Resident Poor Accounts and the Medical Relief Books. The number of paupers belonging to each parish of the several classes relieved in the half-year, being brought together in this book, will constitute the materials for making up the *Statistical Statement* (*post*, p. 612) which the clerk, by Art. 30, is required to transmit to the Local Government Board. See Arts. 28 & 29, and the notes at the foot of the form.—*Instr. Letter*, March 17, 1847. It should also include lunatics in asylums or licensed houses. The auditor should direct his special attention to this book, especially to the second and third groups of paupers, and the explanatory notes printed at the foot of the form. With regard to the classification of children, it is to be observed that those who are under sixteen years of age should be classed with their parents. Those who are above sixteen should be classed as paupers independently of their parents.

[2] A corresponding account with the clerk should also be opened in the Union Ledger. In this account the clerk will be liable to be dealt with by the auditor in like manner as any other accounting officer. As to the clerk's liability to account to the auditor, see note to Art. 40, *post*, p. 619. If a cheque be drawn and given to the clerk to pay bills under £5, both the cheque and the payments which he may so make should be entered in his petty cash book. Of course, if the clerk neither receives nor pays moneys, he need not keep a petty cash book.

the clerk shall submit and account for the same to the auditor at the time of the audit.

Collector of the Guardians.[1]

Art. 17.—Every collector of the Guardians shall keep punctually and accurately a book according to the form set forth in the Schedule (C.) hereunto annexed, and shall duly enter therein all sums received and all sums paid by him. This account he shall balance quarterly. He shall give in respect of all moneys received by him a receipt according to the Form in the said Schedule.

Treasurer's Book.

Art. 18.—The treasurer of the Guardians shall keep, punctually and accurately, a book according to the Form set forth in the Schedule (D.) hereunto annexed, in which shall be entered an account of all moneys received and paid by him on account of the Guardians. He shall balance this account quarterly, and shall cause the book to be laid before the Board of Guardians once every month, or oftener if required by the said Guardians to do so, and before the auditor at the time of the audit.[2]

IN-DOOR RELIEF.

Workhouse Accounts.

Master's Books.

Art. 19.—The master of every workhouse of the Union shall punctually enter up and accurately keep the following books and accounts, according to the Forms and directions in the Schedule (E.) hereunto annexed.

1. *An Inventory.* In this book shall be entered a list of all the fixtures, furniture, utensils, bedding, house linen, and other effects in the workhouse, and the stock and other like property

[1] See the Collectors of Guardians Order, *ante*, p. 550.

[2] It would be contrary to this Article for the Treasurer to keep more than one account with the Guardians, as, for instance, a Building Loan Account, and a General Account; all the moneys he receives on account of the Guardians must be placed to the same general account.

As to balancing the account quarterly, see, however, Art. 203, No. 3, of the Consolidated Order, *ante*, p. 391.

belonging to the Guardians in the workhouse, and on the workhouse premises (not included in the provisions, clothing, farm, necessaries and miscellaneous accounts), and every particular relating to the use, sale, or disposal thereof; and such book shall be completed from time to time by the entry of articles purchased or otherwise obtained, and of articles condemned as worn out, sold, or otherwise disposed of, by the direction of the Board of Guardians.

Art. 19.—2. *The Admission and Discharge Book.*[1] In this book shall be kept an account of every pauper admitted into and of every pauper discharged from the workhouse, which account shall be balanced weekly, or, if the Board of Guardians so direct, daily.

Where the Guardians direct a separate book to be kept for an account of the admission and discharge of vagrants relieved in the principal or auxiliary workhouse, the same shall be kept in the Form set forth in the said Schedule; and when any vagrant shall have been relieved in any such workhouse for the space of twenty-four hours and is not then discharged, or where he shall be previously taken into some other ward of the workhouse, his name shall be transferred to the admission and discharge book as in the case of any other pauper.

3. *The In-door Relief List*, in which shall be entered, in respect of each Parish of the Union, the names of the paupers admitted therefrom, with the number of days in each week of the half-year during which each such pauper has been in the workhouse, and the other particulars set forth in the Form.[2]

4. *The Abstract of the In-door Relief List*, in which shall be entered the aggregate number of days in each week of the

[1] This book is so arranged as to show the numbers in the workhouse at each meal, of the several classes into which paupers are distributed in the "Daily Provisions Consumption Account." It will show also the number attached to the pauper's own clothes when they are put aside upon his admission, and also marked on the clothes given out to such pauper. Under the same number his name will be found in the "Clothing Register Book."—*Instr. Letter*, March 17, 1847.

[2] See the provisions of the Religious Instruction Order of August 23, 1859, *ante*, p. 540.

half-year passed in the workhouse by the paupers admitted from each Parish, and of the vagrants, and the total number of such days in respect of all the Parishes in the Union, for each week and for the half-year.

Art. 19.—5. *A Day Book*, in which shall be entered the amount of the invoices of all goods delivered and bills for all work done at the workhouse, together with the several particulars relating thereto, in the Form in the Schedule set forth. The entries shall be made on the dates of the deliveries and receipts respectively, and this book shall be made up weekly.

The invoices and bills shall be entered and numbered in the order in which they are received, and shall be filed and preserved in the same order.[1]

6. He shall also keep an account, to be termed *The Master's Account of Receipts and Payments*, according to the Form in the said Schedule, in which shall be entered all moneys received and paid by him on account of the said Guardians under their proper dates. He shall balance this account once every month, or oftener if required to do so by

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[1] This book is provided in order that the master may record all the invoices of goods supplied and of work done at the workhouse. By Art. 25 the clerk is required to examine the entries in this book, and to see that all the goods supplied are carried by the master to the proper accounts in his books. It will be the clerk's own duty to carry them to the proper accounts in the ledger.—*Instr. Letter*, March 17, 1847. The cash transactions of the master will be entered in his Receipt and Payment Book. The master should on no account obliterate or interfere with the number which the invoice bears on its delivery to him, but should add a second number for the purposes of the Day Book. All provisions, of whatever kind (see Art. 62), including wine, spirits, or beer, should be entered in the Day Book, in the column headed "provisions"; and when wine, &c., is given out to the sick, the quantities will be mentioned in the Workhouse Medical Relief Book, and be from thence carried into the Provisions Consumption Account.

With reference to this Article see also Art. 208, No. 21 of the Consolidated Order, *ante*, p. 423.

When an order is not wholly executed and a ticket is sent containing the particulars of the articles delivered, the ticket may be treated as an invoice and should be entered, and the particulars entered in the Day Book on the day of delivery.

When neither an invoice nor a ticket is sent, the master should insert in the Day Book, the date and name and trade at the time of delivery, and complete the entry as soon as he receives the invoice. In such a case he should apply to the contractor for the invoice or ticket in order to enable him to complete the entry without delay.

the Guardians; and for all moneys received by him he shall give a receipt from a *Receipt Check Book* in the Form in the said Schedule set forth.[1]

Art. 19.—7. *A Quarterly Summary of the Day Book* shall be made and completed quarterly according to the Form in the said Schedule; provided that the Guardians may, if they see fit, dispense with the keeping of so much of this summary as contains the entries under the separate names and trades.

8. *The Daily Provisions Consumption Account.* In this account shall be entered the number of paupers of the several classes at each meal in the workhouse, and the quantities of the principal articles of provisions daily consumed by them. In this account may be shown the allowance claimed by the master in respect of waste or unavoidable loss in the preparation or distribution of the provisions, and the quantities of any provisions supplied for any extraordinary occasion.[2]

9. *The Weekly Provisions Consumption Account.* In this account shall be entered the quantities of the principal articles of provisions consumed by the paupers in the workhouse, and also the quantities taken from the stores for the officers and servants of the workhouse, in each week, and those supplied on extraordinary occasions or in out-door relief, if any.[3]

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[1] See Art. 20, *post*, as to the Farm Account.

[2] This account is to facilitate the ascertaining of the quantities of the several principal articles of cooked or prepared provisions required, according to the diet table, for each meal; and also to record these quantities together with the quantities of the articles in the form in which they are received into the house, that is, in their raw or unprepared state. It is essential that the master should record the actual consumption of the raw provisions taken out of store and not returned thereto, rather than enter as the quantities consumed a mere weekly estimate or calculation made with reference to the diet table.—*Instr. Letter*, March 17, 1847.

As regards waste in the distribution of provisions, if it arises notwithstanding all due care and attention in the distribution, a reasonable allowance should be made for it. As to allowances for waste, see *post*, pp. 623 and 624.

[3] This account is prescribed for the purpose of collecting together, in weekly totals, the quantities, in their raw or unprepared state, of the several articles which appear by the "daily" account to have been used during each week. The weekly entry for such of the sick *as have not the ordinary house diet*, will be checked by the diet and the amount of extras, every article of which for the week should be entered opposite each name in the Workhouse

Art. 19.—10. *The Provisions Receipt and Consumption Account.* In this account shall be entered the quantities of the several articles of provisions received and consumed weekly, and the quantities on hand at the commencement and end of every week, and the other particulars in such Form set forth.[1]

11. *A Quarterly Summary of Provisions received and consumed.* This summary shall be made up from the said Provisions Receipt and Consumption Account, and shall be completed quarterly.

12. *A Quarterly Balance of the Provisions Account.* In this account shall be entered the total quantities and values of the several articles of provisions received and consumed in the quarter, and also the quantities and values of the several articles in store at the beginning and end of the quarter, and the other particulars set forth in the Form in the Schedule; and the same shall be submitted to the Visiting Committee or some member thereof when so made up and balanced, who shall enter a memorandum at the foot of the account certify-

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Medical Relief Book. The blank columns in that book may be used for the entry of the articles of an ordinary kind not mentioned in the printed headings. —*Instr. Letter*, March 17, 1847.

Though the Forms as set forth in this Order are framed to meet the common ordinary supply of relief, and the master's books apply to the supply of provisions to the in-door poor, there is nothing to prevent the introduction of other matters into the books, where provisions are supplied to other paupers. The Commissioners see no objection to the master inserting the quantity of provisions given out of the workhouse stores during every week for out-door relief in the weekly Provisions Consumption Account, after the entry for the sick, and in such case the total to be carried to the "Provisions Receipt and Consumption Account" will consist of the quantities consumed in the house, and that consumed in out-door relief; or, if it be considered more convenient, an intermediate total, showing the quantity of provisions consumed in the house, might be made. To that must then be added the amount expended in out-door relief, and the gross total will then go on, through the Provisions Receipt and Consumption Account, and quarterly summary of provisions received and consumed; the value of the whole amount when carried to the ledger will, as heretofore, be distributed between in-maintenance and out-door relief, according to the separate amounts. (9 O. C. N.S. 130.)

The day of admission and day of discharge of a pauper from the workhouse, as shown by the Admission and Discharge Book, should both be reckoned in charging the cost of the maintenance of paupers.

[1] A considerable saving of time and labour to the master will be effected by requiring the calculations of the money value of the quantities of the several articles entered in this account to be made quarterly instead of weekly.—*Instr. Letter*, March 17, 1847.

ing to the same having been submitted to them or one of them.[1]

Art. 19.—13. *The Clothing Materials Receipt and Conversion Account.*[2] In this account shall be entered a statement of all the articles of clothing materials and of bed and house linen (not made up), from time to time received into the workhouse, and the several particulars of their conversion, and otherwise set forth in the Form in the Schedule.[3]

14. *The Clothing Receipt and Expenditure Account.*[4] In this account shall be entered on the one side the several articles of clothing received from tradesmen or made up in the house, and on the other side the several articles given out, together with the numbers marked thereon.

The articles shall, before they are given out, except when they

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[1] This Form is similar to that of the "Provisions Receipt and Consumption Account," excepting that money columns are added for the purpose of introducing the calculations referred to in the notice of that account. Should this account not balance on the first trial, it will at once be seen, by comparing the columns of totals, in reference to which article the error has arisen; and by tracing backwards the entries relating to that article, the error will readily be detected.—*Instr. Letter*, March 17, 1847.

With regard to this Article, see the Order of February 16, 1869, *post.*

The object of Art. 19, Nos. 12, 15, and 19, is to secure that the accounts should be submitted to a member of the Committee, and that such submission should be recorded in each account. This Article has now, however, been amended by the General Order of February 16, 1869, *post.*

It will be noticed that Visiting Committees in the Metropolis have also certain duties to perform under the Out-relief Distribution Order, dated February 27, 1875, *post.*

In the Report of the Superintendent of Admiralty Contracts (ordered by the House of Commons to be printed July 2, 1872, Sessional Paper 275) relative to the system of supply of provisions and stores for workhouses, it is stated "that the rule of the Poor Law Board which requires the Guardians to hold a survey of stock in the master's hands in the week following the close of each quarter, and to compare the result with the remains per ledger, is practically inoperative. Books cannot possibly be closed within that time and a balance struck; supplies come and go in the interval between the end of the quarter and the day of survey, and these disturbing causes render it next to impossible for the Guardians to say what quantity of goods were actually in store on a given day within the specified week." The thing could be done, but only by an expenditure of trouble beyond that which Guardians can be expected to take.

[2] See the Order of February 16, 1869, *post.*

[3] This book will be in the nature of a *Dr.* and *Cr.* account of every article of material for clothing and bed and house linen. The account will be debited with the several articles of materials supplied to the workhouse from time to time, and credited with the quantities of such materials from time to time converted into clothing or bed and house linen.—*Instr. Letter*, March 17, 1847.

are given out to the paupers quitting the workhouse or relieved out of the workhouse, be marked on the inside with the name of the Union, and, as far as practicable, be numbered in suits, so that all the articles of a suit shall bear the same number.

The numbers shall begin with No. 1,[1] and follow each other consecutively ; but whenever any article shall have been condemned or cut up for use in mending other articles, or supplied to paupers quitting the workhouse, its number may be marked on another article of the same description, the previous number thereon, if any, being obliterated.[2]

Art. 19.—15. *The Clothing Materials Receipt and Conversion Account and The Clothing Receipt and Expenditure Account* shall be made up, balanced, and compared with the stock in store at the end of every half-year by the master, in the presence of the Visiting Committee or some member thereof when the accounts of the Union are closed, as hereinafter mentioned, and at such other times as the Board of Guardians may require, and to these accounts the like memorandum shall be entered as in the quarterly balance of the Provisions Account.[3]

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[1] See Note 2, p. 601.

[2] The number of articles of clothing of each description purchased, or made up in the House, is to be entered in the proper column of this account, when purchased or made up, in the same manner as the number of articles is entered in the present "Clothing Receipt Book." In reference to the expenditure of clothing, a different system to that hitherto pursued is introduced. It will be seen that clothing is to be numbered in suits before it is given out. A suit for a man will probably consist of one coat, one waistcoat, one pair of trousers, two shirts, a pair of shoes, two pairs of stockings, one hat, and two handkerchiefs, all of which will bear the same number. When a suit is given out, the number marked thereon is to be entered in the column appropriated for that purpose, and the number of articles of each description comprised in the suit is also to be entered in the proper columns. This account, being balanced at the end of the half-year, will show the numbers to the several new articles remaining in store.—*Instr. Letter*, March 17, 1847.

It sometimes happens that a pauper in the workhouse is destitute of clothing, and cannot be discharged without a fresh supply. In such a case, if the Guardians order clothing to be given to the pauper, it should be supplied from the workhouse stores, and the cost charged in the In-Maintenance Account. If the Guardians should order the relieving officer to give the clothing and he obtains it from the workhouse stores, he should enter it in his out-door relief list, and the master should discharge himself with the supply accordingly.

[3] See Art. 19, No. 12, and note thereon, *ante*, p. 646.

Art. 19.—16. *The Clothing Register Book.* In this book shall be entered, under the number marked on the suit of clothes given out to each pauper admitted into the workhouse, the name of the pauper, together with the dates of his or her admission and discharge; and a ticket bearing such number shall be attached to the pauper's own clothes.

In addition to the number marked on the clothes, the master shall insert in the said book a number to indicate the size of the suit.

The Guardians may, if they see fit, dispense with the keeping of this book.[1]

17. *The Necessaries and Miscellaneous Account.* In this book the master shall enter punctually, according to the proper dates, all articles, goods, and materials received by him for use or consumption in the workhouse, other than provisions,[2] clothing, materials for repairs, and such articles as are entered in the Inventory Book or the Farm Account. He shall also enter therein the consumption of such articles, goods, and materials in respect of the workhouse, the paupers, and the officers and servants of the workhouse, as the case may be. This account shall be kept weekly, unless the Guardians shall, in cases where the workhouse is licensed to hold less than one hundred inmates, authorise its being kept monthly. It shall be kept in the Form in the said Schedule (E.) hereunto set forth.

[1] At the head of the several columns of this book, numbers will be inserted beginning with number 1, and following each other consecutively; and when a suit of clothes is given out, the name of the person to whom it is given, with the date of his admission, will be entered under the number marked on the suit. In addition to this number another number, indicating the size of the suit, is to be inserted in the space set apart for it. When the person to whom the suit was given out is discharged, the date of his discharge is to be entered, and such entry will show that the suit is available for any other person whom it may fit; and the name of the other person to whom the same suit is given out will be entered under the previous name. When any article of a suit is worn out, another article of the same size and description is to take its number, and be substituted for it. This article will, of course, be entered in the Clothing Receipt and Expenditure Account, in the manner already explained. The number should on no account be stamped on a conspicuous part of the garment, but it should be so placed as not to be visible when the garment is worn.—*Instr. Letter*, March 17, 1847.

[2] For what are included in the term "provisions" see Art. 62, *post.*

Art. 19.—18. *A Quarterly Summary of the Necessaries and Miscellaneous Account* shall be made by the master at the end of every quarter from the Necessaries and Miscellaneous Account, according to the Form in such Schedule.

19. *A Quarterly Balance of the Necessaries and Miscellaneous Account.* In this account shall be entered the total quantities and values of the several articles, goods, and materials received and consumed in the quarter, and also the quantities and values of the same in store at the beginning and end of the quarter, in the Form set forth in the said Schedule, and shall submit the same to the Visiting Committee or some member thereof when so made up and balanced, who shall enter a memorandum at the foot of the account certifying to the same having been submitted to them or one of them.

Art. 20.—When the Guardians think proper to require it he shall keep an account to be termed *A Farm Account*, in which he shall enter, under the correct dates, items of all articles, stock, implements, seeds, and other matters received by him for the use of the land belonging to the workhouse, or maintained thereon for consumption in the workhouse ; and all payments made and all sums received by him on account thereof, or of the produce of such land and stock.

This account shall be kept in such form as the Guardians shall prescribe, and shall be balanced by the master quarterly, or oftener, if the Guardians so direct. It shall be laid by him before the auditor together with the other books of the master.[1]

Art. 21.—When there is a dispensary in the workhouse or an assistant officer appointed to take charge of the medicine and medical appliances, the master shall enter into his day book such medicines and medical appliances when received by him under the head of dispensary, and the dispenser shall keep an account of his receipt, and the consumption or disposal of such medicines and medical appliances in a book to be framed according to such form

[1] It is imperative that this account should be balanced quarterly; but the master's account of receipts and payments (Art. 19, No. 6, *ante*, p. 598) must be balanced monthly.

as the medical officer of the workhouse shall recommend and the Guardians shall order to be adopted, and he shall submit the same to the auditor at the time of the audit for examination, and shall be answerable for the correctness of such account and the entries therein.[1]

Art. 22.—So much of this Order as relates to the duties of the master of the workhouse shall be applicable to and be binding upon the matron of any workhouse not having a master, and also to and upon the matron or other person having the charge of any workhouse during the temporary absence of the master, or any vacancy in the office of master.

Out-door Relief.

Relieving Officer's Books.[2]

Art. 23.—The relieving officer shall punctually enter up and accurately keep the following books and accounts, according to the forms and directions in the Schedule F. hereunto annexed :—

1. *The Application and Report Book.* In this book shall be entered every distinct application made from time to time through the relieving officer for relief, and such of the particulars therein set forth as, on making the requisite examination into the circumstances of the case, he shall collect, as well as the medical relief or relief in kind (if any) already given by the relieving officer at his discretion, or reported to him to have been given by an overseer, or any medical aid given to a woman in labour by the medical officer without an Order.[3]

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[1] Art. 22, Nos. 17 to 21, are for the first time introduced into the Order of Accounts. Forms of Farm Account and Dispenser's Book may be obtained from the publishers.

[2] In some few extensive Unions and Parishes an officer, termed "Pay Clerk of the Poor," is appointed, under the authority of an Order of the Poor Law Board or Local Government Board; as to which see the form for Pay Clerk of the Poor Orders, *post*.

[3] One cause of a lax administration of out-door relief, the Local Government Board say, is the imperfect manner in which applications for relief are often presented by the relieving officer to the Guardians. This remark is intended to point amongst other things to the frequent omission to enter in the proper column of the Application and Report Book the names of the relatives of applicants for relief who are legally liable for their support; and, in order to show the importance of insisting upon this information, the Board may mention that cases have occurred in which the mere inquiry as to the relatives of the

A note of the decision or direction of the Board of Guardians shall be inserted at the meeting of the Board, and authenticated by the initials of the chairman or clerk, in the column contained in the Form for this purpose.

Where any application is made to the Board of Guardians directly, and the Board order any relief to be administered by the relieving officer, he shall enter in this book the particulars of the case as he shall obtain them, and the same shall be dealt with in all respects as when the application is made to himself in the first place.[1]

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applicant has at once led to the withdrawal of the application for relief. Another illustration of laxity is the practice of issuing tickets on shopkeepers in urgent cases between the meetings of the Guardians, and the omission to state on the tickets and enter in the Application and Report Book the articles so ordered and given. Sometimes these tickets have been known to be given, where the Guardians meet fortnightly, to the value of as much as 14*s*. In all cases of emergency it is the duty of the relieving officer, after careful investigation, to specify the precise articles required for the relief of the applicant, and when this precaution is neglected, experience shows that serious abuse too often follows.—*Mem.:* Local Government Board, February, 1878.

Further, the Board say that the Guardians need scarcely be reminded of the broad and general principle of the English Poor Law, viz., that no person has a claim to relief from the rates, except in case of actual destitution. To ensure relief being strictly limited to the class for whom it is intended, it is only requisite that those who are entrusted with the administration of the law should, by diligent and minute inquiry, ascertain the exact condition and circumstances of each applicant: and to enable the Guardians to do this effectually it is essential that they should have the aid of competent and painstaking relieving officers, whose districts should not be so extensive as to preclude them from visiting each recipient of relief at his own home, and at frequent intervals, in conformity with the regulations of the Board. An adherence to these simple requirements has been the main cause which has led to such gratifying results in those Unions where pauperism has been so largely reduced.—*Mem.:* Local Government Board, February, 1878.

[1] The notes at the foot of the Form contain full instructions as to the manner in which this book should be kept. A fresh entry of each pauper's case should be made in this book on each fresh application for relief, though no essential variation in the particulars of the case may have occurred since the making of the previous entry. When an inmate of a workhouse wishes to apply for out-door relief, the application should be made to the relieving officer direct, and by him brought before the Board of Guardians. This may be done by the workhouse master referring the inmate to the relieving officer in the first place; or the Guardians, on the master reporting the case, may direct the relieving officer to receive the application, and bring it, with the necessary particulars, before the Guardians at the next meeting.

The column in the book "Date when Order Made," should be filled up by the relieving officer.

The column "How long Resident in the Union, &c.," should be filled up

Art. 23.—2. *The Out-door Relief List.* In this book shall be entered, in one of the Forms in the Schedule set forth, the sums of relief in money, and the value of relief in kind, given by the relieving officer to or for each pauper relieved by him in each week. The entries shall include only relief given to the pauper himself, or to some person properly authorized to receive it, and shall be made after the relief has been actually so given, and not before or otherwise. In this book shall also be entered, in the proper columns, the number of individuals of any of the several classes relieved in each case, and the other particulars in the Form in the Schedule set forth. The relieving officer shall enter up this book every week, and shall complete the same at the end of every half-year, taking care that no pauper appear in such relief list more than once in the half-year, unless there shall be some alteration in the circumstances of the case.[1]

He shall also keep a book, to be termed *The Out-door Relief List for Vagrants*, in which shall be entered the relief in money and kind given by him to every person relieved by him as a vagrant or casual pauper. He shall keep this book weekly, with the particulars and according to the Form and Instructions in the same Schedule set forth, and shall enter the total of the expenditure for each week in the corresponding week in the out-door relief list. Any assistant relieving officer who administers relief to vagrants must supply this information to the relieving officer, and be responsible for its correctness.[2]

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according to the fact as known to the relieving officer. He need not consider any question of break of residence.

Expenses incurred in the removal of pauper lunatics to asylums should not be entered in this book, but in the "Receipt and Expenditure Book."

[1] The form of the Out-door Relief List shows that it should be kept parochially, one page, or if necessary more, being appropriated for each Parish, and the totals of the males, females, and children should be added at the foot of each page.

[2] The cases of vagrants should be entered either in the "Application and Report Book," or in the "Out-door Relief List" for vagrants; and if sent to the workhouse, this should be noted in the column headed "Nature of Relief." Relief given to them in the workhouse should be entered by the master in the workhouse books, and not by the relieving officer in his "Out-door Relief List."

Art. 23.—3. *The Abstract of the Out-door Relief List.* In this form shall be entered the names of the several parishes, and against them the total amount of each week's relief, in respect of the paupers resident therein, according to the Out-door Relief List. It shall be made up against each ordinary meeting of the Guardians, and shall remain in the custody of the clerk.[1]

4. *The Receipt and Expenditure Book.*[2] In this book the

As the relieving officer is only required to enter the relief which he himself gives to vagrants, he is not required to take cognisance of relief to vagrants given by overseers in cases of sudden and urgent necessity, under 4 & 5 Will. IV. c. 76, s. 54. The overseers must enter such relief in their own accounts, and take the decision of the auditor upon it.

If an order be given by the relieving officer for the admission of a vagrant into the casual wards of the workhouse, the case should be entered in his Application and Report Book.

[1] This abstract is to be made up at the meeting of the Board of Guardians and left in the custody of the clerk, in order that he may possess a duplicate of the out-door relief account against each parish, in the event of the "Out-door Relief List" itself being lost or destroyed.—*Instr. Letter*, March 17, 1847.

[2] The weekly accounts in money and in kind will not be entered separately in the "Receipt and Expenditure Book," as will appear by the "Out-door Relief List" from which they are posted. The relief in money and in kind, which are carried out separately in the Out-door Relief List at the end of each quarter, will be entered separately in the quarterly *Summary* in which the relieving officer's money account, and account of relief in kind, will be balanced separately.

With regard to relief to *Non-Resident* and *Non-Settled* poor, it should be observed of *Non-Resident* relief that it is of two kinds—namely, that which is paid through the relieving officer of the Board allowing it, and that which is paid by an order on the treasurer or other means, as prescribed by the Commissioners. In the first case the pauper's name will appear in the "Out-door Relief List," as a matter of course, and will be charged by the relieving officer to the Parish in the same manner as relief to a resident pauper. In the second case, the relieving officer will have nothing to do with the matter, and the relief will ultimately be a credit to the treasurer, and a debit of the Parish against which it is charged in the "Parochial Ledger."

Non-Settled Relief, so far as it appears in the accounts of the Union by the officers of which it is advanced, will be entered in a separate account, in the "Out-door Relief List," by the relieving officer who pays it, and will not be carried into any account against a particular Parish. Accounts should be opened in the "Out-door Relief List" for the several Unions to which the non-settled poor in the relieving officer's district belong; and the relief of such poor should be entered in such accounts in the same manner as the relief to the settled poor is entered under their several parishes.—*Instr. Letter*, March 17, 1847.

Payments made by relieving officers in conveying lunatic paupers to and from lunatic asylums should be entered in this Book (see 53 & 54 Vict. c. 5, s. 297); and, indeed, all money which the officer may receive from or on behalf of the Guardians, and from whatever source the receipt may come.

relieving officer shall keep, in the *Form* so named in the said Schedule, an account of all moneys received and disbursed by him, and of all tickets or orders for relief in kind issued by him, and also of all articles received and given out by him for the relief of the out-door poor in each Parish in his district; and shall balance such account weekly. In this book the relieving officer shall also enter, at the end of every quarter's account, *a Summary of Receipts and Expenditure* for the quarter.

Art. 24.—Nothing herein contained shall affect the forms of the books of accounts kept by the pay clerk where any such officer shall act under the Order of the Poor Law Board, nor affect the provisions contained in any Order of the Poor Law Commissioners or the Poor Law Board, whereby the Guardians are empowered to appoint committees to receive applications for relief.

EXAMINATION AND CLOSING OF ACCOUNTS.

Art. 25.—On the day next before every ordinary meeting of the Board of Guardians, or on the day of such meeting, but previous to the meeting, the clerk shall examine the Master's Day Book, and shall compare the entries of invoices and bills with the invoices and bills themselves, and shall see that all the goods supplied and works done are carried by the master to the proper accounts, and shall certify the correctness of the same by his initials. He shall also compare the entries of payments in the Master's Receipt and Payment Account with the vouchers, and ascertain that the master has debited this account with all sums received by him, and produces proper vouchers for all payments made by him, and shall inspect the other books required to be kept by the master by this Order, so as to ascertain that they are duly kept in proper form and with due regularity.

The clerk shall also, at the same time, examine the weekly account in each relieving officer's Out-door Relief Lists and Receipt and Expenditure Book, so as to ascertain the accuracy of the entries therein, and that the relief has been given in accordance

with the orders of the Guardians by comparison with the Relief Order Book, and shall certify the correctness of the same by his initials.

The clerk shall report to the Guardians at the said meeting the result of his examinations.

And the master and the relieving officer shall respectively, subject to any direction of the Board of Guardians, present their books and accounts to the clerk for his examination on such day as aforesaid.[1]

Art. 26.—The overseers of every Parish, and every collector acting for any Parish, shall make up and balance to the 25th day of March and the 29th day of September in each year all such books as they are required, by the Act passed in the 8th year of the reign of her Majesty Queen Victoria, intituled "*An Act for the Amendment of the Laws relating to the Poor in England*," to deposit for the inspection of the ratepayers at some house within the Parish seven days at least before the audit.[2]

Art. 27.—All the accounts of the Union and of the officers of

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[1] All that the clerk is now required to do in reference to the master's accounts is to see that he has made the proper entries in the "Day Book," and has given credit in the proper books and accounts for all the goods supplied at the workhouse. The examination of the relieving officer's accounts the Commissioners have considered indispensable. The examination, however, both of the master's and the relieving officer's accounts may now be made on the day, or on the day before the day, of the Guardians' meeting.—*Instr. Letter*, March 17, 1847.

At the clerk's examination of the accounts of a relieving officer he should require vouchers for all payments taken credit for, as in the absence of vouchers he cannot certify to the correctness of the accounts. The vouchers will, of course, be returned to the officer to be produced to the auditor, and also to the Guardians, in accordance with Art. 216 of the Consolidated Order, *ante*, p. 460. Further, with regard to this Article see note (1) to Art. 202, No. 2 of that Order, *ante*, p. 393.

[2] See 7 & 8 Vict. c. 101, s. 33. The accounts are to be deposited seven clear days, *at least*, before the audit; and this, according to legal construction, excludes the day of deposit and the day of audit.

The "balancing" a poor rate involves the filling up and casting of the several collecting columns of the rate book; but a rate when it is balanced is not necessarily closed, inasmuch as a rate is not "closed" until the total amount, exclusive of the sums legally excused or irrecoverable, have been collected, or until a new rate has been made, the arrears of the former rate being brought forward in the new rate.

the Union shall be closed at the end of every half-year, that is to say, up to the 25th day of March and the 29th day of September in each year, inclusively, when such days occur at the end of the week established by the practice of the Union, and at other times at the end of such week first completed next after such days respectively. And the several officers keeping such accounts shall forthwith lay, or cause to be laid, their respective accounts so closed before the Board of Guardians.[1]

Art. 28.—The master of the workhouse shall, at the end of every half-year, allow each relieving officer to inspect the in-door relief list for the half-year last expired.

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[1] See Art. 67, *post*, as to the definition of "the period of the week." Whatever be the day of the week for the closing of the accounts "established by the practice of the Union," that will be the day for the closing of the accounts of the half-year.

Art. 20 of the former Order of Accounts was to be understood as having reference to the meeting of the Guardians, in which cases the accounts are closed up to the day of such meeting. This course the Board consider to be the more correct, and at the same time the more convenient; and they recommend that it should in future be adopted in all cases. But it must be observed that where the meetings of the Guardians are held fortnightly, the week's accounts should be closed at the end of the half-year, although there be no meeting of the Guardians in the week.—*Instr. Letter*, March 15, 1856.

The week should terminate on the day preceding the meeting of the Guardians, and the Poor Law Board think that it is in every respect most convenient that the week should so terminate (as indicated in Art. 67, *post*), and that it is competent to the Guardians to establish this practice. The day of meeting of the Guardians is always to be excluded; and the whole of the Union officers should close their accounts on the same day. Items of receipt and expenditure occurring after the date at which the accounts are closed should not be inserted in those accounts, but should go into the accounts for the following half-year.

The following tables, extracted from Mr. Lloyd Roberts' Exemplification of the mode of keeping accounts under this Order, set forth the dates upon which the accounts of Unions, and of the officers of Unions, must, for future half-years, be commenced and closed according to the provisions of Arts. 27 and 67 of the Order:—

FIRST TABLE—Michaelmas Half-years.

Commencing with	Will end with	Number of weeks in each Half-year
March 26	September 30	27
,, 27	October 1	27
,, 28	,, 2	27
,, 29	,, 3	27
,, 30	,, 4	27
,, 31	,, 5	27
April 1	September 29	26

And each of the relieving officers shall forthwith, after the end of the half-year, inspect the names entered in such in-door relief list, and shall write his initials in red ink against the name of every pauper who shall have been entered in the out-door relief list in the course of the said half-year.

Art. 29.—The clerk or medical officer in possession of the district medical relief books shall, at the end of every half-year, allow each of the relieving officers to inspect such books; and each of the relieving officers shall forthwith inspect the names in such books, and shall write his initials in red ink against the name of every pauper who shall not have received any other than medical relief during the half-year then last closed.

Art. 30.—The clerk shall, at the close of each half-year, prepare in duplicate, from the accounts of the Union,—1. A Statistical Statement, showing the number of paupers of all classes actually relieved in the course of the last half-year, and the other particulars, according to the Form and directions in the Schedule (B) set forth; and—2. A Financial Statement, showing the account of the receipt and expenditure of the Union for the last half-year, together with the then outstanding liabilities, in the *Form* in the said Schedule (B) set forth; which statements the clerk shall submit to the auditor at the time of his auditing the Union accounts.[1]

SECOND TABLE—Lady-day Half-years.

Commencing with	Will end with	Number of weeks in each Half-year	In Leap Years	
			Will end with	Number of weeks in each Half-year
September 30	March 30	26	March 29	26
October 1	„ 31	26	„ 30	26
„ 2	„ 25	25	„ 31	26
„ 3	„ 26	25	„ 25	25
„ 4	„ 27	25	„ 26	25
„ 5	„ 28	25	„ 27	25
„ 6	„ 29	25	„ 28	25

[1] The half-yearly Financial Statement heretofore has shown only the receipts and expenditure by the Guardians for the half-year. The Board have thought it right that henceforth this statement shall also show the liabilities

The auditor, if satisfied of the correctness of such statements, shall sign the same; and the clerk shall forthwith transmit one copy of each statement to the Poor Law Board, and preserve the other copy for the Board of Guardians.[1]

Art. 31.—The clerk shall, as soon as he shall receive notice from the auditor of the day or days appointed by him for the auditing of the half-yearly accounts of the Union and the several Parishes comprised therein, cause the following notice to be affixed on the external gate or door of every workhouse in the Union, and at some other place or places where Union notices are usually affixed, and shall continue the same so affixed until the audit is completed:—

"——— Union.

"Notice is hereby given that the half-yearly Statement of the accounts of this Union, together with the *Relief Order Book* and the *Ledger*, will, on the day of be deposited at ; and such Statement and books will be open to be inspected, examined, and copied by any owner of property or rate-payer in the said Union, at any reasonable hour in the day-time, when the Board of Guardians is not sitting, until the day of ; and that on the last-mentioned day, at the hour of , the Accounts of the Union will be audited by ,

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of the Guardians outstanding at the end of the half-year to which the statement relates. They have often felt that the ratepayers have not received the full information of the financial state of their Union when, though they learnt the amount of money received by the Board of Guardians and that which had been expended, they had no information as to the amount of outstanding liabilities due from the Union. The Statute 22 & 23 Vict. c. 49, has tended greatly to check the running on of debts and claims against the Guardians; and the Board trust that this new form of Financial Statement will still further aid in the desirable end of keeping the charges incurred by the Guardians within the year for which they are elected to act as such.—*Instr. Letter*, January 22, 1867.

The memorandum at the foot of the Statistical Statement, "number of different cases attended by the medical officers," &c., the clerk should set out from the medical officer's books.

In the metropolis, the Metropolitan Poor Amendment Act, 1870 (33 & 34 Vict. c. 18, s. 3), requires that each Board of Guardians shall deliver by post or otherwise, to each vestry in the Union, within one month after the audit, one or more copies of the half-yearly Financial Statement of the Guardians as audited.

[1] With regard to this Article, see the General Order of June 27, 1870, *post*.

the auditor of the district comprising this Union, at , when and where every such owner of property or ratepayer, who may have any objection to any matter contained in the above-mentioned accounts, may attend, and prefer his objection, and the same will be heard and determined by the auditor.

"Dated

"*Clerk to the Board of Guardians.*"

Art. 32.—The clerk shall, three clear days[1] before the day appointed for auditing the Union accounts, deposit the said half-yearly Statement of the accounts of the Union, together with the Relief Order Book and Ledger, in the Board-room of the Guardians of the Union, or such other place as the Board of Guardians may appoint, and shall permit the said Statement, Book, and Ledger to be inspected, examined, and copied by any ratepayer or owner of property in the Union in the presence of the clerk or some other person approved of by the Board of Guardians, at any reasonable hour in the day-time, when the Board of Guardians shall not be sitting, after the said Statement, book, and Ledger shall have been so deposited, and previous to the day appointed for the auditing of the accounts of the Union.

Art. 33.—In case the auditing of any of the Union or Parish accounts shall be adjourned for any longer period than from day to day, the clerk, on receiving from the auditor notice thereof, shall affix, in manner aforesaid, notice of the time and place of such adjournment, and of the accounts remaining to be audited, as often as such adjournment shall be made.

Art. 34.—Every master of a workhouse shall, within seven days after the end of each half-year, insert in the proper columns according to the *Form* in Schedule (B) named the *Parochial List and Statement of Account*, for every Parish in the Union, or with the consent of the Board of Guardians in a separate list containing similar columns, to be called the *List of In-door Poor*, the name of every pauper admitted from every such Parish who shall have been relieved in the workhouse during the whole or any part of the previous half-year, together with the number of days each

[1] *I.e.* exclusive of Sunday, if it intervenes.

pauper has been maintained in the workhouse ; and every relieving officer shall, within fourteen days after the end of each half-year, enter in the proper columns of the said *List* for every Parish in his district, or with the consent of the Board of Guardians, in a separate list containing similar columns, to be called the *List of Out-door Poor*, the name of every pauper contained in the out-door relief lists and district medical officer's books for the previous half-year, together with the amounts of relief in money and in kind given to each pauper.

Such parochial lists, when filled up by the master and relieving officer respectively, shall be delivered by them to the clerk, who shall examine the entries made therein, and shall certify to the accuracy thereof by his signature. The clerk shall also make out, in the form given at the foot of such parochial list, a complete statement of the account of every Parish with the Union and shall date and sign the same.[1]

Art. 35.—The relieving officers of the Union shall, within thirty days after the end of each half-year, under the direction of the Board of Guardians or of the clerk, deliver a copy of each of such lists and statement for every Parish in his district to the overseers thereof, who shall lay the same before the next vestry meeting, and preserve the same with the Parish papers.

Art. 36.—The salaries of the several officers of the Guardians, whether for the full quarter or for any portion thereof, shall be paid at the several quarters ending at the usual feast-days in the year, namely Lady-day, Midsummer-day, Michaelmas-day, and Christmas-day ; and where an officer is paid according to a poundage or similar rate, the amount shall be calculated by the Guardians at those several quarter-days upon the amount which the said Guardians shall ascertain to have been collected or earned by such officer in the quarter then ended ; provided, nevertheless, that in the case of any officer whose duty it is to render accounts to the Board of Guardians or auditor, such officer shall submit his accounts for the

[1] With regard to this Article, see the General Order of June 27, 1870, *post*. See also the General Order of February 14, 1878, *post*, as to the printing and circulating of weekly lists of paupers in the metropolis.

quarter in question to the Guardians before such payment, and further it shall be competent for the Guardians to defer in whole or in part the payment of the salary or other compensation of any such officer until his accounts shall have been audited and allowed by the auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall be forthwith paid.[1]

Art. 37.—Where any officer shall be entitled to be paid any extra fees or emoluments, he shall make out his account thereof quarterly according to the above-mentioned days, and lay the same before the Guardians on those days, and his claim shall be deemed to accrue at the expiration of one calendar month next following such quarter day, provided that the Guardians may, if they think fit, pay the same before the expiration of such month.

Auditing of Accounts.

Art. 38.—The auditor shall audit the accounts of the Union and of the Parishes comprised therein, once in every half-year; that is to say, as soon as may be after the 25th day of March and the 29th day of September, respectively. Provided always, that if the auditor shall be required by the Poor Law Board, to hold an extraordinary audit, either of the whole or of any portion of the accounts of the Union or any Parish therein, in addition to the ordinary audit, or any time between such two days, all the provisions herein-contained, with reference to the ordinary audit, shall, as far as they may be applicable, apply to such extraordinary audit.[2]

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[1] In the case of a collector of poor rates, his Collecting and Deposit Book is the account which he should submit to the Guardians under this Article.

By a General Order dated December 22, 1871, *post*, the Local Government Board have enabled the Guardians to pay their officers' salaries monthly.

The Board have had under their consideration the practice, now for some time adopted by them, of sending, for the information of the auditors, an extract from letters addressed to Boards of Guardians, sanctioning the salaries of Poor Law officers. As the clerk is required to preserve and produce to the auditors documents of this nature, the Board think it unnecessary, in future, to continue the practice referred to, and you should, therefore, inform the clerk of every Board of Guardians in your district that he will be required to produce to you all letters addressed to him, after this period, assenting to the appointment of an officer and sanctioning his salary.—*Circular of Local Government Board to District Auditors*, March 10, 1874.

[2] The Poor Law Commissioners, in their instructional letter, state that a mere knowledge of accounts is only a small part of the requisite accomplish-

Art. 39.—The auditor in respect of every ordinary audit shall give to the clerk to the Guardians fourteen days' notice in writing of the time and place on and at which he intends to commence the audit of the accounts of the Union, and of the Parishes therein.[1]

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ments of an auditor. It is necessary that he should have a complete knowledge of the statutes and authorities by which the expenditure of the poor rates is regulated, and the Poor Law Commissioners' rules, orders, and regulations, and be able to make sound and legal inferences from these authorities, so as to determine their effect in special cases. Some acquaintance with the law of contracts is necessary, and, above all, a large experience of the nature of the pecuniary transactions of the Guardians, Overseers, and other accountable officers, without which it is impossible for him to exercise his important function of ascertaining, as he is bound to do in every case, the reasonableness of every item. To come to correct conclusions in such matters, it is obviously impossible without a knowledge of the terms upon which transactions on the like scale and condition are usually effected. It may be added, with reference to the above, that, as a general rule, it is not desirable that an auditor should express any opinion as to the payment out of the poor rates of any expenses which may afterwards come before him at an audit, and in regard to which he may then have to give his decision. It forms no part of his duty to give advice to Union or Parish officers as to the legality of any particular expenses which they may contemplate charging in their accounts; and as his advice, if given, may embarrass him in his subsequent proceedings, it is advisable that he should in general abstain from expressing any opinion upon an item of expenditure except at the audit, when he must decide as to the legality or otherwise of the charge.

When an auditor has concluded his audit and has made a disallowance or surcharge, he has no authority to supersede or set aside such disallowance or surcharge either directly or indirectly. If his decision is erroneous, it cannot be annulled except upon appeal either to the Court of Queen's Bench, under 7 & 8 Vict. c. 101, s. 35, or to the Local Government Board under Section 36; and such appeal can only be made by the person aggrieved.

[1] There is nothing in 7 & 8 Vict. c. 101, s. 33, or in the Order of Accounts, which prevents the auditor from giving notice of audit before September 29 and March 25 respectively; but the notice ought to be given so as to allow sufficient time for the accounts to be made up and closed. The 11 & 12 Vict. c. 91, s. 7, further provides that the notice of audit shall be published in a newspaper circulating in the Union. The expenses attending these advertisements are repaid to the auditors by the Poor Law Board. The salaries of the auditors are also paid by the Poor Law Board out of the Consolidated Fund.

The notice of audit to be given to the overseers fourteen days before the audit under 7 & 8 Vict. c. 101, s. 33, is as follows:—

POOR LAW AMENDMENT ACT, 1844.
(7 & 8 *Vict. c.* 101.)

NOTICE OF AUDIT.

———— Union.

To the Overseers of the Poor or other Officers employed in carrying the Laws for the Relief of the Poor into execution in the Parish or Township of —— ——

I, the undersigned, Auditor of the district within which the above-named

Union is situate, HEREBY GIVE NOTICE, that I have appointed the AUDIT OF THE ACCOUNTS of the said Union, and of the Parishes therein comprised, for the half-year ended the 25th day of March, 18 , to be held on , the day of , 18 , at o'clock in the forenoon, *at the Board Room of the Guardians of the said Union*, when and where you are required to attend, and produce your Books of Account, Rate Books, and Vouchers.

You are also required to have your RATE BOOKS and other accounts made up and balanced, *seven clear days* before the day fixed for the audit, and to deposit them, for the inspection of all persons liable to be rated to the relief of the poor, at the house of a churchwarden, overseer, collector, or assistant overseer, or at some other house within the parish. You are likewise required to affix, at the usual place or places of giving Parish Notices, notice of the time and place of audit as above notified by me, and of the place where the Rate Books and other accounts are deposited; which books shall on each of such days be open between the hours of 11 and 3 to the inspection of every person liable to be rated to the relief of the poor. Any default on your part, in respect of the several matters above-mentioned, will subject you to a Penalty of Forty Shillings.

Out-going overseers must pay the balance due from them to the succeeding overseers, and produce their receipt for the same at the audit.

Dated this day of , 18 .

District Auditor.

OVERSEERS are required to produce at the audit:—

The Rate Books, with the columns properly filled up, cast up, and balanced.

The Rate Receipt Check Books, with the date of payment in each case inserted in the counterfoil.

The General Receipt Check Book.

The Overseers' Book of Receipts and Payments, duly filled up, balanced, and signed by the churchwardens and overseers.

The Balance Sheet in Duplicate, duly filled up, and

Receipts and Vouchers for all payments made by the overseers.

The Banker's Pass Book (if any).

The copies of the Monthly Statements received from the assistant-overseer or collector.

They are also requested to produce all Agreements made with, and Notices given to, them relative to the payment of the rates by owners, under the provisions of "The Poor Rate Assessment and Collection Act, 1869" (32 & 33 Vict. c. 41).

It will, also, be convenient if there be produced at the audit—

The Valuation and Supplemental Valuation Lists.

ASSISTANT-OVERSEERS AND COLLECTORS are, in addition to the above, to produce,—

The Warrant of Appointment, if appointed by justices,

The Book of Monthly Statements,

The Collecting and Deposit Book,

The Instalment Rate Receipt Check Book (if any),

The Unpaid Rates' Statement, and

A Certificate or Proof that each of the sureties named in the bond is living and is not bankrupt or insolvent.

It is requisite that one at least of the overseers whose accounts are to be audited, shall personally attend the audit, as well as the assistant-overseer, or collector (if any).

N.B.—It may be convenient for the overseers to know, that according to the arrangements of the audit, the accounts of the within-named parish, township, or place, will not be called for before o'clock in the noon.

Art. 40.—The officers of the Union and the overseers and officers of the Parishes therein, who by law are bound to account to such auditor, shall attend at the time and place appointed by him for the audit of their accounts, and shall submit to the auditor all books, documents, appointments in writing, contracts, bills, orders for payment, receipts and other vouchers containing or relating to their accounts, together with the Banker's Pass Books where the overseers keep their accounts with a banker; and the same shall at the time of the audit be open to the inspection of any owner of property or ratepayer interested in such accounts, but to such extent and in such manner only as will not, in the judgment of the said auditor, interfere with the audit.[1]

When the Local Government Board shall require an auditor to hold an extraordinary audit of the accounts of any Guardians or overseers, or of any officer, whether still continuing or upon his resignation or removal from office, such audit shall be deemed to be an audit within the meaning of the several Acts relating to the audit of the accounts of the poor rate, and may be held after three days' notice thereof given in the usual manner. (29 & 30 Vict. c. 113, s. 6.)

The auditor, who shall be authorized to audit the accounts of any Guardians, overseers, or officers, may at any time, when authorized or required by the Local Government Board so to do, inspect the accounts and books of account of any Guardian, overseer, or any officer liable to account to him; and any such Guardian, overseer, or officer who shall thereupon refuse to allow him to inspect the same, or shall obstruct him in such inspection, or shall conceal any such account or book for the purpose of preventing such inspection, shall forfeit a sum not exceeding five pounds, to be recovered as a penalty under 4 & 5 Will. IV. c. 76, and to be applied to the use of the Parish or Union for which such Guardian, overseer or officer respectively shall act. (29 & 30 Vict. c. 113, s. 7.)

It is necessary that notices and advertisements of special audits to be held under this Article should be given in all respects as in the case of ordinary audits. (7 & 8 Vict. c. 101, s. 33.)

[1] The clerk to the Guardians is not ordinarily an "accounting officer;" but if he be entrusted with money to pay petty cash accounts, he is bound to render an account of his payments, and in so far would be an officer bound to account to the auditor. As to the clerk's petty cash account, see Art. 16, No. 4, *ante*, p. 595.

Amongst other books, the auditor may call for the production of the Overseers' Bankers' Pass Book, for the purpose of verifying the entries in the Collecting and Deposit Book. The Pass Book is not, however, a book of account which the overseers are required to deposit for the inspection of the ratepayers under 7 & 8 Vict. c. 101, s. 33.

With regard to the attendance of the officers at the audit, it is to be observed, as regards the overseers, that the assistant-overseer, if there be one, may attend the audit of the accounts of the overseers on their behalf, but that it is competent for the auditor to require the attendance of one or more of the overseers; and he should, as a rule, require the attendance of at least one of them. If the overseers refuse or neglect to attend, having had due notice or a summons to

Art. 41.—In auditing the accounts, the auditor shall see that they have been kept and are presented in proper form; that the particular items of receipt and expenditure are stated in sufficient detail, and that the payments are supported by adequate vouchers and authority; and he shall ascertain whether all sums received, or which ought to have been received, are brought into account; and he shall examine whether the expenditure is in all cases such as might lawfully be made; and he shall reduce such payments and charges as are exorbitant, shall surcharge moneys not duly accounted for, or lost by negligence, upon the person who ought to account for the same, or

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attend, they are liable to a penalty under 7 & 8 Vict. c. 101, s. 33. He may also allow an overseer to attend by deputy, but he should only do so in exceptional cases. Art. 202, No. 2, of the Consolidated Order, *ante*, p. 383, and this Article, prescribe the clerk's duty in this respect.

Section 98 of 4 & 5 Will. IV. c. 76 enacts that "in case any person shall "wilfully neglect or disobey any of the rules, orders or regulations of the said "commissioners or assistant-commissioners" (now the Local Government Board) "or be guilty of any contempt of the said commissioners sitting as a board, "such person shall, upon conviction before any two justices, forfeit and pay for "the first offence any sum not exceeding five pounds, for the second offence any "sum not exceeding twenty pounds, nor less than five pounds, and in the event "of such person being convicted a third time, such third and every subsequent "offence shall be deemed a misdemeanour, and such offender shall be liable to "be indicted for the same offence, and shall on conviction pay such fine, not "being less than twenty pounds, and suffer such punishment, with or without "hard labour, as may be awarded against him by the Court by or before which "he shall be tried and convicted." The mere absence of a churchwarden from the audit of the poor law accounts of his parish, due notice of which had been given, was held not sufficient in itself to support a conviction for wilful disobedience of the rules of the Poor Law Commissioners under the foregoing enactment. Where, therefore, a churchwarden had taken no part in the poor law administration of the parish, and the churchwardens have not usually attended the audit, and no intimation had been given to them that their absence had interfered with the transaction of the business, and the notice of the audit under 7 & 8 Vict. c. 101, s. 33, contained an intimation that it was "requisite "that one at least of the overseers" should personally attend the audit, the Court held that a churchwarden who failed to attend might reasonably suppose that his attendance was not necessary. *Holgate and another* v. *Brett*, 58 L. T. N.S. 452; 36 W. R. 471; 52 J. P. 661.

The following observations may be appropriately introduced:—The churchwardens and overseers in urban parishes and the overseers in rural parishes [in s. 5 (2a) of the Local Government Act, 1894] make the poor rate, and must collect it themselves or by the duly-appointed collector. If they collect it themselves, each is answerable for the sum which he receives, and this sum he may either keep in his own hands or pay into a banker's at his own risk. If the parish officers agree to keep a joint account at a banker's for this purpose, they may open such account in whatever name they agree upon, and may respectively pay in the money which they individually receive to that account. Parochial accounts are generally kept in the names of the churchwardens and overseers, but there is no law to compel this course to be adopted.

whose negligence or improper conduct has caused the loss, and shall disallow and shall strike out such payments as are contrary to the order, rules, and regulations of the Poor Law Board, or are not otherwise authorised by law.[1]

Art. 42.—When he disallows any payment, or surcharges any sum upon any person, he shall declare the ground of his decision, and offer to state such ground in writing, if required by the person aggrieved to do so, in the proper book of account forthwith, or so soon as the arrangements for the business of the audit will permit.

Art. 43.—He shall examine and collate the several books and papers of account of the several accounting parties, and shall ascertain that the several entries correspond with and balance each other, where such balance may be required; but in the case of any error caused by inadvertence or accident in the account of any officer he may require such officer to correct the same, and such officer shall make the necessary correction, and the auditor shall then deal with the account so corrected. But if such officer shall refuse to do so,

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[1] In strictness, the duty of the auditor under this Article is to ascertain not merely whether the payments for which the officers take credit were directed or sanctioned by proper authority, but also whether the facts of such payments having been made be established by adequate vouchers. (66 O. C. N.S. 68.) The 11 & 12 Vict. c. 91, s. 8, requires notice to be given by the auditor to any person (not being an accounting officer) before he shall surcharge such person in respect of any improper payment which he may have authorised, so that such person having received the notice may appear before the auditor and defend his act. If the notice required by the statute be omitted to be given, any surcharge which the auditor may make upon the person intended to be affected by it will be null and void.

"Disallow and strike out," *per* Mr. Justice Blackburn in *Reg.* v. *City of London Union, Easter Term*, 1862, 26 J. P. 295, "does not mean that you are to draw your pen through it (the item); but it means that you are to express in words that you do disallow it, and cause it to be struck out. It is not requisite to strike out the figures if he (the auditor) writes by the side of them 'disallowed.'"

Section 3 of the Local Authorities (Expenses) Act, 1887 (50 & 51 Vict. c. 72) enacts that:—"Expenses paid by any Local Authority whose accounts are "subject to audit by a district auditor shall not be disallowed by that auditor if "they have been sanctioned by the Local Government Board." The expression "Local Authority" in the Act has the same meaning as in the Local Loans Act, 1875 (Ib. s. 2). It therefore includes any authority having power to levy a rate, the proceeds of which are applicable to public local purposes and leviable on the basis of an assessment in respect of property, or which has authority to issue and enforce any precept or other document requiring payment from some authority or officer of any sum which is, or can be ultimately, raised out of a rate. (38 & 39 Vict. c. 83, s. 34.)

the auditor shall himself make the correction, and report the circumstances of the case to the Poor Law Board.

Art. 44.—He shall compute the several accounts so as to verify the arithmetical accuracy thereof, and the balance due to or from the overseers or the officers rendering the same at the time to which the audit relates ; and he shall state the balance in words at length, and certify the same by his signature or initials, and add the date to the audit, and when he certifies any sum or other matter to be due he shall, as far as practicable, enter his certificate and his reasons for the same (when they are required) in some part of the book of account, which shall be free from other writing.[1]

Art. 45.—He shall at each audit compare the balance sheets hereinbefore directed to be delivered to him by the overseers of every Parish, with the entries in the books of receipts and payments of the overseers ; and having certified by his signature or initials at the foot of such balance sheets that it is in conformity with the said book, shall deliver one duplicate of such balance sheets to the clerk to the Board of Guardians, who shall preserve it, together with the other balance sheets of the same half-year, with the books and papers of the Guardians, and shall deliver the other to the overseers.[2]

Art. 46.—The auditor shall receive any objection made by a ratepayer or any person aggrieved against the accounts undergoing audit, or any item or charge therein, or any vouchers or authority for the same, and shall examine into the merits of such objection and make a decision respecting the same, stating the grounds thereof, and offering to enter the same in the book of account then being examined, if required to do so, as in the case of a disallowance or surcharge.[3]

Art. 47.—If he shall doubt the correctness of any account, or any item or charge in any account, he shall require the officer rendering the account, or any other person holding or accountable for any money, books, deeds, or chattels relating to the poor rates

[1] With regard to the mode of certifying balances, see 11 & 12 Vict. c. 91, s. 5.

[2] See Art. 2, *ante*, p. 582.

[3] The auditor's decision, if it be adverse to the objection, may afterwards be appealed against. See 7 & 8 Vict. c. 101, ss. 35, 36.

or the relief of the poor, to appear before him, and shall call upon such person to produce any accounts, books, or papers which he may lawfully require ; and he shall examine such officer or person as may then appear, and such accounts, books, or papers as may be produced before him, respecting such account, item, or charge.[1]

[1] If it be necessary for the purpose contemplated by this Article that the audit should be adjourned, or if on any other account it should be necessary to adjourn the audit, the adjournment should be to a day certain, and never *sine die*.

The following Table of average waste in the consumption of workhouse provisions in each of certain Unions in the same county may be useful as a guide to what ought to be allowed as waste.

Unions	Waste in the lb.		
	Bread	Butter	Cheese
A	1 oz.	1 oz.	1 oz.
B	1 ,,	1 ,,	1 ,,
C	1 ,,	1¼ ,,	1 ,,
D	1 ,,	1 ,,	1 ,,
E	1 ,,	1 ,,	1 ,,
F	2 ,,	1¼ ,,	1¼ ,,
G	1 ,,	1 ,,	1 ,,
H	1 ,,	1 ,,	1¼ ,,
I	½ ,,	1 ,,	
K	2 ,,	1¼ ,,	1¼ ,,
L	1 ,,	1 ,,	1 ,,
M	1 ,,	2 ,,	1 ,,
N	1 ,,	1 ,,	1 ,,
O	1¼ ,,		
P	2 ,,	1¼ ,,	1¼ ,,
Q	1 ,,	1 ,,	1 ,,
R	1 ,,	1 ,,	1 ,,

Ordinarily, each pound of flour in baking into bread will yield 1 lb. 5½ oz. of bread, and barley-meal will yield 1 lb. 8½ oz. of bread. A sack of flour weighs 280 lbs., and flour of the first quality will produce about 90 to 96 4-lb. loaves per sack. Inferior flour will not produce more than 80 to 86 4-lb. loaves per sack.

According to actual experiments carefully superintended, the following results have been obtained in bread-making in a Union workhouse :—

56 lbs. of barley-meal, when baked, produced 81 lbs. of bread, being an increase of 44·64 per 100 lbs.

28 lbs. of wheat-flour, when baked, produced 35 lbs. of bread, being an increase of 25 lbs. per 100 lbs.

The yield of bread will, however, vary according to circumstances, such as the quality of the flour used, the nature of the oven, and the skill of the baker.

It has been found, taking the aggregate of bakings in Union workhouses in a district, that 1,629 pounds of wheat-flour produced 2,054 lbs. of bread, or an increase of 26·13 per 100 lbs., and that 716 lbs. of barley-meal produced 942½ lbs., or an increase of 31·63 per 100 lbs.

In making allowances for waste, the master should be guided by the results

of actually weighing the food before it is cooked or served out, and not by entering an assumed average allowance for waste. In no case should he compensate errors in his previous accounts by making other erroneous entries for the purpose of neutralizing the errors.

As regards waste in liquids the following extract from a letter from Mr. A. G. Chamberlin, the auditor of the Leicestershire and Nottinghamshire District, will be useful:—

"With reference to waste in liquids, an auditor has some difficulty in arriving at actual waste. Both wines and spirits require closely looking into, and from what information I have been able to gather as to the mode of dealing with waste at different institutions, I am persuaded, there must necessarily be waste, if honestly given out, and I should not hesitate to allow as much as 5 per cent. for ullage, spillage, and evaporation, where claimed by a master whose general administration was honest and careful. In some parts the *ounce* is not strictly adhered to, but a *glass* is the measure given, therefore it is difficult for a hard-and-fast line to be drawn. I would, however, recommend Boards of Guardians to purchase one of Sykes' hydrometers, and to contract for all supplied at a *given strength*, say—

French Brandy	10	under Proof,	at per Gallon.
Irish and Scotch Whisky . .	12	"	"
Rum	12	"	"
Raw Gin	17	"	"

"The master of the workhouse could then *test* the strength of the spirits by such hydrometer at the time of delivery and measuring off at the workhouse, whilst the Guardians or auditor, knowing the quality of spirits contracted for, would be able to test the same at any time they might think it necessary. If brandy is bought at 10 under proof, and is acknowledged by the master to be of that strength when received, but afterwards should be found on testing to be 20 under proof, the auditor would be justified, I take it, in surcharging the master with the 10 per cent. loss, for such loss or diminution can only be accounted for, either by evaporation (through carelessness), or the addition of other fluids, to make up the bulk for brandy which may have been abstracted. The same rule will hold good with other spirits, always taking care that such spirits should be supplied in a raw state, as the introduction of too much saccharine matter prevents the proper action of the hydrometer. All spirits should be kept in a cool cellar, and in stone bottles; the evaporation, of course, is according to the temperature. A pint of spirits bought at the strength already quoted would weigh 18 ounces and measure out 20."

Different modes of accounting by workhouse masters for wine and spirits received and distributed by them are adopted in different places; in some, the account being kept in "bottles," and "glasses," and in others, in "pints" and "ounces." In the latter cases, there is a further diversity of practice, as in some places the "pint" is reckoned to contain 20 "ounces," and in others only 16; moreover, in some Unions the workhouse master, instead of making any claim for waste, accounts only for some number of "ounces," less than 20 to the "pint"; in some Unions 16, in others 18. The practice of accounting for no more than 16 ounces seems to have arisen from the difference between the old wine measure, which was in use before the passing of the 5 Geo. IV. c. 74, and the imperial measure, which was established by that Act. The effect of the practice, however, is to secure an allowance, in lieu of a charge for waste, of 20 or 10 per cent. respectively, where no more than 16 or 18 ounces are accounted for. It is, however, desirable that an uniform system should be adopted, and that the whole of what is received by the workhouse masters should be accounted for, the loss in distribution being entered as waste.

Art. 48.—If the auditor find that any money, goods, or chattels belonging to the Union, or any Parish therein, have been purloined, embezzled, wasted, or misapplied,[1] or that any deficiency or loss has been incurred by the negligence or misconduct of any officer or other person accounting, and shall surcharge[2] such officer or person with such amount or value in his account, he shall submit a statement of such surcharge to the Board of Guardians as soon as he conveniently can do so.

Art. 49.—The auditor, having audited the several accounts in the ledger, shall sign a certificate at the foot of the balance-sheet therein, to the following effect :—

"I have examined the several accounts of which the foregoing is the balance-sheet, and I have compared the several payments credited to the treasurer with the vouchers, and I hereby certify that the entries appear to be correct and legal. And that [when the balance in the treasurer's book does not agree with the balance in the ledger], subject to the explanation below [the difference to be explained at the foot of the certificate], the balance of the treasurer's account, viz., £ , agrees with the balance which by his own book appears to have been in his hands at the time of closing such account ; and I find from the information laid before me that the amount of the outstanding liabilities of the Union at that time was £ .

"Dated . (Signed) *Auditor.*"

And in the other books the auditor shall enter a certificate of his having audited the same, and sign and date the same.[3]

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[1] See 4 & 5 Will. IV. c. 76, s. 97.

[2] See 7 & 8 Vict. c. 101, s. 32.

[3] The certificate at the foot of the account in the Receipt and Payment Book will be a sufficient compliance with this provision as regards that account.

The signature of the auditor may, it seems, be impressed with a stamp. In the case of *Bennett* v. *Brumfitt*, L. R. 3 C. P. 28 ; 37 L. J. C. P. 35 ; 17 L. T. N.S. 213 ; 16 W. R. 131 ; 1 H. & P. 407, where notice of objection to a voter's name being on the register, the signature of the objector was engraved in *facsimile* on a stamp, and impressed on the notice of objection by the objector, *per* Bovill, C. J., "it was clear that such a signature would be a good signature under the statute of frauds and under the Wills Act, and he was of opinion that it was also a good signature under this statute (6 Vict. c. 18, s. 17). The signa-

Art. 50.—The auditor shall, at the close of each audit of the accounts of the Union, transmit to the Poor Law Board statements in the *Forms* in the Schedule (G) hereunto annexed of the books directed by this Order to be kept by the overseers, collectors, and Union officers, showing which is not kept, or is imperfectly kept, or kept in a form different from that prescribed by the Poor Law Board, and shall deliver copies thereof to the Board of Guardians,[1] and shall send to the Poor Law Board a certificate in the form therein contained in respect of each Union, and of the Parishes therein, where he finds that there has been no default.

Art. 51.—The auditor shall, at the close of every audit of the accounts of the Union next after March 25 in every year, transmit to the Poor Law Board a statement, in the *Form* in the said Schedule (G), setting forth the name of each Union officer, collector of poor rates,[2] vestry clerk,[3] and other officer in the Union required to give security, and whether such security, together with any certificate or proof that each of the securities named therein is living, and is not bankrupt or insolvent, was produced to him at such audit, or the security is otherwise in force ; and also in the column headed "observations," stating any defects which he may discover in such securities.

And the auditor shall, at the close of such audit, deliver a copy of such statement to the Board of Guardians.[4]

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ture in every case was made not by the hand alone, but by some instrument. It was written either with a pen or a pencil, or a brush, and he could see no distinction between using a stamp by the personal hand of the maker of the signature, and using a pen or a pencil, or a paint brush. If written with a pencil, it could not be contended not to be his signature, and so if written with a paint brush. It was the act of the party, and to his (the C. J.'s) mind, was his signature." Willes, J., concurred.

[1] The provision which requires the auditors to send to the Board of Guardians copies of these reports, is suspended for the present. See the Suspensory Order, *post*.

[2] This will apply to the bond of an assistant-overseer. (See Art. 60, *post*, p. 629.)

[3] The bond of a vestry clerk appointed under 13 & 14 Vict. c. 57, is not exempt from stamp duty under 4 & 5 Will. IV. c. 76, as it is not an appointment made in pursuance of an order of the Poor Law Board issued under that Act.

[4] Art. 51 is rescinded as regards certain parishes by an Order dated May 5, 1877, *post*, and other provisions made.

By the Order for the appointment of a vestry clerk under 13 & 14 Vict. c.

Art. 52.—The personal representatives of an officer accountable under this Order, dying before the half-yearly audit of his accounts, shall, so far as they may be by law required, account, in conformity with the provisions herein contained, in the place of such deceased officer; and all regulations affecting the accounts of such officer shall, so far as may be otherwise lawful, affect the accounts of the personal representatives of such officer.[1]

Art. 53.—If any person, being clerk to the Board of Guardians, treasurer, master of the workhouse, collector appointed by the Guardians, or relieving or other officer of the said Guardians, accountable under this Order, shall resign his office or be removed therefrom before the audit of his accounts shall have been held and closed, such person shall lay before the Board of Guardians, at a time to be fixed by them, a true and complete account of all moneys, matters, and things committed to the charge of, or collected, received, held, or distributed by, such person on behalf of the Union or any Parish therein, in such form as he would have had to produce them

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57, the Local Government Board require that the auditor of the district comprising the Union shall, in the statement which he may be required by any General Order to transmit to the Local Government Board, of the securities of the officers of the Union, include the name of the vestry clerk for the Parish for the time being (together with the particulars in such General Order required), and shall report thereon to the Board of Guardians of the Union, in like manner as therein set forth with reference to the securities of other officers.

The Local Government Board feel that the Guardians will doubtless take any steps which may be necessary for the protection of the ratepayers from loss in case of any default on the part of the officers, and they therefore have determined in future to leave with them the responsibility of procuring and maintaining proper security from such of their officers as are required either by statute or the regulation of this Board to give bonds. Although the Board do not intend in future to correspond with the Guardians on the subject of the reports made by the auditors respecting officers' securities, they do not propose to dispense with the necessity of your making such report for their information as required by Art. 51 of the General Order of Accounts.—*Circular of Local Government Board*, March 10, 1874.

[1] If an accounting officer die after the audit, the auditor's certificate cannot be enforced; but if there should be default on the part of the officer, so as to operate as a forfeiture of his bond, the loss may be recovered from his sureties. No certificate made against the legal representative of a deceased officer in respect of any disallowance or surcharge can be enforced by the auditor. The auditor should, however, audit such accounts as may be rendered by the personal representatives of the deceased, and certify the balance due upon the face of those accounts, which will be recoverable from the sureties if it be not paid.

before the auditor at the end of the current half-year, if he had so long continued in office ; and shall deliver over all balances, books, papers, matters, and things in his hands to the Board of Guardians, or to the person whom they may appoint to receive the same ; subject always to the liability of such person to account to the auditor at the next audit, and without prejudice to the power of the auditor to allow or disallow the account of such person or any charge therein, or to surcharge him in respect of any charge to which he might be liable.

Art. 54.—Every person voluntarily undertaking to fulfil either wholly or in part the duties of any officer affected by this Order shall, so far as relates to the accounts prescribed by this Order to be kept or presented by any such officer, keep and present such accounts in the same form and manner as any such officer is by this Order directed to keep and present such accounts.

Art. 55.—The clerk shall, at all reasonable times, at the request in writing of any owner of property or ratepayer in the Union, permit him to inspect the statements of the Union or Parish accounts in the possession of the Guardians for the twelve months prior to the last audit.[1]

And in reference to the purchase and custody of books and papers for the accounts, we hereby order and direct as follows :—

Art. 56.—The proper books and papers of account for the clerk, the master of the workhouse, the medical officers, and the relieving and other officers of the Union shall be purchased by the Board of Guardians, and paid for out of their common fund. Those required for the overseers or collector of the Parish shall be paid out of the poor rate of the Parish.

Art. 57.—The books and papers of account belonging to the Guardians in current use shall, except where special provision is otherwise made, remain in the custody of the proper officers accounting, and shall be produced and exhibited at the ordinary

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[1] This Article does not give a right to inspect the books of accounts, but only the *Statements*, and it does not apply to the separate bills and accounts of the Guardians. As to a *mandamus* to inspect parish accounts, see *Ex parte* Briggs, 1 E. & E. 881 ; 28 L. J. Q. B. 272.

meetings of the Guardians, and whenever else the Board of Guardians may require their production, as well as on other lawful occasions.

Art. 58.—The books and papers of the Guardians containing the accounts which are closed shall be deposited for safe custody with such person and at such a place as the Board of Guardians may from time to time direct.[1]

And in reference to the meaning of certain words used in this Order, we hereby order and direct as follows :—

Art. 59.—Whenever the word "overseers" is used in this Order, it shall be taken to mean overseers of the poor and churchwardens, so far as they are authorised or required by law to act in the management or relief of the poor, or in the collection or distribution of the poor rate in any Parish, and to apply to the majority of the whole body of churchwardens and overseers or of the overseers only, as the case may be.

Art. 60.—The term "collector" in the construing of this Order shall be taken to apply to any person appointed under any Act of Parliament, or any Order of the Poor Law Board, to collect the rates for the relief of the poor in any Parish or Parishes, whether such person shall be designated collector of poor rates or assistant overseer, or be called by any other name whatever, or the collector of the Guardians, as the context shall require.

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[1] The Guardians have entire control over the books and papers of the Union, and when they have accumulated to such an extent as to cause inconvenience in finding proper depositories for them, the Guardians may, if they think fit, cause such of them as appear to be of no further use to be sold as waste paper. Care should, however, be taken that no books (such as the Minute Books, Ledgers, Registers, the Relief Lists, the Workhouse Admission and Discharge Books) which may partake of the nature of books of record, and may be required by way of legal evidence at any time hereafter, should be parted with. The clerk has no authority to destroy any of the Union papers without the direction of the Board of Guardians, and such direction should be duly recorded in the best Minute Book, and the papers specifically mentioned in the minute. The best course to pursue in such a case is for the Guardians to appoint a committee of their number, to ascertain, with the assistance of the clerk of the Union, what books and documents should not be longer preserved. All the official correspondence of the Guardians should, however, be carefully preserved; and the most convenient course will be to have such correspondence from time to time bound in volumes, with an index prefixed to each of names and subjects. Where there is a public office provided for the clerk, all the books and documents belonging to the Guardians should be kept there, and not at his own private office or residence.

Art. 61.—Whenever the word "Parish" is used in this Order, or in any other Order issued by the Poor Law Board, it shall be taken to apply to any place for which a separate poor rate shall or can be made, or for which a separate overseer is or can be appointed.

Art. 62.—The word "provisions" shall include all articles of food specified in the Dietary Tables or supplied in rations to the officers and servants of the workhouse, or expressly ordered for any inmate upon the recommendation of the medical officer. The word "necessaries" shall include all articles supplied to any inmate specially, either by way of nourishment or as stimulant, or in bodily relief, which are not entered in the provisions account.

Art. 63.—The word "in-maintenance" shall apply to all the expense incurred in and about the maintenance, treatment, and relief of the paupers in the workhouse, exclusive of the repairs and furniture of the workhouse, and the salaries, remuneration, and rations of the officers and servants, but inclusive of the charges for apprentice fees, outfits, burials,[1] and the necessary expenses incurred in the warming, cleansing, and lighting the workhouse, and otherwise keeping it fit for daily use. The word "out-relief" shall apply to the cost of all relief, schooling, and other expenses incurred in and about the paupers relieved out of the workhouse, exclusive of the salaries of officers and the charges for relief stations.

Art. 64.—Whenever the word "chairman" is used in this Order, it shall be taken to mean any person acting as chairman for the time being.

Art. 65.—Whenever in this Order any article is referred to by

[1] The cost of in-door funerals should be defrayed by the Guardians, and not by the master of the workhouse or relieving officer.

When the Guardians claim repayment from another Union of the cost of relief given to a pauper in the workhouse, such claim should be confined to the cost of "in-maintenance," as defined by this Article.

"Outfits" include whatever clothing is lawfully given to a pauper on quitting the workhouse, whether it consists of an entire suit or of particular articles of dress.

The cost of necessaries entered in the column headed "Consumed on the workhouse" should be charged to in-maintenance, and the cost of the necessaries consumed by the officers and servants should be charged to the account of "Rations," and thence to the common fund.

its number, the Article of this Order bearing the number referred to shall be taken to be signified thereby.

Art. 66.—Whenever in this Order the word importing the singular number or the mascular gender only is used, it shall be taken to include and apply to several persons as well as one, and to females as well as males, unless there be something in the subject or context repugnant to such construction.

Art. 67.—For the purposes of this Order, except where otherwise provided, the year shall commence on the twenty-sixth day of March in every year, and the period of the week shall be deemed to include the seven days which commence on the day of the week in which the meeting of the Board of Guardians is held, unless there is anything in the context inconsistent with such interpretation.

SCHEDULE (A)—Containing the Forms of the Parish

The Rate

Form of heading to the "Rate"

An assessment for the relief of the poor of the Parish of _____ in the County _____ of _____, and for other purposes chargeable thereon, according to law, made this [2] _____ day of _____, in the year of our Lord One thousand eight hundred and _____, after the rate of _____ in the pound.[3]

No.	ARREARS		RATE									
	Due, or if excused	If excused, write the word "excused"	Name of Occupier	Name of Owner	Description of Property rated	Name or Situation of Property	Estimated extent	Gross Estimated Rental	Rateable Value	Rate at _____ in the Pound	Amount of Rate assessed upon and payable by the Owner instead of the Occupier, by virtue of the Statute or Statutes in that behalf	
1	2	3	4	5	6	7	8	9	10	11	12	
	£ *s. d.*						A. R. P.	£ *s. d.*	£ *s. d.*	£ *s. d.*	£ *s. d.*	
						Totals .						

Form of Declaration at the foot of the "Rate"

We declare that, adding the columns 11 and 12 together, the total of the above rate amounts to the sum of _____ pounds _____ shillings and _____ pence.

We, _____ do declare the several particulars specified in the respective columns of the above rate to be true and correct so far as we have been able to ascertain them, to which end we have used our best endeavours: *or* We, the undersigned, do hereby declare that one of us, or some person on our behalf, has examined and compared the several particulars in the respective columns of the above rate with the Valuation List made under the authority of the Union Assessment Committee Act of 1862, in force *in this Parish*, and the several hereditaments are, to the best of our belief, rated according to the value appearing in such Valuation List.

_____, *Overseer.*
_____, *Overseer.*
_____, *Churchwarden.*
_____, *Churchwarden.*

[1] See Art. 1, *ante*, p. 579. In their Circular of Instructions with reference to 32 & 33 Vict. c. 41, the Poor Law Board have suggested a form of Poor Law Book, slightly modified from this Form. For the form of rate prescribed under the Agricultural Rates Act, 1896, see the Schedule V. to the Agricultural Rates Order, 1896, *post*.

[2] The date of the Rate is the day when it is allowed by the Justices (32 & 33 Vict. c. 41, s. 17).

[3] To give effect to Sects. 14 and 15 of 32 & 33 Vict. c. 41, it will be necessary to add to the Title of the Rate which is prescribed by the schedule to 6 & 7 Will. IV. c. 96, the following words, or others to the like effect: "which is estimated to meet all the expenses for the above purposes which will be incurred before the _____ day of _____ next." And if the rate is to be paid by instalments, the following words, or words of similar purport, should be added: "and which rate we declare to be payable by _____ equal instalments [or by the following instalments, that is to say, _____ shillings _____ pence in the pound, and _____ shillings _____ pence in the pound], to be paid respectively at the following dates, that is to say, on the _____ day of _____ and on the _____ day of _____."—*Instr. Letter*, November 23, 1869.

Accounts to be kept by *the Overseers and Collectors.*

Book.[1]

COLLECTION						
			Uncollected at Balancing this Book			
				Irrecoverable at Balancing the Book		
					Otherwise not recoverable	
Recoverable Arrears of former Rates	Total Amount to be collected	Amount actually collected	Recoverable Arrear at Balancing the Book	Amount legally excused	Amount	Causes
13	14	15	16	17	18[1]	19
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	

[1] Rates reduced on appeal under 27 & 28 Vict. c. 39, s. 1, should be inserted in this column, with the necessary explanation in column 19.

As regards hereditaments for which the owners are rated instead of the occupiers, under section 4 of the Poor Rate Assessment and Collection Act, 1869, 32 & 33 Vict. c. 41, the full amount assessable in respect of every rateable hereditament should be shown separately in Column 11. Then, provided there are no recoverable arrears of former rates, the sums which might be entered in Columns 12, 14, 15, and 18, as to each hereditament of an owner, may be grouped together in each column in respect of all such hereditaments for which the owner is liable to pay, as are assessed at the same page of the book. In this way there may be entered in one sum in Column 12 the total amount actually payable by the owner, after making the proper allowance or allowances in respect of the hereditaments for which he is liable to pay, and which are assessed at the same page of the Rate Book; in Column 14 there may be entered the total of the amounts entered in Column 11 in respect of the same hereditaments; in Column 15 the sum collected; and in Column 18 the whole amount of the allowance or allowances to which the owner is entitled in respect of the same hereditaments.

With respect to the mode of filling up the money columns of the Rate Book, so far as regards hereditaments for which the owners are rated instead of the occupiers under Section 4 of the Poor Rate Assessment and Collection Act, 1869, the Local Government Board say that they have recently had the subject again under their consideration, and that they do not think it requisite that the two abatements or allowances to owners, provided for by that section, should be shown separately in the Rate Book. They consider that the full amount assessable in respect of every hereditament should be shown separately in Column 11, and that that amount increased by the arrears of former rates, if any, should also be shown in Column 14, except in a case in which the hereditament is unoccupied, and the owner has not agreed to pay the rate whether it is occupied or not. The entry in Column 15 will then show the amount collected, while in Column 18 may be entered the whole amount of the allowance or allowances to which the owner is entitled.

*** Under the 43 Eliz. c. 2, it is necessary that an actual majority of the churchwardens and overseers should sign the rate, and it seems from *Baker*, app. *Lock*, resp. 34 L. J. C. P. 49; 11 Jur. N.S. 65; 18 C. B. N.S. 52; 1 H. & P. 137; 11 L. T. N.S. 567; 13 W. R. 258, that an assistant-overseer appointed under 59 Geo. III. c. 12. s. 7, may sign the rate as one of the overseers if he be appointed by the vestry to perform all the duties of the overseers. It will, however, be best in all cases that a majority of the churchwardens and overseers should sign the rate. See 25 & 26 Vict. c. 103, s. 28, and 27 & 28 Vict. c. 39, s. 11, with regard to the declaration to be added to the rate by the overseers of parishes outside the metropolis, and 32 & 33 Vict. c. 67, s. 73, with regard to the declaration to be added to the rate by the overseers of parishes within the metropolis. As to the appointment of assistant-overseers, *see* now 56 & 57 Vict. c. 73, ss. 5, 19, & 33.

*** With regard to the form of poor rate in the metropolis, see the General Order dated March 3, 1871, *post*.

Overseers' Book of

_____ UNION.

The Overseers' Account for the Half-year

RECEIPTS

Dates	Items	£ s. d.	Total £ s. d.
	Memorandum.[1]		
	Rate allowed on _____ day of _____ on £ _____ at _____ per £1 . . .		
	Arrears brought forward		
	Total		
	Amount of Rates legally excused . .		
	,, ,, not recoverable . .		
	,, collected		
	Balance		

[1] Here insert the amounts of the rates made during this half-year.

We declare the entries in the above Account and Memorandum hereunto subscribed our names, this

I find the Balance of this Account to be _____ pounds, *as the case may be*) the Churchwardens and Overseers *or* the Over- their successors before this day.

Dated _____

NOTE.—This Account, as well as the Rate Book and other Accounts of the days at least before the day fixed for the Audit. (See 7 & 8 Vict. c. 101, s.

Receipts and Payments.[1]

Parish of _____

ending the _____ day of _____ 18____.

PAYMENTS			
Dates	Items		Total
		£ s. d.	£ s. d.

to be true, just, and complete ; and in verification thereof we have

day of _____, 18 .

_____ } *Churchwardens.*
_____ }

_____ } *Overseers.*
_____ }

_____shillings, and _____ pence, against (*or* in favour of,

seers, of which sum I find that _____ has been paid by them to

_____ *Auditor.*

Overseers, must be made up and balanced and deposited for inspection seven clear
33).

[1] See Art. 1, *ante*. p. 579.

Balance Sheet of Overseers' Receipts and

_____ UNION.

RECEIVED	£	*s.*	*d.*
Balance (if any) against the Overseers at the end of the last Half-year, when the same has not been paid to the Treasurer of the Union			
From the Poor Rate			
Received in aid of the Poor Rate :—			
£ *s.* *d.*			
Total received			
Balance (if any) in favour of the Overseers at the end of this Half-year			

Signed this_____ day of_____

I hereby certify that this Balance Sheet is correct.

This _____ day of_____

* The Overseers who are appointed at Lady-Day cannot legally pay any sums of rate due out of which such sums can be paid; but they may pay any debts con-due within three months prior to the termination of the year of office of such im-

Payments for the Half-year ended _____ 18____ .[1]

Parish of _____

PAID	£	s.	d.
Balance (if any) in favour of the Overseers at the end of the last Half-year *			
Contributions paid to the Treasurer of the Union . . .			
Separate Expenditure :—			
County, Borough, Hundred, or Police Rate paid by Overseers .			
Constables' Expenses			
Other smaller payments :—			
£ s. d.			
Total expended			
Balance (if any) against the Overseers at the end of this Half-year*			

_____ _____ } *Churchwardens.*

_____ } *Overseers.*

_____ *Auditor.*

which may seem to be due to their predecessors, unless there be any arrears tracted for by their immediate predecessors, and not discharged which fell mediate predecessors.

[1] See Art. 2, *ante*, p. 582.

Rate Receipt Check Book.[1]

This part is to be retained by the Overseers.

_____ UNION. No.—

NOTE.

Parish of _____

the ____ *day of* ____ 18__.

M _____

Rate made on the

day of _____

_____

Arrear £ _____

_____

£ : :

_____ UNION. No.—

RECEIPT.

Parish of _____ *the* _____ *day of* _____. 18__

Received of _____

the sum of _____

in respect of the Poor Rate of the above Parish, viz.:—

	£	*s.*	*d.*
Rate made the ____ *day of* ____ 18__, *on £* ____ *Assessment at* ____ *in the Pound*			
Arrear of former Rate			
Total			

(*Signed*) _____

_____

_____ UNION. No.—

DEMAND NOTE.

Parish of _____

Mr. _____

_____ *Street.*

The Overseers of the Poor demand payment of the Poor Rate, made the _____ *day of* _____ 18__, *and of the arrears of former Rates as below, now due from you.*

	£	*s.*	*d.*
Amount of Rate at ____ *in the Pound* .			
Arrears . . .			
Total .			

[2] *Particulars of the Rate or purposes for which the above Rate has been made at* ____ *in the Pound respectively.*

(*Signed*) _____

_____

[1] See Art. 3, *ante*, p. 583. If the poor rate be made to meet a contribution order of the Guardians and for general purposes, it will suffice to state that fact. It is not necessary to specify the amount in the £ to meet the contribution order. The rate in the £ required to meet a Highway precept should be stated separately. Owing to the division in the valuation list of hereditaments in the same occupation which has been made in consequence of the Agricultural Rates Act, 1896, the Local Government Board have issued an Order prescribing an altered form for the Rate Receipt Check Book and Demand Note to be used in every Parish in England and Wales in which is comprised agricultural land as defined by that Act, and in which a Rate Receipt Check Book is in use. (See the General Order of April 13, 1897, *post*. See also with regard to the form of Demand Note for payment of poor rate prescribed in consequence of Section 11 (5) of the Local Government Act, 1894, and the General Order of September 21, 1895.)

[2] State how much for Relief of the Poor, for County or Borough Rate, for Highways, and other matters.

Form of Certificate to be Signed by the Overseers.

We, the Overseers of the Poor of the (Parish or Township aforesaid) do hereby certify that we have examined this Receipt Check Book and have ascertained the correctness of the numbering and the correspondence of the sums and names in such receipts with the Rate Book, and we certify that the number of Receipts in this Book so filled up for this Rate amounts to :—[1]

Dated this _____ *day of* _____

(Signed) _____

_____

Overseers.

[1] Here state the number in words at length.

The Instalment Rate Receipt Check Book.[1]

This part is to be retained by the Collector.

_____ Union.

NOTE.

—— No.*

Parish of _____

the _____ *day of* _____ 18 .

Mr. _____

on account of Poor Rate.

£ _____

See Memorandum on the Note in the Rate Receipt Check Book.

_____ Union.

INSTALMENT RECEIPT.

—— No.*

Parish of _____ *the* _____ *day of* _____ 18 .

Received of _____

the sum of _____

on behalf of the above Parish, on account of Poor Rate now due.

£ _____

(Signed) _____

Collector.

* These numbers must correspond. They are not to be necessarily the same as in the Rate Receipt Check Book.

With regard to this Form of Receipt, see the Instructional Circular of the Poor Law Board, *ante*, p. 583.

[1] See Art. 7, *ante*, p. 586.

Terrier of Lands and Tenements belonging to the Parish of _____
in the _____ *Union.*[1]

Name of the Estate	Tenure of the Estate	Name of the Parish or Place where situate	Name of Tenant or Occupier	Yearly Rent	Present Application of Rents	Date of Original Gift, or Conveyance and Trusts thereof	Incumbrances on the Estate	Remarks	Signature of Overseers and Date of Signing

Inventory of Stock, Moneys, and Effects belonging to the Parish of _____
in the _____ *Union.*[1]

Amount of principal Fund	Nature of Security in which invested	Amount of Yearly Income	Present Application of Income	Date of Original Gift or Assignment, and Trust thereof	Trustees in whose Names now standing	Remarks	Signature of Overseers and Date of Signing

[1] See Art. 5, *ante*, p. 585.

The Collecting and Deposit Book.[1]

_____ Union. Parish of _____

_____ Collector.

RECEIPTS								DEPOSITS			
From Rate				From other Sources							
Date of Receipt	Date of the Rate, and that of the Arrears, if any	No. of Receipt in full, or of Instalment	Amount	Date	On what Account, and from whom received	Amount	Total *	Date	Initials of the Overseer with whom deposited	With whom deposited, or to whom paid	Amount
			£ *s.* *d.*			£ *s.* *d.*	£ *s.* *d.*				£ *s.* *d.*

* When the Collector deposits or pays any sum, he shall carry out the Total in this column against the entry of the sum in the Deposits; and when he deposits money with the Overseer he shall request him to insert his initials in the proper column.

[1] See Art. 10, *ante*, p. 588.

T T

The Collector's Monthly Statement.[1]

_____ Union. Parish of _____ Month of _____ 18___.

Drs. — The Ratepayers in account with the Collector. — *Crs.*

	£ s. d.		£ s. d.
Recoverable Arrears, as per last month's Statement . .		Amount of Rates collected since last month's Statement . .	
Amount of Rate allowed on the———day of . .		„ legally excused	
		„ irrecoverable	
		„ recoverable	
Total		Total	

Dr. — The Collector in account with the Overseers. — *Cr.*

	£ s. d.	Initials of the Overseer*		£ s. d.
Balance (if any) in the Collector's hands at the end of last month			Amount deposited with the Overseers . . .	
Amount of Rates collected since			Or their Banker	
			Amount paid to the Treasurer by direction of the Overseers	
Other sums than Rates collected since (viz.) . . .			Amount paid to any other authority with the like Direction	
			Balance (if any) in the Collector's hands . .	
Total			Total	

Moneys due in aid of the poor rates, but not yet collected.

£ s. d.

Dated _____ 18___.

Received the _____ day of _____ 18___.

_____ *Collector.*

_____ *Clerk to the Guardians.*

or _____ *Overseers* (as the case may be).

The Statements received by the Overseers are to be preserved by them, and those received by the Guardians are to be preserved by the Clerk, and all are to be laid before the Auditor.

* Place for the Initials of the Overseer who, having received the money, receives this Statement from the Collector.

[1] See Art. 11, *ante*, p. 588.

The Collector's Unpaid Rates Statement.[1]

_____ UNION.

Parish of _____

Showing the number of rates made during the half-year last ended, with dates of their allowance, and the names of the parties rated to the relief of the poor who are in arrear in respect of the under-mentioned rates made previous to and during the half-year ended (Lady *or* Michaelmas) Day immediately before that in course of collection on that day.

The number of poor rates allowed during the half-year ended at _____ last _____ [ ].

Dates of the allowances _____

NAMES OF PERSONS IN ARREAR.

Date of the Rate.	Number in Rate Book.	Name of the Person Assessed	Amount of Rates.	Reason why not paid.
			£ *s.* *d.*	

Dated _____ 18___. _____ *Collector.*

Shown to me this _____ day of _____ 18___.

_____ } One of the Overseers of the Parish aforesaid.

And to me this _____ day of _____ 18___.

_____ *Auditor.*

If the collector should be provided with a list of persons legally excused by a written order of the Justices, and whose names have been duly struck out of the rate by such Justices, in conformity with the Statute 54 Geo. III. c. 170, s. 11, with the numbers placed in the rate books against their names, it will be sufficient for him to fill up the last four columns of this Form, by inserting the total amount excused from each rate, and the total amount of the corresponding rateable value; and it will not be necessary to insert the numbers or the names of the persons so excused.

[1] See Art. 12, *ante*, p. 589.

The collector's Unpaid Rates Statement should contain a statement of the receivable arrears of poor rate, and of the amount irrecoverable at the time of balancing the rate book, including the abatement to owners under Section 4 of the Assessed Rates Acts, according to the instructions contained in the Circular of the Poor Law Board, dated November 23, 1869.

SCHEDULE (B.)

Containing the General Accounts of the Union, to be kept by the *Clerk to the Board of Guardians.*

The General Ledger.[1]

_____ UNION. _____ PARISH.

Fo._____ *Dr.* CONTRA. *Cr.* Fo. _____

Date	Folio of Minute Book	Folio of corresponding Credit	Corresponding *Credit* and Items	(1)	Totals	Date	Folio of Minute Book	Folio of corresponding Debit	Corresponding *Debit* and Items	(2)	Totals
			To	£ s. d.	£ s. d.				*By*	£ s. d.	£ s. d.

(1) When to any account any sum is debited, part of which is credited to one account, and the remainder to another or others, the several sums so credited are to be written in this column, and their total in the next column. The several accounts to which such parts are credited to be written against them respectively, together with the requisite explanation in the column for "Corresponding Credit and Items."

(2) When to any account any sum is credited, part of which is debited to one account, and the remainder to another or others, the several sums so debited are to be written in this column, and their total in the next column. The several accounts to which such parts are debited to be written against them respectively, together with the requisite explanation in the column for "Corresponding Debit and Items."

[1] See Art. 16, *ante*, p. 593.

Parochial Ledger Account.[1]

_____ Union. Parish of _____ Half-year ended _____ 18 .

Fo. _____ *Dr.* *Cr.* Fo. _____

Date	Folio of Minute Book	Folio of corresponding *Credit*		Totals	Date	Folio of Minute Book	Folio of corresponding *Debit*			Totals
				£ s. d.					£ s. d.	£ s. d.
			To Balance against the Parish brought forward . . .	. .				By Balance in favour of the Parish brought forward .		
			Contribution to the Common Fund apportioned on the—— day of——* . . .					Payment to the Treasurer of the Union		
			Instalment of Workhouse Loan Interest					" "		
			County Rate					" "		
			Other separate Charges stated in detail, as follows :—					" "		
								Payment on Auditor's Certificate ordered to be Credited to the Parish . . .		
								Income from Parish Property, viz. :—		
								Other Receipts or Credits stated in detail, as follows :—		
			Balance in favour of the Parish					Balance against the Parish .	. .	

* This should be the date of distribution at the end of the Half-year.

[1] See Art. 16, *ante*, p. 593.

The Relief Order Book.[1]

_____ UNION.

Quarter ending _____ 18 .

No. in the Application and Report Book (if any)	Name of Applicant	Name of Relief District	Where Resident	Relief ordered or allowed by the Board of Guardians				For what Time ordered or allowed	Other Orders of the Board (if any)
				Amount in Money		In Kind			
						Quantity and Description	Value		
				s.	*d.*		*s.* *d.*		

Dated this _____ day of _____ 18 ,
being for the _____ Week of the Quarter.

_____ *Clerk.*

[1] See Art 16, *ante*, p. 594. Every pauper admitted provisionally into the workhouse under Art. 88 of the Consolidated Order, *ante*, p. 264, will remain there until the Board of Guardians give further directions. Consequently a pauper so admitted will be reported to the Guardians at their next meeting after his admission, and if the Guardians order him to continue in the workhouse, or order him to be discharged, their order in that respect will appear in the last column of the Relief Order Book, and also in the relieving officer's Application and Report Book, if the admission of the pauper took place on his order. So also any order which the Guardians may make under Art. 90 (*ante*, p. 273) as to the continuance of any pauper in the workhouse should be entered in the Relief Order Book.

The Order Cheque Book.[1]

_____ Union.

No.*_____ 18 .
Mr.†_____
†

(*Signature.*)

No.*_____ 18 .
Mr.†_____
Please to †

(*Signature.*)

The Particulars and Prices of the Goods or Work are to be inserted, and the Invoice or Account returned when the Order is executed.

* This No. may be consecutive for a quarter of the year, or for the half-year, or for the year, as the Guardians shall direct. Where no direction is given, it shall continue for the whole year.

† Insert in these spaces the name of the Tradesman, the goods to be supplied, and the place at which they are to be delivered, or the work is to be done, as the case may be.

Note.—This Order, with the Invoice or Account in blank, is to be detached from the note thereof, and sent to the Tradesman; the Order is to be kept by the Tradesman, and the Invoice or Account returned when the Order is completely executed; a ticket being sent containing the like entries with every delivery, when there is more than one.

* _____ 18 .

To the Guardians of the _____ Union.

Drs. To †_____

Date.	Articles supplied or Work done.		£ s. d.
	Total . . . £		

No._____§

Exd. and Entd._____ *Master.*

_____ 18 .

Correct_____ *Clerk.*

§ This No. must be entered by the master according to the order of the receipt and be consecutive as in the Note * in the Order Cheque Book.

[1] See Art. 16, *ante*, p. 594.

The Parochial List and Statement of Account.[1]

_____ Union. Parish of _____

List of Paupers who were admitted into the Workhouse from this Parish, or who resided in it while relieved, together with a statement of the Amounts respectively credited and debited to the Parish, in the Union Accounts for the Half-year ending _____ 18 .

IN-DOOR POOR.			OUT-DOOR POOR.						
							Relief given to each Pauper during the Half-year		
No. in List (if any)	Names of the Paupers	No. of days' Maintenance	No. in List (if any)	Names of the Paupers	Where Resident	Cause of requiring Relief	In Money	In Kind	Medical Relief only
							£ *s.* .	*s. d.*	

_____ *Master.* _____ *Relieving Officer.*

Dr.	£ *s. d.*	*Cr.*	£ *s. d.*
Balance against the Parish, brought forward . . .		Balance in favour of the Parish, brought forward . . .	
Contribution to the Common Fund, apportioned _____ day of _____		Contributions and other Moneys paid to the Treasurer of the Union upon Orders of the Guardians	
Instalment of Workhouse Loan, duly apportioned . . .		Payments upon Disallowances or Surcharges made by the Auditor and directed by the Guardians to be applied to the credit of the Parish	
Interest		Income from Parish Property (viz.)	
County Rate		Other Receipts or Credits (viz.)	
Other separate Charges		Balance against the Parish	
Balance in favour of the Parish			

Dated this _____ day of _____ 18 . _____ *Clerk.*

[1] See Art. 34. *ante*, p. 614. In the Order this Form follows the Financial Statement ; but for convenience of printing it is placed on this page.
As to the first part of this Form, see also the General Order of February 14, 1878, as to the printing and circulating of Weekly Lists of Paupers in the Metropolis.

_____ UNION.

Statement of the Numbers of the several Classes of Paupers relieved in the Half-year ended _____ 18 .[1]

| Name of the Parish * | IN-DOOR: Number of the several Classes of Paupers in the Workhouse (not including Classes 14, 15, 16, and 17) — Able-bodied and their Children: Adults: Married Couples: Males | Females | Other Males | Other Females | Children under 16 of Able-bodied Inmates: Illegitimate Children | Other Children | Not Able-bodied: Adults: Married Couples: Males | Females | Other Males | Other Females | Children under 16: Of Parents not Able-bodied being Inmates: Illegitimate Children | Other Children | Orphan or other Children relieved without Parents | Lunatics, Insane Persons, and Idiots: Males | Females | Children under 16 | Summary of the preceding Columns: Adults: Males | Females | Children under 16 | Total | Vagrants relieved in the Workhouse ** | Total | OUT-DOOR: Numbers of the several Classes of Paupers relieved out of the Workhouse (not including Classes 22, 23, 24, and 25). Able-bodied, or the families of Able-bodied: Adult Males (married or single) relieved in cases of sudden and urgent Necessity | Adult Males (married or single) relieved on account of Illness or Accident to their own Sickness, Accident, or Infirmity | Adult Males relieved on account of Sickness, Accident, or Infirmity, of any of the Family, or of a Funeral | Adult Males (married or single) relieved on account of want of Work or other similar causes | Families of Adult Males, the Children under 16 being resident with the Father: Wives | Children under 16 | Widows | Children under 16 dependent on Widows | Single Women without Children | Illegitimate Children and their Mothers: Mothers | Children | Families relieved on account of Parent being in Gaol, &c.: Wives | Children | Families of Soldiers, Sailors, and Marines, relieved: Wives | Children | Resident Families of other non-resident Males Relieved: Wives | Children | Not Able-bodied: Males | Females | Children under 16 relieved with Parents | Orphans or other Children under 16 relieved without Parents | Lunatics, Insane Persons, and Idiots: Males | Females | Children under 16 | Summary of the preceding Columns of Out-door Paupers: Adults: Males | Females | Children under 16 | Total | Vagrants relieved out of the Workhouse | Total relieved out of the Workhouse | Gross Total, being the sum of Columns A and B |
|---|---|---

Sch. B.

Statistical Statement.

_____ UNION.

Statement† of the Numbers of the several Classes of Paupers relieved in the Half-year ended _____ 18 .

PARISHES*	IN-DOOR: Numbers of the several Classes of Paupers in the Workhouse (not including Classes 14, 15, 16, and 17) — Able-bodied and their Children: Adults: Married Couples: Males	1
	Females	2
	Other Males	3
	Other Females	4
	Children under 16 of Able-bodied Inmates: Illegitimate Children	5
	Other Children	6
	Not Able-bodied: Adults: Married Couples: Males	7
	Females	8
	Other Males	9
	Other Females	10
	Children under 16: Of Parents not Able-bodied being Inmates: Illegitimate Children	11
	Other Children	12
	Orphans or other Children not relieved without Parents	13
	Lunatics, Insane Persons, and Idiots: Males	14
	Females	15
	Children under 16	16
	Summary of the preceding columns: Adults: Males	—
	Females	—
	Children under 16	—
	Total	—
	Total relieved in the Workhouse	17
	Vagrants relieved in the Workhouse	A.
	OUT-DOOR: Numbers of the several Classes of Paupers relieved out of the Workhouse (not including Classes 22, 23, 24, and 25). Able-bodied, or the families of Able-bodied: Adult Males (married or single) relieved on account of sudden and urgent Necessity	1
	Adult Males (married or single) relieved on account of their own Sickness, Accident, or Infirmity	2
	Adult Males, relieved on account of Sickness, Accident, or Infirmity of any of the Family, or of a Parent	3
	Adult Males (married or single) relieved on account of want of Work, or other causes	4
	Families of Adult Males (in Columns 1, 2, 3, and 4, resident with the Father: Wives	5
	Children under 16	6
	Widows	7
	Children under 16 dependent on Widows	8
	Single Women without Children	9
	Illegitimate Children and their Mothers: Mothers	10
	Children	11
	Families relieved on account of Parent being in Goal, &c.: Wives	12
	Children	13
	Families of Soldiers, Sailors, and Marines, relieved: Wives	14
	Children	15
	Resident Families of other non-resident Males relieved: Wives	16
	Children	17
	Not Able-bodied: Males	18
	Females	19
	Children under 16 relieved with Parents	20
	Orphans and other Children under 16 relieved without Parents	21
	Lunatics, Insane Persons, and Idiots: Males	22
	Females	23
	Children under 16	24
	Summary of the preceding columns of Out-door Paupers: Adults: Males	—
	Females	—
	Children under 16	—
	Total	—
	Vagrants relieved out of the Workhouse	25
	Total relieved out of the Workhouse	B.
	Gross Total, being the sum of Columns A. and B.	C.
	Deduct Persons relieved, both In-door and Out-door, and included twice in Column C.; also Persons whose relief has been transferred to the Non-settled Poor Account	‡
	Net Total of Persons relieved	¶
Total . . .		
Lunatics in Asylums, Licensed Houses, and Registered Hospitals		
Paupers in Hospitals out of the Union		
Children in Certified or Licensed Schools		
Non-resident Paupers .		
Total . . .		
As compared with the corresponding Half-year of last year . Increase		
As compared with the corresponding Half-year of last year . Decrease		
The No. of each Class relieved on the 1st of		

FIRST QUARTER — NAMES OF WORKHOUSES	Classes of Paupers in each Workhouse	No. of In-door Paupers in each at the commencement of the Quarter	No. of Births in the Quarter in each	No. admitted during the Quarter in each	No. discharged during the Quarter in each	No. of Deaths during the Quarter in each	No. of In-door Paupers at the end of the Quarter in each

SECOND QUARTER — NAMES OF WORKHOUSES	Classes of Paupers in each Workhouse	No. of In-door Paupers in each at the commencement of the Quarter	No. of Births in the Quarter in each	No. admitted during the Quarter in each	No. discharged during the Quarter in each	No. of Deaths during the Quarter in each	No. of In-door Paupers at the end of the Quarter in each

No. of different Cases attended by the Medical Officers in each District and in the Workhouse in the Half-year

Name of the Medical Officer	District or Workhouse	Number of cases

Dated this _____ day of _____ 18 . _____ *Clerk.*

Dated this _____ day of _____ 18 . _____ *Auditor.*

† This Statement is to be made up from the 'Pauper Classification Book,' and must show the number of Persons relieved in the Half-year both in and out of the Workhouse, including those who have received Medical Relief only. Lunatics, Paupers in Hospitals, Children in Authorised Schools, and Non-Resident Paupers must be ascertained from the Minute Book, or the accounts in the Ledger relating thereto, if shown by the Relieving Officer's accounts.

* This column must contain the names of the Parishes from which the Paupers have been admitted into the Workhouse, or in which the Paupers were residing when they first received relief during the half-year.

‡ This column is to contain the total numbers to be deducted from the gross total for each Parish.

¶ This column is to contain the net total for each Parish.

[1] See Art. 30, *ante*, p. 612.

_____ Union.

Statement of Account, showing the Receipts, Expenditure, Balances, and Liabilities for the Half-year ended _____ 18 __.[1]

PARISHES	Balance in favour of each Parish at the commencement of this Half-year	Receipts: Contributions paid during this Half-year	Receipts: All other Receipts	Balance against each Parish at the end of this Half-year	Total	Balance against each Parish at the commencement of this Half-year	Expenditure: Common Charges	Expenditure: Separate Charges	Expenditure: Workhouse Loan and Interest repaid *	Expenditure: County Rate	Balance in favour of each Parish at the end of this Half-year	Total	Amount of the Rateable Value upon which the Contributions have been calculated
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Total . . .													
Common Fund Receipts:—				£ s. d.									
Gross Total . .													
Expenditure of corresponding half of last year .													
As compared with Expenditure of corresponding half of last year: Increase													
As compared with Expenditure of corresponding half of last year: Decrease													

Particulars of Common Charges	£ s. d.
In-maintenance	
Out-relief (including Non-resident Relief)	
Paupers in Hospitals and Schools	
Lunatics in Asylums, Registered Hospitals, or Licensed Houses	
Criminal Lunatics	
Salaries or other Remuneration of Officers	
Officers' Rations	
Superannuation Allowances	
Extra Medical Fees	
Emigration	
Vaccination	
Registration	
Legal Expenses	
Other Charges: ‡	
Total	

Outstanding Liabilities of the Guardians at the end of the Half-year[1]		
Creditor's Name or Description	Description of the Claim †	£ s. d.
Liabilities at the end of the corresponding half of last year		
As compared with the Liabilities at the end of the corresponding half of last year: Increase		
As compared with the Liabilities at the end of the corresponding half of last year: Decrease		

* Apportioned according to the averages at the time when the Loan was effected (but now see 32 & 33 Vict. c. 45, s. 4, *and* note (9) *ante*, p. 592).

† In cases of outstanding Loans the Balance of the Principal and the Interest, if any be due, should be entered separately.

‡ These are to be set out in as much detail as can be conveniently adopted.

_____ *Clerk.* _____ day of _____ 18

_____ *Auditor.* _____ day of _____ 18

[1] See Art. 30, *ante*, p. 612.

* Workhouse Loans remaining unpaid, as well as instalments and interest in arrear, should be inserted.

SCHEDULE (C.)

Containing the Book to be kept by the *Collector of the Guardians.*[1]

Form of Collector's Book.

_____ UNION.

RECEIPTS					PAYMENTS TO THE TREASURER		
Date	No. of Receipt	From whom received	On what account	Amount	Date	On what account	Amount
				£ s. d.			£ s. d.

Form of Collector's Receipt.[1]

No.

_____ *Union.*

_____ *day of* _____ 18 .

For _____

_____

£ _____

This part to be retained by the Collector.

_____ *Union.*

_____ *day of* _____ 18 .

Received of _____

the sum of _____

on behalf of the above-named Union in respect of _____

_____

£ _____

(*Signed*) _____

Collector for the said Union.

[1] See Art. 17, *ante*, p. 596.

SCHEDULE (D.)

Containing the Form of the Treasurer's Book.[1]

_____ UNION.

Account of Receipts and Payments on behalf of the Guardians of the Union for the Half-year ended _____ day of _____ 18 .

_____ *Treasurer.*

RECEIPTS				PAYMENTS			
Date	From whom[2]	On what Account	Amount	Date of Payment	Date of Order	Name of Payee	Amount
			£ s. d.				£ s. d.

Signed this _____ day of _____ _____ *Treasurer.*

Note.—This account is to be balanced at the end of every quarter, and the balance signed by the Treasurer.

[1] See Art. 18, *ante*, p. 596.

[2] "From whom" refers to the name and description of the person who pays the money, and "On what Account" the account on which it is paid, *i.e.*, on account of a contribution order, or a certificate of the auditor, or otherwise. The name of the overseer (as well as the name of the Parish) from whom the money is received should be entered in the column headed "from whom" of the Treasurer's Book.

SCHEDULE (E.)

Containing the Forms of the Workhouse Accounts to be kept by the *Master of the Workhouse.*

The Inventory Book.[1]

_____ Union. _____ *Master.*

Date of Entry	*						Articles transferred, condemned, or disposed of		
	Fixtures	Furniture	Utensils	Bedding †	House Linen †	Other Effects	Date	Notes of Articles transferred to other parts of the House	Notes of Articles condemned, or disposed of

* A separate page is to be devoted to each office, room, or apartment, and in this space is to be inserted the name of the office, room, or apartment to which the page is appropriated.

† Under the head "Bedding" are to be entered mattresses, beds, blankets, sheets, and rugs; and under "House Linen" are to be entered tablecloths and towels.

A blank space should be left at the end of the account for each apartment or division for the insertion of new articles.

Notes of articles transferred to other parts of the house, condemned, or disposed of, should be made as soon as the same takes place, and the new purchases should be punctually entered so as to represent the exact state of the house in reference to the articles to be entered in this book at all times.

[1] See Art 19 (1), *ante*, p. 596.

Admission and Discharge Book.[1]

UNION. *Master of the Workhouse at*

ADMITTED																DISCHARGED													
Day of the Month	Day of the Week	Next Meal after Admission	Name	Calling, if any	Religious Persuasion	When born	Class for Diet.*									Number affixed to the Pauper's Clothes	Parish from which admitted †	By whose Order admitted	Date of the Order of Admission	If born in the House, Name of Parent	Observations on Condition at the time of admission, and any other General Remarks	Date	Day of the Week	Last Meal before Discharged	Name	Class for Diet *									How discharged; and if by Order, by whose Order	In case of Death say "Dead"	Observations and General Character and Behaviour in the Workhouse
							1	2	3	4	4a	5	6	7	8	8a	9																				

When a Pauper is admitted before breakfast, the Master is to enter in the column for "Next meal after admission" the letter B; when before dinner, the letter D; and when before supper, the letter S. And when a Pauper is discharged after breakfast, the Master is to enter in the column for "Last meal before discharge" the letter B; when after dinner, the letter D; and when after supper, the letter S.

* The columns "Class for Diet" are to be filled up by the figure 1. The Classes should correspond with the Classes of the Diet Table in use in the Workhouse. The columns 4a and 8a are for the children.

† Unless the Guardians require the Vagrants to be entered in another book, the word "Vagrant" must be entered in this column against every person admitted as a Vagrant instead of the name of the Parish.

[1] See Art. 19 (2), *ante*, p. 597.

Admission and Discharge Book for Vagrants.[1]

Master of the Workhouse at _____

ADMITTED						Where he slept last night	DISCHARGED					Whether searched on admission, and if so, what, if anything, found †
Day of the Month	Day of the Week	Hour of Admission	Names of Vagrant, wife, and family	Age	Calling or Occupation		At what hour of the next day discharged *	Whether set to work	If not, why ?	What work done	To what place going	

* *Note.*—When a Vagrant has remained in the Vagrant Ward for 24 hours, and is not then discharged, or when he is sooner removed into the ordinary wards of the Workhouse, he should be forthwith duly entered in the Workhouse Admission and Discharge Book.

† See the Provision in the Statute 11 & 12 Vict. c. 110, s. 10.

In Unions within the Metropolis, columns must be added for *the nature and quantity of food given*, and *the cost.*

[1] See Art. 19 (2), *ante*, p. 597.

In-door Relief List for the

_____ Union. Half-year ending _____ 18 .

Able-bodied and their Families (exclusive of Vagrants)						Not Able-bodied and their Families (exclusive of Vagrants)							Lunatics, Insane Persons, and Idiots			Calling of Paupers	When born	Of what religious persuasion
Adults				Children under 16 of Able-bodied Inmates		Adults				Children under 16								
Married Couples		Other Males	Other Females	Illegitimate	Other Children	Married Couples		Other Males	Other Females	Of Parents (not Able-bodied) being Inmates		Orphans or other Children relieved without their Parents	Males	Females	Children			
Males	Females					Males	Females			Illegitimate	Other Children							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16			
																Totals of each Class		

1. The columns for the classification of the Paupers are to be filled by inserting the figure 1 in the proper column opposite each name, and leaving all the rest blank.

2. Whenever, in this Relief List, two or more persons of the same name occur, the Master of the Workhouse shall annex to the name of each of such persons a number in brackets, to distinguish him from other persons of the same name.

[1] See Art. 19 (3), *ante*, p. 597, and the General Order of the

Parish of *_____ [1]

Master of the Workhouse at _____

Name of Pauper.	Number of Days in the House in each Week.																									Totals for the Half-year.
	1st Week.	2nd Week.	3rd Week.	4th Week.	5th Week.	6th Week.	7th Week.	8th Week.	9th Week.	10th Week.	11th Week.	12th Week.	13th Week.	14th Week.	15th Week.	16th Week.	17th Week.	18th Week.	19th Week.	20th Week.	21st Week.	22nd Week.	23rd Week.	24th Week.	25th Week.	26th Week.	27th Week.	
Total Days for each Week																												

3. The number of each Class of Paupers actually relieved on the *first of January* and on the *first of July* respectively in each year is to be shown at the beginning of this book, a portion of the book being set apart and ruled for this purpose.

* This should be the Parish from which the Pauper, or in a case of a child born in the Workhouse, from which its mother, was admitted.

Poor Law Board, dated August 23, 1859, *ante*, p. 540.

Abstract of the Indoor Relief Lists for the Half-year ending _____ 18 .[1]

_____ UNION. _____ *Master of the Workhouse at* _____

Folio of the In-door Relief Lists	Parishes	Number of Days in each Week																									Total Days for the Half-year
		1st Week	2nd Week	3rd Week	4th Week	5th Week	6th Week	7th Week	8th Week	9th Week	10th Week	11th Week	12th Week	13th Week	14th Week	15th Week	16th Week	17th Week	18th Week	19th Week	20th Week	21st Week	22nd Week	23rd Week	24th Week	25th Week	26th Week	27th Week	
	Vagrants . . .																												
	Total Days for each Week . . .																												

The aggregate number of days in each week passed in the Workhouse by the total number of Paupers from each Parish must be taken from the columns of total days for the several weeks in the In-door Relief Lists. Paupers admitted as Vagrants who remain in the Workhouse are to be enumerated among the Paupers admitted from the Parish where the Workhouse is situated.

A few sheets of this Abstract (according to the extent of the Union) are to be bound up at the end of the Book containing the In-door Relief Lists.

[1] See Art. 19 (4), *ante*, p. 597.

The Master's Day Book.[1]

UNION. *Master of the Workhouse at*

INVOICES												
Date	No. of Order	No. of Invoice or Bill	Name	Trade	Provisions	Clothing	Furniture and Property	Necessaries	Repairs			
					£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
				Total . .								

The Money Columns should e added up Weekly.

[1] See Art. 19 (5), *ante*, p. 598.

Summary of the Master's Day Book for the Quarter ending _____ 18 .[1]

_____ UNION. _____ *Master of the Workhouse at* _____

No. of the week	NAMES OR TRADE								ACCOUNT CHARGED					
								Total	Provisions	Clothing	Furniture and Property	Necessaries	Repairs	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1														
2														
3														
4														
5														
etc.														
13														
Totals														

[1] See Art. 19 (7), *ante*, p. 599.

The Master's Book of Receipts and Payments.[1]

_____ UNION. _____ *Master of the Workhouse at* _____

RECEIPTS					PAYMENTS				
Date	Name and Particulars				Date	Name and Particulars			

Balanced this _____ day of _____. Signed _____ *Master.*

Master's Receipt Check Book.

This part is to be retained by the Master.

No. __.

_____ *Union.*

_____ *day of* _____ 18__.

Mr. _____

For _____

£ _____

No. __.

_____ *Union.*

_____ *day of* _____ 18__.

Received of _____

the Sum of _____

on behalf of the above-named Union in respect of _____

£ _____

(*Signed*) _____

Master of the Workhouse at _____

[1] See Art. 19 (6), *ante*, p. 598.

Daily Provisions Consumption Account for _____ UNION.

BREAKFAST												DINNER				
CLASS	Total Numbers	Deduct		Net Numbers	Prepared Provisions (1)						CLASS	Total Numbers	Deduct		Net Numbers
		Sick *	Absent		Oz. each	lb. oz.	Pints each		Each				Sick *	Absent	
1											1				
2											2				
3											3				
4											4				
4a											4a				
5											5				
†—											†—				
6											6				
7											7				
8											8				
8a											8a				
9											9				
Vagrants															
Totals (2)											Totals				
Quantities of the several principal articles in their unprepared state taken from the Stores to supply the above Meals (3).															
Waste (if any)															

(1) The names of the articles prescribed in the Dietary are to be inserted.

(2) The total quantities on this line represent the quantities of the several

(3) The quantities of the several principal articles in their unprepared state, under the quantities of prepared provisions for each meal, and carried to the allowance which he claims for waste, arising out of the preparation or distribution

* Those only of the Sick who have not the ordinary diet are to be deducted.

† On this line are to be placed such of Class 5 as have larger allowances than hold work, or such paupers as receive peculiar allowances under the Medical Officers'

[1] See Art. 19 (8), *ante*, p. 599.

the _____ *day of* _____ 18__.[1]

_____ *Master of the Workhouse at* _____

DINNER						SUPPER									
Prepared Provisions											Prepared Provisions				
Oz. each	lb. oz.	Each		Each		Class	Total Numbers	Deduct Sick*	Deduct Absent	Net Numbers	Oz. each	lb. oz.	Each		Each	
						1									
						2									
						3									
						4									
						4a									
						5									
						†—									
						6									
						7									
						8									
						8a									
						9									
						Totals									

articles of prepared provisions required for each meal.
necessary to supply the quantities of prepared provisions so required, are to be entered
"Weekly Provisions Consumption Account." Here also the Master may enter the
of the provisions; and in the case of meat, out of the weight of bone.

the Diet Table gives, on account of their being employed as nurses or in the house-
advice without being entered on the Sick List.

Weekly Provisions Consumption Account. *The*_____ *Week of the Quarter ending*_____ 18__.[1]

_____ UNION. _____ *Master of the Workhouse at* _____

Date	Day of the Week	Meal	Consumed by the Pauper							Taken from the Stores for the Officers and Servants of the Workhouse (1)						Number of Paupers in the House during the day	Number of Members of the establishment
			lb.	oz.	lb.	oz.											
		Breakfast . . .															
		Dinner . . .															
		Supper . . .															
		Breakfast . . .															
		Dinner . . .															
		Supper . . .															
		Breakfast . . .															
		Dinner . . .															
		Supper . . .															
		Breakfast . . .															
		Dinner . . .															
		Supper . . .															
		Breakfast . . .															
		Dinner . . .															
		Supper . . .															
		Breakfast . . .															
		Dinner . . .															
		Supper . . .															
Sick as per Medical Relief . . .																	
Supplied to A. B., Relieving Officer of District																	
to C. D., Relieving Officer of District																	
Extraordinary Supplies																	
Totals to be carried to the "*Provisions Receipt and Consumption Account.*"																(2)	

(1) The quantities of the articles taken from the Stores for the Officers and Servants of the Workhouse are to be entered at the time when they are taken.
(2) This Total should agree with the total number of days in the Abstract of the In-door Relief List for the corresponding Week.

[1] See Art. 19 (9), *ante*, p. 599.

Provisions Receipt and Consumption Account for the _____ *Week of the Quarter ending* _____ 18__.[1]

_____ UNION. _____ *Master of the Workhouse at* _____

ARTICLES	Stock brought forward	New Stock	No. of Invoice	Totals of Stock brought forward and New Stock	Consumed		Remaining in Stores	Totals consumed and remaining in Store	Required for next Week
					By the Paupers	By the Officers and Servants of the Workhouse			

The "New Stock" of the several Articles, and the quantities "Consumed by the Paupers" and by "the Officers and Servants of the Workhouse" respectively, are to be carried to the "Summary of Provisions Received and Provisions Consumed."

[1] See Art. 19 (10), *ante*, p. 600.

Summary of Provisions Received and Provisions Consumed in the Quarter ending _____ 18__

_____ UNION. _____ *Master of the Workhouse at* _____

	*	*												
	lb. oz.	lb. oz.												
Received 1st week														
" 2nd "														
" 3rd "														
" 4th "														
" 5th "														
" 6th "														
" 7th "														
" 8th "														
" 9th "														
" 10th "														
" 11th "														
" 12th "														
" 13th "														
Totals received														
Consumed by the Paupers. 1st week														
2nd "														
3rd "														
4th "														
5th "														
6th "														
7th "														
8th "														
9th "														
10th "														
11th "														
12th "														
13th "														
Totals consumed by the Paupers														
Consumed by the Officers and Servants of the Workhouse. 1st week														
2nd "														
3rd "														
4th "														
5th "														
6th "														
7th "														
8th "														
9th "														
10th "														
11th "														
12th "														
13th "														
Totals consumed by the Officers and Servants of the Workhouse														

* The names of the Articles are to be placed at the head of the several Columns.

The "Totals received," the "Totals consumed by the Paupers," and the "Totals consumed by the Officers and Servants of the Workhouse," are to be carried to the "Balance of the Provisions Account for the Quarter."

[1] See Art. 19 (11), *ante*, p. 600.

Balance of the Provisions Account for the Quarter ending _____ 18__.[1]

_____ UNION. *Master of the Workhouse at* _____

ARTICLES	Stock brought forward	Price	Cost of Stock brought forward	New Stock.	Price	Cost of new Stock	Total cost of new Stock, and Stock brought forward	Consumed				Stock remaining in Store	Cost of Stock remaining in Store	Total Cost of Articles Consumed and in Store
								By the Paupers		By the Officers and Servants of the Workhouse				
								Quantities	Cost	Quantities	Cost	Quantities		
		s. d.	£ *s. d.*		*s. d.*	£ *s. d.*	£ *s. d.*		*s. d.*		*s. d.*		*s. d.*	*s. d.*

Submitted to _____ Member of the Visiting Committee, this _____ day of _____ 18__, and found to be correct.[2]

(Signed) _____

_____

_____

[1] See Art. 19 (12), *ante*, p. 600.

[2] As regards the "Stock remaining in Store," see the General Order of February 16, 1869, *post*.

Clothing Materials Receipt

_____ Union.

RECEIVED

Date	Of whom	No. of Invoice	Quantity

Submitted to _____ Member of the Visiting Committee, this _____ day of _____ 18__,

* A separate Account is to be kept of each article, and the name of the article is
The entries are to be made in the true order of time according as the articles are
half-year.

Sheets, bedding, and house linen are to be entered in the inventory.

The articles of clothing into which the materials are converted are to be carried to

_____

Clothing Receipt and

_____ Union.

RECEIVED

Date	From whom or whence received, and No. of the Invoice	Men's and Boys' Clothing										Women's and Girls' Clothing												
		Coats and Jackets	Waistcoats	Trousers	Shirts	Shoes	Stockings	Hats	Handkerchiefs			Gowns and Frocks	Under Petticoats	Upper Petticoats	Shifts	Aprons	Handkerchiefs	Shoes	Stockings	Caps	Bonnets			

Submitted to _____ Member of the Visiting Committee, this _____ day of _____ 18__,

In the several Columns is to be entered, according to the circumstances of the
The entries are to be made in the true order of time, according as the articles
every half-year.

[1] See Art. 19 (13), *ante*, p. 601.

and Conversion Account.[1]

_____ *Master of the Workhouse at* _____

CONVERTED			Folio of Clothing Receipt and Expenditure Book or of Inventory Book
Date	Into what	Quantity used	

and found to be correct. (Signed) _____

to be entered at the head of the page.
received and converted; and the account is to be made up and balanced every

the Clothing Receipt and Expenditure Account in their proper columns.

Expenditure Account.[2]

_____ *Master of the Workhouse at* _____

GIVEN OUT																											
Men's and Boys' Clothing													Women's and Girls' Clothing														
Date	Number of the Suit	Size	Coats and Jackets	Waistcoats	Trousers	Shirts	Shoes	Stockings	Hats	Handkerchiefs			Date	Number of the Suit	Size	Gowns and Frocks	Under Petticoats	Upper Petticoats	Shifts	Aprons	Handkerchiefs	Shoes	Stockings	Caps	Bonnets		

and found to be correct. (Signed) _____

case, the number of the articles received and given out.
are received and converted, and the Account is to be made up and balanced

[2] See Art. 19 (14), *ante*, p. 601.

Clothing Register Book.[1]

_____ UNION. _____ *Master of the Workhouse at* _____

MALES									FEMALES								
No.* [Size]			No. [Size]			No. [Size]			No. [Size]			No. [Size]			No.* [Size]		
Date of Admission	Names	Date of Discharge	Date of Admission	Names	Date of Discharge	Date of Admission	Names	Date of Discharge	Date of Admission	Names	Date of Discharge	Date of Admission	Names	Date of Discharge	Date of Admission	Names	Date of Discharge

* By the No. here is intended the Number given by the Master to each suit. The odd numbers shall be assigned to the Males, and the even to the Females.

See Art. 19 (16), *ante*, p. 603.

Necessaries and Miscellaneous Account for the _____ *Week of the Quarter ending* _____ 18 __.[1]

_____ UNION. _____ *Master of the Workhouse at* _____

ARTICLES	Stock brought forward	New Stock	No. of Invoice	Total of Stock brought forward, and new Stock	Consumed			Remaining in Store	Totals Consumed and remaining in Store	Observations
					By the Paupers	By the Officers and Servants of the Workhouse	On the Workhouse			

[1] See Art. 19 (17), *ante*, p. 603.

Quarterly Summary of the Necessaries and Miscellaneous

_____ Union.

| Week | [a] | | |

Account for the Quarter ending _____ 18__.[1]

_____ *Master of the Workhouse at* _____

	Week
	1st
	2nd
	3rd
	4th
	5th
	6th
	7th
	8th
	9th
	10th
	11th
	12th
	13th
	"
	Totals
	1st
	2nd
	3rd
	4th
	5th
	6th
	7th
	8th
	9th
	10th
	11th
	12th
	13th
	"
	Totals
	1st
	2nd
	3rd
	4th
	5th
	6th
	7th
	8th
	9th
	10th
	11th
	12th
	13th
	"
	Totals

placed at the head of the several columns.

Balance of the Necessaries and Miscellaneous Account for the Quarter ending _____ 18__.[1]

_____ UNION. *Master of the Workhouse at* _____

ARTICLES	Stock brought forward	Price	Cost of Stock brought forward	New Stock	Price	Cost of new Stock	Total Cost of new Stock and Stock brought forward	Consumed						Stock remaining in Store [2]	Cost of Stock remaining in Store	Total Cost of Articles consumed and in Store
								By the Paupers		By the Officers and Servants of the Workhouse		On the Workhouse				
								Quantities	Cost	Quantities	Cost	Quantities	Cost	Quantities		
		s. d.	£ s. d.		s. d.	£ s. d.	£ s. d.		£ s. d.		£ s. d.		£ s. d.		£ s. d.	£ s. d.
Totals . .																

Submitted to _____ Member of the Visiting Committee this _____ day of _____ 18—, and found to be correct.

Signed { _____ _____ _____

[1] See Art. 19 (19), *ante*, p. 604.

[2] As regards the "Stock remaining in Store," see the General Order of February 16, 1869, *post*.

SCHEDULE (F.)

Containing the Forms of the Accounts of Out-Relief and Out-door Paupers to be kept by *the Relieving Officer.*

_____ UNION.

The Application and Report Book for the Quarter ending _____ 18__.[1]

Parish of _____ *

_____ Relieving Officer of the _____ District.

Date of the Application †	Names of Applicants, their Wives and Children under 16, dependent on them *	Age	Residence, where or with whom	How long resident in the Union without Relief or Interruption ‡	Calling or Occupation	If Adult, whether Single, Married, Widow, or Widower. If Child, whether Orphan, Deserted, or Illegitimate	If ordinarily Able-bodied	If partially or wholly Disabled, and the Description of Disability	IF RECEIVING		Present cause of seeking Relief, or Nature of Application	OBSERVATIONS and Names of Relations liable by law to relieve the applicant, distinguishing those apparently capable of assisting the Applicant §	Present Weekly Earnings, or other Income of Applicant, and Family dependent on him or her	Date of last Visit at the Residence of the Pauper ‖	Quantity and Description of Relief in Kind		Relief ordered by Guardians					Other Orders of the Board of Guardians	Date when Order made	Initials of Chairman or Clerk	Observations
									Medical Relief only	Regular or Temporary Relief, and any other, and what Relief from Clubs, Charitable Institutions, Government Pensions, or otherwise; such Relief, Pension, Allowance, or Contribution to be described, and the Amount stated					Reported as given by Overseers	Given by Relieving Officer	Value	Date when given	Money	In Kind: Quantity and Description	In Kind: Value	For what Time allowed or Nature of the Order made				
																	s. d.		£ s. d.							

* This must be the Parish in which the Pauper is residing when the Application is made, or that in which the Application is made where there is no such Residence.

Instructions to the Relieving Officer for filling up the Application and Report Book.

1. The names of individuals comprised in families seeking relief must be inserted in the List in succession, thus,—

John Smith, Father,
Rachael Smith, his Wife, } . . . . Children { Anne,
Jane,

with the requisite particulars of each member of each family placed opposite his name in the proper column.

2. If the age be not exactly known, it must be given as correctly as may be.

3. In setting down the calling of the applicant for relief, the name of the particular branch of labour which he has exercised must be inserted, thus,—"Agricultural labourer," "Thatcher," &c. In like manner, the callings of the relations of the applicant who may be liable to contribute to his or her maintenance should be stated. In the case of children, the parents' calling must be inserted.

4. Care must be taken to inquire closely into the causes of the applications for relief, and to insert a correct statement of them.

5. In specifying the causes of the applications for relief by able-bodied labourers, where the application is founded on the loss of work, name the particular sort of work.

6. In specifying the causes of the applications for relief of children who become chargeable from the neglect or inability of their parents to provide for them, specify the nature of the inability or other cause; as "Father's insanity;" "Father's inability to obtain work;" "Father absent from home;" "Father imprisoned."

7. In cases of applications arising from infirmity of mind or body, designate the nature and extent of the infirmity; as a "Lunatic," or "Idiot," or "Deaf and Dumb," or "Crippled in the hand or foot," or "Helpless from old age."

[1] See Art. 23 (1), *ante*, p. 605.

[2] If the applicant for relief be a deserted wife, her name should be stated in this column, and the husband's name in the column for relatives.

† If a Pauper previously in receipt of relief renews his application for its continuance when the time for which it was stated to be given has expired, there should be a fresh entry of the case under the date of the renewed application.

‡ This column should be filled up in every case as far as the facts can be ascertained.

§ This information will enable the Guardians to direct against whom application for orders of maintenance shall be made under 43 Eliz. c. 2, s. 7 (and 31 & 32 Vict. c. 122, s. 33, and 33 & 34 Vict. c. 93, s. 13, and 45 & 46 Vict. c. 76, s. 2).

‖ This applies to every case inserted in the Book, whether the poor person may have previously been in the receipt of relief or not.

Parish of _____ Union. *Out-door Relief List.*[1] Half-year ending _____ 18__. _____ Relieving Officer of the _____ District.

STATISTICAL PORTION

Able-bodied, or the Families of Able-bodied

Adult Males (married or single) relieved in cases of sudden and urgent necessity	Adult Males (married or single) relieved in cases of their own Sickness, Accident, or Infirmity	Adult Males relieved on account of Sickness, Accident, or Infirmity of any of the Family, or of a Funeral	Adult Males (married or single) relieved on account of want of Work, or other causes	Families of Adult Males in Columns 1, 2, 3 and 4, resident with the Father: Wife	Children under 16	Widows	Children under 16, dependent on Widows	Single Women without Children	Illegitimate Children and their Mothers: Mothers	Children	Families relieved on account of Parents being in Gaol, &c.: Wives	Children	Families of Soldiers, Sailors and Marines relieved: Wives	Children	Resident Families of other resident Males relieved: Wives	Children
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Not Able-bodied

Males	Females	Children under 16 relieved with Parents	Orphans or other Children under 16 relieved without their Parents
18	19	20	21

Lunatics, Insane Persons and Idiots

Males	Females	Children under 16
22	23	24

25 Vagrants relieved out of the Workhouse	Name of the Pauper	Actual Place of Abode
	Vagrants	
	Weekly Totals .	
	Clerk's Initials .	

MONEY PORTION

	1st Week, ending	(c)	13th Week, ending	Totals for the First Quarter: In Money	In Kind	1st Week, ending	(c)	13th Week, ending	(c)	Totals for the Second Quarter: In Money	In Kind	Totals for the Half-year
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	£ s. d.
(In Money .												
(In Kind .												
(In Money .												
(In Kind .												
Weekly Totals .												(b)
	Crt.	Crt.	Crt.	£ s. d. (a) Correct		Crt.	Crt.	Crt.	Crt.	£ s. d. (c) Correct		Correct
Clerk's Initials .												

Instructions as to filling up this Form.

1. If an able-bodied man, being head of the family, is sick or temporarily disabled, he is to be entered in column 2; if out of work, in column 4, and in either case the whole family dependent on him are to be entered as chargeable in columns 5 and 6.

2. If the relief is given on account of the sickness of a wife or child, or specially for a wife or child, the wife or child only, and the head of a family, are to be inserted in the list; the man in the case of such sickness in column 3, and in any other case in column 4, the wife or child in column 5 or 6. If the relief is given on account of the funeral of any member of a family, the surviving head of the family only is to be entered as the person relieved; if there be no surviving head of the family, then the person buried must be considered as the pauper. Relief given to women and their children dependent on them is to be entered in the proper columns in the same manner.

3. Non-resident paupers, when paid through the relieving officer, are to be entered under the name of the Parish in which they are settled, but non-settled paupers residing in the Union, whose relief is to be paid by other Unions, are to be entered under the name of the Parish where they reside. Vagrants must be entered under the name of the Parish where the application was made to the relieving officer, where the out-door relief list for vagrants is not kept; but where it is kept, the total number of vagrants and the amount of relief should be entered, and not their separate names.

4. The same person is on no account to be entered twice in the half-year, either in the money or statistical portion of this Relief List, unless there shall be some alteration in the circumstances of the case.

5. In the column headed "Name of the Pauper," the name of the head of the family alone is to be inserted.

6. The number of each class of paupers actually relieved on the *first of January* and on the *first of July* is to be shown at the beginning of the Out-door Relief List, a portion of the List being set apart and ruled for that purpose. By persons in receipt of relief on these particular days is meant not only persons to whom relief is actually given on either of these days, but persons whose allowance is for any period which includes either of these days.

7. The totals marked (a), being the quarterly totals of the relief in money and kind, will answer to the cross-castings of the previous thirteen "weekly totals." The final total mark (b) will be the amount of the two quarters; the column of totals for the half-year being obtained by cross-casting for each pauper the quarterly totals in money and kind respectively.

8. Where relief in kind is administered through the medium of tickets upon tradesmen, all relief out of the cash in the relieving officer's hands, whether in money or articles of necessity, is to be entered as money. Relief given from the workhouse stores should be entered as *in kind*.

(c) The original contains columns for each consecutive week.

* This must be the Parish in which the pauper is residing, if within the Union.

[1] See Art. 23 (2), *ante*, p. 607.

Out-door Relief List.—Alternative Form for the Money Portion.[1]

_____ Union.

Parish of _____

Half-year ending _____ 18__.

_____ Relieving Officer of the _____ District.

Name of the Pauper		1st Week, ending	2nd Week, ending	3rd Week, ending	4th Week, ending	5th Week, ending	6th Week, ending	7th Week, ending	8th Week, ending	9th Week, ending	10th Week, ending	11th Week, ending	12th Week, ending	13th Week, ending	Totals for the First Quarter	1st Week, ending	2nd Week, ending	3rd Week, ending		Totals for the Second Quarter	Totals for the Half-year
		In Money	In Money	In Money	In Money	In Money	In Money	In Money	In Money	In Money	In Money	In Money	In Money	In Money	£ s. d.	In Money	In Money	In Money		£ s d.	£ s. d.
		In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind	In Kind		In Kind	In Kind	In Kind			[2]
															£ s. d. [1]					£ s. d. [1]	
Clerk's initials		Correct	Correct	Correct	Correct	Correct	Correct	Correct	Correct	Correct	Correct	Correct	Correct	Correct		Correct	Correct	Correct			

[1] See Art. 23 (2), *ante*, p. 607, and *note* 7 to the Form, *ante*, p. 678.

Out-door Relief List for Vagrants.[1]

_____ Union.

Week ending _____ _____ Relieving Officer of the _____ District.

Date	Name of Vagrant, Wife, and Children	Ages	Ordinary Occupation or Trade	Place of Birth of Vagrant, if known	Where come from this day	Where going to	Parish where the Application is made	Nature of Relief	Cost	Observations
									s. *d.*	

Summary for the Week ending as above: Men, ____; Women, ____; Boys, ____; Girls, ____. Total ____

(Signed) _____ *Relieving or Assistant Relieving Officer.*

[1] See Art. 23 (2), *ante*, p. 607.

Abstract of the Out-door Relief List.[1]

Union. _____ *Relieving Officer of the* _____ *District.*

Names of Parishes			
1st Week			
2nd Week			
3rd Week			
4th Week			
5th Week			
6th Week			
7th Week			
8th Week			
9th Week			
10th Week			
11th Week			
12th Week			
13th Week			
14th Week			
15th Week			
16th Week			
17th Week			
18th Week			
19th Week			
20th Week			
21st Week			
22nd Week			
23rd Week			
24th Week			
25th Week			
26th Week			
Total			
Totals . . .			
Clerk's Initials .			

[1] See Art. 23 (3), *ante*, p. 608.

The Relieving Officer's Receipt and Expenditure Book.[1]

_____ Union. _____ District. _____ Week of the Quarter ending _____ 18__.

_____ Relieving Officer in Account with the Board of Guardians of the _____ Union.

Dr.				*Cr.*		
Date	Money received, and Tickets issued	£ *s.* *d.*	£ *s.* *d.*	To be charged to the Common Fund of the Union, or to some other Union or Parish	£ *s.* *d.*	£ *s.* *d.*

[1] See Art. 23 (4), *ante*, p. 608.

Summary of Receipts and Expenditure for the Quarter ended _____ 18—.[1]

_____ UNION. _____ Relieving Officer of the _____ District.

(To be entered immediately after the Account for the last Week of every Quarter in the Relieving Officer's Receipt and Expenditure Book.)

Dr. *Cr.*

	Money £ s. d.	Kind £ s. d.		Money £ s. d.	Kind £ s. d.
Balance brought forward			Parishes * in Relieving Officer's District, as per Out-Relief List, viz.—		
As per Receipt and Expenditure Book, 1st week . .			_____, " . .		
" " 2nd week . .			_____, " . .		
" " 3rd week . .			_____, " . .		
" " 4th week . .			_____, " . .		
" " 5th week . .			Totals (1)		
" " 6th week . .					
" " 7th week . .			Unions and Parishes charged with Relief to Non-settled Poor, as per Out-Relief List, viz.—		
" " 8th week . .					
" " 9th week . .			_____, " . .		
" " 10th week . .			_____, " . .		
" " 11th week . .			_____ " . .		
" " 12th week . .			Totals (2)		
" " 13th week . .					
			Sums of Totals (1) and (2) respectively . .		
			Balance in hand at the end of the Quarter .		
	(A)	(B)		(A)	(B)

The totals marked (A) and (B) respectively must correspond. The totals of the expenditure in money in respect of the relief of the settled and non-settled poor, with the balance in hand (if any), will give the total marked (A), and those of the relief in kind will give the total marked (B), on the credit side of this account.

* The *Parishes* here mean the Parishes of the Union in which the paupers reside, or have received their relief, and the amount expended in each Parish is to be shown.

[1] See Art. 23 (4), *ante*, p. 608.

SCHEDULE (G.)[1]

(The Statement of the auditor as to the Books required to be kept by the clerk, treasurer, and the collector of the Guardians is superseded by the Form No. 4 in the Schedule to the General Order of 22nd March, 1877. As to the proceedings of Guardians under the Elementary Education Act, 1876, see Article 13 of that Order, *post*, and the Note to Article 41, thirdly, of the General Consolidated Order of 24th July, 1847, *ante*, p. 213.)

_____

_____ *Audit District.*

A Statement of the Auditor.

In reference to the Books of the _____ Union, for the Half-year ended _____, 18 .

As to the Books required to be kept by the Master of the Workhouse.

Mr. _____

Inventory.	
Admission and Discharge Book.	
Indoor Relief List.	
Abstract of Indoor Relief List.	
Master's Day Book.	
His Receipt and Payment Book.	
Quarterly Summary of Day Book.	
Master's Portion of Workhouse Medical Relief List.	
Daily Provisions Consumption Account.	
Weekly Provisions Consumption Account.	
Provisions Receipt and Consumption Account.	
Quarterly Summary of Provisions Received and Consumed.	
Quarterly Balance of Provisions Account.	
Clothing Materials Receipt and Conversion Account.	
Clothing Receipt and Expenditure Account.	
Clothing Register Book.	
Necessaries and Miscellaneous Account.	
Quarterly Summary of the Necessaries and Miscellaneous Account.	
Quarterly Balance of the Necessaries and Miscellaneous Account.	

The Audit of the above Books was concluded the _____ *day of* _____ 18—.

_____ *Auditor.*

_____ *Date* _____ 18—.

Against the name of any Book contained in this Statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any Book being imperfectly kept, the general nature of the imperfection is to be set forth *on the other side*, together with such observations as the auditor considers requisite.

[1] See Arts. 50 and 51, *ante*, p. 626.

_____ *Audit District.*

A Statement of the Auditor.

In reference to the Books of the Officers of the _____ Union,
for the Half-year ended _____ 18__.

As to the Books required to be kept by the Relieving Officer.

Mr. _____

OBSERVATIONS.

Application and Report Book.	
Outdoor Relief List.	
Outdoor Relief List for Vagrants.	
Abstract of Out-Relief List.	
Receipt and Expenditure Book.	
Quarterly Summary of Receipts and Expenditure.	
The Audit of the above Accounts was concluded the__day of____18__.	

_____ *Auditor.*

Date _____ 8__.

Against the name of any Book contained in this Statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any Book being imperfectly kept, the general nature of the imperfection is to be set forth *on the other side*, together with such observations as the auditor considers requisite.

_____ *Audit District.*

A Statement of the Auditor.

In reference to the Books of the PARISH of _____ in the _____ UNION, for the Half-year ended _____ 18__.

As to the Books required to be kept by the Overseers, Assistant-Overseers, or Collector.*

Mr. _____

_____ (*Address*).

Appointed under the authority of _____ †

OBSERVATIONS.

Rate Book.	
Receipt and Payment Book.	
Rate Receipt Check Book.	
Collecting and Deposit Book.	
Monthly Statements.	
Unpaid Rates Statement.	

The Audit of the above Accounts was concluded the ____ *day of* ____ 18__.

_____ *Auditor.*

Date _____ 18__.

* Retain one of these Names, as the case may be.

† Insert whether under an Order of the Poor Law Commissioners, Poor Law Board, or Local Government Board (and if so, the date), or under the Statute 59 Geo. III. c. 12, or other Statute.

Against the name of any Book contained in this Statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any Book being imperfectly kept, the general nature of the imperfection is to be set forth *on the other side*, together with such observations as the auditor considers requisite. He is also to report whether any paid officer has in any respect disobeyed, neglected, or departed from any of the regulations of this Order applicable to his office.

_____ *Audit District.*

_____ *Union*

To the Poor Law Board.[1]

I CERTIFY that I have Audited the Accounts of the Guardians of the_____ Union, and of their several Officers, and of the Overseers and Officers of the several Parishes therein, and have carefully examined all the Books required by the Orders of the Poor Law Board[1] to be kept, and find no defect in the Books required to be kept by the following paid Officers.

Office	Name	Office	Name

Audit completed this____ day of____ 18__.

_____ *Auditor.*

Date _____ 18__

_____ *Audit District.*

Statement in reference to the Officers' Securities required to be produced at the Audit next after the 25th day of March, 18__, in the_____ Union.

Name of the Union and Parishes *	Name of every Officer † required to give security	Under what Authority appointed	Office	Whether the Security was produced	Whether any Certificate or Proof was produced that each Surety is living, and is not Bankrupt or Insolvent, or that the Security was otherwise in force	Observations

*Date*_____ 18__. _____ *Auditor.*

* The officers of the Union should be placed first in order.

† This term applies to every officer so required to give security, whose salary has been allowed or entered in any account at this audit, whether of the Union or any Parish therein.

[1] Now the Local Government Board.

SCHEDULE (H.)

Containing the Names of the Unions to which the foregoing Order refers.

[The Unions named in the Schedule are those in the Schedule to the General Consolidated Order, *ante*, p. 474, and the Unions mentioned, *ante*, p. 479, with the exception of the Aysgarth, Chester, East Preston, Forden, Holbeck, Hunslet, Leeds, Lunesdale, St. George's, Smallburgh, Westminster, and Woolwich Unions.]

Given under our Hands and Seal of Office this Fourteenth day of January, 1867.

General Orders for Accounts have been since issued to the following Unions:—

On September 9, 1869.

Aysgarth.
Holbeck.
Hunslet.
Leeds.
Lunesdale.

On December 13, 1869.

Chester.
East Preston.
Smallburgh.

Separate Orders for Accounts have been issued on the undermentioned dates to the following Unions:—

Forden	May 13, 1870.
Middlesbrough	July 16, 1875.
Pontardawe	April 28, 1875.
Tarvin	January 14, 1867.

Separate Orders for Accounts were issued to the following Unions in the Metropolis:—

Woolwich	July 8, 1868.
Westminster	February 22, 1869.
St. George's	June 9, 1870.[1]

A General Order for Accounts, but containing only the provisions of the General Order of January 14, 1867, so far as they apply to the Accounts of the Guardians and their Officers, was issued on March 9, 1871, to the following Parishes in the Metropolis:—

St. George-in-the-East.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Mary Abbots, Kensington.
St. Matthew, Bethnal Green.
Paddington.

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[1] This Order applies to the accounts of the Guardians and their officers only.

Orders for Accounts have been issued separately to the following single Parishes and Townships under Boards of Guardians, and places under local Acts, on the dates undermentioned :—

1. *Single Parishes and places under Boards of Guardians.*

Alston-with-Garrigill	December 15, 1854.
Alverstoke	April 28, 1869.
Barrow-in-Furness	May 4, 1876.
East Stonehouse	August 7, 1851.
Great Yarmouth[1]	March 8, 1850.
Manchester	March 10, 1851.
Mile End Old Town *	January 27, 1858.
Saddleworth[2]	June 22, 1853.
St. Giles, Camberwell *	March 12, 1856.
St. Giles and St. George, Bloomsbury	June 18, 1869.
St. Luke, Chelsea *[3]	September 4, 1850.
St. Mary and St. Andrew, Whittlesea[4]	June 21, 1852.
St. Mary, Islington	July 13, 1868.
St. Mary, Lambeth *	August 30, 1860 (altered May 18, 1861).
St. Marylebone	May 11, 1868.
St. Pancras	August 29, 1867.
Stoke-upon-Trent[5]	March 7, 1854.
Toxteth Park	February 17, 1858.

2. *Places under Local Acts.*

Birmingham[6]	February 23, 1850.
Bristol[7]	February 17, 1857.

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[1] See the Note (4), *ante*, p. 480. By the Order of March 20, 1894, the General Order for Accounts of January 14, 1867, was applied to the Great Yarmouth Union.

[2] See the Note (2), *ante*, p. 482. By the Order of December 22, 1894, referred to therein, the General Order for Accounts of January 14, 1867, was applied to the Saddleworth Union.

[3] The provisions of this Order relating to the Books and duties of the collector of poor rates have been rescinded, and further provisions made in that behalf by an Order dated March 21, 1854.

[4] See the Note (3), *ante*, p. 480. By the Order of December 19, 1894, referred to therein, the General Order for Accounts of January 14, 1867, was applied to the Whittlesea Union.

[5] See the Note (2), *ante*, p. 480. By the Order of December 19, 1894, referred to therein, the General Order for Accounts of January 14, 1867, was applied to the Stoke-upon-Trent Union.

[6] The provisions of this Order applicable to the office of storekeeper were rescinded, and further provisions made in that behalf by an Order dated December 11, 1851. Further alteration, as regards the Books of the relieving officer, was made in it by an Order dated May 24, 1855.

[7] These Orders apply only to the Accounts of the Guardians and their officers.

* As to these Orders, see the General Order of May 4, 1875, *post*.

Bury St. Edmunds	December 4, 1857.
Canterbury	June 12, 1852.
Chichester [1]	February 21, 1853.
Exeter [1]	May 9, 1857.
Forehoe	May 20, 1867.
Kingston-upon-Hull [1]	May 3, 1850.
Oswestry	April 26, 1851.
Oxford	June 10, 1853.
Plymouth [1]	August 6, 1853.
Southampton [1]	March 16, 1850.
Stoke Damerel	January 31, 1855.

The General Order for Accounts, dated March 17, 1847 (see the 5th Edition of this Work, p. 342), remains in force in the following Incorporation under a Local Act, East and West Flegg.

The General Order for Accounts of January 14, 1867, has been applied to the following Unions by Orders issued on the dates set opposite their names, viz. :—

Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

DISTRICT SCHOOL ORDERS FOR ACCOUNTS.

Brentwood	May 31, 1877.
Central London	January 9, 1851.
Amending	May 4, 1875.
Farnham	December 31, 1850.
Forest Gate	April 2, 1869.
Kensington and Chelsea	March 9, 1878.
North Surrey	August 7, 1857.
Amending	May 4, 1875.
Reading and Wokingham	January 17, 1851.
South East Shropshire	January 21, 1851.
South Metropolitan	April 25, 1855.
Amending	May 4, 1875.
Walsall and West Bromwich	February 9, 1870.
West London	April 23, 1875.

[1] These Orders apply only to the Accounts of the Guardians and their officers.

THE METROPOLITAN ASYLUM DISTRICT.[1]

(Dated 15th May, 1867.)

To the Guardians of the Poor of the several UNIONS and PARISHES named in the Schedule hereunto annexed :—

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[1] The Metropolitan Asylum District was formed under 30 Vict. c. 6, by the above Order, which has been amended by subsequent Orders. For convenience of reference these several Orders, instead of being placed chronologically, are kept together.

Under section 15 of the Metropolitan Poor Act, 1867 (30 Vict. c. 6), the Poor Law Board (now the Local Government Board) may from time to time by Order, direct the Managers of the Metropolitan Asylum District to purchase or hire, or to build and (in either case) to fit up a building or buildings for the asylum, of such nature and size, and according to such plan, and in such manner as the Board think fit, and the managers shall carry such directions into execution. Under section 16 the managers shall have for the purposes of the asylum the like powers as are for the time being vested in guardians of Unions or Parishes in the Metropolis relative to the purchase or hiring of lands or buildings; but the consent of any ratepayers or owners of property in a Union or Parish shall not be necessary with respect to any sale, lease or other disposition of any workhouse, building, or land by guardians or overseers to the managers. Section 20 of the Act enables the managers from time to time to provide for the asylum necessary fixtures, furniture, and conveniences, and such as the Poor Law Board (now the Local Government Board) from time to time by Order direct. The Poor Law Act, 1889 (52 & 53 Vict. c. 56), s. 5 empowers the asylum managers, with the consent of the Local Government Board, to purchase such land adjacent to an asylum provided by them as is required for the purposes of any such asylum; and for the purpose of such purchase sections 126 and 296 to 298, both inclusive, of the Public Health Act, 1875, shall apply as if they were herein re-enacted, and in terms made applicable to the asylum managers and to the purposes of this section.

Expenses incurred by the managers in or about the purchasing, hiring, building, repairing, and fitting up of buildings for the asylum, and any sum in the nature of rent or other compensation, payable by the managers to guardians, in respect of the use for the asylum of a building previously used as a workhouse, and expenses incurred by the managers in or about the providing of fixtures, furniture, conveniences, medicines, medical and surgical appliances, and other necessaries required for keeping the asylum in proper order for daily use, and the salaries and maintenance of the officers thereof, shall be defrayed by contributions from the Unions and Parishes forming the district (30 Vict. c. 6. s. 31). Expenses incurred by the managers in or about the food, clothing, maintenance, care, treatment, and relief, or for the burials of inmates of the asylum, shall be separately charged to the respective Unions or Parishes from which the inmates of the asylum are sent (*ib.* s. 32).

To the Churchwardens and Overseers of the Poor of the several Parishes and places comprised in the said Unions, and of the several Parishes named in the said Schedule :—

To the Clerk or Clerks to the Justice or Justices of the Petty Sessions held for the division or divisions in which the said Unions and Parishes respectively are situate :—

And to all others whom it may concern.

We, the Poor Law Board, under the powers given in and by "The Metropolitan Poor Act, 1867," and the several other Statutes enabling us in that behalf, do hereby order as follows :—

Art. 1.—The several Unions and Parishes set forth in the Schedule hereunto annexed being all, wholly, or for the greater part thereof respectively included within the Metropolis, as defined by "The Metropolis Management Act, 1855," shall be combined into a district, to be termed "*The Metropolitan Asylum District*," for the reception and relief of the classes of poor persons chargeable to some Union or Parish in the said district respectively who may be infected with or suffering from fever, or the disease of small-pox, or may be insane.[1]

Art. 2.—A Board of Management shall be constituted for the said district, which shall consist of forty-five members to be elected as hereinafter prescribed, so that for each Union and Parish the number set forth against the name of such Union and Parish in the said Schedule shall be elected, and of fifteen members to be nominated by the Poor Law Board.[2]

Art. 3.—The qualification for each person to be elected as a member of the said district shall consist in the being rated to the

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[1] The Board of Management are authorised by the General Order of October 19, 1889, *post*, subject to the regulations for the time being in force with respect to their hospitals, to receive diphtheria patients into their hospitals, as if such patients were suffering from fever or small-pox; and by the General Order of April 2, 1897, *post*, p. 730, it is provided that the persons for whose reception and relief the Metropolitan Asylum District is formed, shall include the several classes of children referred to in the last-mentioned Order.

[2] See the notes to the Schedule to this Order, and the Orders of July 24, 1871, and September 3, 1886, *post*, by which the number of members to be elected for the several Unions and Parishes in the Metropolitan Asylum District was readjusted.

poor rate within the said district upon a net annual value of not less than forty pounds.

Art. 4.—The manner of the election of each member shall be as follows : the Guardians of the several Unions and Parishes in the said district shall, at their first ordinary meeting after the Thirtieth day of May instant, elect some duly qualified persons, according to the number herein prescribed, to be the members of the said Board, on behalf of the respective Unions and Parishes, the candidates being respectively nominated and seconded by Guardians at such meeting, and elected by a majority of the Guardians present thereat, who shall vote by a show of hands, to be counted by the presiding chairman of such meeting, and in the event of an equality of votes, the presiding chairman shall have a casting vote.

Art. 5.—The first elected members of the Board of Management shall continue to serve as such from the day of the election as aforesaid until the Twenty-fifth day of March, One thousand eight hundred and sixty-eight, and thenceforth the term for which the members of the said Board shall serve shall be three years.

Art. 6.—Each Board of Guardians of the said Unions and Parishes shall, on one of the last two ordinary meetings before the Twenty-fifth day of March, in the year One thousand eight hundred and sixty-eight, and subsequently in every year when the term aforesaid shall expire, proceed, in the manner hereinbefore prescribed, to elect the members for their Union or Parish to serve for the term next ensuing such Twenty-fifth day of March.

Art. 7.—Whenever the word "*Guardians*" is used in this Order, it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the Poor Law Amendment Act of the 4th and 5th William the Fourth, cap. 76, but also any governors, directors, managers, acting Guardians, vestrymen, or other officers in a Parish or Union appointed or entitled to act as Managers to the Poor, and in the distribution or ordering of the relief of the poor from the poor rate, under any General or Local Act of Parliament.

SCHEDULE [1] hereinbefore referred to :—

Names of Unions and Parishes in the Metropolis	Number of Elective Members
UNIONS.	
City of London [2]	2
East London [2]	1
Fulham	1
Greenwich	1
Hackney	1
Holborn [3]	1
Lewisham	1
Poplar	1
St. Olave's [4]	1
St. Saviour's [5]	1
Stepney	1
Strand [6]	1
Wandsworth & Clapham	1
West London [2]	1
Whitechapel	1
PARISHES.	
Mile End Old Town	1
Paddington	2
St. George-in-the-East	1
St. George, Hanover Square [7]	2
St. George the Martyr, Southwark [5]	1
St. Giles, Camberwell	1
St. Giles-in-the-Fields, and St. George, Bloomsbury	1
St. James, Clerkenwell [3]	1
St. James, Westminster [8]	1
St. John, Hampstead	1
St. Leonard, Shoreditch	1
St. Luke, Chelsea	1
St. Luke, Middlesex [3]	1
St. Margaret and St. John the Evangelist, Westminster [7]	1
St. Martin-in-the-Fields [6]	1
St. Mary Abbots, Kensington	1
St. Mary, Islington	2
St. Mary, Lambeth	1
St. Marylebone	2
St. Mary Magdalen, Bermondsey [4]	1
St. Mary, Newington [5]	1
St. Mary, Rotherhithe [4]	1
St. Matthew, Bethnal Green	1
St. Pancras	2
Total	45

Given under our Hand, &c., this Fifteenth day of May, in the year 1867.

[1] For the Unions and Parishes which now elect members to the Board, and for the number of members elected by each Union and Parish, see the Schedule to the Order of September 3, 1886, *post*, p. 702.

[2] By an Order of September 10, 1869, the East London and the West London Unions were dissolved, and the Parishes which were comprised in such Unions were added to the City of London Union.

[3] By an Order of June 5, 1869, the Parishes of St. James, Clerkenwell, and St. Luke, Middlesex, were added to the Holborn Union.

[4] By an Order of August 27, 1869, the Parishes of St. Mary Magdalen, Bermondsey, and St. Mary, Rotherhithe, were added to the St. Olave's Union.

[5] By an Order of August 27, 1869, the Parishes of St. Mary, Newington, and St. George the Martyr, Southwark, were added to the St. Saviour's Union.

[6] By an Order of March 13, 1868, the Parish of St. Martin-in-the-Fields was added to the Strand Union.

[7] By an Order of March 14, 1870, the Parish of St. George, Hanover Square, and the Parishes of St. Margaret and St. John the Evangelist, in the City of

Westminster, were formed into a Union to be called the St. George's Union in the County of Middlesex; and by the Order of July 24, 1871, *post*, such Union was added to the Metropolitan Asylum District, with power to elect three managers upon the Board of such district.

[s] The Parish of St. James, Westminster, was by an Order of March 13, 1868, formed with another Parish into the Westminster Union; and such Union was by an Order of May 25, 1868, with the Woolwich Union in the County of Kent, added to the Metropolitan Asylum District, each of which Unions is to elect one member of the Board of Management.

THE METROPOLITAN ASYLUM DISTRICT.

(Dated 24th July, 1871.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and Parishes named in the Schedule hereunto annexed :—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised in the said Unions, and of the several Parishes named in the said Schedule :—

To the Clerks to the Justices of the Petty Sessions held for the divisions in which the said Unions and Parishes respectively are situate :—

And to all others whom it may concern.

Whereas by an Order of the Poor Law Board bearing date the 15th day of May, 1867, under the powers given in and by "The Metropolitan Poor Act, 1867," and the several other Statutes enabling them in that behalf, the Poor Law Board ordered that the Unions and Parishes set forth in the Schedule annexed to the said Order should be combined into a district, to be termed "*The Metropolitan Asylum District,*" for the reception and relief of the classes of poor persons chargeable to some Union or Parish in the said district, being infected with or suffering from fever or small-pox, or being insane ; and the said Poor Law Board thereby ordered and declared that a Board of Management should be constituted for the said district, consisting of forty-five members to be elected, and fifteen members to be nominated by the Poor Law Board, and fixed the number of members to be elected for the several Unions and Parishes comprised in the said district.

And whereas by an Order dated the 13th day of March, 1868, the Poor Law Board ordered and directed that the Parish of Saint James, Westminster, situated in the County of Middlesex, and named in the Schedule annexed to the first herein-recited Order should, with a certain other Parish, be formed into a Union, to be termed the Westminster Union, in the County of Middlesex, and by another Order dated the 25th day of May, 1868, the Poor Law Board ordered and directed that, from and after that date, the said Westminster Union, together with the Woolwich Union, in the County of Kent, should respectively be added to the said district, and that one member of the said Board of Management should be elected in respect of each of the said Unions.

And whereas by an Order dated the 13th day of March, 1868, the Poor Law Board ordered and directed that the Parish of Saint Martin-in-the-Fields, situated in the County of Middlesex, and named in the Schedule annexed to the first herein-recited Order, should be added to the Strand Union, in the said County of Middlesex.

And whereas by an Order dated the 5th day of June, 1869, the Poor Law Board ordered and directed that the Parishes of Saint James, Clerkenwell, and Saint Luke, respectively situated in the County of Middlesex and named in the Schedule annexed to the first herein-recited Order, should be added to the Holborn Union, in the said County of Middlesex.

And whereas by an Order dated the 27th day of August, 1869, the Poor Law Board ordered and directed that the Parishes of Saint Mary Magdalen, Bermondsey, and Saint Mary, Rotherhithe, respectively situated in the County of Surrey, and named in the Schedule annexed to the first herein-recited Order, should be added to the Saint Olave's Union, in the said County of Surrey.

And whereas by an Order also dated the 27th day of August, 1869, the Poor Law Board ordered and directed that the Parishes of Saint Mary, Newington, and Saint George the Martyr, Southwark, respectively situated in the County of Surrey, and named in the Schedule annexed to the first herein-recited Order,

should be added to the Saint Saviour's Union, in the said County of Surrey.

And whereas by certain Orders dated respectively the 10th day of September, 1869, the Poor Law Board dissolved the East London Union, and the West London Union, situated within the City of London and the County of Middlesex respectively, and named in the Schedule annexed to the first herein-recited Order, and ordered and directed that the Parishes which were comprised in the said Union should be added to the City of London Union, in the said City of London and liberties thereof and County of Middlesex.

And whereas by an Order dated the 14th day of March, 1870, the Poor Law Board ordered and directed that the Parish of Saint George, Hanover Square, situated in the County of Middlesex, and the Parishes of Saint Margaret and Saint John the Evangelist, in the City of Westminster, respectively named in the Schedule annexed to the first herein-recited Order, should be formed into a Union, to be termed the Saint George's Union in the County of Middlesex.

And whereas it is expedient that the said Saint George's Union, which Union is comprised within the Metropolis, should be added to the said district.

Now, therefore, under the authority of the Statutes in that behalf, we, the Poor Law Board, hereby order and direct that, from and after the date hereof, the said Saint George's Union shall be added to the said asylum district, and that three managers shall be elected for the said Union, with the qualification prescribed by the said first-recited Order, and at the time appointed for the next general election of managers for the district.

And whereas it is also expedient that the number of members of the said Board of Management to be elected for the said district, as now constituted, should be readjusted.

Now, therefore, we, the Poor Law Board, hereby order and direct that the number of members of the said Board of Management to be elected for the several Unions and Parishes in the said district shall be as set forth in the Schedule hereunto annexed.

SCHEDULE to this Order.[1]

Names of Unions and Parishes in the Metropolis	Number of Elective Members	Names of Unions and Parishes in the Metropolis	Number of Elective Members
UNIONS.		PARISHES.	
City of London . .	4	Mile End Old Town . .	1
Fulham . . .	1	Paddington	2
Greenwich . . .	1	St. George-in-the-East . .	1
Hackney . . .	1	St. Giles, Camberwell . .	1
Holborn . . .	2	St. Giles-in-the-Fields and St. George, Bloomsbury .	1
Lewisham . . .	1	St. John, Hampstead . .	1
Poplar	1	St. Leonard, Shoreditch .	1
St. George's . .	3	St. Luke, Chelsea . .	1
St. Olave's . . .	1	St. Mary Abbotts, Kensington	2
St. Saviour's . .	2	St. Mary, Islington . .	2
Stepney . . .	1	St. Mary, Lambeth . .	2
Strand . . .	1	St. Marylebone . . .	3
Wandsworth & Clapham	1	St. Matthew, Bethnal Green	1
Westminster . .	1	St. Pancras	3
Whitechapel . .	1		
Woolwich . . .	1	Total . .	45

Given under our hand, &c. this Twenty-fourth day of February, in the year 1871.

[1] This Schedule is superseded by the Schedule to the Order of September 3, 1886, *post*, p. 702.

THE METROPOLITAN ASYLUM DISTRICT.

(Dated 3rd September, 1886.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the Several Unions, and separate Parishes comprised in the said District :—

And to all others whom it may concern.

Whereas by an Order dated the 15th day of May, 1867, the Poor Law Board directed that a Board of Management should be constituted for the said Metropolitan Asylum District, to consist of forty-five members to be elected as therein prescribed and fifteen members to be nominated by the Poor Law Board, and by the said Order the Poor Law Board fixed the qualification of each member so to be elected, and prescribed the mode of election and the number of members to be elected by each Union and separate Parish comprised in the district ;

And whereas by an Order dated the 24th day of February, 1871, the Poor Law Board readjusted the number of members to be elected by the Unions and separate Parishes comprised in the said district ;

And whereas it is expedient to increase the total number of members to be elected and nominated for the said district, and to fix the number to be elected by the Unions and separate Parishes comprised therein ;

Now, therefore, we, the Local Government Board, in pursuance of the powers given to us by the Statutes in that behalf, hereby order as follows :—

Art. 1.—The Board of Management of the said district shall henceforth consist of fifty-four elective members instead of forty-five, and eighteen nominated members instead of fifteen.

Art. 2.—Nine additional members, duly qualified within the terms of the first above-cited Order, shall be elected by the Boards of Guardians of the following Unions and separate Parishes, namely :—

Unions .	City of London . . .	One member.
	Hackney	One member.
	Saint George's . . .	One member.
	Wandsworth and Clapham .	Two members.
Separate Parishes .	Saint Giles, Camberwell .	One member.
	Saint Mary Abbotts, Kensington	One member.
	Saint Mary, Islington . .	One member.
	Saint Mary, Lambeth . .	One member.

The additional members shall be elected by such Boards of Guardians in each case at their second Ordinary Meeting after the date hereof in the manner prescribed by Art. 4 of the first above-cited Order, and the members so elected shall be entitled to serve until the Twenty-fifth day of March, One thousand eight hundred and eighty-nine.

Art. 3.—At every future triennial election of members of the said Board of Management, fifty-four members shall be elected in the manner prescribed by Art. 4 of the first above-cited Order.

Art. 4.—The number of members to be elected at every future triennial election by each Union and separate Parish comprised in the said district shall be as set forth in the Schedule to this Order.

SCHEDULE.

Unions	Number of Elective Members	Separate Parishes	Number of Elective Members
City of London . .	5	Mile End Old Town . .	1
Fulham . . .	1	Paddington	2
Greenwich . . .	1	St. George-in-the-East . .	1
Hackney . . .	2	St. Giles, Camberwell . .	2
Holborn . . .	2	St. Giles-in-the-Fields and St. George, Bloomsbury . .	1
Lewisham . . .	1	St. John, Hampstead . .	1
Poplar	1	St. Leonard, Shoreditch .	1
St. George's . . .	4	St. Luke, Chelsea . .	1
St. Olave's . . .	1	St. Mary Abbotts, Kensington	3
St. Saviour's . .	2	St. Mary, Islington . .	3
Stepney . . .	1	St. Mary, Lambeth . .	3
Strand	1	St. Marylebone . . .	3
Wandsworth & Clapham	3	St. Matthew, Bethnal Green	1
Westminster . .	1	St. Pancras	3
Whitechapel . .	1		
Woolwich . . .	1		

Given under the Seal of Office, this Third day of September, 1886.

THE ASYLUMS.

The Asylums which have been provided for the District by the Board of Management are at LEAVESDEN, in the Parishes of Watford and of Abbots Langley, Herts, and at CATERHAM, Surrey, for the reception of poor persons chargeable to some Union or Parish within the District, who may be insane; at HOMERTON, in the Parish of Hackney, Middlesex, and at STOCKWELL, in the County of Surrey, for the reception of poor persons chargeable to some Union or Parish in the District, who may be infected with or suffering from fever or small-pox.

Section 22 of the Metropolitan Poor Act, 1867 (30 Vict. c. 6) enacts that, "The managers shall have the like powers as Guardians "for the relief, maintenance, and management of the inmates of the "asylum, and shall from time to time provide such medicines, "appliances, and requisites for the medical and surgical care and "treatment of the inmates, and cause the same to be furnished and "used according to such rules as the Poor Law Board" (now the

Local Government Board) "from time to time by Order direct." "The following provisions of the Poor Law Amendment Act of "1844" (*i.e.* 7 & 8 Vict. c. 101) "shall extend to the asylum as if "it were an asylum under that Act or a workhouse, and as if the "managers were a District Board under that Act, that is to say, "so much of Section forty-three as relates to rules of the Poor Law "Board for the government of the asylum or its inmates, and to "religious assistance and instruction: Sections fifty, fifty-four, fifty-"seven and fifty-nine" (*ib.* s. 23). "With reference to chargeability, "burial, and other incidents, the asylum shall, in relation to each "inmate thereof, be deemed to be in the Union or Parish from which "such inmate is sent; but births and deaths in the asylum shall be "registered by the registrar in whose district the asylum is "situate" (*ib.* s. 24). "The managers shall have the like powers as "Guardians for the appointment, control and payment of paid "officers of the asylum, and the grant of superannuation allowances "to them, and the duties, number, and salaries of the paid officers, "and the securities to be given by them, shall be such as the Poor "Law Board may from time to time approve or by order direct" (*ib.* s. 25). "Legal and reasonable orders of the managers shall be "obeyed, and obedience thereto shall be enforced, in like manner "and by and under like remedies and penalties as legal and reason-"able orders of the Guardians" (*ib.* s. 26). As to the enforcement of orders of the Guardians, see 4 & 5 Will. 4, c. 76, ss. 95 and 99.

"The managers may from time to time, subject and according "to such regulations as the Poor Law Board (now the Local "Government Board) from time to time by order prescribe, appoint "committees of members of their body, and delegate to them any "of the powers of the managers" (30 Vict. c. 6, s. 27). And "the "managers shall, in the exercise and discharge of all their powers "and duties, be subject to orders of the Poor Law Board in like "manner as Guardians are under the Poor Law Acts" (*ib.* s. 28).

The regulations for the government of each of the asylums provided by the managers, so far as Boards of Guardians of Unions and Parishes within the District are immediately affected by them, are as follows :—

GENERAL ORDER.—AMENDED REGULATIONS (CONSOLIDATED). — THE METROPOLITAN ASYLUM DISTRICT.—ASYLUMS FOR IMBECILES.

(Dated 10th February, 1875.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and Parishes comprised in the said District :—

And to all others whom it may concern.

* * * * *

Section II.—Admission.[1]

Art. 2.—The insane paupers to be admitted into the asylum shall be such harmless persons of the chronic or imbecile class as could be lawfully retained in a Workhouse; but no dangerous or curable persons, such as would, under the Statutes in that behalf, require to be sent to a lunatic asylum, shall be admitted.[2]

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[1] Section 21 of the Metropolitan Poor Act, 1867 (30 Vict. c. 6) enacts that "the mode of admission of persons into the asylum shall be such as the Poor "Law Board" (now the Local Government Board) "from time to time by "order direct."

[2] The Local Government Board say that it has been brought to their knowledge in the reports of their inspectors, in the reports of the Commissioners in Lunacy, and also in communications from the managers of the Metropolitan Asylum District, that many paupers have been admitted into these asylums who might, with greater propriety, have been detained in the infirmaries of their respective Unions or Parishes. The removal of helpless bed-ridden persons, whose mental weakness is, in many cases, the result of old age, to asylums situated a considerable distance from the Metropolis, is calculated, on the one hand, to be injurious to the persons thus removed; and, on the other, to occupy the district asylums with a different class of persons from that for which they were constructed. It is obvious that such a course, if continued, could not fail to impose unnecessary expenditure on the Metropolitan rate-payers.—*Circular Letter*, February 12, 1875.

The Local Government Board also say that their attention has been drawn

Art. 3.—(*The provisions contained in the Order of July* 7, 1887, post, p. 719, *are substituted for those contained in this Article. By those provisions the form of Admission Order in the Schedule to the present Order* [*i.e. Form A*] *is retained.*)

Art. 4.—No pauper shall be admitted under any Order if the same bear date more than seven days before the pauper, or some one acting on his behalf and in his company, presents it at the asylum.

* * * * *

Art. 6.—Before being removed from the receiving ward the pauper shall, if the medical superintendent so direct, be thoroughly cleansed, and clothed in a suitable dress, and the clothes which he wore at the time of his admission shall, if they were supplied by the Guardians of the Union or Parish from which he was sent to the asylum, be, as soon as possible, returned to such Guardians. If the clothes were the property of the pauper, they shall be deposited in a place appropriated for that purpose, with the pauper's name affixed thereto, and restored to him if he is discharged from the asylum, but in case of his death therein, they shall be disposed of as the Board of Management shall direct.

Art. 7.—As soon as practicable after the pauper has been examined in pursuance of Art. 5, a report, according to the Form (D) in the Schedule to this Order, signed by the medical superintendent, shall be transmitted by him to the Guardians of the Union or Parish from which the pauper was sent to the asylum.

* * * * *

Art. 9.—The Board of Management shall not admit into the asylum, or retain therein, a larger number of paupers than that which is already fixed as the maximum by the Poor Law Board, or

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to the fact that several children, between two and three years of age, have been admitted into the Metropolitan District Asylum for Children at Darenth; and that it must be evident that no trustworthy judgment can be formed as to the intellectual condition of children of such tender age. In similar institutions, the earliest age of admission has been fixed at seven years. Bearing in mind, however, the inconvenience that may result from the detention in a workhouse of children mentally afflicted, the Board consider that children of five years old, if their condition requires it, may properly be sent to Darenth, but that, prior to that age, they should be retained in the workhouse.—12th *Annual Report* p. 12.

which may hereafter be so fixed from time to time by the Local Government Board.[1]

* * * * *

SECTION IV.—DISCHARGE.

Art. 11.—The Asylum Committee, acting under the advice of the medical superintendent, may discharge from the asylum any pauper, when for reasons which they shall deem sufficient it is not expedient that he should continue therein.

Art. 12.—The clerk of the asylum shall give notice of the proposed discharge to the Board of Guardians of the Union or Parish to which the pauper is chargeable in the asylum, as well as to the nearest known relative of the pauper, and the said Guardians shall, within seven clear days after such notice has been given, take the proper steps for the removal of the pauper. If the removal be not effected by the Guardians before the expiration of that time, the asylum committee may cause the pauper to be removed to the workhouse from which he was sent to the asylum, and all the necessary expenses incurred in his removal shall be charged by the Board of Management to the account of the Guardians of the Union or Parish to which he has been chargeable in the asylum.

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[1] By an Order issued to the Boards of Management of the Central London Sick Asylum District and the Poplar and Stepney Sick Asylum District respectively, and dated November 26, 1894, the Local Government Board order that, notwithstanding anything contained in the Orders issued by them prescribing regulations with respect to the government of the asylums belonging to such Boards of Management, the following provisions shall have effect; that is to say:—

Art. 1.—Any member of the above-named Boards of Management may, at any time, visit and examine any part of any Asylum belonging to the Board of Management of which he is a member.

Art. 2.—The Board of Management of either of the said districts may, if they think fit, from time to time by resolution appoint one or more Committee or Committees, consisting of women, whether members of such Board or not, whose duty it shall be to visit and examine the parts of the asylums of the district in which paupers are maintained, and to report to the Board of Management any matter which may appear to the Committee to need attention.

Provided that the proceedings, term of office, and duties of any such Committee shall be subject to such rules as the Board of Management may from time to time prescribe.

Provided also that the appointment of such a Committee shall not in any way affect the duty of the Board of Management to appoint a visiting Committee as required by the regulations now in force, nor the powers and duties of any such visiting Committee.

Art. 13.—When the Board of Guardians of any Union or Parish in the said district shall direct the discharge of any pauper chargeable to such Union or Parish, such pauper shall thereupon be discharged from the asylum.

Provided, that if the medical superintendent shall be of opinion that the discharge cannot take place without injury to the pauper, the direction shall not be acted upon until such opinion shall have been communicated to the Board of Guardians and their further directions received.

Art. 14.—In no case shall any pauper be prevented from leaving the asylum after the parent or next of kin of such pauper shall have given to the Board of Management, the Asylum Committee, or the Guardians of the Union or Parish to which he was chargeable in the asylum, such an undertaking as they shall respectively deem satisfactory, to provide for the removal, charge, and maintenance of such pauper with due care and attention while the malady continues.

Art. 15.—The provisions of Arts. 11, 12, 13 and 14 shall not apply to the cases of paupers who after their admission may become dangerous to themselves or others, but in all such cases, as soon as the medical superintendent shall be of opinion that the pauper has become dangerous to himself or others, he shall himself give, or cause to be given by the clerk of the asylum, a notice in writing to that effect to the relieving officer of the Union or Parish to which such pauper is chargeable in the asylum, and such relieving officer shall thereupon forthwith take the proper steps for the removal of the pauper to a lunatic asylum, registered hospital, or licensed house, in conformity with the statutes in that behalf.

* * * * *

Section XIV.—Duties of Officers.

* * * * *

Duties of the Medical Superintendent.

Art. 71.—The following shall be the duties of the medical superintendent of the asylum :—

* * * * *

No. 3. As soon as practicable after a pauper has been examined on his admission, to transmit to the Guardians of the Union or Parish from which the pauper was sent to the asylum, a report according to the Form (D) in the Schedule to this Order; and to retain in a book to be provided for that purpose a duplicate of such report, and to lay such book before the Asylum Committee at each of their meetings.

* * * * *

No. 11. * * To proceed according to the directions of Art. 15, in every case where a pauper, after admission to the asylum, becomes dangerous to himself or others.

* * * * *

DUTIES OF THE CLERK OF THE ASYLUM.

Art. 75.—The following shall be the duties of the clerk of the asylum :—

* * * * *

No. 7. In every case of the proposed discharge of a pauper from the asylum, to proceed according to the directions of Art. 12, and in any case where a pauper, after admission to the asylum, becomes dangerous to himself or others, to proceed in accordance with the direction of Art. 15.

No. 8. To transmit on every Monday to the Boards of Guardians of the several Unions and Parishes in the district a statement as to the pauper inmates of the asylum, in the Form (L) in the Schedule to this Order.

No. 9. To give proper notice of the death of any pauper to the registrar of births and deaths of the district within which the asylum is situate, to the Guardians of the Union or Parish to which the pauper was chargeable in the asylum, and to the nearest known relative of the pauper.

* * * * *

SCHEDULE.[1]

FORM (A). [Article 3.]

Admission Order.

_____ UNION [*or* PARISH]. Dated this _____ day of _____

To Dr. _____, Medical Superintendent of the Metropolitan District Asylum at _____.

Admit the person named and described as below, from the _____ Union [*or* Parish] in the said District.

Name	Age	Calling, if any, and Occupation for which suited	Religious Persuasion	Nearest known Relative	
				Name	Address

_____ *Clerk to the Board of Guardians.*[2]

FORM (B). [Article 3.]

Medical Certificate.

I, the undersigned, do hereby certify that I have this day personally examined , a person chargeable to the Union [*or* Parish of], and that the said is in my opinion a chronic and harmless lunatic, idiot, or imbecile, such as might be lawfully retained in a Workhouse, and a fit person for admission into the Metropolitan District Asylum at and that I have formed this opinion upon the following grounds; viz.:—

1. Facts observed by myself. [*Here state the facts.*]

---

[1] The Forms in this Schedule are to be continued to be used, notwithstanding that the provisions of the Order of July 7, 1887, are substituted for those of Article 3 of the present Order.

[2] The Order is now to be signed by a relieving officer or the master of the workhouse of the Union or Parish from which the patient is sent to the Asylum (see the Order of July 7, 1887, *post*, p 719.).

2. Facts (if any) communicated to me by others. [*Here state the information, and from whom obtained.*]

_____

_____

I hereby also certify that the said is not at the present time, to the best of my belief, suffering from any contagious or infectious disease, and that in my judgment, after examination duly made for that purpose, the journey to the asylum is not likely to prove detrimental to him, either by reason of advanced age or in consequence of his being affected by disease of the heart, lungs, or other organ.

_____ Medical Officer of the _____ District [*or* Workhouse] of the _____ Union [*or* Parish of _____].

Dated this _____ day of _____, 18 —.

FORM (C). [Article 3.]

Report to Guardians to be signed by the Chairman, Vice-Chairman, or a Member of the Visiting Committee of the Board of Guardians of the Union or Parish from which a Pauper is to be sent to an Asylum.

I, the undersigned, being of the Union [*or* Parish], having on the day of 18 , personally seen , a pauper residing in the said Union [*or* Parish], proposed to be sent to the Metropolitan District Asylum for Imbeciles at , do hereby declare that I am satisfied that the said is a proper person to be sent to that Asylum.

Signature _____

Date _____

FORM (D). [Article 7.]

Report of Medical Superintendent, after examination of Pauper on Admission.

METROPOLITAN DISTRICT ASYLUM

AT _____

The following Report is transmitted to the Guardians of the Union [*or* Parish] after examination by me this day of , a pauper admitted into the above Asylum chargeable to that Union [*or* Parish].

Date of Admission	Observations as to the state of cleanliness of the Pauper on Admission	If any bruises or marks of violence appear on the Pauper, insert particulars. If not, state "none"

*Signature*_____*Medical Superintendent.*
*Date*_____

FORM (L). [Article 75, No. 8.]

METROPOLITAN DISTRICT ASYLUM FOR IMBECILES
AT _____

Weekly Statement as to Inmates.

Monday_____day of_____18__.

Sir,

I forward for the information of the Guardians the following Report made up to Saturday evening last, with reference to the Paupers in the above-named Asylum chargeable to the Union [*or* Parish].

Number remaining according to last Report		Number during the week				Number remaining in the Asylum		Names of those who have died or been discharged during the week	
		Admitted		Died or discharged					
Males	Females	Males	Females	Males	Females	Males	Females	Died	Discharged

I am, Sir,
Your obedient Servant,
_____*Clerk to the Asylum.*

To_____
The Clerk to the Guardians of the
_____Union [*or* Parish].

Given under the Seal of Office, this Tenth day of February, 1875.

GENERAL ORDER.—AMENDED REGULATIONS (CONSOLIDATED). — THE METROPOLITAN ASYLUM DISTRICT.—FEVER AND SMALL-POX ASYLUMS.

(Dated 10th February, 1875.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and Parishes comprised in the said District :—

And to all others whom it may concern.

* * * * *

Section II.—Admission.[1]

Art. 2.—The paupers to be admitted into any asylum provided or appropriated for fever patients shall be such only as are infected with or suffering from fever, and the paupers to be admitted into any asylum provided or appropriated for small pox patients shall be such only as are infected with or suffering from small-pox.[2]

Art. 3.—(The provisions contained in the Order of July 7, 1887, *post*, p. 719, have been substituted for those contained in this

---

[1] Section 21 of the Metropolitan Poor Act, 1867 (30 Vict. c. 6), enacts that : "The mode of admission of persons into the asylum shall be such as the Poor "Law Board" (now the Local Government Board) "from time to time by order "direct."

[2] By the Metropolitan Asylum District Order of October 19, 1889, *post*, p. 721, the Local Government Board have authorised, pursuant to 52 & 53 Vict. c. 56, s. 3 (4), the Board of Management of the Metropolitan Asylum District (subject to the regulations for the time being in force with respect to their hospitals) to receive diphtheria patients into their hospitals, as if such patients were suffering from fever or small-pox.

Article. The Forms referred to in this Article are, however, continued by that Order.)

Art. 4.—If any person presents himself at an asylum without the order and certificate required by Art. 3, and the medical superintendent be satisfied that the person is suffering from fever or small-pox, and is in such a condition that a refusal to admit him without such order and certificate might be attended with dangerous results, the medical superintendent may admit such person, and the steward shall thereupon give notice in writing of such admission accompanied by a written statement of the circumstances of the case, to the Guardians of the Union or Parish in which the person last passed the night, if such Union or Parish be included in the Metropolis, or, if it be not included in the Metropolis, then to the Guardians of the Union or Parish in which the asylum is locally situated.

Art. 5.—Any person admitted into an asylum under Art. 4 shall be treated as sent from the Union or Parish in which he last passed the night, if such Union or Parish be included in the Metropolis, or, if it be not included in the Metropolis, then from the Union or Parish in which the asylum is locally situated; and every such person shall be subject in all respects to the regulations of the asylum as if he had been in the first place admitted with the usual order.

Art. 6.—No pauper shall be admitted under any Order if the same bear date more than two days before the pauper, or some one acting on his behalf and in his company, presents it at the asylum.

* * * * *

Art. 9.—The clothes worn by the pauper at the time of his admission shall be forthwith disinfected or otherwise dealt with as may be directed by the medical superintendent, who, where the clothes are destroyed, shall keep a record of the fact.

* * * * *

Art. 11.—The Board of Management shall not admit into the asylum, or retain therein, a larger number of paupers than that which is already fixed as the maximum by the Poor Law Board, or which may hereafter become so fixed from time to time by the Local Government Board; except in any individual case of urgency, which

shall be forthwith reported to the Local Government Board by the clerk to the Board of Management.[1]

Art. 12.—Whenever the number of paupers shall be within ten of the number fixed as the maximum, the steward shall give notice to that effect to the Guardians of each Union or Parish comprised in the district, and also to the effect that until such notice has been revoked, inquiry must be made at the asylum before any fresh case is sent, in order to ascertain whether the case can be received.

* * * * *

SECTION IV.—DISCHARGE.

Art. 14.—When any pauper has recovered, and the medical superintendent is of opinion that such pauper may leave the asylum without risk of communicating infection or contagion, he shall be discharged, and the steward shall give notice in writing of the proposed discharge, to the Board of Guardians of the Union or Parish to which the pauper has been chargeable in the asylum, as well as to the nearest known relative of the pauper.

Art. 15.—In any case in which it may be necessary, the Asylum Committee may cause any pauper to be removed to his home, or to the workhouse from which he was sent to the asylum ; and all the necessary expenses incurred in his removal shall be charged by the Board of Management to the account of the Guardians of the Union or Parish to which he has been chargeable in the asylum.

Provided, that under no circumstances shall a convalescent pauper be removed from an asylum in any ambulance used for the conveyance of paupers to the asylum.

* * * * *

SECTION XV.—DUTIES OF OFFICERS.

* * * * *

DUTIES OF THE MEDICAL SUPERINTENDENT.

Art. 72.—The following shall be the duties of the medical superintendent of the asylum.

* * * * *

[1] See the note to Art. 9 of the Order of February 10, 1875, *ante*, p. 706.

Art. 72.—No. 2. To admit every pauper brought to the asylum with the proper order and certificate, subject to the provisions contained in Art. 11.

No. 3. To examine every pauper on his admission to the asylum, and to perform the duties required of the medical superintendent by Arts. 4, 7, 8 and 9.

* * * * *

No. 5. To control the arrangements of the wards generally, to give the requisite directions as to the treatment, nursing and diet to the paupers, and as to their discharge from the asylum, and to see that such directions are carried out.[1]

No. 6. To report in writing to the Asylum Committee once at least in each month, any defect in the diet, drainage, furniture, ventilation, warmth, or other arrangements of the asylum, or any excess in the number of the inmates, whether in the asylum generally or in any particular ward, which he may deem to be detrimental to the health of the inmates or calculated to retard their recovery.

No. 7. To keep a Case Book according to the Form (D) in the Schedule to this Order, and to insert therein the particulars required by such Form, with respect to every pauper in the asylum, employing therein, so far as is practicable, the terms used or recommended in the regulations and statistical nosology issued by the Registrar-General.

No. 8. To produce such Case Book to the Board of Management or the Asylum Committee, or the auditor, whenever duly required to do so.

No. 9. To prescribe the dietary for the paupers in so many different scales as he shall deem expedient; and to enter the same at the commencement of the "Daily Provisions Consumption

[1] Under Section 4 of the Poor Law Act, 1889, the Local Government Board have issued an Order making provision with regard to the use, for purposes of medical instruction, of the asylums provided by the Board of Management of the Metropolitan Asylum District for the reception and treatment of persons suffering from small-pox (see the Order of October 30, 1893, *post*, p. 726). Under that Order the medical superintendent of the asylum is to act as clinical instructor to the students attending the asylum for the purposes of medical instruction.

Account" Book, according to the Form (E) in the Schedule to this Order, or some Form to the like effect.

Art. 72.—No. 10. To sign and furnish to the steward daily, a written statement of the diet and extras required to be supplied for the paupers in each ward.

No. 11. To give notice to him [1] of the proposed discharge of any pauper, and of the dangerous illness of any pauper.

No. 12. On the death of any pauper in the asylum, to give prompt information thereof to the steward; to give proper notice thereof to the registrar of births and deaths of the district within which the asylum is situate; and to enter such death in a register kept according to the Form (F) in the Schedule to this Order, inserting therein the required particulars in the manner prescribed by No. 7 of this Article.

* * * * *

DUTIES OF THE STEWARD.

Art. 74.—The following shall be the duties of the steward of the asylum :—

* * * * *

No. 8. To see that the directions given by the medical superintendent in regard to the disinfection or disposal of the clothes worn by the paupers on admission are promptly and strictly carried out.

* * * * *

No. 12. To transmit on every Monday to the Boards of Guardians of the several Unions and Parishes in the district a statement as to the pauper inmates of the asylum, in the Form (H) in the Schedule to this Order.

No. 13. In every case of the proposed discharge of a pauper from the asylum, to proceed according to the directions of Art. 14.

No. 14. On the death of any pauper in the asylum, to give information thereof to the Guardians of the Union or Parish to which the pauper was chargeable in the asylum, and to the

[1] *I.e.* the steward.

nearest known relative; and to provide for the interment of the body.

* * * * *

Art. 74.—No. 21. In the event of the number of paupers in the asylum being within ten of the number fixed as the maximum, to give the notice required by Art. 12.

* * * * *

SCHEDULE.[1]

FORM (A). [Article 3.]

Admission Order.

_____ UNION [*or* PARISH]. Dated this _____ day of _____

To Dr. _____ Medical Superintendent of the Metropolitan Fever [*or* Small-pox] Asylum at _____.

Admit the person named and described as below, from the _____ Union [*or* Parish] in the said district.

Name	Age	Calling, if any	Religious Persuasion	Nearest known Relative	
				Name	Address

_____ *Relieving Officer* [or *Master of the Workhouse*].

FORM (B). [Article 3.]

Medical Certificate.[2]

I, the undersigned, do hereby certify that I have this day personally examined _____, a person chargeable to the _____ Union [*or* Parish of _____], and that the said _____ is in my opinion suffering

[1] The forms in this Schedule are to be continued to be used, notwithstanding that the provisions of Article 3 are superseded by the provisions contained in the Order of July 7, 1887, *post*, p. 719.

[2] A form of certificate, which may be signed by some registered medical practitioner, is prescribed by the Order of July 7, 1887. See the Schedule to that Order, *post*, p. 720.

from fever [*or* small-pox], and is a fit person for admission into the Metropolitan Fever [*or* Small-pox] Asylum at_____. The duration of the disease has been_____days; and the fever is [typhus], [enteric], [relapsing], [scarlet].[1]

_____Medical Officer of the_____District [*or* Workhouse of the Union [*or* Parish of_____].

Dated this_____day of_____18—.

_____

FORM (H). [Article 64, No. 12.]

METROPOLITAN FEVER [*or* SMALL-POX] ASYLUM

AT _____

Weekly Statement as to Inmates.

Monday_____day of_____18—.

Sir,

I forward for the information of the Guardians the following report, made up to Saturday evening last, with reference to the paupers in the above-named asylum chargeable to the_____Union [*or* Parish].

Number remaining according to last Report		Number during the week				Number remaining in Asylum		Names of those who have died or been discharged during the week	
		Admitted		Died or Discharged					
Males	Females	Males	Females	Males	Females	Males	Females	Died	Discharged

I am, Sir,

Your obedient servant,

_____*Steward of the Asylum.*

To_____

The Clerk to the Guardians of the

_____Union [*or* Parish].

Given under the Seal of Office, this Tenth day of February, 1875.

[1] The class of fever should be here stated.

GENERAL ORDER.—AMENDED REGULATIONS (CONSOLIDATED): AMENDING ORDER.—THE METROPOLITAN ASYLUM DISTRICT.—FEVER AND SMALL-POX ASYLUMS.

(Dated 7th July, 1887.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and Parishes comprised in the said District :—

And to all others whom it may concern.

Whereas by an Order dated the 10th day of February, 1875,[1] we, the Local Government Board, prescribed regulations for the government of the asylums provided or appropriated, either permanently or temporarily, by the Board of Management of the Metropolitan Asylum District, for the reception of poor persons infected with or suffering from fever or small-pox ; and, amongst other things, we made provision with regard to the mode of admission of such persons into any such asylum :—

And whereas the said Order has been amended in several respects by other Orders issued by us, and it is expedient that the same should be further amended as hereinafter mentioned : —

Now therefore, in pursuance of the powers given to us by the statutes in that behalf, we hereby order, with regard to the admission of poor persons into any of the said asylums, that the following provisions shall be substituted for those contained in Article 3 of the above-cited Order ; namely,—

Every person, whether upon his first or any subsequent admission into an asylum, shall, subject to the provisions of Article 4 of the above-cited Order, be admitted upon an Order, filled up and signed by a relieving officer or a master of a workhouse of the Union or

[1] *Ante*, p. 704.

Parish from which he is sent to the asylum, according to the Form (A) in the Schedule to the above-cited Order.

The Order of admission shall be accompanied by either—

(1) A Certificate in the Form (B) in the Schedule to the above-cited Order, signed by the medical officer (either of the workhouse or district, as the case may be) of the Union or Parish to which the person is chargeable, which Certificate such medical officer is hereby required to give, upon the request of the master of the workhouse or of the relieving officer, in every case in which, after due examination, he may find that the person is fit for admission to the asylum; or

(2) A Certificate in the Form (B 1) in the Schedule to this Order signed by some registered medical practitioner, after due examination by him of the person proposed to be sent to the asylum.

SCHEDULE.

Form (B 1).

Medical Certificate.

I, the undersigned, do hereby certify that I have this day personally examined _____, of _____, and that the said _____ is in my opinion suffering from fever [*or* small-pox], and is a fit person for admission into the Metropolitan Fever [*or* Small-pox] Asylum at _____. The duration of the disease has been _____ days; and the fever is [typhus], [enteric], [relapsing], [scarlet].[1]

_____ a Registered Medical Practitioner,
residing at _____.

Dated this _____ day of _____, 18____.

Given under the Seal of Office of the Local Government Board, this Seventh day of July, in the year One thousand eight hundred and eighty-seven.

Chas. T. Ritchie, *President.*

L.S.

S. B. Provis, *Assistant Secretary.*

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[1] The class of fever should be here stated.

GENERAL ORDER.—ADMISSION OF DIPHTHERIA PATIENTS INTO ASYLUMS.—METROPOLITAN ASYLUM DISTRICT.

(Dated 19th October, 1889.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and separate Parishes comprised in the said District :—

And to all others whom it may concern.

Whereas under the authority of the Metropolitan Poor Act, 1867, and other statutes in that behalf, and of certain Orders issued by the Poor Law Board and by us, the Local Government Board, the Board of Management of the Metropolitan Asylum District have provided certain asylums for the reception of poor persons chargeable to some Union or Parish in the district who may be suffering from fever or small-pox :—

And whereas in pursuance of Sub-section (2) of Section 69 of the said Metropolitan Poor Act, 1867, the expenses incurred for the maintenance of patients in any asylum specially provided under that Act for patients suffering from fever or small-pox are repayable out of the Metropolitan Common Poor Fund :—

And whereas by Sub-section (4) of Section 3 of the Poor Law Act, 1889, it is enacted that "After the date of an Order of the "Local Government Board authorising the asylum managers to "receive diphtheria patients into their hospitals, Sub-section two of "Section sixty-nine of the Metropolitan Poor Act, 1867, shall apply "as if diphtheria were therein mentioned as well as fever and small-"pox."

NOW THEREFORE, in pursuance of the powers given to us by the statutes in that behalf, we do, by this our Order, authorise the Board of Management of the Metropolitan Asylum District (subject to the regulations for the time being in force with respect to their hospitals) to receive diphtheria patients into their hospitals, as if such patients were suffering from fever or small-pox.[1]

Given under the Seal of Office of the Local Government Board, this Nineteenth day of October, in the year One thousand eight hundred and eighty-nine.

CHAS. T. RITCHIE, *President.*

L.S.

S. B. PROVIS, *Assistant Secretary.*

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[1] The Local Government Board point out in their circular letter of October 21, 1889, accompanying this Order, that in accordance with the provisions of section 69 (2) of the Metropolitan Poor Act, 1867, the expenses incurred thereafter for the maintenance of diphtheria patients in the hospitals referred to in the Order will be defrayable out of the Metropolitan Common Poor Fund.

GENERAL ORDER.—MEDICAL INSTRUCTION AT ASYLUMS FOR FEVER, SMALL-POX AND DIPHTHERIA: REGULATIONS.—METROPOLITAN ASYLUM DISTRICT.

(Dated 10th October, 1890.)

To the Board of Management of the Metropolitan Asylum District:—
And to all others whom it may concern.

Whereas it is provided by Section 4 of the Poor Law Act, 1889, that the Board of Management of the Metropolitan Asylum District may, if they think fit, allow the asylums provided by them for fever, small-pox, and diphtheria to be used for purposes of medical instruction, subject to any rules and regulations which we may from time to time make with regard to such use of the said asylums:—

And whereas, in pursuance of the said Section, the said Board of Management propose to allow some or all of the asylums provided by them as aforesaid to be used for purposes of medical instruction; and it is expedient that provision should be made in the matter as hereinafter mentioned:—

Now therefore, in pursuance of the powers given to us by the statutes in that behalf, we hereby order and direct, as regards any of the said asylums[1] which may be allowed by the said Board of

[1] This Order is rescinded so far as it relates to the small-pox asylums provided by the Board of Management of the Metropolitan Asylum District (see the General Order of October 30, 1893, *post*, p. 727, which contains regulations with regard to the use of such asylums for purposes of medical instruction).

Management to be used for purposes of medical instruction, as follows, namely,—

1. No student shall be admitted to study at the asylum until he has produced at the offices of the said Board of Management evidence of his having obtained the sanction of the medical school to which he belongs to his attendance at the asylum.
2. No student shall be admitted to study at the asylum until the completion of the third year of his medical education, nor until he has held the offices of clinical clerk and dresser.
3. The fee for each course of study at the asylum shall be payable in advance to the clerk to the said Board of Management. The amount of the fee shall be three guineas for the first two months, and one guinea for each subsequent period of one month, or such other amount as may from time to time be fixed by the said Board of Management with Our consent.
4. On payment of the prescribed fee the student shall be furnished with a card showing to what asylum he will be attached, and containing information with regard to the times at and during which he may attend at such asylum. A copy of the regulations made by the said Board of Management respecting disinfection, and in force for the time being, shall at the same time be given to the student.
5. A register shall be kept at each asylum in which shall be entered the name of each student admitted, the medical school to which he belongs, and the number of his attendances at the asylum.
6. The minimum duration of the course of study shall be two months ; and the student shall be permitted to attend at the asylum three days at least in each week.
7. A certificate, signed by the medical superintendent of the asylum attended by the student, shall be granted by the said Board of Management to the student when he shall have satisfactorily completed his course of study ; provided

that no such certificate shall be granted to any student who has attended for less than two days in each week during the whole period of two months.

8. The student, whilst within the gates of the asylum, shall in all respects be subject to the control of the medical superintendent of the asylum, and shall strictly observe the regulations made from time to time by the said Board of Management with regard to disinfection.

9. In case of any breach of discipline on the part of a student, the medical superintendent may suspend him from attendance at the asylum, and shall immediately report such suspension to the clerk to the said Board of Management, who shall report the same to the dean of the medical school to which the student belongs. The Board of Management may remove such suspension, or they may confirm the same, in which case the student shall cease to have any right of admission to the asylum.

10. Paragraphs 3 to 9 (both inclusive) of this Order shall apply to any legally qualified medical man who may desire to attend at any of the said asylums for purposes of medical instruction, as if he were a student ; but, so far as regards any such medical man, paragraphs 5 and 9 shall be read as if there was no reference in them to the medical school to which a student belongs.

And we hereby further order that the medical superintendent of each asylum shall act as clinical instructor to the students attending that asylum for the purposes of medical instruction.

Given under the Seal of Office of the Local Government Board, this Tenth day of October, in the year One thousand eight hundred and ninety.

L.S.

CHAS. T. RITCHIE, *President.*

S. B. PROVIS, *Assistant Secretary.*

GENERAL ORDER.—SMALL-POX ASYLUMS: REGULATIONS WITH REGARD TO MEDICAL INSTRUCTION. — METROPOLITAN ASYLUM DISTRICT.

(Dated 30th October, 1893.)

To the Board of Management of the Metropolitan Asylum District :—

And to all others whom it may concern.

Whereas it is provided by Section 4 of the Poor Law Act, 1889, that the Board of Management of the Metropolitan Asylum District may, if they think fit, allow the asylums provided by them for fever, small-pox, and diphtheria to be used for purposes of medical instruction, subject to any rules and regulations which we, the Local Government Board, may from time to time make with regard to such use of the said asylums :—

And whereas the said Board of Management having proposed, in pursuance of the said section, to allow some or all of the asylums provided by them as aforesaid to be used for purposes of medical instruction, we, by an Order, dated the 10th day of October, 1890,[1] made certain rules and regulations with regard to the use of the said asylums for purposes of medical instruction :—

And whereas it is expedient that further provision should be made as hereinafter mentioned with regard to the use, for purposes of medical instruction, of the asylums provided by the said Board of Management for the reception and treatment of persons suffering from small-pox :—

---

[1] See *ante*, p. 723.

NOW THEREFORE, in pursuance of the powers given to us by the statutes in that behalf, we hereby rescind the said Order dated the Tenth day of October, One thousand eight hundred and ninety, so far as it relates to the small-pox asylums provided by the said Board of Management of the said Metropolitan Asylum District.

And we do further order and direct, as regards any of the said small-pox asylums which may be allowed by such Board to be used for purposes of medical instruction, as follows, namely,—

1. No student shall be admitted to study at the asylum until he has produced at the offices of the Board of Management evidence of his having obtained the sanction of the medical school to which he belongs to his attendance at the asylum.
2. No student shall be admitted to study at the asylum—
   (*a*) until the completion of the third year of his medical education, nor until he has held the offices of clinical clerk and dresser ; and
   (*b*) unless he shall have previously satisfied the Board of Management that he is sufficiently protected against small-pox by vaccination or otherwise.
3. The fee for each course of study at the asylum shall be payable in advance to the clerk to the Board of Management. The amount of the fee shall be two guineas for the first two weeks of the course, and one guinea for the remaining period, or such other amount as may from time to time be fixed by the Board of Management with our consent.
4. The ordinary course of study at the asylum shall not be less than one fortnight, nor more than four weeks, as the Board of Management may from time to time determine.
5. The student shall reside at the asylum during his course of study, and shall not leave the premises without the express sanction of the medical superintendent of the asylum.
6. The Board of Management shall provide the student with rations, apartments, and washing, and the student shall pay

in advance (to the clerk to the Board of Management), for such rations and apartments, at the rate of twelve shillings per week.

7. The student, whilst within the gates of the asylum, shall in all respects be subject to the control of the medical superintendent, and shall strictly observe the regulations made from time to time by the Board of Management with regard to disinfection.

8. A register shall be kept at the asylum in which shall be entered the name of each student admitted, the medical school to which he belongs, and the duration of his course of study at the asylum.

9. A certificate, signed by the medical superintendent of the asylum attended by the student, shall be granted by the Board of Management to the student when he shall have satisfactorily completed his course of study.

10. In case of any breach of discipline on the part of a student, the medical superintendent may suspend him from attendance in the wards of the asylum, and shall immediately report such suspension to the clerk to the Board of Management, who shall report the same to the Dean of the Medical School to which the student belongs. The Board of Management may remove such suspension, or they may confirm the same, in which latter case the student shall cease to have any right of admission to the asylum.

11. Paragraphs 3 to 10 (both inclusive) of this Order shall apply to any legally qualified medical man who may desire to attend at any of the said asylums for purposes of medical instruction, as if he were a student ; but, so far as regards any such medical man, paragraphs 8 and 10 shall be read as if there was no reference in them to the medical school to which a student belongs.

And we hereby further order that the medical superintendent of each asylum shall act as clinical instructor to the students attending that asylum for the purposes of medical instruction.

Given under the Seal of Office of the Local Government Board, this Thirtieth day of October, in the year One thousand eight hundred and ninety-three.

L.S.

HENRY H. FOWLER, *President.*

S. B. PROVIS, *Assistant Secretary.*

GENERAL ORDER.—METROPOLITAN ASYLUM DISTRICT.

(Dated 2nd April, 1897.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Poor Law Unions comprised within the said District :—

To the Churchwardens and Overseers of the Poor of the several Parishes in the said District :—

And to all others whom it may concern.

Whereas by an Order dated the 15th day of May, 1867,[1] the Poor Law Board ordered that certain Unions and Parishes therein mentioned should be combined into a District, to be termed "The Metropolitan Asylum District," for the reception and relief of poor persons chargeable to some Union or Parish within such District who might be infected with or suffering from fever, or the disease of small-pox, or who might be insane, and that a Board of Management should be constituted for such District ;

And whereas it is expedient that the classes of poor hereinafter mentioned and chargeable to Unions and Parishes in the said District should be included amongst those for whose reception and relief the said District should be deemed to be formed :

Now Therefore, in pursuance of the powers given to Us by the Statutes in that behalf, We, the Local Government Board, hereby Order and Direct that the following provision shall have effect ; namely,—

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[1] *Ante*, p. 691.

The poor persons chargeable to some Union or Parish in the Metropolitan Asylum District for whose reception and relief the said District shall be deemed to be formed shall include the following classes of poor persons so chargeable, that is to say,—[1]

(*a*) children suffering from ophthalmia or other contagious disease of the eye ;

(*b*) children suffering from contagious disease of the skin or scalp ;

(*c*) children requiring either special treatment during convalescence or the benefit of seaside air ;

(*d*) children who by reason of defect of intellect or physical infirmity cannot properly be trained in association with children in ordinary schools ; and

(*e*) children who are ordered by two justices or a magistrate to be taken, under the Industrial Schools Act, 1866, to a workhouse or an asylum of the District.

Given under the Seal of Office of the Local Government Board, this Second day of April, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

S. B. PROVIS, *Assistant Secretary.*

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[1] In their circular letter of April 5, 1897, which accompanied this Order, the Local Government Board said :—" It will, of course, be understood that the Managers of the Metropolitan Asylum District will not be in a position to receive children of any of the classes alluded to until they have provided the necessary asylums to which the children can be admitted."

METROPOLITAN ASYLUMS BOARD.

Fever and Small-pox Hospitals.

Regulations for the Removal of Cases by the Land and River Ambulances, and for Furnishing Information concerning the Removal of Patients.

1. Applications for the removal of cases to the District Hospitals are to be made to the Chief Offices between 8 A.M. and 8 P.M. on week days, and to the Ambulance Station of the District between 8 P.M. and 8 A.M., and on Sundays.[1]

2. Such applications must state the name, age, and full address of the patient, and from what disease suffering; in cases of fever to state the particular kind of fever, and in cases of small-pox whether the case is of a mild or severe type.

3. The order for the admission of the case is to be sent to the Medical Superintendent of the Hospital to which the case is removed.

4. Subject to the control of the Committee appointed to regulate such matters, the Clerk of the Board is to give all necessary directions for the removal of acute cases from their homes to the Hospitals by the land or river ambulances, and for the conveyance of mild convalescent, and recovered, cases from one Hospital to another.

5. At the time of a removal of a case, the Ambulance Nurse is to leave with a relative or friend of the patient, or, in the absence of such a person, with a resident in the house from which the case is

[1] Under Section 6 of the Poor Law Act, 1889 (52 & 53 Vict. c. 56), the asylum managers may allow their carriages to be used for the conveyance of persons suffering from any dangerous infectious disorder, to and from hospitals and places other than asylums provided by the asylum managers and may make reasonable charge for that use.

taken, a notice stating the Hospital to which the patient is to be removed, and such notice is to have annexed to it a copy of the regulations as to visiting, &c. She is also to place on the "Delivery Note" left with the patient at the hospital the name and address of the relative, friend, or resident above referred to.

6. Upon the removal being effected, the Superintendent of the Ambulance Station is to send notice thereof to the Clerk to the Guardians of the Parish or Union from which the case was conveyed, and this notice is to be accompanied by a copy of the regulations as to visiting, &c.

7. Upon the transfer of the patient to another Hospital, either as a mild or convalescing case, notice thereof is to be sent by the authorities of the Hospital from which the patient is transferred to the relative or friend of the patient, and to the Clerk to the Guardians of the Parish or Union to which the patient is chargeable.

8. When a case is transferred to another Hospital, a copy of the admission order relating to the case is to be sent with the patient, care being taken that if such order does not contain the name of a relative or friend, the name and address of the relative or friend on the "Delivery Note" are furnished.

By Order of the Board,

W F. Jebb, *Clerk.*

Chief Offices of the Board,
No. 37, Norfolk Street, Strand, W.C.
1st March, 1884.

METROPOLITAN ASYLUMS BOARD.

Fever and Small-pox Hospitals.

Regulations as to the Furnishing of Information relative to the condition of Patients, and as to the Visiting and Discharge of Patients.

Information as to Condition of Patients.

1. Upon the admission of a patient, a letter (accompanied by a copy of these Regulations) is to be sent to the nearest known relative or friend, setting forth the state of the patient ; should any serious change for the worse take place, a letter is to be sent daily to the relative or friend, stating how the patient is progressing, which letter is to be continued until the patient is in such a condition as to render further communications unnecessary ; but should the patient become dangerously ill, notice (accompanied by a copy of these Regulations) is to be sent by the Steward of the Hospital to the nearest known relative or intimate friend, with an intimation that the patient may be visited ; and the Steward may, at the discretion of the Medical Superintendent, and subject to the approval of the Committee of Management, make arrangements for the conveyance of the visitor to and from the Hospital.

2. Applications for information as to the condition of patients must be made in writing to the Medical Superintendent, who will reply by return of post. It is very undesirable that friends of patients should personally make enquiries at the Hospital.

Visiting.

3. The visiting of patients is to be limited to the nearest relatives and intimate friends of patients dangerously ill. One visit

only will be allowed daily to each patient. Visits, which will not be permitted without the permission of the Medical Superintendent, are, as a rule, to be limited in duration to a quarter of an hour. In urgent and special cases, however, the Medical Superintendent is empowered to increase the number of visitors to two, and to extend the duration of the visit.

4. Visitors are warned that they run great risk in entering the Hospitals. They are advised not to go into the wards of the Small-pox Hospitals without having been properly re-vaccinated, and if they reside where the case visited occurred, are earnestly requested to urge the remainder of the occupiers of such house to call at once on the Public Vaccinator (whose address can be obtained from any of the Parish officers) for the purpose of being vaccinated.

5. Visitors are further advised not to enter the wards in any of the Hospitals when in a weak state of health or in an exhausted condition, but to partake of a good meal before entering the Hospitals. They will be required when in the wards to carefully avoid touching the patient, or exposing themselves to his breath, or to the emanations from his skin ; and will not be permitted to sit on the bed or handle the bed-clothes, but will be allowed to sit on a chair by the bedside at some little distance from the patient.

6. Visitors will also be required to wear a wrapper (to be provided by the Board) to cover their dress when in the wards, and to wash their hands and faces with carbolic soap and water before leaving the Hospital, or to use such other mode of disinfection as may be directed by the Medical Superintendent.

7. Visitors are strongly urged not to enter any omnibus, tram-car, or other public conveyance, immediately after leaving the Hospital.

Discharge.

1. As a general rule, adult patients, when completely cured and strong enough to undertake the journey home, are to be discharged from the Hospital gates.

2. In the case of children under 16 years of age, timely intimation of the day and hour when they will be ready for discharge is

to be given to their relatives or friends, and in the event of these not attending at the Hospitals to fetch the children, they are to be removed to the workhouses of their respective Parishes and Unions.

3. The removal of discharged patients under exceptional circumstances is left to the discretion of the respective Committees.

By Order of the Board,

W. F. JEBB, *Clerk.*

March 1, 1884.

TRAINING SHIPS.—REGULATIONS AND ACCOUNTS.—METROPOLITAN ASYLUM DISTRICT.

(Dated 24th August, 1876.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and Parishes comprised in the said District :—

And to all others whom it may concern.

* * * * *

Section II.—Admission.

Art. 2.—The persons to be received into the ship shall be boys chargeable to some Union or Parish within the Metropolitan Asylum District, being of such age, and possessing such physical qualifications, as may be determined from time to time by the Board of Management, with the consent of the Local Government Board.

Art. 3.—Every boy, whether upon his first or any subsequent admission, shall be admitted upon an order, signed by the clerk to the Board of Guardians of the Union or Parish from which he is sent, or in the case of a boy sent from a district school, by the clerk to the school managers, according to the Form in the Schedule (A.) to this Order.

The order of admission shall be accompanied—

1. In the case of a boy not an orphan or deserted by his parents, by the consent, under their signature, of the parents or the surviving parent, to be given in the Form (No. 1) prescribed in the said Schedule, at the foot of the order of admission.

Art. 3.—2. In the case of a boy sent from a district school, by the consent of the Guardians of the Union or Parish to which he is chargeable, such consent to be given in the Form (No. 2) prescribed in the said Schedule, at the foot of the order of admission, and to be signed on behalf of the Guardians by their clerk.

3. By a certificate in the Form (No. 3) prescribed in the said Schedule, at the foot of the order of admission, to be signed by a medical officer of the Union or Parish to which the boy is chargeable, or if the boy is sent from a district school, then by the medical officer of such school, which certificate the medical officer is hereby required to give, upon request from the Board of Guardians of the Union or Parish, or the school managers, in every case in which, after due examination, he may find that in his judgment the boy is free from disease and fit for training for the sea service.

The order of admission shall be signed by the clerk by direction of the Board of Guardians or the school managers, as the case may be ; but such direction shall not be given until the consents and certificate above-mentioned have been laid before the Board of Guardians or the school managers.

Art. 4.—No boy shall be admitted under any such order if the same bear date more than six days before the boy, or some one acting on his behalf and in his company, presents it at the ship.

Art. 5.—Immediately on admission the boy shall be placed in a probationary ward to be provided for the reception of boys on admission, and shall then be examined by the medical officer.

Art. 6.—If the medical officer upon such examination pronounces the boy to be labouring under any disease, or otherwise to be unfit for the sea service, the boy shall be placed in such part of the probationary ward as the captain-superintendent shall direct, and a report upon the case shall be made to the ship committee by the captain-superintendent.

Provided that if any boy shall on presentation be found to be suffering from any contagious or infectious disease, the captain-superintendent may, upon the certificate of the medical officer, at

once direct the person by whom he has been brought to take him back to the Union or Parish or district school from which he may have been sent.

Art. 7.—If the medical officer pronounces the boy to be free from disease, and fit for sea service, he shall be retained in the probationary ward for such time as the medical officer shall deem requisite, and at the end of that time he shall be sent on board the ship.

Art. 8.—[After examination by the medical officer on admission the boy shall be thoroughly cleansed, and clothed in a suitable dress, and the clothes which he wore at the time of his admission shall be returned to the Guardians of the Union or Parish or to the managers of the district school from which the boy may have been sent. Provided that where the clothes do not belong to the Guardians or the managers, they shall be sent to the parents of the boy or his nearest relatives.—Order, 1st April, 1877].[1]

* * * * *

Art. 10.—The Board of Management shall not admit into the ship, or retain therein, a larger number of boys than that which may from time to time be fixed by the Local Government Board.

Section III.—Discharge.

Art. 11.—Whenever the Board of Guardians of any Union or Parish in the district shall direct the discharge of any boy chargeable to such Union or Parish, he shall thereupon be discharged from the ship.

Art. 12.—Whenever the parent of any boy in the ship, being an inmate of any workhouse of any such Union or Parish, shall have given reasonable notice of an intention to quit such workhouse, and the master of such workhouse shall inform the captain-superintendent of the ship, in writing, of such notice, the boy shall be discharged.

Art. 13.—Whenever the Ship Committee, upon proof of gross or continued misconduct of any boy, shall, after consulting the chaplain and captain-superintendent, be of opinion that the continuance of such boy in the ship is incompatible with the moral

[1] This Article, as printed within brackets, is in accordance with a subsequent Order of the Local Government Board, dated 1st April, 1877.

welfare of the other boys, and the general efficiency of the ship, and shall thereupon determine that such boy shall not remain in the ship, they shall give immediate notice of such determination, with a full statement of the grounds thereof, to the clerk to the Guardians of the Union or Parish, or the clerk to the managers of the district school, from which such boy shall have been sent to the ship, and shall thereupon send such boy to the workhouse of such Union or Parish, or to such district school.

Art. 14.—Whenever, in the judgment of the Ship Committee, any boy, through illness or other cause, is or has become incapacitated, either permanently or for any considerable length of time, for the training for which the ship is established, such boy shall, as soon as practicable, under the direction of the said Committee, be discharged from the ship, and shall be sent either to the district school from which he was sent, or to the workhouse of the Union or Parish to which he is chargeable, according as such Committee may determine, notice being first given as provided in Art. 13.

Should any boy, however, while becoming from any cause unfit for sea service, nevertheless be fit for employment in a military or naval band, or for any industrial occupation, it shall be in the option of the Ship Committee to retain such boy for a reasonable length of time with the view, if practicable, of providing for him in either of those occupations.

Art. 15.—The Board of Management shall, so far as is practicable, give at least a month's notice previous to any boy attaining the age of sixteen years, to the clerk to the Guardians of the Union or Parish to which such boy is chargeable, and shall send him to the workhouse of such Union or Parish as soon as he has attained that age.

* * * * *

Section IX.—Duties of Officers.

* * * * *

Duties of the Captain-Superintendent.

Art. 56.—The following shall be the duties of the captain-superintendent :

* * * * *

Art. 56.—No. 13. To give immediate information, by post or otherwise, of the death of any boy in the ship to the medical officer, if not present at the death, and to the nearest relations of the deceased who may be known to him, and to the Guardians of the Union or Parish, or to the superintendent of the district school, from which the boy shall have been admitted; and if the body be not removed within a reasonable time, to provide for the interment thereof.

Section XVI.—Infirmary.

Art. 67.—The regulations herein contained shall apply, so far as they are applicable to any infirmary or other building which may be provided on shore, by the Board of Management, for purposes relating to the ship.

SCHEDULE.

Form (A) [Article 3.]

Admission Order.

_____ School District.

*_____ Union [Parish]. Dated this_____ day of _____18____.

To the Captain-Superintendent of the Metropolitan District Training Ship at_____.

Admit the boy named and described as below:—

Name	Age	Chest Measurement	Description †	Religious Persuasion			Nearest known relative	
				Of the Father	Of the Mother	Not known	Name	Address

* Where the boy is sent from a district school, the name of the Union or Parish to which he is chargeable should also be inserted.

† Insert "Orphan," "Deserted," or "Parent(s) in Workhouse," as the case may be; and where illegitimate, state so.

———*Clerk to the Board of Guardians* [*School Managers*].

(No. 1.)—*Consent of Parents or Surviving Parent.*[1]

(No. 2.)—*Consent of Board of Guardians in the case of a Boy sent from a District School.*[1]

(No. 3.)—*Medical Certificate.*

I, the undersigned, do hereby certify that I have this day personally examined the boy above named, and that he is, in my judgment, free from disease, and fit, as regards his bodily and mental condition, for training for the sea service.

(Signed)_____Medical Officer of the_____
Union [Parish of_____] [_____District School].
Dated this_____day of_____18____.

Given under the Seal of Office, this 24*th day of August*, 1876.

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[1] These two forms were rescinded by the Order of 13th August, 1886, *post.*

METROPOLITAN ASYLUM DISTRICT. TRAINING SHIP "EXMOUTH": AMENDING REGULATIONS.

(Dated 13th August, 1886.)

To the Board of Management of the METROPOLITAN ASYLUM DISTRICT:—

And to all others whom it may concern.

WHEREAS We, the Local Government Board, by an Order dated the 24th day of August, 1876, prescribed certain regulations for the government of any training ship or ships which might be acquired by the Board of Management of the said Metropolitan Asylum District in pursuance of Section 11 of the Metropolitan Poor Amendment Act, 1869, such ship or ships to be used for the training for the sea service of pauper boys chargeable to some Union or Parish within the said District;

And whereas by the said Order it was directed that a certain form specified in the Schedule to such Order, and termed therein a Form of Consent, to be duly filled up and signed by the parents, or the surviving parent, or by the clerk on behalf of the Board of Guardians in the case of a boy sent from a district school, should accompany the order for the admission of any boy to any such training ship or ships;

And whereas it is expedient that such Form of Consent should be altered as hereinafter mentioned;

NOW, THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, hereby Order that the Consent accompanying the order for admission of any boy to any training ship or ships belonging to the Board of

Management of the Metropolitan Asylum District shall, in future, be given in one of the Forms specified in the Schedule to this Order.

Given under the Seal of Office this 13*th day of August*, 1886.

SCHEDULE.

(No. 1).—*Consent of Parents or Surviving Parent.*

We [I], the undersigned, being the parents [surviving parent] of the boy above named, hereby testify our [my] consent to his being sent for the sea service to the above-mentioned metropolitan district training ship, and upon the completion of his training to his entering the Royal Navy, and engaging to serve until he shall have completed 12 years continuous service from the age of eighteen, or to his entering the Mercantile Marine Service.

Signed {_____

_____

Dated this _____ day of _____ 18 .

(No. 2).—*Consent of Board of Guardians in the case of a Boy sent from a District School.*

The Guardians of the Poor of the Union [Parish of], hereby testify their consent to the boy above named being sent for the sea service to the above-mentioned metropolitan district training ship, and upon the completion of his training to his joining the Royal Navy or the Mercantile Marine Service.

Signed by Order of the Guardians,

_____ *Clerk.*

Dated this _____ day of _____ 18 .

METROPOLITAN ASYLUM DISTRICT.

(Dated 28th November, 1870.)

To the Board of Management of the Metropolitan Asylum District :—

To the Guardians of the Poor of the several Unions and Parishes comprised within the said district :—

And to all others whom it may concern.

* * * * *

Art. 19.—The clerk to the Board of Management shall, as soon as he shall receive notice from the auditor of the day or days appointed by him for the auditing of the half-yearly accounts of the Board of Management,[1] transmit the following notice to the Guardians of each Union or Parish in the district, who shall forth-

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[1] By Section 33 of the Metropolitan Poor Act, 1867 (30 Vict. c. 6), it is enacted that the Poor Law Board (now the Local Government Board) shall appoint some person to be the Auditor of the Metropolitan Asylum District, who shall audit the accounts of the managers and of their officers; and that those accounts shall accordingly be prepared for and submitted to the auditor at such times and in such manner as the accounts of Guardians of Unions are by the Poor Law Acts required to be prepared and submitted. Section 34 of the same Act enacts that the auditor shall have the like powers of allowing and disallowing accounts, and of making surcharges therein, as auditors appointed under the Poor Law Acts have for the time being, as to which see the notes to Art. 38, *et seq*, of the General Order for Accounts of January 14, 1867, *ante*, p. 616. The Section further enacts that sums disallowed, reduced or surcharged in the accounts submitted to the auditor shall be recoverable in like manner as under the Poor Law Acts; and that there shall be the like appeal to the Court of Queen's Bench as to the Poor Law Board (now the Local Government Board) against an allowance, disallowance, or surcharge made by the auditor, as in the case of the audit of Union or Parish accounts, as to which see the circular of the Local Government Board of May 18, 1885, in the Appendix, *post*. Within one month after each audit, the manager shall deliver, by post or otherwise, to each Board of Guardians in the district a printed abstract in a form from time to time prescribed by the Poor Law Board (now the Local Government Board) of the accounts as audited (30 Vict. c. 6, s. 35.)

with cause the same to be affixed on the external gate or door of the workhouse or workhouses of such Unions, or Parishes respectively, and a copy to be hung up in some conspicuous place in their Board room, and shall continue the same so affixed and hung up until the audit is completed :—

"METROPOLITAN ASYLUM DISTRICT.

"Notice is hereby given, that the half-yearly statements of the accounts of this district, together with the *Ledgers*, will, on the day of be deposited at ; and such statements and books will be open to be inspected, examined, and copied by any owner of property or ratepayer in the said district, at any reasonable hour in the day time, when the Board of Management is not sitting, until the day of ; and that on the last-mentioned day, at the hour of the accounts of the Board of Management will be audited by the auditor, at when and where every such owner or ratepayer in the district, who may have any objection to any matter contained in the above-mentioned accounts, may attend and prefer his objection, and the same will be heard by the auditor.

"Dated_____.

"_____ Clerk to the Board of Management."

The clerk to the Board of Management shall also inform the clerk of the asylum, if there be one, and if not, then the house superintendent, of the time and place fixed by the auditor for the half-yearly audit of the accounts of the asylum, as soon as notice to that effect shall have been received from the auditor.

* * * * *

Art. 21.—In case the auditing of any of the said accounts shall be adjourned for any longer period than from day to day, the clerk to the Board of Management, on receiving an intimation thereof from the auditor, shall give, as prescribed by Art. 19, notice of the time and place of such adjournment, and of the accounts remaining to be audited, as often as such adjournment shall be made, which notice shall be published by the Guardians of

the several Unions and Parishes in the manner required by that Article.

* * * * *

Art. 23.—The clerk of the asylum, if there be one, and if not, then the house superintendent (house steward), shall, within twenty-one days after the end of each half-year, prepare a separate list as regards each Union and Parish in the district, according to the first part of the *Form* in Schedule (C.) called *the Union and Parochial List and Statement of Account*, showing the name of every pauper chargeable to such Union and Parish during the previous half-year, together with the number of days each pauper has been maintained in the asylum ; and such list, when so prepared, shall be transmitted to the clerk of the Board of Management, who shall examine the entries made therein, and shall certify to the accuracy thereof by his signature. The clerk to the Board of Management shall also make out, in the form given at the foot of such list, a complete statement of the account of each Union and Parish with the Board of Management, and shall sign the same and forward a copy thereof to the Guardians of the Union and Parish to which it relates, within twenty-one days after the end of each half-year.

The Union and Parochial List and Statement of Account.

METROPOLITAN ASYLUM DISTRICT.

_____ Asylum. _____ UNION [*or* PARISH.]

LIST of Paupers in the Asylum whose maintenance is charged against the Union [*or* Parish], together with a Statement of the Amounts respectively credited and debited to the Union [*or* Parish], in the Accounts for the half-year ending _____, 18 .

Names of the Paupers	No. of Days' Maintenance

_____ Clerk of the Asylum [*or* House Superintendent].

I hereby certify that the entries in the above Statement are correct.

_____ Clerk to the Board of Management.

Dr	£	*s.*	*d.*	*Cr*	£	*s.*	*d.*
Balance against the Union [*or* Parish] brought forward . .				Balance in favour of the Union [*or* Parish] brought forward . .			
Maintenance of Paupers . .				Contributions paid to the Treasurer of the District upon Orders of the Board of Management			
Clothing of Paupers . . .							
Proportion of Salaries and Maintenance of Officers and Servants				Other Moneys paid to the Treasurer in respect of the Asylum			
Proportion of Instalments of Loans				Other Receipts or Credits (viz.)			
Proportion of Interests on Loans							
Other Charges (viz.) . . .							
Balance in favour of the Union [*or* Parish]				Balance against the Union [*or* Parish]			

Dated this _____ day of _____ 18 .

_____ *Clerk to the Board of Management.*

Given under our Hands and Seal of Office, this Twenty-eighth day of November, 1870.

CENTRAL LONDON SICK ASYLUM DISTRICT TRAINING OF NURSES ORDER.

(Dated 13th May, 1873.)

To the Board of Management of the Central London Sick Asylum District :—

And to all others whom it may concern.

Whereas by section 29 of the Metropolitan Poor Act, 1867, it is enacted that where an asylum is provided under that Act for reception and relief of the sick poor chargeable in Unions and Parishes in the Metropolis, it may be used for the training of nurses, in such cases and manner and subject to such regulations as the Poor Law Board from time to time by Order direct ;

And whereas by an Order dated the second day of May, 1868, the Poor Law Board, under the powers given by the above-recited Act, declared that certain Unions and Parishes in the Metropolis should be combined into a district, to be termed "*The Central London Sick Asylum District,*" for the reception and relief of such poor persons chargeable to some one of such Unions and Parishes, who might be sick and require to be treated in an hospital or infirmary ;

And whereas the Board of Management of the said district have, with the authority of the Poor Law Board, provided an asylum for the reception and relief of poor persons of the class above mentioned, chargeable to some one of the Unions and Parishes in the said district, and it is expedient that such asylum should be used for the training of nurses as provided for by the section of the Metropolitan Poor Act, 1867, above recited ;

Now, therefore, we, the Local Government Board, in pursuance of the powers given by the statutes in that behalf, hereby order and direct as follows :—

Art. 1.—The Board of Management of the said Asylum District may receive into the said asylum, for the purpose of training as nurses, such a number of women, either single or widows, as may from time to time be approved of by the Local Government Board, to be termed "probationary nurses."

Art. 2.—No person shall be so received who is less than twenty-five or more than thirty-five years of age, and no person, being a widow, shall be so received, unless a certificate or other satisfactory proof of her marriage, and of the death of her husband, has been produced to the Board of Management.

Art. 3.—Application for admission to the asylum as a probationary nurse shall be made by the applicant, personally, to the matron of the asylum, in the first instance, who shall, after having made such inquiry as may be necessary to satisfy herself as to the suitability of the applicant, furnish the Board of Management in each case with a statement in writing of the name, age, residence, and previous occupation of the applicant, and the result of such inquiry.

Art. 4.—The name of each person engaged by the Board of Management as a probationary nurse at the asylum shall be reported to the Local Government Board as soon as practicable after the engagement has been made.

Art. 5.—The period during which each person shall remain in the asylum as a probationary nurse shall be one year, and each person selected shall be required to sign a written undertaking to remain in the asylum for that length of time.

Provided, that where the Board of Management may think it desirable that a probationary nurse, owing to failure of health, or other special circumstances, should be allowed to relinquish her engagement at the asylum before the expiration of one year, the said Board may dispense with the fulfilment of the undertaking accordingly.

Provided also, that in the event of misconduct, inefficiency, or

neglect of duty, a probationary nurse may at any time be dismissed by the Board of Management or by the Local Government Board.

Art. 6.—The person so engaged at the asylum shall serve in the capacity of assistant nurse, and shall be subject, as regards the discharge of her duties, to the control of the medical officer and the matron of the asylum, and to all the regulations of the Poor Law Board or the Local Government Board in force for the time being in the asylum, with regard to the duties of nurses.

Art. 7.—Each person engaged as a probationary nurse under this Order shall be paid such remuneration as the Board of Management shall deem proper, and may be provided with board, lodging, and washing by the said Board.

Art. 8.—Each of the probationary nurses, whilst engaged in the asylum, shall wear such a dress as shall be provided for her by the Board of Management.

Art. 9.—A register shall be kept by the matron of the asylum, under the directions of the Board of Management, containing the name of each probationary nurse, the date of her admission, and a record of her conduct and qualifications whilst so engaged in the asylum.

Given under our Seal of Office, this Thirteenth day of May, in the year One thousand eight hundred and Seventy-three.

The following Regulations as to the Training of Infirmary Nurses at the St. Marylebone Infirmary, Notting Hill, may be of general interest:—

1. The Guardians of the Parish of St. Marylebone have made arrangements with the Committee of the Nightingale Fund for giving a year's training at the above Infirmary to women desirous of working as Infirmary Nurses.

2. Women desirous of receiving this course of training should apply to the Matron (at first by letter), at the St. Marylebone Infirmary. The age considered desirable for Probationers is from 22 to 32, single or widows. A certificate of age, and, in the case of widows, a copy of the marriage certificate, and other information, will be required according to the accompanying form.

3. The Probationers will be under the authority of the Matron, and subject to the rules of the Infirmary. They will serve as Assistant Nurses in the Ward of the Infirmary, and will receive instructions from the Head Nurses, and they will also receive class instruction from the Medical Officers and "Home" Superintendent.

4. They will be lodged in the Nurses and Probationers' Home. Each

will be supplied with full rations, washing, separate bedroom and in-door uniform.

5. They will receive during their year of training the sum of £10, payable as follows, viz., at the end of the first quarter, £2, second quarter, £2 10*s*., third quarter, £2 10*s*., and fourth quarter, £3. No payment will be made if discharged during the currency of a quarter.

6. They will be considered on trial for *two months*. At the end of that time, if found suitable, they will be entered as Probationers, and receive their uniform. Their term of training will consist of a full year, dating from their entry on duty, and at the expiration of the term, if found deserving, they will be entered on the Register as Certified Nurses.

7. For the two years next succeeding the completion of their training, they will be required to enter into service in the Marylebone or some other Poor Law Infirmary, approved by the Guardians, at the usual salary.[1] The annual salary of Trained Nurses in the Marylebone Infirmary commences at £20, together with uniform and full board, including tea and sugar, and an allowance for washing, and each nurse has a separate bedroom.

8. A Record will be kept in which the names of Probationers will be entered and their conduct and progress recorded; this will be submitted every month to the Infirmary Committee.

9. The Committee of the Nightingale Fund will (subject to the approval of the Infirmary Committee) grant a gratuity of £2 to each Certified Nurse on the completion of her first, and also of her second, year of service, provided that evidence be afforded at the end of each such year that she has served the whole time satisfactorily in accordance with the 7th Clause.

AGREEMENT TO BE SIGNED AT THE EXPIRATION OF "TWO MONTHS'" TRIAL.

SIR,

Having now become practically acquainted with the duties of an Infirmary Nurse, I am satisfied that I shall be able an willing, on the completion of my year of training, to enter into service as an Infirmary Nurse, and I engage to abide by the annexed regulations, to continue in the service of the Guardians, or in some other Poor Law Infirmary approved by them, wherever they shall see fit to place me, for the space of two years after the completion of my year of training, and not to put an end to any engagement, or enter into a fresh one during that time, without having given due notice to the Marylebone Guardians.

I am, Sir,
Your obedient Servant,
Signature ———.
Date ———.

To the
Chairman of the Infirmary Committee.

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[1] All Probationer Nurses will be required at the end of the two months' trial to sign a written agreement, engaging them to abide by these regulations, as below.

QUESTIONS TO BE ANSWERED BY CANDIDATE.

N.B.—This paper to be filled up in the Candidate's own handwriting, and sent to—

The Matron,
St. Marylebone Infirmary,
Notting Hill, London, W.

1. Name in full and present address.
2. Are you a single woman or a widow?[1]
3. Your present occupation, also, if a widow, the former occupation of your husband?
4. Age last birthday, date, and place of birth.
5. Height, . Weight.
6. Where educated.
7. Of what religious denomination? Name and address of some clergyma or minister who knows you.
8. Are you and have you always been strong and healthy?
9. If a widow, have you any children, how many, of what age, and how provided for?
10. Where and what was your last situation, and how long were you in it?
11. What is the address and occupation of your father, or, if not living, your mother?
12. The name and address of two ladies to be referred to; if previously employed, one of these must be the last employer. State how long each has known you.
13. Name and address of your medical attendant.
14. Have you read, and do you clearly understand, these regulations?

Date.

Signature.

Christian and surname in full.

ST. MARYLEBONE INFIRMARY,
NOTTING HILL,
LONDON, W.

——— 188—.

SIR,

Having been referred by the Matron of the St. Marylebone Infirmary to you as the Medical Attendant of and family, will you kindly reply to the questions required by the Infirmary Committee from each candidate before she can be appointed a probationer in this Schoo l for Nurses.

As you will readily understand how indispensable it is for the successful training of young women that they should be not only morally but physically

[1] The marriage certificate will be required.

competent to undertake the duties of Infirmary or Hospital Nursing, I will not apologise for giving you the trouble to fill up and return the medical certificate to me, by post, at your earliest convenience.

I have the honour to be,
Your obedient Servant,
——— *Medical Superintendent.*

Medical Certificate:—

1. How long have you been acquainted with her; have you attended her professionally?
2. Is she intelligent and of active habits?
3. What is her general appearance, height, weight?
4. General health?
5. Condition of teeth?
6. Is the sense of vision good?
7. Any illness of importance?
   When? What?
8. Any tendency to pulmonary or scrofulous disease
   Cough or shortness of breath?
9. If any time spitting of blood?
10. If any heart disease?
11. If vaccinated?
12. Are her parents living?
13. Has there been any insanity in her family?
14. Uterine functions at present?
    And in general.

I have this ——— *day of* ——— 188–, *examined* ———, *and hereby certify that she is apparently in good health, that she is not labouring under any deformity, and is, in my opinion, both physically and mentally competent to undertake the duties of Nurse in an Infirmary or Hospital.*

Signed ———
Date ———

St. Marylebone Infirmary,
Notting Hill,
London, W.
——— 188—.

———

———has made application to the Infirmary Committee to be admitted into the Training School for Nurses, and has given reference to you. Will you therefore favour me *in confidence* with an early and full reply to the questions contained in the opposite page, mentioning how long you have known her, and what means you have had of becoming acquainted with her.

I am,
Your obedient Servant,
———*Matron.*

CONFIDENTIAL.

1. How long have you known ———?
2. Do you consider her health such as to warrant her undertaking the usual and somewhat arduous duties of a Hospital Nurse?
3. Is she good tempered?
4. Is she intelligent?
5. Is she sober?
6. Is she honest?
7. Is she reliable and truthful?
8. Is she of respectable parentage?
9. Is she quiet in her manner?
10. Is she pleasing in appearance?
11. Is she energetic and active?
12. Do you consider her character and habits such as will induce her cheerfully to conform to strict rules of discipline?

Signature———
Date ———

DUTIES OF PROBATIONERS IN THE ST. MARYLEBONE INFIRMARY.

As required by the Infirmary Committee, and the Committee of the Nightingale Fund.

You are required to be:

Obedient,
Sober,
Honest,
Truthful,
Trustworthy,
Punctual,
Quiet and orderly,
Cleanly and neat,
Patient, cheerful, and kindly.

You are expected to become skilful—

1. In the dressing of blisters, burns, sores, wounds.
2. In applying fomentations, poultices, and minor dressings, and in the administration of subcutaneous injections.
3. In the application of leeches, externally and internally.
4. In the administration of enemas for men and women, and the use of the catheter for women.
5. In the management of trusses and appliances in uterine complaints.
6. In the best method of friction to the body and extremities.
7. In the management of helpless patients—that is, moving, changing, personal cleanliness of, feeding, keeping warm (or cool), preventing and dressing bedsores, managing position of.
8. In bandaging, making bandages and rollers, lining of splints, &c.
9. In making the beds of the patients, and removal of sheets whilst patient is in bed.

10. You are required to attend at operations.
11. You are expected to become competent to make gruel, arrowroot, egg flip, puddings, and drinks for the sick.
12. To understand ventilation or keeping the ward fresh by night as well as by day. You are to be careful that great cleanliness is observed in all the utensils—those used for the secretions, as well as those required for cooking.
13. To make strict observation of the sick in the following particulars:—The state of secretions, expectoration, pulse, skin, appetite, intelligence (as delirium, or stupor), breathing, sleep, state of wounds, eruptions, formation of matter, effect of diet, or of stimulants, and of medicines, and to "take" the temperature, pulse, respiration.
14. And to learn the management of convalescents.

E. VINCENT.

——— *Matron.*

TIME-TABLE FOR PROBATIONERS.

Rise	Break-fast	Wards	Dinner	Wards	Tea	Wards	Off Duty	Sup-per	Dormi-tory	Gas out	Exer-cise
a.m.	a.m.	a.m.	a.m.	p.m.	p.m.	p m.	p.m.	p.m.	p.m.	p.m.	p.m.
5.45	6·30	7	11.45	12.30	5	5·30	8.30	9	10	10.30	2–4
			or p.m.	or	or	or					or
			12.30	1·15	5.30	6					6–8.45

Each Probationer will have, when on day duty, a holiday once a month.

FOR PROBATIONERS ON NIGHT DUTY.

Rise	Breakfast	Wards	Dormi-tories	Dinner	Exercise	Dormi-tories	To be in bed by
p.m.	p.m.	p.m.	a.m.	a.m.	a m.	a.m.	a.m.
6.45	7.45	8.30	8·30	9	9.30 to 11	11	11.30

All Probationers are required to attend the Morning Service in the Infirmary Chapel in their turns, and are allowed to attend their own places of worship at other times, subject to regulations.

APPOINTMENT OF ASSISTANT OFFICERS ORDER.

(Dated 19th August, 1867.)

To the Guardians of the Poor of the several UNIONS and PARISHES named in the Schedules hereunto annexed :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions or Parishes are respectively situate :—

And to all others whom it may concern.

WHEREAS, by divers General and other Orders, addressed to the several Unions and Parishes named in the Schedules hereunto annexed, the Poor Law Commissioners and the Poor Law Board respectively made certain regulations with reference to the appointments of officers and assistants and their salaries and continuance in office ; and it is expedient that certain alterations should be made in such regulations ;

Now, therefore, We, the Poor Law Board, acting under the authority of the Poor Law Amendment Act, 1834,[1] and the other statutes in that behalf made and provided, hereby order as follows :—

Art. 1.—The Guardians may employ such persons as they shall deem requisite in or about the workhouse or workhouse premises, or on the land occupied for the employment of the pauper inmates of the workhouse, or otherwise in or about the relief of the in-door poor, upon such terms and conditions as shall appear to them to be suitable.[2]

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[1] See 30 & 31 Vict. c. 106, s. 30.

[2] As to the appointment of other workhouse officers, see *ante*, p. 343, and *Reg.* v. *Haslehurst*, L. R. 13 Q. B. D. 253 ; 53 L. J. M. C. 127 ; 51 L. T. N.S.

Art. 2.—So much of any order [1] as would require the Guardians to report to this Board the appointment, salary, removal, or discharge of any such person employed by them as aforesaid, or as would provide for the quarterly or other periodical payment of any such person engaged at daily, weekly, or monthly wages, or by the piece or job, is hereby rescinded.[2]

Art. 3.—The foregoing Articles of this Order (except so much thereof as relates to their quarterly or other periodical payments) shall not apply to the following officers or persons; that is to say,—

Clerk to the Guardians.

Chaplain.

95; 32 W. R. 877; 48 J. P. 774 as to the appointment of a Roman Catholic chaplain under the Poor Law Orders. In a letter to the Guardians of Kensington dated 22nd July, 1887, the Local Government Board stated that an instructor to the female inmates of the workhouse may be appointed under the provisions of the Assistant Officers' Order, 1867.

[1] See Arts. 155 and 188 of the General Consolidated Order, *ante*, pp. 348 and 376.

[2] The Poor Law Board said that it would be seen that the effect of this Order was, with certain exceptions, to dispense with the necessity of reporting the appointment, removal, discharge, or salaries for the approval of that Board in future. It will still, however, be necessary that such report should be made in respect of the appointments of the superior officers required for the relief of this class of poor, and of those subordinate appointments, the charge of which wholly or in part is now borne by the Consolidated Fund. The Guardians must, nevertheless, carefully record the appointments which they make, the salaries which they agree to pay, and the stipulations which they enter into with the persons engaged by them, so that the auditor may have no difficulty in respect of the payments made to such persons when the accounts of the Guardians are laid before him.

As the Metropolitan Poor Act of 1867 casts upon the Common Poor Fund of the Metropolis the salaries of the officers employed by the Guardians of the Metropolitan Unions and Parishes in and about the relief of the poor, provided the appointments of the officers have been sanctioned by the Poor Law Board (now the Local Government Board), it will be competent for those Guardians to act under the previous Orders applicable to them, and continue to report the appointments of all their officers to the Board. In such cases the Guardians will waive the advantages granted by the first and second Articles of this Order.

The Board also observed that the Order did not dispense with the annual return of the list of officers and of the rest of the staff of the Guardians with which the Board required to be supplied, in order that they might be informed from time to time of the actual number of persons in the employment of the Guardians, and the nature of their duties and services.—*Instr. Letter*, August 20, 1867.

As to the monthly payment of salaries by Guardians, see the General Order of the Local Government Board of December 22, 1871, *post*.

Medical officer for the workhouse and his assistants.

Dispensers and persons engaged in preparing and dispensing medicines.

Master of the workhouse.

Matron of the workhouse.

Porter.

Nurse and assistant nurses.

Schoolmaster and schoolmistress and other persons engaged in teaching or instructing pauper children.

Art. 4.—The provisions of the said Orders relating to the security to be given by officers shall apply to every person employed under this Order.[1]

Art. 5.—When the Guardians propose to make an appointment of any officer, assistant, or servant under any of the orders aforesaid, or any other Order of the Poor Law Board, they may by special resolution require any candidate to attend personally before their Board for examination and may pay such reasonable expenses incurred by such candidate as they shall deem proper.[2]

Art. 6.—The word "Unions" in this Order shall be taken to include not only Unions and Parishes formed under the provisions of the hereinbefore-mentioned Act, but also Unions of Parishes incorporated or united for the relief and maintenance of the poor under any Local Act of Parliament.

The word "Guardians" in this Order shall be taken to include not only Guardians appointed or entitled to act under the provisions of the said hereinbefore-mentioned Act, but also any governors,

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[1] See Arts. 184–186 of the General Consolidated Order, *ante*, pp. 372 to 374.

[2] With reference to this Article, the Poor Law Board said that they took this opportunity of providing for a subject which was constantly causing much annoyance to Boards of Guardians. In making appointments to offices the Guardians sometimes required the personal attendance of all or some of the candidates. Difficulties had occasionally occurred in providing for the expenses of candidates who attended from a distance. Boards of Guardians often paid their expenses, but many auditors disallowed the amount as not being legally chargeable upon the rates, and the Poor Law Board, when appealed to, had considered themselves bound to uphold the legality of the auditor's decision. The Board, therefore, introduced a provision which they believed would remove the objection, and enable the Guardians to deal with this subject in the manner which, in the exercise of their judgment, they deem most advisable in the particular cases which may occur.—*Instr. Letter*, August 20, 1867.

deputy-governors, assistants, directors, managers, acting guardians, vestrymen, or other officers appointed or entitled to act as managers of the poor and in the distribution or ordering of relief to the poor from the poor rate under any local Act of Parliament.

Whenever the word "Parish" is used in this Order, it shall be taken to signify any place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed.[1]

The word "workhouse" shall include every school infirmary, or hospital provided by the Guardians for the reception of paupers.

SCHEDULES to which the foregoing Order refers.

Names of the Unions.

[The Unions contained in the Schedule to this Order are those mentioned in the Schedule to the General Consolidated Order, *ante*, p. 474, and the Unions mentioned in the Table of Consolidated Orders separately issued, *ante*, p. 479; except Aysgarth, Chester, East Preston, Forden, Holbeck, Hunslet, Leeds, Lunesdale, St. George's, Smallburgh, Westminster, and Woolwich Unions]; and also the following places which are under Local Acts, namely:—

Bristol.
Bury St. Edmunds.
Canterbury.
Chichester.
Coventry.
Exeter.
Flegg, East and West.
Forehoe.
Kingston-upon-Hull.
Mutford and Lothingland.
Oswestry.
Oxford.
Southampton.

Names of the Parishes.

Alston-with-Garrigill.
Birmingham.
Brighton.
East Stonehouse.
Liverpool.
Manchester.
Mile End Old Town.
Paddington.
Plymouth.
Saddleworth.
St. George-in-the-East.
St. Giles and St. George, Bloomsbury.
St. Giles, Camberwell.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Marylebone.
St. Matthew, Bethnal Green.

[1] See 52 & 53 Vict. c. 63, s. 5.

St. Pancras.
Stoke Damerel.
Stoke-upon-Trent.
Toxteth Park.
Whittlesea, St. Mary and St. Andrew.
Yarmouth, Great.

Given under our Hands and Seal of Office, this Nineteenth day of August, 1867.

The foregoing Order has been applied to the following Unions by Orders of the Local Government Board issued on the dates placed opposite the names of the Unions, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland . . .	March 28, 1893.
Saddleworth	December 28, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

A similar Order to the foregoing was issued on March 7, 1872, to the following school districts:—

Central London.
Farnham and Hartley Wintney.
Forest Gate.
North Surrey.
Reading and Wokingham.
South-East Shropshire.
South Metropolitan.
Walsall and West Bromwich.

And another similar Order was issued on the same date (March 7, 1872) to the Central London and Poplar and Stepney Sick Asylum District.

ORDER RELATING TO COLLECTORS OF POOR RATES.

(Dated 15th November, 1867.)

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed :—

To the Churchwardens and Overseers of the Poor of the several Parishes comprised within the said Unions :—

And to all others whom it may concern.

Whereas the Poor Law Commissioners and the Poor Law Board respectively have, by divers Orders in that behalf heretofore issued, ordered the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed to appoint collectors of poor rates, or the assistant overseers [1] with the duty of collecting poor rates, in all

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[1] By section 81 (6) of the Local Government Act, 1894 (56 & 57 Vict. c. 73) so much of any enactment as authorises the appointment of assistant overseers by a Board of Guardians is now repealed. This repeal does not, however, affect the power of the Guardians, where authorised by Order of the Poor Law Board or Local Government Board so to do, to appoint collectors. In rural Parishes assistant overseers are now appointed by the Parish Council, if there be one [*Ib.* s. 5 (1)]; and by the Parish meeting, where there is no Parish Council. In urban districts the Local Government Board may empower the Council of the district to make the appointment [*Ib.* s. 33 (1)]; if the district is in London the Board may empower the sanitary authority of the district to appoint assistant overseers [*Ib.* s. 33 (6)].

Assistant overseers who were in office at the time when the Local Government Act, 1894, came into operation, however, are continued in their offices, which they held by the same tenure, and upon the same terms and conditions as theretofore, and at not less salary or remuneration than previously [*Ib.* s. 81 (4)].

The power to make orders directing Boards of Guardians to appoint collectors of poor rates for any of the Parishes in their Unions is conferred by section 62 of the Poor Law Amendment Act, 1844 (7 & 8 Vict. c. 101). Where such power is acted upon in respect of any Parish, the section provides that the

or some of the Parishes comprised in such Unions, and have specified the duties to be executed by such officers, and have regulated the amount of salaries payable to them, and the time and mode of payment thereof, and the proportions in which the respective Parishes for which they are appointed shall contribute to the payment.

And whereas the said Board have, by a General Order bearing date the 14th day of January, 1867, and by sundry other Orders, prescribed the mode in which such collectors and assistant overseers shall make out and keep their accounts in relation to the collection of the poor rates.

And whereas by reason of the provisions of "The Representation of the People Act, 1867," the labour incurred in the making out and collecting of the poor rate in certain Parishes may be increased and a greater demand may be made upon such collectors and assistant overseers as aforesaid, in respect of their services in such Parishes; and in such cases it is desirable that an increase should be made in the salaries or other compensation paid to the collectors and assistant overseers appointed and acting under such Orders in any Parish affected by the provisions of the said Act in respect of such additional services.

NOW, THEREFORE, We, the Poor Law Board, acting under the powers given in and by the statutes in that behalf, do hereby order as follows; that is to say [1]—

Art. 1.—The Guardians of the Poor of the said several Unions may, if they think proper, make a reasonable increase in the salaries or other compensation now legally paid by them to such officers as aforesaid [2] of such amount and for such a period as to the said Guardians shall appear suitable, and may from time to time renew, alter, or increase such compensation.

Art. 2.—Every resolution of the Guardians under this Order

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powers of the inhabitants in vestry, or of justices, or of any persons other than the Guardians to appoint a collector for any such Parish shall cease. Presumably, then, where a collector of poor rates is appointed for a Parish, the body appointing an assistant overseer for that Parish must exclude from the duties of his office that of collecting the poor rates.

[1] With reference to this Order, see the Circular Letter of the Poor Law Board, dated November 10, 1867, in their 20th Annual Report.

[2] See the note (1) on p. 762, *ante*.

shall be reported to the Poor Law Board for their approval, and shall be of no force until approved of by them.

Art. 3.—If the Poor Law Board think proper at any time to direct the increase authorised to be made by this Order in any case to be discontinued, the payment of such increase shall cease from such time as the Board shall specify.

Art. 4.—Provided, that if the Board of Guardians shall deem it expedient to make any change in the districts for which any such collector or assistant overseer [1] shall be now acting, and such officer, and, when necessary, his sureties, shall consent thereto, their proposal shall be submitted to the Poor Law Board, and if they approve of the same, such change may be effected either with an Order of the Board or without it, as the case may require.

Art. 5.—Every such collector or assistant overseer [1] shall give his aid and assistance to the overseers of the Parish for which he acts in making out and serving the notices of poor rates in arrear required to be made out and served by the 28th section of the said Act, and in making out the list of persons in arrear of their poor rates required by the 29th section of the said Act to be made out and served by such overseer respectively.[2]

Art. 6.—Notwithstanding anything herein contained, the provisions of the said General and other Orders as to the keeping of the accounts of the said officers, and of every other Order relating to the duties of such officers, and the powers, authorities, and duties of the said Guardians, and of the overseers of the Parishes for which they are acting, shall continue in full force.

Art. 7.—The word "*Unions*" in this Order shall be taken to include not only Unions of Parishes formed under the provisions of "The Poor Law Amendment Act, 1834," but also Unions of Parishes incorporated or united for the relief or maintenance of the Poor under any local Act of Parliament.

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[1] See the note (1) on p. 762, *ante*.

[2] It may here be observed that arrears of poor rates are recoverable, although a considerable time may have elapsed since they were made, and although the rates were not demanded at the usual time. *Reg.* v. *Blenkinsop and others* (1892), 1 Q. B. 43; 61 L. J. M. C. 45; 66 L. T. N. S. 187; 56 J. P. 246; 40 W. R. 272.

The word "*Guardians*" in this Order shall be taken to include not only Guardians appointed or entitled to act under the provisions of the said "Poor Law Amendment Act, 1884," but also any Guardians appointed or entitled to act as managers of the Poor under any local Act of Parliament.

Whenever the word "Parish" is used in this Order it shall be taken to signify any place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed.

SCHEDULE.[1]

Names of Unions to which this Order applies.

Aberystwith.
Abingdon.
Amersham.
Andover.
Anglesey.
Asaph, St.
Ashford, East.
Aston.
Atcham.
Bangor and Beaumaris.
Bath.
Battle.
Bedford.
Bedminster.
Berwick-upon-Tweed.
Beverley.
Birkenhead.
Blackburn.
Blean.
Bodmin.
Bolton.
Bosmere and Claydon.
Boston.
Broughton, Great.
Bradford (York).
Bramley.
Brecknock.
Bridge.
Bridgend and Cowbridge.
Buckingham.
Bury.
Caistor.
Cambridge.
Cardiff.
Cardigan.
Carlisle
Carmarthen.
Carnarvon.
Cheltenham.
Chichester.
Chippenham.
Chorlton.
Christchurch.
Cirencester.
Clifton.[2]
Clitheroe.
Cockermouth.
Colchester.
Conway.
Cookham.
Cuckfield.
Darlington.
Derby.
Devizes.
Dewsbury.
Doncaster.
Dover.
Dudley.
Durham.
Eastry.
Ecclesall Bierlow.
Elham.
Ellesmere.
Evesham.
Falmouth.
Frome.
Fulham.
Gainsborough.
Gateshead.
Gloucester.
Gravesend and Milton.
Guildford.
Guisborough.
Hackney.
Halifax.
Hartismere.
Hartlepool.
Haverfordwest.
Headington.
Hereford.
Hertford.
Highworth and Swindon.
Holborn.
Holyhead.
Holywell.
Honiton.
Horsham.
Huddersfield.
Huntingdon.
Ipswich.

[1] The Unions in this Schedule comprise one or more Parishes within a parliamentary borough.

[2] Now Barton Regis Union.

Kendal.
Kidderminster.
Kingsbridge.
King's Norton.
Launceston.
Leicester.
Leominster.
Lewisham.
Liskeard.
Llanelly.
London, City.
London, East,
London, West.
Lymington.
Macclesfield.
Machynlleth.
Madeley.
Maidstone.
Malton.
Mansfield.
Medway.
Merthyr Tydvil.
Monmouth.
Morpeth.
Neath.
Newcastle-under-Lyme.
Newhaven.
Newport (Monmouth).
Newton Abbot.
Newtown and Llanidloes.
Northallerton.
Northampton.
North Aylesford.
Nottingham.
Olave's, St.
Oldham.
Oxford.
Pembroke.
Penzance.
Peterborough.
Petersfield.
Pontefract.
Pontypridd.
Poole.
Portsea Island.
Preston.
Prestwich.
Pwllheli.
Reading.
Rhayader.
Richmond (York).
Ripon.
Romney Marsh.
Ruthin.
Rye.
Salford.
Saviour's, St.
Scarborough.
Sculcoates.
Sheffield.
Shiffnal.
Southampton.
South Shields.
South Stoneham.
Southwell.
Stafford.
Stamford.
Stepney.
Steyning.
Stockport.
Stockton.
Strand.
Stroud.
Sunderland.
Swansea.
Tamworth.
Taunton.
Tavistock.
Tewkesbury.
Thakeham.
Thetford.
Thirsk.
Thomas, St.
Tiverton.
Truro.
Tynemouth.
Wakefield.
Walsall.
Wareham and Purbeck.
Warrington.
Warwick.
Wells.
West Bromwich.
Westbury and Whorwelsdown.
West Derby.
West Hampnett.
Weymouth.
Whitby.
Whitechapel.
Whitehaven.
Wigan.
Wilton.
Winchester, New.
Windsor.
Wolstanton and Burslem.
Wolverhampton.
Woodbridge.
Worcester.
Worksop.
Wycombe.

Given under our hands and Seal of Office, this 15th day of November, 1867.

ACCOUNTS—SUSPENSORY ORDER.

(Dated 17th January, 1868.)

To the Auditors of the several Audit Districts named in the Schedule hereunto annexed :—

To the Guardians of the Poor of the several Unions comprised in such Districts :—

And to all others whom it may concern.

Whereas by a General Order of the Poor Law Board, bearing date the 14th day of January, 1867, addressed to the Guardians of the Poor of the several Unions named in the Schedule (H.) thereunto annexed, the Poor Law Board made certain regulations as to the keeping of accounts, and the accounting of the persons therein mentioned to the auditor, and the Poor Law Board required that such regulations should apply to every case in which the Poor Law Board should not assent to a departure from any of the regulations contained in the said Order.

And whereas in Article 50 of the said recited Order,[1] it is required that the auditor shall, at the close of each audit of the accounts of the Union, transmit to the Poor Law Board a certain statement as to the books directed by that Order to be kept, and shall deliver copies thereof to the Board of Guardians.

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[1] *Ante*, p. 626.

And whereas it appears to the Poor Law Board to be expedient to allow a departure from this regulation, as hereinafter set forth.

I am therefore directed to state that the Poor Law Board authorise the auditors of the districts comprising such Unions, and named in the Schedule hereunto annexed, to withhold the transmission of the copies of the statements aforesaid to the Boards of Guardians, until further directions in that behalf shall be given by the Poor Law Board.

SCHEDULE above referred to.

Names of the several Audit Districts.

Bedfordshire and Hertfordshire.
Berkshire and Hampshire.
Buckinghamshire and Northamptonshire.
Cambridgeshire and Huntingdonshire.
Cheshire and Denbighshire.
Cornwall and Devonshire.
Cumberland, East, and Westmoreland.
Cumberland, West.
Devonshire, North.
Devonshire, South-East.
Durham and Northumberland.
Durham and Yorkshire.
Essex.
Gloucester and Monmouthshire.
Hampshire and Wiltshire.
Kent, East.
Kent, West.
Lancashire, South, and Cheshire.
Lancashire, West, and North.
Leicestershire and Nottinghamshire.
Lincolnshire and Rutlandshire.
London.
Metropolitan, North-East.
Metropolitan, North-West.
Metropolitan, South-East.
Metropolitan, South-West.
Norfolk, East.
Norfolk, West.
Oxfordshire and Warwickshire.
Shropshire and Montgomeryshire.
Somersetshire and Wiltshire.
Somersetshire, West.
Suffolk, East.
Suffolk, West.
Sussex, East, and Surrey.
Wales, North.
Wales, South.
Wiltshire and Gloucestershire.
Yorkshire, North-East.
Yorkshire, South.
Yorkshire, West.

Dated this Seventeenth day of January, 1868.

The foregoing Order has been applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite to the names of the Unions, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland . . .	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

VACCINATION CONTRACT ORDER.

(Dated 15th February, 1868.)

To the Guardians of the Poor of the several Unions named in the Schedule (C.) hereunto annexed :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions are respectively situate :—

And to all others whom it may concern.

Whereas the Poor Law Board, by a General Order bearing date the 30th day of November, 1853, and divers other Orders in that behalf, addressed to the Guardians of the Poor of the several Unions named in the Schedule (C.) hereunto annexed, did prescribe certain forms of contract which the said Guardians should adopt in making contracts with the medical officers of the said Unions, or other legally qualified medical practitioners, under the provisions of the Act of the sixteenth and seventeenth years of the reign of Her Majesty intituled "*An Act further to extend and make compulsory the practice of Vaccination.*"

And whereas by reason of the passing of "The Vaccination Act, 1867," it is expedient that such forms of contract should be altered and modified, and that, with respect to all future contracts, the said several Orders should be rescinded.

Now, therefore, We, the Poor Law Board, in pursuance of "The Poor Law Amendment Act, 1834," and the several other statutes in that behalf, hereby Order and Direct, that in respect of all contracts to be entered into by the Guardians of the said several Unions, after the date hereof, the said Orders shall be rescinded.

And We hereby further Order and Direct, with reference to all the said Unions, that the following form of contract, with such modifications as the Guardians, with the approval of the Poor Law Board, may determine upon, shall be adopted by the said Guardians in making future contracts with the medical officers of the said Unions, or other legally qualified medical practitioners therein, under the provisions of the above-recited Acts.

ARTICLES OF AGREEMENT entered into this day of One thousand eight hundred and , between of the one part, and the Guardians of the Poor of the Union, in the County of , of the other part.

Whereas the said Guardians have, in pursuance of the several statutes in that behalf, with the approval of the Poor Law Board, divided the Union aforesaid into districts, for the purpose of vaccination, one of which districts comprises the Parishes and places following; that is to say , and have appointed the places mentioned in the Schedule (A.) hereunto annexed as convenient for the performance of such vaccination; and the said Guardians have agreed with the said to enter into a proper contract for the performance of the vaccination.

Now, therefore, the said doth hereby covenant and agree with the said Guardians and their successors, that from and after the day of , he will attend by himself or some medical practitioner legally qualified for that purpose as his substitute, at the times and places mentioned in the said Schedule (A.), or at such other times and places as the said Guardians shall, with the consent of the Poor Law Board, determine and cause to be indorsed thereon, and will then and there duly, and according to the requirements of the law, vaccinate every person resident in the district aforesaid who shall apply to or be brought to him for the purpose of being vaccinated, and will do and perform all such acts and things as to the best of his judgment, and in accordance with such requirements, shall seem necessary for the purpose of causing such vaccination to be successfully terminated;

And will in like manner vaccinate any child resident out of his district whom any relieving officer of the said Union shall in writing refer to him for vaccination;

And will attend at the times and places mentioned in the said Schedule (A.) to inspect the results of such vaccination in the persons so vaccinated, and will duly inspect such persons accordingly, and do such acts, and give such directions, and otherwise treat the cases as upon such inspection shall appear to him to be necessary;

And will keep a book to be termed "The Vaccinator's Register," to be provided for him by the said Guardians, and will, as soon as practicable after he shall have vaccinated any person to whom this contract shall apply, and as soon as practicable after he shall have inspected the results of the vaccination of such person, make the entries respectively applicable to the vaccination and the

inspection of the results described in the Form set forth in the Schedule (B.) hereunto annexed, and will, on the day next before the first ordinary meeting of the said Guardians in every calendar month [or quarter of the year, *as may be agreed upon between the parties*], deliver or cause to be delivered to their clerk the book in which he shall have made such entries during the interval preceding such meeting.

And the said Guardians do, for themselves and their successors, covenant and agree with the said , as follows; that is to say,—To pay to him, his executors or administrators, within one calendar month after Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day respectively, during the subsistence of this contract, and within one month after its termination, for every person to whom this contract shall apply upon whom, in accordance with the regulations of the Lords of the Council in force at the time, and all other requirements of the law, the operation of primary vaccination shall be successfully performed by the said , at the within-mentioned station at , the same being situated at [*or* within one mile from] his residence by the nearest public carriage road, the sum of [*here insert the sum agreed upon, not less than* 1*s.* 6*d.*]; and for every such person so vaccinated at the within-mentioned station at , the same being situated over one mile and under two miles distant from such residence, the sum of [*here insert the sum agreed upon, not less than* 2*s.*]; and for every such person so vaccinated at the within-mentioned station at , the same being situated over two miles from such residence, the sum of [*here insert the sum agreed upon, not less than* 3*s.*]; and further to pay to him, his executors or administrators, at the times hereinbefore mentioned, the sum of in respect of every person to whom this contract shall apply upon whom the operation of primary vaccination shall be successfully performed in accordance with such regulations and requirements as aforesaid by the said , elsewhere than at a station herein mentioned.

And it is hereby mutually agreed by and between the parties hereto, that no sum of money shall be paid to the said , in respect of any person whose name, together with the other particulars relating to the case, shall not be duly entered in the said Register, except in the case of any omission which shall be explained to the satisfaction of the said Guardians.

And it is hereby mutually agreed that this contract may be put an end to by either of the parties hereto on giving twenty-eight days' notice in writing to the other party respectively of the intention to put an end to the same.

[*Here must be inserted some other stipulation or condition to which the Poor Law Board shall consent to secure the due vaccination of persons, the observance of the provisions of the Vaccination Act with regard to the transmission of the certificate of successful vaccination, and the fulfilment of all other provisions of the said Act on the part of the public vaccinator.*[1]]

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[1] This has been added in consequence of the language of 30 & 31 Vict. c. 84, s. 7; and the Guardians will have to consider what conditions are necessary to effect the object of the section.

The following clause has been suggested for insertion in the contract in this place, and appears to be free from objection: "The said shall from time to time and when required by the said Guardians, render to them an account of all fees claimed by him in respect of vaccinations, provided always that the

SCHEDULES referred to in the above Articles of Agreement.

SCHEDULE (A.)

Times and Places appointed for Vaccination and Inspection respectively			
Times			Places
Day of Attendance		Hours of the Day	
For Vaccination	For Inspection		At the Residence of the said
	This must be the same day in the following week		At _____ At _____ At _____

said shall not be entitled to be paid any account rendered by him in respect of such fees unless he shall have punctually attended at the times and places for the purposes of vaccination, as stated in the Schedule hereto, and also shall have duly and punctually registered and certified in relation to vaccination (as he is required to do by the Vaccination Act, 1867) in respect of every person who shall have applied to him for such purpose during the period to which his account or claim for fees shall relate."

SCHEDULE (B.)

*Vaccinator's Register of the*_____*District of*

_____*Public Vaccinator*_____*day of*

1	2	3	4	5		6	7	8
No. of case consecutive to 500, and then to be repeated	Date of Vaccination	Name	In case of Re-vaccination of Adults, and Adolescents successfully vaccinated in early Life, mark R.	Age		Place of Residence	Where Vaccinated *	Name or No. in Register of the subject with whose Lymph the Vaccination is performed —or insert N.V.E. if the Lymph be sent by the National Vaccine Establishment —or state other source, if any
				Years	Months			

* Whether at the Vaccinator's Residence, or at an

SCHEDULE (B.)

the _____ *Union.*

_____ 18 ___.

9	10	11	12		13	14	15
Initial of Person performing the Vaccination	When and where inspected *	Initials of the person inspecting	Result		Date of sending Certificate to the Register	Fee due in respect of each case of successful primary Vaccination	Fee due in respect of each case of successful Re-vaccination
			Successful	Unsuccessful			
					Total.		

* appointed Station (and if so, which) or where else.

In witness whereof the said _____ hath hereunto set his hand and seal, nd the said Guardians their common seal, the day and year first above written.

Signed, sealed, and delivered by the above-named _____ in the presence of _____ } (L.S.)

The Common Seal of the Guardians of the above-named Union was hereto affixed at a meeting of the Board of Guardians, by _____, Chairman of the Board at the said meeting, in the presence of _____

Clerk to the Guardians of the said Union.

SCHEDULE (C.)

Names of Unions referred to in the foregoing Order.

The Unions are those mentioned in the Schedule to the General Consolidated Order, *ante*, p. 474, and also those to which Consolidated Orders have been issued separately, *ante*, p. 479, except the Aysgarth, Chester, East Preston, Forden, Holbeck, Hunslet, Leeds, Lunesdale, St. George's, Smallburgh, Westminster, and Woolwich Unions, and the following Incorporations :—

Flegg, East and West.
Forehoe.
Mutford and Lothingland.[1]

Given, &c., this Fifteenth day of February, 1868.[2]

The foregoing Order was applied to the following Unions by Orders of the Local Government Board issued upon the dates placed opposite the names of the Unions, viz. :—

Barrow-in-Furness	April 15, 1876.
Exeter	May 24, 1878.
Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.

[1] See the note (1) on p. 482, *ante*.

[2] With reference to the foregoing Order, the Local Government Board said (Circular, December 5, 1871) that in pursuance of the powers conferred upon them by the Vaccination Act of the last session, they deemed it advisable to issue such Order, and alter the form in which notice of the requirement of vaccination is to be given by Registrars of Births, as well as the form of certificate required by the Act of 1867 to be given by public vaccinators and medical practitioners with respect to vaccination. They say that they have also prescribed by the Order a form of certificate of successful vaccination to be used by the public vaccinator in cases where the vaccination has not been performed by himself; and that a supply of the necessary forms with proper directions will be transmitted by the Registrar-General to the Registrars of Births and Deaths.

Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

The Poor Law Board on March 7, 1868, issued a General Order similar to the foregoing, but adapted to the case of single Parishes, and it is now in force in the following Parishes and townships, namely :—

Alston-with-Garrigill.
East Stonehouse.
Great Yarmouth.[1]
Manchester.
Mile End Old Town.
Paddington.
Saddleworth.[2]
St. George-in-the-East.
St. Giles, Camberwell.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary and St. Andrew, Whittlesea.
St. Mary, Islington.
St. Mary, Lambeth.
St. Marylebone.
St. Matthew, Bethnal Green.
St. Pancras.
Stoke Damerel.
Stoke-upon-Trent.
Toxteth Park.

A General Order similar to that of the 15th February, 1868, was issued on the 16th December, 1869, to the following Unions :—

Aysgarth.
Chester.
East Preston.
Holbeck.
Hunslet.
Leeds.
Lunesdale.
Smallburgh.

And also on the 13th May, 1870, to the following Unions :—

Forden. St. George's. Shrewsbury.

Orders prescribing a Form of Vaccination Contract similar to the foregoing, have been issued separately to the following :—

Bristol	April 11, 1868.
Bury St. Edmunds	September 24, 1868.
Exeter	May 11, 1868.
Kingston-upon-Hull	May 30, 1868.
Liverpool	September 24, 1868.
St. Giles and St. George, Bloomsbury	May 27, 1869.
Stoke Damerel	December 21, 1868.
Westminster	September 4, 1868.
Woolwich	May 25, 1868.
Chichester	April 17, 1871.
Oswestry	July 28, 1870.
Plymouth	May 29, 1874.

[1] Now the Great Yarmouth Union, see *note* (4), *ante*, p. 480 ; and as to the application of the Vaccination Contract Order to such Union, *ante*, p. 776.
[2] Now the Saddleworth Union, see *note* (2), *ante*, p. 482. See *supra* as to the application to such Union of the Vaccination Contract Order.

WORKHOUSE MEDICAL OFFICERS' ORDER.

(Dated 4th April, 1868.)

To the Guardians of the Poor of the several UNIONS, INCORPORATIONS, and PARISHES named in the Schedule hereunto annexed ;—

To the Medical Officers for the Workhouses of such Unions, Incorporations, and Parishes respectively ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions, Incorporations, and Parishes are respectively situate ;—

And to all others whom it may concern.

WHEREAS, by two General Orders dated respectively the twenty-fourth day of July, One thousand eight hundred and forty-seven, and the eighth day of December in the same year, and by divers other Orders of the Poor Law Commissioners and the Poor Law Board, addressed to the several Unions, Incorporations, Parishes and other places named in the Schedule hereunto annexed, provisions are made for the appointment of an officer for every workhouse, termed "The Medical Officer for the Workhouse," and the duties to be performed by such officer are therein set forth.

And whereas it is expedient that certain other duties should be prescribed to be performed by such medical officers.

Now, therefore, We, the Poor Law Board, under the authority of the statutes in that behalf made and provided, hereby order and direct, from and after the twenty-fourth day of June next, as regards the medical officer for every workhouse in the Unions,

Incorporations, and Parishes named in the said Schedule, as follows; that is to say :—

Art. 1.—He shall keep a book, to be termed "The Workhouse Medical Officer's Report Book" (to be supplied by the Guardians), in which he shall enter in writing, duly and punctually and under the correct dates, every Report required by the said Orders to be made by him to the Board of Guardians as to the defects in the diet, drainage, ventilation, warmth, and other arrangements of the workhouse; as to any excess in the number of any class of inmates which he may deem to be detrimental to health [1]; as to every defect which he may observe in the arrangements of the infirmary or sick wards, and in the performance of their duties by the nurses of the sick [2]: and, further, a report of any other matter which, in the discharge of the duties of his office, he shall consider to require the attention of the Guardians; and also such recommendations relating to any of the matters aforesaid as he may think it right to submit to the said Guardians.[3]

Art. 2.—He shall cause this book to be delivered to the clerk to the Guardians in sufficient time to allow it to be laid before the Board of Guardians at the ordinary meeting held at or next following the date of the report, and to be produced to the visiting committee, and to the inspectors of the Poor Law Board, when they shall require to see to it.

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[1] See Art. 207, No. 6, *ante*, p. 406.

[2] See Art. 207, No. 7, *ante*, p. 406.

[3] The Poor Law Board in transmitting this Order, stated that they had found that the reports which the medical officers were called upon to make to the Board of Guardians in reference to the state of the workhouse were not unfrequently made verbally or on loose, unattached documents, and that thus the reports were lost or failed to secure the attention which they demanded. The Board, therefore, required that all these reports should be entered by the medical officer in a book specially provided for the purpose, and that the book should be regularly laid before the Board of Guardians at their meeting, so that a precise and certain record could be kept of these reports, to which resort may be always readily made whenever occasions occur. The Board did not doubt but that reports thus entered would necessarily be made with more deliberation and care than theretofore, and the Guardians would be enabled to give more strict attention to them when they found them set forth in this permanent document.—*Instr. Letter*, April 20, 1868.

Art. 3.—He shall enter on a card, to be affixed at or near the head of the bed of every patient upon whom he shall be in attendance, all medical or other extras which he shall deem necessary to be supplied.[1]

Art. 4.—He shall report in writing to the Poor Law Board the case of every sudden and every accidental death which may occur in the workhouse within twenty-four hours after he shall receive information of the same, and the cause of the death so far as he is able to explain it.[2]

Art. 5.—(*This Article is rescinded by the Order of 24th August,* 1869. *See the substituted provision in that Order, post,* p. 793).

Art. 6.—The word "Guardians" in this Order shall be taken to include any governor, director, manager, acting guardian, vestryman, or other officer in a Parish or Union appointed or entitled to act as manager of the poor, and in the distribution of the relief to the poor from the poor rate, under any general or local Act of Parliament.

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[1] With regard to the duties of medical officers as to casual paupers who are ill, see the circular letter of the Local Government Board of July 30, 1895, upon the subject of smallpox, &c., in casual wards and workhouses, *post.* The Board also said that they had made a regulation, which had been suggested from several quarters, that the medical officer should cause a card indicating what medical and other extras have been ordered in respect of each patient to be placed at or near the head of his bed, so that there may be no mistake as to what has been ordered, and the accidents which sometimes arose from mere verbal directions might be thenceforth avoided.—*Instr. Letter,* April 20, 1868.

The entries should be made only on the face of the card. It is not advisable that a description of the disease of the patient should be written upon it. The medical officer is not required by the regulation to enter the number of the dietary of the patient on the card; but if he do so, he should change the number as he varies the diet of the particular patient.

[2] See Art. 208, No. 16, *ante,* p. 417.

The Poor Law Board thought that this authentic information should be thus supplied to them, in order that they might consider whether it would be necessary for them to take any step in reference to the case reported.—*Instr. Letter,* April 20, 1868. It is neither required by law nor by any regulation of the Central Board that in the case of a person dying from natural causes, although the result of an accident, an inquest should necessarily be held upon the body. There is certainly no greater reason for holding an inquest upon the body of a person dying in a workhouse than there would be in the case of a person dying under similar circumstances in an hospital.

Statement of the Medical Officer for the Workhouse.[1]

To the Poor Law Board.

_____ *Union* [*Incorporation or Parish*].

_____ *Workhouse.*

Statement of the Medical Officer for the above-named Workhouse, for the half-year ended on the __day of_____ 18__, in answer to the following inquiries in reference to the said Workhouse.

1. Is there sufficient ventilation and warmth ?
2. Has the accommodation during the preceding six months for the several classes of sick been efficient ?
3. Are the arrangements for cooking and distribution of food, as regards the sick, satisfactory ?
4. Is the nursing satisfactorily performed ?
5. Is there a sufficient supply of towels, vessels, bedding, clothing, and other conveniences for the use of the sick inmates ?
6. Are the medical appliances sufficient and in good order ? Are there any water-beds or rack-bedsteads ? and, if so, are they sufficient in number and in good order ?
7. Are the lavatories and baths sufficient and in good order ?
8. Are the supply and distribution of hot and cold water sufficiently provided for ?

(Signed)_____ *Medical Officer*,

at_____

this_____ day of_____ 18__.

[1] This Statement is now to be made to the Guardians, see *post*, p. 793.

SCHEDULE to which the foregoing Order refers.

Names of the Unions and Incorporations.

(The Unions are those mentioned in the Schedule to the General Consolidated Order, *ante*, p. 474, and to which Consolidated Orders have been issued separately, *ante*, p. 479, with the exception of the *Westminster* and *Woolwich* Unions.) The Incorporations now existing are the following:—

Bristol.	Flegg, East and West.	Oswestry.
Bury St. Edmunds.	Forehoe.	Oxford.
Chichester.	Kingston-upon-Hull.	Southampton.

The Parishes and other places in which the Order is at present in force are—

Alston-with-Garrigill.
Birmingham.
East Stonehouse.
Liverpool.
Manchester.
Mile End Old Town.
Paddington.
Plymouth.
St. George-in-the-East.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. Giles, Camberwell.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Marylebone.
St. Matthew, Bethnal Green.
St. Pancras.
Stoke Damerel.
Toxteth Park.

Given under our Hands and Seal of Office, this 4th day of April, 1868.

The foregoing Order has been applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite to the names of such Unions, viz.:—

Great Yarmouth	March 20, 1891.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

CREED REGISTER ORDER.

(Dated 26th November, 1868.)

To the Guardians of the Poor of the several Unions named in the Schedule (A.) hereunto annexed ;—

To the Guardians of the Poor of the several Parishes and Places named in the Schedule (B.) hereunto annexed ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions and Parishes are respectively situate ;—

And to all others whom it may concern.

Whereas by "The Poor Law Amendment Act, 1868," it is, among other things, enacted "that the officer for the time being acting as the master of a workhouse, or as the master or superintendent of a district or other pauper school, shall keep a register of the religious creed of the pauper inmates of such workhouse or school separate from all other registers in such form and with such particulars as shall be prescribed by the Poor Law Board by an Order under their seal, and shall, as regards every inmate of such workhouse or school at the date to be fixed by such Order, and subsequently upon the admission of every inmate therein, make due inquiry into the religious creed of such inmate, and enter such religious creed in such register."

Now, therefore, We, the Poor Law Board, hereby order and prescribe as follows :—

Art. 1.—On and after the first day of January next, the master,

and where there is no master the matron, of every workhouse in the Unions and Parishes in the Schedules (A.) and (B.) hereunto annexed, shall keep a register of the religious creed of the pauper inmates of such workhouse in the following form, that is to say :—

RELIGIOUS CREED REGISTER.

_____Union [*or* Parish] _____Master [*or* Matron]
of the Workhouse at_____

Date of the Entry	Date of Admission	Name — Christian and Surname	From whence admitted	Religious Creed	Name of Informant	Discharged or Dead

Art. 2.—The master or matron, as the case may be, shall, on the said first day of January, or as soon after as practicable, enter the particulars of the several columns in respect of the paupers who shall be inmates of the workhouse on that day, except the day of admission, which may be omitted.

Art. 3.—Such master or matron shall in respect of every pauper admitted into the said workhouse after the said first day of January, enter the particulars in all the columns, provided that the last column shall be filled in as and when the pauper shall be discharged from the workhouse or shall die.[1]

[1] The Poor Law Board in their circular to masters of workhouses accompanying the Order, pointed out that the statute has laid down the following rules for their guidance in regard to *children*:—Where any *child* under the age of 12 years is in the workhouse (whether either of its parents be in the workhouse or not), or whether it be an orphan or deserted child, the master shall enter in such register as the religious creed of such child the religious creed of the *father*, if he know or can ascertain the same by reasonable inquiry,—Or, if the same cannot be ascertained, the creed of the *mother*, if the same be known to him, or can be ascertained in like manner.

The Local Government Board say that under any circumstances an altera-

Art. 4.—The word "Unions" in this Order shall be taken to include not only Unions or Parishes formed under the provisions of "The Poor Law Amendment Act, 1834," but also Unions of Parishes incorporated or united for the relief or maintenance of the poor under any Local Act of Parliament.

The word "workhouse" in this Order shall include every school, infirmary or hospital provided by the Guardians for the reception of paupers.

SCHEDULE (A.) to which the foregoing Order refers.

Names of the Unions.

The Unions in this Schedule are those in the Schedule to the General Consolidated Order, *ante*, p. 474, and also the following, namely:—

Barnsley.
Barton-upon-Irwell.
Bedwellty.
Bierley, North.
Birkenhead.
Bramley.
Bristol.
Bury St. Edmunds.
Canterbury.
Chichester.
Coventry.
Exeter.
Flegg, East and West.
Forehoe.
Gower.
Hartlepool.
Hawarden.
Hemsworth.
Kingston-upon-Hull.
Kirkby-Moorside.
Knaresborough.
Mutford and Lothingland.
Norwich.
Oldham.
Oswestry.
Ouseburn, Great.
Oxford.
Penistone.
Pontefract.
Pontypridd.
Prestwich.
Ripon.
Southampton.
Tadcaster.
Westminster.
Wetherby.
Wharfedale.
Whitchurch (Salop).
Wight, Isle of.
Woolwich.

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tion in the creed register can only be made by the direction of the Board in pursuance of s. 18 of 31 & 32 Vict. c. 122.

Boys under the age of 16 and girls under the age of 18 whose parents have deserted them, or are imprisoned under a sentence of penal servitude, or in respect of offences committed against them, may, under section 1 of the Poor Law Act, 1889 (52 & 53 Vict. c. 56), be taken by resolution of the Guardians under the control of the Guardians, who will thereupon until if boys they reach the age of 16, or if girls they reach the age of 18, have all the powers and rights of the parents in respect of the children. The Guardians are not, however, authorised in any such case to cause a child to be educated in any religious creed other than that in which it would have been educated but for the resolution of the Guardians (*Ib.* subsection 6).

The creed of an *illegitimate* child under the said age shall be deemed to be that of its *mother* when that can be ascertained; and the statute enables the Board to entertain and decide any question which may arise as to the correctness of the entries.

They added that the statute has provided that the register thus made

SCHEDULE (B.) to which the foregoing Order refers.

Names of the Parishes and Places.

Alston-with-Garrigill.
Alverstoke.
Birmingham.
Brighton.
East Stonehouse.
Liverpool.
Manchester.
Mile End Old Town.
Paddington.
Plymouth.
St. George-in-the-East.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. Giles, Camberwell.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Mary Abbotts, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Marylebone.
St. Matthew, Bethnal Green.
St. Pancras.
Stoke Damerel.
Toxteth.

Given, &c., this 26th day of November, in the year 1868.

A General Order, similar in its terms to the foregoing Order, was issued on December 21, 1868, to the following school districts, namely:—

Central London.
South Metropolitan.
North Surrey.
Farnham and Hartley Wintney.
South-East Shropshire.
Reading and Wokingham.
West London.

On April 9, 1875, a similar Order was issued to the following Unions, viz.:—

Aysgarth.
Chester.
East Preston.
Forden.
Holbeck.
Hunslet.
Leeds.
Lunesdale.
Saint George's.
Smallburgh.

And to the Parish of Brighton, in the county of Sussex.

The foregoing Order has also been applied to the following Unions by Orders of the Local Government Board, issued on the dates set opposite the names of such Unions, viz.:—

Great Yarmouth	March 20, 1891.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894
Whittlesey	December 19, 1894.

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is to be open to the inspection of every *minister* of any denomination officiating in the church, chapel, or other registered place of religious worship of such denomination which shall be nearest to the workhouse, or any *ratepayer* of any Parish in the Union, at any time of the day, except Sunday, between the hours of 10 before noon and 4 after noon; and concluded by saying that the master will doubtless receive some directions from the Board of Guardians as to the part of the workhouse in which this register is to be kept, so that it may be rendered easily accessible to persons entitled to inspect it, but at the same time be not liable to injury.—*Instr. Letter*, November 26, 1868.

ACCOUNTS ORDER AMENDMENT ORDER.

(Dated 16th February, 1869.)

To the Guardians of the Poor of the several UNIONS and PARISHES named in the Schedules (A.) and (B.) hereunto annexed ;—

And to all others whom it may concern.

WHEREAS by a General Order bearing date the Fourteenth day of January, One thousand eight hundred and sixty-seven,[1] addressed to the Unions named in the Schedule (A.) hereunto annexed, and by sundry other Orders dated subsequent thereto, respectively addressed to the Unions and Parishes named in the Schedule (B.) hereunto annexed, the Poor Law Board made certain Regulations in regard to the keeping of the accounts of the officers of such Unions and Parishes, and, among others, of the master of the workhouse.

And whereas the said Board required the master of the workhouse to keep a certain account, which is termed therein, "A Quarterly Balance of the Provisions Account," which should be submitted to the Visiting Committee or some member thereof when made up and balanced, who should enter a memorandum at the foot of the account, certifying to the same having been submitted to them or one of them.

And whereas a similar provision is made in respect of the "Clothing Materials Receipt and Conversion Account," the "Clothing Receipt and Expenditure Account," and the "Quarterly Balance of the Necessaries and Miscellaneous Account," all being accounts required by the said Orders to be kept by the master.

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[1] See *ante*, p. 577.

And whereas in the forms of such accounts, set forth in the Schedules annexed to the said Orders, the certificate referred to is set forth in the following words :—

"Submitted to , member of the Visiting Committee
"this day of , and found to be correct."

(Signed) _____
_____
_____

And such certificate is deemed to apply to all the entries in the said accounts, which is contrary to the intention of the Board in prescribing the regulations aforesaid.

Now, therefore, We, the Poor Law Board, under the authority of the statutes in that behalf made and provided, hereby alter the said several Orders in this respect, and hereby order, that henceforth the said certificate shall be framed as follows, that is to say,—

"Submitted to , member of the Visiting Committee
"this day of , 18 , and found to be
"correct as regards the stock remaining in store."

(Signed) _____
_____
_____

Provided that if it be found necessary to make any addition to this certificate in respect of any article, matter, or materials in which the entry made by the master is not, in the opinion of the member or members signing the same, correct, the master shall in such case lay the book containing such addition and certificate before the Board of Guardians at their next meeting.[1]

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[1] With reference to this Order the Poor Law Board said that they had ascertained that in many unions the Visiting Committee had read the certificate set forth at the foot of these accounts kept by the master of the workhouse, as implying their acquiescence in the correctness of all the entries therein, whereas it was intended that they should only testify to the correctness of the stock-taking, having regard to the statement of the master as to the stock of the various matters remaining in the stores of the workhouse at the time when the accounts are made up. To remove this misunderstanding the Board had issued a General Order to make the certificate more explicit, and confine it to the stock in store. The Board had also provided for any exception which may be taken by the Visiting Committee to the correctness of those entries, requiring the master to bring immediately under the notice of the Board of Guardians any entry of that character on the part of the Visiting Committee, so that they

SCHEDULE (A.) to which the foregoing Order applies.

(The Unions in this Schedule are those in the Schedule to the Order for Accounts, *ante*, p. 688).

SCHEDULE (B.) to which the foregoing Order applies.

Names of the Unions and Parishes not included in the General Order bearing date the 14th day of January, 1867.	Dates of Order issued subsequently to the General Order
Woolwich Union	July 8, 1868.
Parishes.	
Saint Mary, Islington	July 13, 1868.
Saint Marylebone	May 11, 1868.
Saint Pancras	August 29, 1867.

Given under our Hands and Seal of Office, this Sixteenth day of February, 1869.

The foregoing Order has been applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite the names of such Unions, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland . . .	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

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may be informed of the default, and receive the master's explanation.—*Instr. Letter*, February 16, 1869.

[1] With regard to this Order, see the General Order (Metropolis) of May 6, 1875, *post*, which provides for the appointment of a stock-taker of workhouse stores in Unions and single Parishes in the metropolis.

ACCOUNTS—SUSPENSORY ORDER.

(Dated 3rd March, 1869.)

To the Auditors of the several Audit Districts named in the Schedule hereunto annexed;—

To the Guardians of the Poor of the several Unions comprised in such Districts;—

And to all others whom it may concern.

Whereas by a General Order of the Poor Law Board bearing date the Fourteenth day of January, 1867,[1] addressed to the Guardians of the Poor of the several Unions named in the Schedule (H.) thereunto annexed, and by similar Orders lately made and issued by the Poor Law Board to the Woolwich and Westminster Unions respectively, the Poor Law Board made certain regulations as to the keeping of accounts, and the accounting of the persons therein mentioned to the auditor, and the Poor Law Board required that such regulations should apply to every case in which the Poor Law Board should not assent to a departure from any of the regulations contained in the said Order.

And whereas, among other things, it is required in the said Orders that the auditor shall, at the close of each audit of the accounts of the Unions respectively, transmit to the Poor Law Board a certain statement and certificate as to the books directed by those Orders to be kept by the overseers.

And whereas it appears to the Poor Law Board to be expedient to allow a departure from this regulation, as hereinafter set forth.

I am therefore directed to state that the Poor Law Board autho-

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[1] See *ante*, p. 577.

rise the auditors of the districts comprised in such Unions, and named in the Schedule hereunto annexed, to withold the transmission of the copies of such statements and the certificate therein referred to at the close of the audit of the accounts for the half-year ending on the 25th day of March in each year so far as they relate to the overseers.

SCHEDULE above referred to.

Names of the several Audit Districts.

Bedfordshire and Hertfordshire.
Berkshire and Hampshire.
Buckinghamshire and Northamptonshire.
Cambridgeshire and Huntingdonshire.
Cheshire and Denbighshire.
Cornwall and Devonshire.
Cumberland, East, and Westmoreland.
Cumberland, West.
Devonshire, North.
Devonshire, South-East.
Durham and Northumberland.
Durham and Yorkshire.
Essex.
Gloucestershire and Monmouthshire.
Hampshire and Wiltshire.
Kent, East.
Kent, West.
Lancashire, South, and Cheshire.
Lancashire, West and North.
Leicestershire and Nottinghamshire.
Lincolnshire and Rutlandshire.
London.
Metropolitan, North-East.
Metropolitan, North-West.
Metropolitan, South-East.
Metropolitan, South-West.
Norfolk, East.
Norfolk, West.
Oxfordshire and Warwickshire.
Shropshire and Montgomeryshire.
Somersetshire and Wiltshire.
Somersetshire, West.
Suffolk, East.
Suffolk, West.
Sussex, East, and Surrey.
Wales, North.
Wales, South.
Wiltshire and Gloucestershire.
Yorkshire, North-East.
Yorkshire, South.
Yorkshire, West.

Dated this Third day of March, in the year One thousand eight hundred and sixty-nine.

The foregoing Order has been applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite the names of such Unions, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

WORKHOUSE MEDICAL OFFICERS' ORDER.

(Dated 24th August, 1869.)

To the Guardians of the Poor of the several UNIONS, INCORPORATIONS, and PARISHES named in the Schedule hereunto annexed ;—

To the Medical Officers for the Workhouses of such Unions, Incorporations, and Parishes respectively ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions, Incorporations, and Parishes are respectively situate ;—

And to all others whom it may concern.

WHEREAS by two General Orders dated respectively the twenty-fourth day of July, One thousand eight hundred and forty-seven,[1] and the eighth day of December, in the same year, and by divers other Orders of the Poor Law Commissioners and the Poor Law Board, addressed to the several Unions, Incorporations, Parishes, and other places named in the Schedule hereunto annexed, provisions are made for the appointment of an officer for every workhouse, termed "The Medical Officer for the Workhouse," and the duties to be performed by such officer are therein set forth.

And whereas by a General Order dated the fourth day of April, One thousand eight hundred and sixty-eight,[2] the Poor Law Board prescribed certain other duties to be performed by such medical officer for every workhouse in the Unions, Incorporations, and Parishes named in the Schedule to the said Order.

And whereas in the Art. No. 5 of the said last-recited Order it

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[1] See *ante*, p. 344.

[2] See *ante*, p. 778.

is required that every medical officer for the said workhouses should report in writing to the Poor Law Board half-yearly, that is to say, on or about the first day of July, and on or about the first day of January, upon the several matters in the statement set forth in such Order.

And whereas it is expedient that the said Article should be altered as hereinafter mentioned.

Now therefore, We, the Poor Law Board, in pursuance of the Statutes in that behalf made and provided, hereby order and direct that Art. No. 5 of the said last-recited Order shall be rescinded, and that the following Article shall, as respects the Unions and Parishes set forth in the Schedule hereunto annexed, be substituted in lieu thereof.

The medical officer for the workhouse shall, in addition to the reports required to be made from time to time under Article No. 1 of the said last-recited Order, report specially to the Guardians on or about the first day of January and the first day of July in every year upon the several matters set forth in the statement contained in the said last-recited Order, and such reports shall be entered in or preserved with the Medical Report Book.

SCHEDULE to which the foregoing Order refers.

(The Unions and Incorporations and other Parishes and Places are those to which the Order of 4th April, 1868, *ante*, p. 778, applies.)

Given under our Hands and Seal of Office, this 24th day of August, 1869.

A General Order similar to the foregoing General Orders of the 4th April, 1868, and 24th August, 1869, was issued by the Local Government Board on the 9th April, 1875, to the following Unions and Parishes, viz.:—

Unions.

Aysgarth.
Chester.
East Preston.
Forden.
Holbeck.
Hunslet.
Leeds.
Lunesdale.
Saint George's.
Smallburgh.

Parishes.

Alverstoke. Brighton.

The foregoing Order has also been applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite the names of such Unions, viz. :—

Great Yarmouth	March 20, 1891.
Mutford and Lothingland . . .	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesea	December 19, 1894.

FINANCIAL STATEMENT AND DEPUTATION EXPENSES ORDER.

(Dated 27th June, 1870.)

To the Guardians of the Poor of the several UNIONS named in the Schedule hereunto annexed;—

And to all others whom it may concern.

WHEREAS by General Orders bearing date respectively the fourteenth day of January, One thousand eight hundred and sixty-seven,[1] the ninth day of September,[2] and the thirteenth day of December, One thousand eight hundred and sixty-nine,[3] the thirteenth day of May, One thousand eight hundred and seventy,[4] and by sundry other Orders respectively addressed to the Guardians of the several Unions set forth in the Schedules hereunto annexed,[5] it is, among other things, provided that the clerk to the Board of Guardians shall, at the close of each half-year, prepare in duplicate, from the accounts of the Union,—1. A Statistical Statement, showing the number of paupers of all classes actually relieved in the course of the last half-year, and the other particulars according to the *Form* and directions in a Schedule to the said Orders set forth; and—2. A Financial Statement, showing the account of the receipt and expenditure of the Union for the last half-year, together with the then outstanding liabilities, in the *Form* in the said Schedule also set

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[1] General Order for Accounts, *ante*, p. 577.

[2] General Order issued to Aysgarth, Holbeck, Hunslet, Leeds, and Lunesdale Unions, see *ante*, p. 688.

[3] General Order issued to Chester, East Preston, and Smallburgh Unions, see *ante*, p. 688.

[4] General Order issued to the Forden Union, see *ante*, p. 688.

[5] See the Second Schedule hereto.

forth ; which statements the clerk is required to submit to the auditor at the time of his auditing the Union accounts ; and it is further provided that the auditor, if satisfied of the correctness of such statements, shall sign the same ; and that the clerk shall then transmit one copy of each statement to the Poor Law Board, and preserve the other copy for the Board of Guardians.[1]

And whereas provision is also made in the said Orders for the preparation of a statement, which is termed "The Parochial List and Statement of Account," and contains the several matters set forth in the said Orders, a copy of which list and statement is thereby required to be made out and delivered to the Overseers of the Parish in the Union to which it relates, to be laid before the vestry, and to be preserved with the Parish papers.[2]

And whereas it is expedient that the Guardians should be empowered to give greater publicity to those statements and lists.[3]

Now therefore We, the Poor Law Board, acting under the

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[1] See Art. 30 of General Order for Accounts, *ante*, p. 612.

[2] See Art. 34 of General Order for Accounts, *ante*, p. 614.

[3] The Poor Law Board state that they had deemed it advisable to issue this General Order to remove the objections which had been made to the expenses which boards of guardians had incurred in printing and circulating statistical and other information relating to their Union. The Order has no compulsory operation, but only applies where the guardians shall deem the publication calculated to be beneficial in their own Union, and the Board believed that if the accounts which they have referred to in the Order are printed either in full or in abstract, they will supply the ratepayers with all the information which can reasonably be required.

In the metropolis the Metropolitan Poor Amendment Act, 1870 (33 & 34 Vict. c. 18, s. 3), requires that each board of guardians shall deliver by post or otherwise, to each vestry in the Union, within one month after the audit, one or more copies of the half-yearly financial statement of the guardians as audited.

The Board stated that they had also directed their attention to the many cases of disallowances and surcharges made by auditors in reference to the expenses incurred by deputations of guardians to the Board and to other places. The auditors had made these disallowances and surcharges partly on the ground of the absence of authority for the charge of any such expenses upon the funds of the Union, and partly on the ground of excess of that expenditure, caused principally by the number of persons composing the deputation. The Board had deemed it expedient to deal with this subject also, by making regulations, to provide that no deputation shall be sent until after due deliberation, and to prevent any excess in the expenditure by restricting the number of the persons whose expenses may be borne by the common fund.

The Board did not seek to prevent any number of persons from accompanying the deputations, but the expenses of all beyond the number specified in the Order must be borne in some other way than by a charge on that fund.—*Circular Letter*, July 14, 1870.

authorities given in and by the statutes in that behalf made and provided, do hereby order that the Guardians of any Union named in the Schedules hereunto annexed may, as and when they see fit, cause such statements and lists,[1] or any parts thereof, to be printed, and to be circulated among the ratepayers of the several Parishes in the Union, or to be advertised in some newspaper or newspapers circulating within the Union, and charge the reasonable costs incurred in the preparation, printing, circulating, or advertising of the same, upon the common fund of the Union.

[[2] And whereas it is expedient to make provision for occasional communication in person between Boards of Guardians and the Poor Law Board and preventing unreasonable expenditure thereon; Now therefore, We do hereby further Order that when any Board of Guardians shall deem it advisable to confer with the Poor Law Board upon any matter connected with the relief of the poor in their Union, or arising out of the discharge of any duty imposed upon them by law, and shall, after notice in writing sent to every Guardian of the Union, resolve to send a deputation to confer with the said Board upon such matter as aforesaid, a copy of the said resolution shall forthwith be forwarded to the Poor Law Board, and if the said Board, upon receipt thereof, shall appoint a time for the reception of such deputation, the auditor of the district comprising the Union may allow the reasonable costs, properly verified, of such deputation to the extent of three members, together with the clerk, acting or assistant clerk, and no more, as a charge upon the common fund of the Union.

When the Poor Law Board shall require the attendance of any such deputation, or when the deputation shall attend upon any matter of emergency, which in the opinion of the Poor Law Board may demand immediate attention and personal communication, the notice required in the preceding paragraph to be given to the Guardians may be dispensed with.

When the Guardians send a deputation to any other body or

[1] The words "such statements and lists" refer to the statistical, the financial, and the parochial only.

[2] See the note as to the General Order of January 2, 1871, *post*, p. 799.

authority than the Poor Law Board in respect of any matter affecting their Union, which they are empowered by law to inquire into or to report upon or to discuss the same, notice as aforesaid shall be given, and the same limitation as to the number of members to form the deputation as aforesaid shall be observed, unless the Board of Guardians shall, by special resolution, setting forth the grounds of the exception, to be duly entered on their minutes, appoint a larger number of members to form the deputation.][1]

FIRST SCHEDULE.

Containing the names of the Unions to which the foregoing Order refers, included in the General Order.

(The Unions in this Schedule are those mentioned in the Schedule to the General Consolidated Order, *ante*, p. 474, and also the following Unions) :—

Aysgarth.	Hemsworth.	Pontefract.
Barnsley.	Holbeck.	Pontypridd.
Barton-upon-Irwell.	Holyhead.	Preston.
Bedwellty.	Hunslet.	Prestwich.
Birkenhead.	Isle of Wight.	Ripon.
Bramley.	Kirkby Moorside.	Samford.
Chester.	Knaresborough.	Smallburgh.
Forden.	Leeds.	Tadcaster.
Gower.	Lunesdale.	Wetherby.
Great Ouseburn.	North Bierley.	Whitchurch (Salop).
Hartlepool.	Oldham.	
Hawarden.	Penistone.	

[1] By the Poor Law Conference Act, 1883 (49 Vict. c. 11), s. 2 : The guardians of any Union may, when empowered by and subject to any regulations made by the Local Government Board (which regulations the said Board is hereby authorised from time to time to make, vary, or rescind), pay the reasonable expenses of any guardian or guardians, or clerk to the guardians, incurred in attending any conference of guardians held for the purpose of discussing any matter which is connected with the duties which devolve on them, and any reasonable expenses incurred in purchasing reports of the proceedings of any such conference, and may charge the amount to their common fund, or if they have no common fund, to the fund under their control. The Local Government Board said that this regulation did not apply to visits of the guardians to lunatic asylums under 16 & 17 Vict. c. 97, s. 65. (The enactment referred to is repealed by 53 & 54 Vict. c. 5, s. 342 ; and provision is now made for the visitation by guardians of pauper lunatics in lunatic asylums by section 201 of the repealing statute.) As cognate to this subject, reference should be made to the Circular Letter of the Poor Law Board of July 21, 1871, on the subject of the cost of travelling and refreshments of guardians.

SECOND SCHEDULE.

Names of Unions not included in the General Orders	Dates of Order
St. George's	June 9, 1870
Westminster	February 22, 1869
Woolwich	July 8, 1868

Given under our Hands and Seal of Office, this Twenty-seventh day of June, 1870.

A General Order similar to the foregoing was issued on January 2, 1871, to the

East and West Flegg Incorporation.

And to the following Unions, Parishes, townships, or places:—

Alston-with-Garrigill.
Alverstoke.
Birmingham.
Bristol.
Bury St. Edmunds.
Canterbury.
Chichester.
East Stonehouse.
Exeter.
Forehoe.
Kingston-upon-Hull.
Manchester.
Mile End Old Town.
Oswestry.
Oxford.
Plymouth.
St. Giles, Camberwell.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. Luke, Chelsea.
St. Mary, Islington.
St. Mary, Lambeth.
St. Marylebone.
St. Pancras.
Southampton.
Stoke Damerel.
Toxteth Park.

A further General Order was also issued on January 2, 1871, containing only the paragraphs of the Order of June 27, 1870, which are printed within brackets, *ante*, pp. 797 and 798, to the

Coventry Union,

And to the Parishes of—

Brighton.
Liverpool.
Paddington.
St. George in the East.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Mary Abbotts, Kensington.
St. Matthew, Bethnal Green.

The Order of June 27, 1870, has also been applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite the names of such Unions, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 2, 1894.
Stoke-upon-Trent	" 19, "
Whittlesea	" " "

TAXATION OF BILLS OF COSTS ORDER.

(Dated 21st November, 1844.)

To the Clerks of the Peace of the several COUNTIES, RIDINGS, DIVISIONS and PLACES in England and Wales ;—

To the Guardians of the Poor of the several Unions and Parishes in England and Wales ;—

To the Overseers of the Poor of the several Parishes and Places in England and Wales ;—

And to all others whom it may concern.

WHEREAS it was enacted by the Act passed in the last Session of Parliament, intituled "*An Act for the further Amendment of the "Laws relating to the Poor in England*," that, on application of any overseer, or of any Board of Guardians, or of any Attorney-at-Law, it should be the duty of the Clerk of the Peace of the County or Place, or his deputy, if thereunto required, to tax any bill due to any solicitor or attorney in respect of business performed on behalf of any Parish or Union situate wholly or in part within such county or place ; and that the allowance of any sum on such taxation should be *primâ facie* evidence of the reasonableness of the amount, but not of the legality of the charge ; and that the Clerk of the Peace should be allowed for such taxation after the rate to be fixed from time to time by the master of the Crown office, and declared by an Order of the said Commissioners :

And whereas the master of the Crown office has fixed the rate of allowance to the Clerk of the Peace in respect of such taxation as herein declared :

Now, therefore, We, the Poor Law Commissioners in pursuance

of the Statute aforesaid, do hereby declare, that the Clerk of the Peace of every county or place in England and Wales, shall be allowed for the taxation of every bill due to any solicitor or attorney, in respect of business performed on behalf of any Parish or Union after the rate of *Fourpence per sheet*, or folio, of *seventy-two words* each.

Given, &c., this Twenty-first day of November, 1844.

The foregoing Order has been applied to the Exeter Union by an Order dated May 24, 1878, to the Canterbury Union by an Order dated April 8, 1881, and as a separate Order to the Middlesbrough Union, dated January 8, 1874. The Order has also been applied to the Great Yarmouth Union by an Order dated March 20, 1891, and to the Grimsby Union by an Order dated April 3, 1890.

The attention of the Poor Law Board having been directed to the charges made by some clerks of the peace and their deputies, for taxing bills of costs due to solicitors and attorneys in respect to business performed on behalf of Parishes or Unions, they, on April 8, 1857, addressed a circular to those clerks, in which they stated that as those charges have frequently been in excess of the sum allowed by the established scale, they deemed it advisable to transmit amongst the several clerks of the peace a copy of the General Order issued by the Poor Law Commissioners on November 21, 1844, in pursuance of the statute 7 & 8 Vict. c. 101, s. 39, and they requested their attention to the terms of the Order in the event of their being called upon thereafter to tax any such bills.

The statute above referred to enacts that on application of any overseer, or of any board of guardians, or of any attorney-at-law, it shall be the duty of the clerk of the peace of the county or place, or his deputy, if thereunto required, to tax any bill due to any solicitor or attorney in respect of business performed on behalf of any Parish or Union situate wholly or in part within such city or place: and the allowance of any sum on such taxation shall be *primâ facie* evidence of the reasonableness of the amount, but not of the legality of the charge; and the clerk of the peace shall be allowed for such taxation after the rate to be fixed from time to time by the master of the Crown office, and declared by an Order of the Poor Law Commissioners; and if any such bill be not taxed before it is presented to the auditor, the auditor's decision on the reasonableness as well as the legality of the charges shall be final. With regard to the latter point, namely, the finality of the auditor's decision, see *Reg.* v. *Napton*, 25 L. J. Q. B. 296; 2 Jur. N.S. 1138; *s.c. nom. Reg.* v. *Hunt*, 6 El. & Bl. 408. See also *Attorney-General* v. *Shillibeer*, 4 Exch. 606; 7 D. & L. 236; 19 L. J. Ex.

115, as to solicitor's costs when he is paid by a salary; and *In re Barber*, 14 M. & W. 720; 3 D. & L. 244; 25 L. J. Ex. 91; 9 Jur. 976.

A solicitor employed by the guardians is entitled, notwithstanding that his bill of costs has been taxed by the clerk of the peace under the Poor Law Amendment Act, 1844 (7 & 8 Vict. c. 101), s. 39, to an order for taxation as between solicitor and client under the Attorneys' and Solicitors' Act, 1843 (6 & 7 Vict. c. 73), s. 37. The *Guardians of the Poor of Southampton* v. *Bell and Tayler*, 21 Q. B. D. 297; 59 L. T. N.S. 181; 36 W. R. 924; 52 J. P. 567.

Taxation by the clerk of the peace or other taxing officer is not, however, absolutely compulsory upon the overseers in all cases; for instance, as to cost incurred in punishing persons keeping disorderly houses, under 25 Geo. II. c. 36, s. 5, the "constable or other officer shall be allowed all the reasonable expenses of such prosecution, to be ascertained by any two justices of the peace of the county, riding, division, or liberty where the offence shall have been committed, and shall be paid the same by the overseers of the poor of such parish or place."

The clerk of the peace does not appear to be bound to tax bills of costs, unless some qualified person attend before him to produce papers and give such explanation of the items as may be required. This, however, would occasion great extra expense, and would not be generally necessary. Usually the bills are forwarded to him for taxation, and any communications required are given by letter. When this is done it would seem that a reasonable sum may be charged for the extra trouble beyond the sum of 4*d*. per folio fixed by the Order, which was intended to have reference to the taxing merely.

The ratepayers not being persons liable "to pay" within the meaning of 6 & 7 Vict. c. 73, s. 31 (Attorneys and Solicitors Act), cannot apply for a reference of an attorney's bill to taxation under 7 & 8 Vict. c. 101, s. 39, and this Order. See *In re Barber*, 14 M. & W. 720; 3 D. & L. 244; 15 L. J. Ex. 91; 9 Jur. 976.

It has always been the practice of the master of the Crown office, on the taxation of bills of costs, to count figures as words; and, in reckoning the charge to be made under this Order, the clerk of the peace is entitled to do so likewise. It would seem that if a table of fees be fixed under 11 & 12 Vict. c. 43, s. 30, or 45 & 46 Vict. c. 50, s. 164, it would nevertheless be competent for the clerk of the peace to demand and receive the fees payable under 7 & 8 Vict. c. 101, and the above Order, though they may exceed in amount the fees which would, but for the latter Act and Order, have been payable by the table of fees under the first mentioned Acts.

It has been held that, under 7 & 8 Vict. c. 73, s. 37, an attorney's bill for agency business is taxable. (*Smith* v. *Dimes*, 4 Exch. 32; 7 D. & L. 78; 19 L. J. Ex. 60; 13 Jur. 518.)

According to the practice of the Crown office no fee is payable to the clerk of the peace for "appointment to tax;" but for obtaining an "appointment to tax," which necessitates the attendance of a clerk, and occasionally occupies some time, a fee of 3*s*. 4*d*. is always allowed in the Court of Queen's Bench to an attorney; so also the clerk of the peace is not entitled to charge for "allocation and fee therein" where he is paid for taxing, but for the latter payment only.

POOR LAW OFFICERS' SECURITIES ORDER.

(Dated 21st January, 1871.)

To the Guardians of the Poor of the several Unions named in the Schedule (A) hereunto annexed ;—

To the Guardians of the Poor of the several Parishes, townships and places named in the Schedule (B) hereunto annexed ;—

To the churchwardens and overseers of the Poor of the several Parishes, townships and places comprised in Unions named in the schedule first above mentioned, and of the several Parishes, townships and places named in the other Schedule ;—

And to all others whom it may concern.

WHEREAS by divers general and other orders from time to time issued by the Poor Law Commissioners and the Poor Law Board respectively, addressed to the Guardians of the Poor of the Unions and Parishes named in the Schedules (A and B) hereunto annexed, provision has been made for securities to be given by certain officers appointed by such Guardians for the due discharge of the duties of their office, and it is required that every such security should be a bond with two sufficient sureties.

And whereas it is also provided that the Guardians may, if they think fit, take the security of any society or company expressly

authorized by statute to guarantee or secure the faithful discharge of the duties of such officers.

And whereas it is expedient to extend this proviso.

Now, therefore, We, the Poor Law Board, acting under the authority of the statutes in that behalf made and provided, hereby order and direct, that from the date hereof the Guardians of any such Union or Parish as aforesaid may accept as a security for any officer appointed by them, and required to give security by any of the Orders above referred to, the guarantee of any company which shall have complied with the conditions contained in "The Guarantee by Companies Act, 1867," and shall have received from the Treasury a certificate as therein provided, and shall give their guarantee in a security, the form whereof shall have been approved by the Poor Law Board under their seal.[1]

The word "*Unions*" in this Order shall be taken to include not only Unions or Parishes formed under the provisions of "The Poor Law Amendment Act, 1834," but also Unions or Parishes incorporated or united for the relief or maintenance of the Poor under any Local Act of Parliament.[2]

SCHEDULE A.

This Schedule contains the names of the whole of the Unions which at the date of its issue had been formed under the Poor Law Amendment Act, 1834, and of the now existing incorporated Unions of Parishes under Local Acts.

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[1] See also the General Order of the Local Government Board, dated February 2, 1872, *post*.

[2] With reference to this General Order the Board said that they had had their attention directed to the provisions contained in "The Guarantee by Companies Act, 1867" (30 & 31 Vict. c. 108), and had come to the conclusion that if the requisites set out in it were duly complied with, a policy granted by any company that should have received the certificate from the Treasury would be a security which Boards of Guardians might rely upon in reference to the officers whom they might appoint, and who were required to find security. The Board, therefore, had issued a General Order authorising all Boards of Guardians to take such a policy, when they think fit to do so, provided the policy is drawn in such a form as the Board shall have approved of. The Board added that they did not undertake to give the name of any company to which the Order would apply.—*Circular Letter*, January 27, 1871.

SCHEDULE B.

This Schedule contains the names of the whole of the Parishes, townships, and places (not comprised within Unions) which at its date were under separate Boards of Guardians or are now under Local Acts.

Given, &c., this Twenty-first day of January, 1871.

A Guarantee Association Order was issued on May 22, 1877, to the Middlesbrough Union.

A similar General Order to the foregoing was issued by the Poor Law Board on February 10, 1871, to the following districts, viz.:—

Metropolitan Asylum District.

Central London Sick Asylum District.

Poplar and Stepney Sick Asylum District.

Central London School District.

Farnham and Hartley Wintney School District.

Forest Gate School District.

Lincolnshire and Nottinghamshire School District.

North Surrey School District.

Reading and Wokingham School District.

South-East Metropolitan School District.

South-East Shropshire School District.

Walsall and West Bromwich School District.

West London School District.

RATE BOOK ORDER (METROPOLIS).

(Dated 3rd March, 1871.)

To the Guardians of the Poor of the several Unions, Parishes and places named in the Schedule hereunto annexed ;—

To the churchwardens and overseers of the Poor of the several Parishes and places comprised within the said Unions, and of the several Parishes and places named in the said Schedule ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the division or divisions in which the Unions, Parishes, and places named in the Schedule above-mentioned are respectively situate ;—

And to all others whom it may concern.

WHEREAS by divers general and other Orders addressed to the Guardians of the several Unions, Parishes and places named in the Schedule hereunto annexed, the Poor Law Commissioners and the Poor Law Board respectively prescribed a form in which the book containing the poor rate should be kept in such Unions, Parishes and places.

And whereas it is enacted by the 73rd Section of the "Valuation of Property (Metropolis) Act, 1869," that every poor rate made in the metropolis after the fifth day April 1871, shall contain the particulars specified in the Fourth Schedule to that Act, and that the overseers shall sign the Form of Declaration which is given in that Schedule before the rate is allowed by the Justices.

And whereas it is expedient that the form of Rate Book directed

to be kept by the Orders now in the several Unions, Parishes and places mentioned in the Schedule hereunto annexed should be altered, as hereinafter provided.

Now, therefore, We, the Poor Law Board, in pursuance of the Statutes in that behalf made and provided, hereby order and direct that, on and after the sixth day of April next, the columns numbered respectively 2, 3, 8 and 9 in the form of rate book prescribed by the General or other Orders above referred to in force in the Unions, Parishes and places mentioned in the said Schedule shall be omitted, and that the following form of declaration to be inserted at the foot of the rate shall be substituted for that prescribed by such Orders.[1]

FORM OF DECLARATION.

We, the undersigned, do hereby declare that one of us, or some person on our behalf, has examined and compared the several particulars in the respective columns of the above rate, with the valuation list made under the authority of the "Valuation (Metropolis) Act, 1869," and now in force in this Parish [*or*], and the several hereditaments are, to the best of our belief, rated to the value appearing in such valuation list, and do declare that the total of the above rate amounts to Pounds Shillings and Pence.

_____ } *Churchwardens.*

_____ }

_____ } *Overseers.*

_____ }

[1] This Order has been issued in consequence of the 73rd section of the Valuation of Property (Metropolis) Act, 32 & 33 Vict. c. 67, which provides for the form of poor rate to be adopted after April 5, 1871. The Act enables the Board to direct other particulars to be set out in the rate besides those specified in the Schedule to the Act, but they do not deem it necessary to require any further particulars to be inserted at present, beyond those which will remain after this Order shall have come into operation. The Statute contains a form of rate and of the declaration to be made by the churchwardens and overseers, and provides that the justices shall not allow any rate at the foot of which the declaration has not been added and signed.—*Instr. Letter*, March 13, 1871. See, however, the Note (1) to the Form of Rate Book prescribed by the General Order for Accounts of January 14, 1867, *ante*, p. 633.

SCHEDULE TO THIS ORDER.

Unions.

City of London.
Fulham.
Greenwich.
Hackney.
Holborn.
Lewisham.
Poplar.
Saint Olave's.
Saint Saviour's.
Stepney.
Strand.
Wandsworth and Clapham.
Westminster.
Whitechapel.
Woolwich.

Parish of Saint Mary, Lambeth.
Hamlet of Mile End Old Town.

Given, &c., this Third Day of March, 1871.

METROPOLITAN DISPENSARIES ORDER.

(Dated 22nd April, 1871.)

To the Guardians of the Poor of the several UNIONS and PARISHES named in the Schedule (A.) hereunto annexed :—

To the District Medical Officers and the Relieving Officers of such Unions and Parishes respectively :—

To the Churchwardens and Overseers of the Poor of the several Parishes comprised in the Unions named in the said Schedule, and of the several Parishes named in such Schedule :—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the division or divisions within which the said Unions and Parishes are respectively situate ;—

And to all others whom it may concern.

WHEREAS the Guardians of the Poor of the several Unions and Parishes named in the Schedule marked (A.) hereunto annexed have, under the Orders or with the authority of the Poor Law Board, respectively provided dispensaries for such Unions and Parishes, under the powers conferred upon them by "The Poor Law Amendment Act, 1834," "The Metropolitan Poor Act, 1867," and the other authorities in that behalf ; and it is expedient that certain rules and regulations should be made and issued in respect to the management of such dispensaries, and the duties of the medical and other officers of the said Unions and Parishes appointed or to be appointed for the relief of the sick poor out of the workhouse at such dispensaries and elsewhere.[1]

[1] The Board have made certain alterations in the duties of the district medical officers, as set forth in the General Consolidated Order, so as to bring them into conformity with the provisions of the Order now issued.

Now therefore, We, the Poor Law Board, in pursuance of the Statutes in that behalf made and provided, hereby Order and direct as follows :—

Dispensary Visiting Committee.

Art. 1.—The Guardians of every Union and Parish above referred to shall, at their first meeting after the 18th day of June next, and thenceforth at their first meeting after the 15th day of April in every year, appoint from their own body a visiting committee, to be termed the *Dispensary Visiting Committee*, and to consist of a number of Guardians, not less than five nor more than nine, of which committee three shall form a quorum ; and the said Guardians shall, at the same time, appoint one or more of their district medical officers to the dispensary which shall be provided for his or their districts, as the case may be.

Art. 2.—The Guardians shall, within twenty-one days after the establishment of any dispensary provided after the said 18th day of June next, proceed to appoint for such dispensary a committee as described in Art. 1, or to assign such dispensary to the committee previously appointed, and appoint one or more district medical officers to the same.

Art. 3.—Every member of any such committee shall continue to act as such for so long a part of the next year ensuing the appointment as he shall continue to be a Guardian, unless he decline or become incapable to act as a member of such committee before the expiration of that term ; and the Guardians shall, within one month after the occurrence of any vacancy, elect another Guardian to serve on the committee in place of the Guardian causing the vacancy.

Art. 4.—Where more than one dispensary has been provided, the Guardians may, if they think it expedient, appoint more than one committee, and assign to each committee one dispensary or more.

As the new system of administering medical relief to the poor will require great care and caution, the Board trust that the Guardians will exercise strict supervision over all the arrangements which may be necessary for carrying the Order into effect. They also trust that those Guardians who undertake the duties of the Dispensary Committee will, having regard to their special character, give such time and attention as may be requisite for their satisfactory and efficient performance.—*Instr. Letter*, April 27, 1871.

Art. 5.—The committee shall meet and carefully examine the state of the dispensary once in every fortnight at the least ; inspect the several books and forms required to be kept by each medical officer and dispenser ; enquire into the stock of drugs, medicines, and medical and surgical appliances ; and ascertain, as far as practicable, whether the several medical and other officers attached to the dispensary have duly discharged their duties in the interval since their last visit.

Art. 6.—The committee shall from time to time examine the estimate of the drugs, medicines, and medical and surgical appliances required for the use of each dispensary, as prepared by the dispenser, and certified as approved by one or more of the medical officers appointed to the dispensary ; and if the committee approve of such estimate, they shall sign the same in testimony of such approval.

Art. 7.—They shall, as soon as practicable after the end of every half-year ending on the 25th day of March and the 29th day of September respectively, compare the stock of drugs, medicines, and medical and surgical appliances in the dispensary with the account showing the receipt and consumption or disposal of the same, as kept by the dispenser.

Art. 8.—They shall, upon each visit, make such remarks and observations upon the condition and management of the dispensary as the facts may warrant, in a book entitled "The Dispensary Visitors' Book," to be provided by the Guardians, and to be submitted to the Guardians at the next ordinary meeting ensuing such visit.

Art. 9.—They shall report to the Board of Guardians from time to time as to what goods, books, apparatus, furniture, drugs, medicines, and medical and surgical appliances are required for use in the dispensary, and, where they shall find it necessary, as to the proper officers and persons who may be required for the same, and as to the conduct and behaviour of the officers and persons in charge of the dispensary.

Duties of District Medical Officers.

Art. 10.—Whereas by General Orders bearing date the 24th day of July and the 8th day of December, 1847, and by divers other

Orders addressed to the said several Unions and Parishes respectively, the Poor Law Commissioners and the Poor Law Board respectively have prescribed the duties to be performed by every district medical officer of the said Unions and Parishes, and it is expedient that the same should be rescinded as hereinafter mentioned.

Now, therefore, we do hereby rescind, from and after the 18th day of June next, so much of the said Orders relating to the duties of the district medical officer as shall be inconsistent with the Orders hereinafter contained.[1]

And we do hereby Order, as regards every such officer, when a dispensary shall have been established for his district, that it shall be his duty,—

Art. 10.—No. 1. To attend at the dispensary to which he shall be appointed by the Guardians, every day except Sundays, at such time as may be appointed by the said Guardians, and to remain there for one hour at the least, or for such longer period as the Guardians may direct, for the purpose of affording such medical or surgical aid and advice, and prescribing such medicines, as may be necessary, to all paupers for whom application is made, and in respect of whom an Order is presented, as hereinafter provided, and to enter in a book kept for that purpose at the dispensary the time of his arrival and departure, and to write his name or the initials of his name against such entry at the time of his attendance.

No. 2. To attend upon, duly and punctually, either at the dispensary during the appointed hours for attendance thereat, or at the home of the poor person on whose behalf application is made, or elsewhere, as the case may require, and supply all requisite medical or surgical advice and assistance to every pauper in the district placed under his charge, whom he shall be required to attend as medical officer by a written or printed Order of the Guardians, or of a relieving officer, or an overseer, when such overseer shall be lawfully entitled to grant relief to such pauper.

[1] See Art. 206 of the General Consolidated Order, *ante*, p. 395.

Art. 10.—No. 3. To file, and keep at the dispensary until the Guardians shall otherwise direct, all such Orders as last aforesaid received by him, which Orders, when given by direction of the Guardians or by a relieving officer, shall be in the Forms A. and B. respectively of the Schedule (B.) hereunto annexed.

No. 4. To keep and duly enter up daily a *Medical Relief Register*, and *Index* thereto, in the Form C. in the last-mentioned Schedule, and submit the same to the Guardians at the first ordinary meeting in each quarter, and whenever the Guardians shall require it to be produced to them, which register shall be deposited at the dispensary, except on the days when the same is required to be submitted to the Guardians, and shall be open to the inspection of the Dispensary Visiting Committee, and, at any time between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, to the medical officer of health, if any, appointed by the vestry or other competent authority within whose jurisdiction the dispensary shall be situate.

No. 5. To supply to each pauper under his treatment when requisite a written prescription in one of the Forms D. and E. in the last-mentioned Schedule, signed with his initials, and to renew such signature, with the proper date, whenever the prescription may be changed or renewed by him either at the dispensary or at the home of the pauper, or elsewhere.

No. 6. To notify, at the commencement of every quarter of a year, to the Board of Guardians, the paupers whose names have been inserted in the Permanent Medical Relief List for a period of *six* months, and advise the Guardians as to the continuance of such paupers in such list, and to take the directions of the Board of Guardians thereon.

No. 7. To attend any meeting of the Dispensary Visiting Committee, when required by them so to do.

Duties of the Relieving Officer.

Art. 11.—Whereas the Poor Law Commissioners and the Poor Law Board respectively did, by the Orders above referred to, make

certain regulations as to the duties of the relieving officer, and did, among other things, order that in any case of sickness or accident requiring relief by medical attendance, he should procure such medical attendance by giving an Order on the district medical officer in the form thereunto annexed, or by such other means as the urgency of the case might require ; and whereas it is expedient that the said Orders should be altered in this respect.

Now therefore, We do hereby Order that the duties of the relieving officer in this respect shall, whenever there shall be a dispensary established within his district, or so far as it shall be provided for his district, be as follows :—

Art. 11.—No. 1. To give an Order for medical relief in one of the above mentioned Forms A. and B.—the Form A. being an Order for medical relief at the dispensary, and the Form B. being an Order for medical relief elsewhere than at the dispensary.

No. 2. To keep books, to be supplied to him by the Guardians, containing these Forms, with a counterpart as set out in the said Schedule (B.) to this Order ; and when he gives one of these Orders, to fill in the counterpart with the particulars, and to retain the counterpart until the Guardians authorise him to destroy the same.

No. 3. To write upon the Order the word "urgent" in every case where he considers that immediate attention is required.

Appointment of Dispenser.

Art. 12.—The Guardians shall, within twenty-one days from the said 18th day of June next, in respect of every dispensary then provided, and within twenty-one days from the opening of any additional dispensary to be provided by them after the said 18th day of June next, appoint some duly qualified person to be the dispenser at the dispensary ; and all the provisions contained in the said general and other Orders [1] which relate to the appointment, the continuance in office, the suspension of officers, the supply of vacancies, and the payment of the salaries of officers, shall apply to the dispenser.

[1] See Art. 10, *ante*, p. 813.

Provided that, as regards the persons to be first appointed under this Order, no notice or advertisement shall be requisite.

No person shall be qualified to be appointed a dispenser unless he shall be a licentiate of the Apothecaries Company of London, or shall have been duly registered under the Pharmacy Act, 1868, or some other authority of law in that behalf.

Provided that this Article shall not apply to any person to be first appointed under this Order.

Duties of Dispenser.

Art. 13.—The following shall be the duties of a dispenser :—

No. 1. To devote his whole time to the service of the Guardians as a dispenser, and attend at the dispensary at such hours as the Guardians shall appoint.

No. 2. To take charge of, and keep carefully and safely, as far as shall be in his power, all drugs, medicines, medical and surgical appliances, and medical stores provided by the Guardians for use in the dispensary.

No. 3. To compound and supply all medicines, and supply from the stores under his charge all medical and surgical appliances required by the medical officers for use in the discharge of the duties of their office.

No. 4. To prepare and dispense skilfully and cautiously all prescriptions drawn up and ordered by the medical officers, and punctually to supply the medicines when prepared to the persons authorised to receive the same, and when so required by the prescriptions, to express in writing the proper directions to accompany them.

No. 5. To keep an account, in a book to be supplied to him by the Guardians, of the drugs, medicines, medical and surgical appliances, and medical stores submitted to his charge, and, as nearly as may be, of those consumed or supplied to the paupers, and from time to time to lay the same before the Visiting Committee, and bring under the notice of the medical officers or the Visiting Committee the need for further supply of drugs, medicines, and medical and surgical appliances, as and when such need shall occur.

Art. 13.—No. 6. To assist the medical officers in keeping the alphabetical index of the pauper patients attended.

No. 7. To file all prescriptions supplied to him by or on account of the paupers or by the medical officers, and keep them in the dispensary for not less than twelve months after their date.

No. 8. To prepare from time to time, as directed by the committee, an estimate of any medicines, drugs, medical and surgical appliances, and medical stores which may be required, and a statement as nearly as practicable of the quantities thereof used and issued to the paupers or to the medical officers since the preceding estimate and statement, and an account of the quantities thereof remaining in store respectively, and submit the same to the committee for their perusal; to balance the same quarterly, and to submit the same, made up to the last quarter-day prior to the audit, to the auditor of the district comprising the Union or Parish at that time.

General Duties of the Guardians.

Art. 14.—The Guardians shall keep the dispensary and all its furniture, fittings, apparatus, books, and other requisites in good repair, order, and condition, and shall appoint from time to time proper persons to take care of the dispensary, and pay them such weekly or other wages as they shall find requisite and the Poor Law Board shall approve of.

Art. 15.—The word "Parish" shall apply to every place for which an overseer is or can be appointed.

SCHEDULE (A.)

List of Unions.	*List of Parishes.*
Greenwich.	Mile End Old Town.
Hackney.	Paddington.
Holborn.	St. George-in-the-East.
Poplar.	St. Giles, Camberwell.
St. George's.	St. Giles-in-the-Fields and St. George, Bloomsbury.
St. Olave's.	St. Leonard, Shoreditch.
St. Saviour's.	St. Luke, Chelsea.
Stepney.	St. Mary Abbotts, Kensington.
Westminster.	St. Mary, Islington.
Whitechapel.	St. Mary, Lambeth.
Woolwich.	St. Pancras.

SCHEDULE (B.)

FORMS.

FORM A.

—— UNION [*or* PARISH].

COUNTERPART.

To be filled up by the Clerk to the Guardians *or* the Relieving Officer.

——

Name of Dispensary.

_____

Name of Pauper.

_____

Residence _____

_____

Name of Medical Officer.

_____

Date _____

—— UNION [*or* PARISH].

Medical Relief Order.

Order for attendance at the Dispensary situated at ——

To

Dr. ——, Medical Officer of —— District, in —— Union (*or* Parish).

Sir,

You are hereby required to afford medical or surgical advice, and to prescribe any necessary medicines, to —— aged ——, residing at ——, in your district.

Dated this —— day of ——, 18—.

(*Signed*) _____

Clerk *or* Relieving Officer.

NOTICE.—This Order must be presented at the dispensary on ——, between the hours of —— and ——.

SCHEDULE (B.)

FORMS.

—— UNION [*or* PARISH].

COUNTERPART.

To be filled up by the Clerk to the Guardians *or* the Relieving Officer.

———

Name of Pauper.

_____

*Residence*_____

_____

Name of Medical Officer.

_____

*Date*_____

FORM B.

—— UNION [*or* PARISH].

Medical Relief Order.

[*

Order for attendance at the Pauper's Home.

To

Dr._____. Medical Officer of_____ District in_____Union (*or* Parish).

SIR,

You are hereby required to visit and afford medical or surgical advice, and to prescribe any necessary medicines, to_____ aged_____, now at_____in your district.

Dated this_____day of_____, 18__.

(*Signed*)_____

Clerk *or* Relieving Officer.

* Insert where necessary, *urgent*.

NOTICE.—This order must be presented to the medical officer either at the dispensary in_____, or at his own residence or surgery at_____, as soon as possible after it is obtained.

If it be not presented before noon on the day of its date the medical officer will not be expected to visit the case on that day, unless the word "urgent" be written on it.

FORM C.

PAGE .

Medical Relief Register.

For the Quarter ending _____ day of _____ 18 .

_____ UNION [*or* PARISH]. For the _____ District _____ *Medical Officer.*

No.	Date of Presentation of Order	Name of Pauper	Residence or Place of Abode of Pauper	Age	Disease	Dates of Attendance during the Quarter ending——		Prescriptions and Treatment at Dates in preceding Columns	Necessaries and Stimulants recommended	Result :— (As Relieved, Cured, Died, Discharged)	Observations
						At Dispensary in——Street	At Pauper's Home				

Alphabetical Index to the Medical Relief Register.

Surname	Christian name	Residence	No.

FORM D.

Prescription Paper for Paupers who attend at the Dispensary.

_____ Union (*or* Parish).
Dispensary _____ Street.
_____ Medical Officer's District.

Name of Pauper _____ No. in Register _____	Prescription
Dates of Attendance { _____ / _____ / _____ / _____	_____ *Medical Officer.* _____ *Medical Officer.* _____ *Medical Officer.* _____ *Medical Officer.*

FORM E.

Prescription and Attendance Paper for Paupers attended at their own Homes and elsewhere.

_____ Union (*or* Parish).
Dispensary _____ Street.
_____ Medical Officer's District.

Name of Pauper _____ Name in Register _____	Prescription
Dates of Attendance { _____ / _____ / _____ / _____	_____ *Medical Officer.* _____ *Medical Officer.* _____ *Medical Officer.* _____ *Medical Officer.*

Directions to Paupers.

Note.—This paper must be kept clean. It must be shown to the medical officer when he visits, and must be taken to the dispensary whenever he orders medicine. When the patient is well or sufficiently recovered to attend at the dispensary, this paper must be given to the dispenser.

Given, &c., this Twenty-second day of April, 1871.

Dispensary Orders similar to the foregoing were subsequently issued to the following Unions on the dates undermentioned.

City of London Union	June 16, 1876.
Amending Order	October 26, 1876.
Strand Union	June 27, 1871.
Wandsworth and Clapham Union. . .	May 27, 1875.

And to the Parish of St. Matthew, Bethnal Green, on June 27, 1871.

On April 8, 1874, a similar Order was issued to the Reading Union, which, however, is beyond the Metropolis.

GENERAL ORDER.—CERTIFICATES AS TO VACCINATION.

(Dated 30th November, 1871.)

To the Guardians of the Poor of the several UNIONS in ENGLAND and WALES;

To the Guardians of the Poor of the several Parishes, Townships, and Places in England and Wales, under separate Boards of Guardians;

And to all others whom it may concern.

WHEREAS by section 15 of "The Vaccination Act of 1867," it is enacted that registrars of births shall give notice of the requirement of vaccination in the Form marked A. in the Schedule thereto annexed, or to the like effect; and by sections 18, 19, 20, and 21 of the same Act, public vaccinators and medical practitioners are required to give certificates relating to vaccination, in the Forms marked respectively B., C., and D. in the same Schedule, or to the like effect;

And whereas by sections 15 and 16 of "The Vaccination Act, 1871," it is enacted that the Poor Law Board, or the Local Government Board, after its establishment, may, by order, from time to time, repeal, alter and add to the forms contained in the said Schedule;

And whereas section 12 of the last above-recited statute enacts that "where it appears to the public vaccinator of any district, upon personal examination of any child resident in such district who has not been successfully vaccinated by him, that such child has been successfully vaccinated, the public vaccinator may, on the request of the parent of such child, grant a certificate to that effect, and such certificate shall be transmitted and have the same effect as if it were

a certificate of successful vaccination by the public vaccinator who gave the certificate ;"

And whereas the Local Government Board has been established ;

Now, We, the Local Government Board, being of opinion that it is expedient that the Forms marked respectively, A., B., C., and D., in the Schedule above referred to should be altered, and that a form should be prescribed in which the certificate referred to in the section last above quoted shall be given, do hereby order and direct as follows :—

Art. 1.—The Forms marked respectively A., B., C., and D., in the Schedule annexed to this Order shall be substituted for those marked with the corresponding letters in the Schedule annexed to the Vaccination Act of 1867.

Art. 2.—The certificate to be given by the public vaccinator in the cases provided for in section 12 of the Vaccination Act, 1871, shall be in the Form marked E. in the Schedule hereunto annexed.

Art. 3.—This Order shall take effect on the first day of January next.

Provided nevertheless, that forms according to those prescribed in this Order may be adopted prior to that day.

Art. 4.—The word "Unions" in this Order shall include not only Unions of Parishes formed under the provisions of "The Poor Law Amendment Act, 1834," but also Unions of Parishes incorporated or united for the relief or maintenance of the poor under any other Act of Parliament.

SCHEDULE.

FORM (A.).[1]

THE VACCINATION ACTS, 1867 AND 1871.

Notice of the Requirement of Vaccination.

Copy hereunder the No. of the Entry of the Child's Birth from the Register Book
Entry No.

To the Father, or Mother, or Person having the Custody of the Child herein named.

I, the undersigned, hereby give you Notice to have the Child named [1] _____, whose birth is now registered, vaccinated by a Public Vaccinator or some other Medical Practitioner, pursuant to the provisions of the Vaccination Acts; and that in default of your doing so, you will be liable to the penalties thereby imposed for neglect of those provisions.

[1] Insert Child's name and surname.

These Acts require every child to be vaccinated before it is three months old, or at the next Public Vaccination held in the district after the child has attained that age. The vaccination may, however, be postponed by medical certificate, if the child be not in a fit state to be vaccinated.

The following are the attendances for Public Vaccination in your district:—[2]

[2] To be filled up by the Registrar.

Times and Places of Attendance of _____, Public Vaccinator		
Times		Places
Day	Hour	
		At

[1] A supply of the necessary forms, with proper directions, will be transmitted by the Registrar-General to the registrars of births and deaths.—*Local Government Board Instr. Letter*, December 5, 1871.

After the vaccination has been performed, the child must be inspected by the vaccinator, in order that, if the operation has been successful, he may fill up and sign the requisite certificate (Form D). When the vaccination has been performed by a public vaccinator, the child must be taken to him for inspection at the appointed time on the same day in the following week.

This paper must be produced to the vaccinator for him to fill up and sign the proper certificate. If he be a public vaccinator, it will be *his* duty to forward the paper to the vaccinating officer; but if he be not a public vaccinator, it will be *your* duty, after the certificate has been duly filled up and signed, to forward this paper to the vaccination officer, whose address is written on the back.

Dated this_____day of_____18__.

(*Signature of Registrar*)_____

Registrar of Births and Deaths for the Sub-District of_____

In the Superintendent Registrar's District of_____

FORM (B.).

Medical Certificate of Postponement of Vaccination.

I, the undersigned, hereby certify that I have this day examined [1]_____ the Child of [2]_____ aged [3]_____ born at [4]_____ in the Parish (Township) of [4]_____ in the County (Borough) of [4]_____ and am of opinion that the said child is in the following state of health, namely_____ and is therefore not in a fit and proper state to be successfully vaccinated. I do hereby postpone the vaccination until the [5]_____ day of_____ 18__.

Dated this_____ day of_____ 18__.

(*Signed*)_____

[6][Public Vaccinator of the Union (Parish) of_____.]

Medical Practitioner duly registered.

Directions for filling up this Certificate.

Insert in the blank spaces the following particulars:—

[1] Child's name and surname.

[2] Father's or (if the child be illegitimate) Mother's name and surname.

[3] Child's age.

[4] Insert No. or name of the House, and name of the Street or Road, and Parish and County.

[5] *This must not exceed two calendar months from the date of the Certificate.*

[6] If the Vaccinator is not a Public Vaccinator, strike out this line.

FORM (C.).

Medical Certificate of Insusceptibility of Successful Vaccination or of Child having had Small-pox.

Directions for filling up this Certificate.

Insert in the blank spaces the following particulars:—

[1] Child's name and surname.

[2] Father's or (if the child be illegitimate) Mother's name and surname.

[3] Child's age.

[4] Insert No. or name of the House, and name of the Street or Road, and Parish and County.

[5] Strike out the words which do not apply to the case.

[6] *This number must not be less than three.*

[7] If the Vaccinator is not a Public Vaccinator, strike out this line.

I, the undersigned, hereby certify that [1] _____ the child of [2] _____ aged [3] _____ born at [4] _____ in the Parish (Township) of [4] _____ in the County (Borough) of [4] _____ [5] [has been [6] _____ times unsuccessfully vaccinated by me, and is, in my opinion, insusceptible of successful vaccination] *or* [5] [has already had Small-pox.]

Dated this _____ day of _____ 18 __.

(*Signed*) _____

[7] [Public Vaccinator of the Union (Parish) of _____]

Medical Practitioner duly registered.

FORM (D.).

Medical Certificate of Successful Vaccination.

The Registrar to insert the No. of the Entry of the Child's birth in the Register Book.

Entry No. }

Directions for filling up this Certificate.

Insert in the blank spaces the following particulars:—

[1] Child's name and surname.

[2] Father's or (if the child be illegitimate) Mother's name and surname.

[3] Child's age.

[4] Insert the No. or name of the House, and name of the Street or Road, and Parish and County.

[5] If the Vaccinator is not a Public Vaccinator, strike out this line.

I, the undersigned, hereby certify that [1] _____ the child of [2] _____ aged [3] _____ born at [4] _____ in the Parish (Township) of [4] _____ in the County (Borough) of [4] _____ has been successfully vaccinated by me.

Dated this _____ day of _____ 18 __.

(*Signed*) _____

[5] [Public Vaccinator of the Union (Parish) of _____]

Medical Practitioner duly registered.

FORM (E.).

Medical Certificate under Section 12 *of the Vaccination Act*, 1871, *of Successful Vaccination.*

I, the undersigned, being a Public Vaccinator of the Union (Parish) of _____ hereby certify that [1] _____ the child of [2] _____ aged [3] _____ born at [4] _____ in the Parish (Township) of _____ in the County (Borough) of _____ and now residing at [5] _____ has been examined by me, and that I find the said child to have been successfully vaccinated.

Dated this _____ day of _____ 18__.

(*Signed*) _____

Public Vaccinator of the Union (Parish) of _____

Given, &c., this Thirtieth day of November, 1871.

Directions for filling up this Certificate.

Insert in the blank spaces the following particulars :—

[1] Child's name and surname.

[2] Father's (if the child is illegitimate) Mother's name and surname.

[3] Child's age.

[4] Insert the No. or name of the House, and name of the Street or Road and Parish and County.

[5] Insert Child's present residence.

The foregoing Order was applied to Barrow-in-Furness by an Order dated April 16, 1876, to the Exeter Union by an Order dated May 24, 1878, to the Canterbury Union by an Order dated April 8, 1881, to the Great Yarmouth Union by an Order dated March 20, 1891, and to the Grimsby Union by an Order dated April 3, 1890.

GENERAL ORDER FOR MONTHLY PAYMENT OF SALARIES.

(Dated 22nd December, 1871.)

To the Guardians of the Poor of all the UNIONS in England and Wales :—

To the Guardians of the Poor of the several Parishes, Townships, and Places in England and Wales under separate Boards of Guardians :—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said Unions, and of the several Parishes, Townships, and Places under separate Boards of Guardians :—

And to all others whom it may concern.

WHEREAS the Poor Law Board, by certain General Orders dated respectively the 14th day of January, 1857,[1] and the 9th day of March, 1871, and various other Orders under their seal of office, respectively issued to the Guardians of the Poor of the several Unions in England and Wales, and of the several Parishes, Townships, and Places in England and Wales under separate Boards of Guardians, did (among other things) order and direct that the salaries of the several officers of the Guardians, whether for the full quarter or for any portion thereof, shall be paid at the several quarters ending at the usual feast days at the end of the year, namely, Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day ; provided nevertheless, that in the case of any officer whose duty it is to render accounts to the Board of Guardians or

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[1] See Art. 36 of the General Order for Accounts of January 14, 1867 *ante*, p. 615.

auditor, such officer shall submit his accounts for the quarter in question to the Guardians before such payment ; and further, that it shall be competent for the Guardians to defer in whole or in part the payment of the salary or other compensation of any such officer, until his accounts shall have been audited and allowed by the auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall be forthwith paid.

And whereas it is expedient to alter the aforesaid provision for the payment of the salaries of the said officers at the periods aforesaid.

Now, therefore, we, the Local Government Board, under the authority of the statutes in that behalf, hereby alter so much of the said several Orders as provides for the payment of the salaries of the said officers quarterly. And we hereby Order, from and after the 25th instant, as follows :—

Art. 1.—The Guardians of the said several Unions, Parishes, Townships, and Places may, if they think fit, pay to each or any of the officers, assistants, and servants entitled to receive payment of any fixed salary from them, the amount which shall become due in respect of each monthly service at the end of such month [1] instead of the quarterly periods aforesaid.[2]

Art. 2.—Every such officer who may be paid monthly under the authority of this Order, shall nevertheless make out his account [3] quarterly according to the above-mentioned days, and submit the same to the Guardians on those days, before the last portion of the salary in respect of the quarter is paid to him by them.

Art. 3.—Whenever the word "Unions" is used in this Order, it shall be taken to include not only Unions of Parishes formed under the provisions of "The Poor Law Amendment Act, 1834," but also Unions of Parishes incorporated or united for the relief or main-

[1] Calendar month is intended.

[2] Art. 1 is general and applies to all officers appointed by the Guardians. It will be observed that the Board have not considered it necessary to cast upon the Guardians the obligation of adopting the system of payment authorised by the Order; nor have the Board thought it expedient to make any change in the period for which, under the present Orders, the accounts of the several officers are to be made up.—*Instr. Letter*, December 22, 1871.

[3] *I.e.*, the "amounts" referred to in the recital of the Order.

tenance of the poor under any Act of Parliament, to which any such Order as aforesaid has been issued.

Art. 4.—Whenever the word "Parishes" is used in this Order, it shall be taken to signify any place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed, to which any such Order as aforesaid has been issued.

Art. 5.—Whenever the word "Guardians" is used in this Order, it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the last above-mentioned Act, but also any governors, directors, managers, acting Guardians, vestrymen, or other officers in a Parish or Union appointed or entitled to act in the distribution or ordering of relief to the poor from the poor rates, under any local Act of Parliament.

Art. 6.—The term "officers" shall be taken to include not only the officers of the workhouse, but also of any workhouse school, infirmary, hospital, or dispensary provided by the Guardians for the reception or relief of paupers, but nothing herein-contained shall overrule or operate to alter or rescind the provisions contained in the General Order of the Poor Law Board, dated the Nineteenth day of August, in the year One thousand eight hundred and sixty-seven, which relate to the payment of the salaries or wages of persons appointed or employed by Guardians as therein described.

Given under our Seal of Office, this Twenty-second day of December, 1871.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated the 20th March, 1891; and to the Grimsby Union by an Order dated the 3rd April, 1890.

A similar Order to the foregoing was issued on the 7th March, 1872, to the following school districts, viz. :—

Central London.
Farnham.
Forest Gate.
North Surrey.
Reading and Wokingham.
South-East Metropolitan.
South-Metropolitan.

GUARANTEE SECURITIES' AND COLLECTORS' AND ASSISTANT-OVERSEERS' ORDER.

(Dated 2nd February, 1872.)

To the Guardians of the Poor of all the UNIONS in ENGLAND and WALES :

To the Guardians of the Poor of the several Parishes, Townships, and Places in England and Wales under separate Boards of Guardians :

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said Unions, and of the several Parishes, Townships, and Places under separate Boards of Guardians :

And to all others whom it may concern.[1]

WHEREAS by two General Orders bearing date respectively the 24th day of July and 8th day of December, 1847, and by divers separate Orders issued to Unions, Parishes, Townships, and Places in England and Wales respectively, provision was made in regard to the security to be given by officers appointed by the Guardians, which enables the Guardians, if they should think fit, to take the security of any society or company expressly authorised by Statute to guarantee or secure the faithful discharge of the duties of such officers.

And whereas by a General Order addressed to the Guardians of the several Unions, Parishes, Townships, and Places named therein, bearing date the 21st day of January, 1871, this provision was extended to the guarantee of any company which should have complied with the conditions contained in "The Guarantee by

[1] This Order was applied to the Grimsby Union by an Order dated April 3, 1890.

Companies Act, 1867," and should have received from the Treasury a certificate as therein provided, and should give their guarantee in a security, the form whereof should have been approved of by the Poor Law Board under their seal.

And whereas it is expedient to remove the restrictions in such Orders mentioned as herein provided.

Now, therefore, We, the Local Government Board, in pursuance of the powers given in and by the several statutes in that behalf, do hereby, from and after the date hereof, Order and direct as follows :—

Art. 1.—That the Guardians of any such Unions, Parishes, or Townships as aforesaid may accept, as a security for any officer appointed by them, and required to give security by any of the Orders above referred to, the guarantee of any company or association which shall undertake to guarantee the good conduct of such officers, and shall give their guarantee in a security, the form whereof shall have been or shall be approved by the Poor Law Board or the Local Government Board under their seal.[1]

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[1] The Poor Law Commissioners and the Poor Law Board deemed it right, when prescribing the security to be taken by Boards of Guardians for their officers, to recognise only certain public companies which had undertaken to provide some guarantees specially available for the officers of Unions and Parishes. Such companies were, by the Orders of those Commissioners, or that Board, empowered to undertake the guarantee of the officers appointed by the Guardians, but no companies except those authorised could enter into the like engagements. The recent circumstances connected with the company which had almost exclusively enjoyed the advantage of these engagements has induced the Local Government Board to reconsider this subject, and they have come to the conclusion that they may safely withdraw the restriction contained in the Orders referred to. The Board have now left the matter entirely open to the Guardians, with this qualification: that the company or association must submit their form of policy or other instrument applicable to these guarantees to the Board for approval. The Guardians must henceforth take upon themselves the entire responsibility in accepting the guarantee of the company or association whose policy is offered to them in the place of the personal bond of the officer and his friends.—*Instr. Letter*, February 10, 1872.

A similar provision to Art. 1 of this Order is contained in an Order of the Local Government Board, dated March 7, 1872, issued to the Metropolitan Asylum District and School Districts.

The forms of policies of the following associations have been approved by the Poor Law Board or Local Government Board :—

Provident Clerks and General Guarantee Association (Limited), 16 Coleman-street, E.C.

Guarantee Society, 19 Birchin-lane, E.C.

And whereas by divers Orders of the Poor Law Commissioners, the Poor Law Board, and the Local Government Board respectively, the Guardians of certain Unions, Parishes, and Townships have been empowered to appoint collectors of poor rates or assistant-overseers.[1]

And whereas by "The Poor Law Amendment Act, 1844," it was enacted, that wherever any such collector or assistant-overseer has been or may be appointed under any Order of the said Poor Law Commissioners, and whilst the said Order remains in force, the powers of any vestry or parish officers, or of any other persons other than the Board of Guardians of such Parish or Union (if a Board of Guardians have been constituted), to appoint any collector or assistant-overseer, and (if so directed by the said Commissioners) every appointment under such powers, shall cease.

And whereas the Guardians have in many instances failed to make appointments or to fill up vacancies under such Orders, and it will be expedient that such Orders, so far as they are not now acted upon should be rescinded as herein provided.[2]

Art. 2.—Now, therefore, We, the said Board, do hereby rescind every such Order, so far as it has not been acted upon by the said Guardians by making any appointment whatsoever in respect of any Parish to which it applies, or by filling up any vacancy which may have occurred more than two years preceding the date hereof.

And whereas in the Orders herein referred to provision is made for the continuance in office of collectors or assistant-overseers appointed by such Guardians, and for their remuneration, and it

London Guarantee and Accident Company (Limited), 10 Moorgate-street, E.C.

National Guarantee and Suretyship Association (Limited), 28 Queen Street, Edinburgh.

Guarantee Association of Scotland (Limited), 21 Moorgate Street, E.C.

Ocean and General Guarantee Company (Limited), Mansion House-buildings, London, E.C.

[1] See the Note to the Order of November 15, 1871, as to the appointment of Assistant Overseers, *ante*, p. 762.

[2] The Local Government Board have also taken the opportunity of dealing with certain Orders relating to collectors or assistant-overseers appointed by Boards of Guardians. They have in the first place rescinded all the Orders which, though in a manner dormant, are nevertheless in force, and are consequently calculated to impede the action of the vestries in Parishes where the Guardians do not wish to interfere.—*Instr. Letter*, February 10, 1872.

is expedient that further provision should be made thereon as herein-contained.

Now, therefore, We, the said Board, do hereby provide in respect of any appointment of a collector or assistant-overseer[1] for any Parish to be made after the expiration of one month from the date hereof as hereinafter mentioned.[2]

Art. 3.—If the Guardians of any Union, having regard to the state of any other Parish or Parishes in the Union, shall at any time deem it necessary to make any change in the appointment of the collector or assistant-overseer[3] for the Parish for which such collector or assistant-overseer is to be appointed, or if there shall be any alteration in the general law of rating which may render a change in the appointment or remuneration of the collector or assistant-overseer expedient, but the collector or assistant-overseer shall refuse to acquiesce therein, the Guardians may, with the consent of the Local Government Board, but not otherwise, and after six months' notice in writing, signed by their clerk, given to such collector or assistant-overseer, determine his office.

In respect of any collector or assistant-overseer hereafter appointed under an Order which has not contained the following provisions, the same shall take effect for the future, and all previous provisions at variance or inconsistent with the same shall be rescinded.[3]

Art. 4.—The said Guardians may, at their discretion, suspend from the discharge of his duties any such collector or assistant-overseer,[1] and shall, in case of every such suspension, forthwith

[1] See the note to the Order of November 15, 1871, as to the appointment of Assistant Overseers, *ante*, p. 762.

[2] The Board have further introduced a new provision in reference to Collectors to be appointed hereafter as regards the term of their holding office. The retention of the office of collector may in some cases prove highly inconvenient, especially under the probable contingency of an alteration of the law of local rating. This Order, therefore, contains a provision to deal with the necessities of such cases should they arise hereafter.—*Instr. Letter*, February 10, 1872.

[3] Lastly, the Board have deemed it expedient to introduce a series of Articles respecting the collectors which appear in many of the Orders issued in recent years, but are wanting in those issued in the earlier years of the Poor Law Commission and the Poor Law Board. Under this Order the provisions of all the Orders relating to the office of collectors will become uniform.—*Instr. Letter*, February 10, 1872.

report the same, together with the cause thereof, to the Local Government Board for their decision thereon; and if the Local Government Board remove the suspension of such collector or assistant-overseer by the Guardians, he shall forthwith resume the performance of his duties.

Art. 5.—If any such collector or assistant-overseer [1] be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay such person a reasonable compensation for his services; and every such appointment, with a statement of the circumstances which have led to it, shall be reported to the Local Government Board, as soon as the same shall have been made, by the clerk to the Guardians, and where the Order specified the amount of remuneration, whether by a fixed salary or by a poundage, the same shall, unless the Local Government Board otherwise direct, be paid accordingly.

Art. 6.—No such collector or assistant-overseer [1] who may be suspended, and who shall upon such suspension resign, or be removed by the Local Government Board, shall be entitled to any salary from the date of such suspension; and no such officer who shall be temporarily suspended from his office, by reason of his services not being required, shall be entitled to any salary pending such temporary suspension.

Art. 7.—Whenever the word "Unions" is used in this Order, it shall be taken to include not only Unions of Parishes formed under the provision of "The Poor Law Amendment Act, 1834," but also Unions of Parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament, to which any such Order as aforesaid has been issued.

Art. 8.—Whenever the word "Parishes" is used in this Order, it shall be taken to signify any place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed, to which any such Order as aforesaid has been issued.

Art. 9.—Whenever the word "Guardians" is used in this Order,

[1] See the note to the Order of November 15, 1871, with regard to the power of the Guardians to appoint Assistant Overseers, *ante*, p. 762.

it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the last above-mentioned Act, but also any governors, directors, managers, acting Guardians, vestrymen, or other officers in a Parish or Union appointed or entitled to act in the distribution or ordering of relief to the poor from the poor rates under any Local Act of Parliament.

Given under our Seal of Office, this Second day of February, 1872.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891, and to the Grimsby Union by an Order dated April 3, 1890.

GENERAL ORDER.—PRESCRIBING FORMS FOR PROCEEDINGS UNDER BASTARDY ACTS ON THE MOTHER'S APPLICATION.

(Dated 4th August, 1873.)

To the Justices of the Peace in England and Wales :—

And to all others whom it may concern.

Whereas it is enacted by "The Bastardy Laws Amendment Act 1873," that the Local Government Board may issue such new or altered Forms of proceedings in matters of bastardy as they shall deem necessary or expedient for giving effect to the provisions of that Act and of "The Bastardy Laws Amendment Act, 1872." [1]

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[1] By section 3 of the Bastardy Laws Amendment Act, 1872 (35 & 36 Vict. c. 65), it is enacted that:—"Any single woman who may be with child, or who "may be delivered of a bastard child after the passing of this Act, may either "before the birth, or at any time within twelve months from the birth of such "child,—or at any time thereafter, upon proof that the man alleged to be the "father of such child, has within twelve months next after the birth of such "child paid money for its maintenance—or at any time within the twelve "months next after the return to England of the man alleged to be the father of "such child, upon proof that he ceased to reside in England within the twelve "months next after the birth of such child—make application to any one Justice "of the Peace, acting for the Petty Sessional Division of the County, or for the "City, borough, or place in which she may reside, for a summons to be served "on the man alleged by her to be the father of the child, and if such application "be made before the birth of the child the woman shall make a deposition upon "oath, stating who is the father of such child, And such Justice of the Peace "shall thereupon issue his summons to the person alleged to be the father of "such child to appear at a Petty Session to be holden after the expiration of six "days at least for the Petty Sessional Division, City, Borough, or other place in "which such Justice usually acts."

By section 7 of the same Act it is enacted that:—"When and so often as "any bastard child for whose maintenance an Order has been made by "Justices on the application of the mother, shall become chargeable to any "Parish or Union, any two Justices having jurisdiction in the Parish or "Union in Petty Sessions may, if they shall see fit, by Order under their hands "and seals, from time to time appoint some Relieving or other Officer of the "Parish or Union to which such bastard child shall be so chargeable to receive

NOW, THEREFORE, We, the Local Government Board, in pursuance of the authority so conferred upon us, do hereby issue the Forms set forth in the Schedules hereunto annexed.[1]

SCHEDULE A.

No. 1.

Form of Application by Woman with Child.

to wit. } APPLICATION and Deposition of a single Woman, residing at in the *County*[2] of taken upon Oath before me, the undersigned One of Her Majesty's Justices of the Peace acting for the *Petty Sessional Division of* *in the said County*[1] of in which she resides, this Day of in the Year of our Lord One thousand eight hundred and who upon her *Oath*[3] saith that she is now with Child and that of in the[4] County of is the Father of the Child with which she is now pregnant, and maketh Application for a Summons to be served upon the said

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"on account of such Parish or Union, such proportion of the payments then "due or becoming due under the said Order as may accrue during the period "for which such child is chargeable, and such appointment shall remain in "force for the period of one whole year whenever the bastard child shall be "or have become chargeable as aforesaid, and may afterwards from time to "time be renewed by endorsement under the hand of any one Justice for the "like period; and any payment so ordered to be made shall be recoverable by "the Relieving Officer or other Officer appointed to receive it in the manner "provided for the recovery of payments under an Order obtained by the "mother" (*i.e.* under section 4 of the Act).

An Order obtained under the Act is not, except for the purpose of recovering money previously due under it, to be of any force or validity after the child in respect of whom it was made has attained the age of thirteen years, or after the death of the child: Provided that the Justices may in the Order direct that the payments to be made under it in respect of the child shall continue until the child attains the age of sixteen years, in which case the Order is to continue in force until that period. *Ib.* section 5.

With regard to the enforcement by the Guardians of a Bastardy Order obtained on the mother's application after her death, see 7 & 8 Vict. c. 101, s. 7.

[1] The words "for the maintenance and education of the said child" having been omitted in many orders in bastardy, the Bastardy Orders Act, 1880 (43 & 44 Vict. c. 32) was passed in order to render valid Orders theretofore made, which were not in accordance with the forms issued by the Local Government Board, or to the like effect, from which the words mentioned had been omitted.

[2] *Or* City, Borough, *or other Place.*

[3] *Or* Affirmation.

[4] *Or* City, Borough, *or other Place.*

so alleged by her to be the Father of the said Child, to appear at a Petty Session to be holden after the birth of such Child for the *Petty Sessional Division*[1] of in which I usually act, to answer such Complaint as she shall then and there make touching the Premises.

Exhibited and *sworn* before me, the Day and Year first above written. }

No. 2.

Form of Summons on Application by Woman with Child.

to wit. } To of the Parish of in the County of .

WHEREAS an Application hath been made to me, the undersigned, One of Her Majesty's Justices of the Peace for the [1] *County* of by , single Woman, residing at in the [1] *Petty Sessional Division of the said County* for which I act, now with Child, of which Child she hath this day duly *sworn on Oath*[2] before me the said Justice that you are the Father, for a Summons to be served on you to appear at a Petty Session, according to the form of the Statute in such case made and provided.

These are therefore to require you to appear at the Petty Session of the Justices holden at , being the Petty Session for the *Division*[1] in which I usually act on[3] the day of at of the Clock in the noon, in the Year of our Lord One thousand eight hundred and , to answer any Complaint which she shall then and there make against you touching the Premises.

Herein fail you not.

Given under my Hand at in the *County*[1] this Day of in the Year of our Lord One thousand eight hundred and .

NOTE.—If you neglect to appear at the Petty Sessions as above stated, the Justices, upon Proof that this Summons has been duly served upon you, or left at your last Place of Abode, may proceed, if they think fit, to make an Order upon you, as the putative Father of the Child above referred to, to pay a weekly Sum to the said Mother for its Maintenance, and other Sums for Costs and Expenses.

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[1] *Or* City, Borough, *or other Place.* [2] *Or* Affirmation.

[3] *Insert some Day when the Petty Session will be held after the Birth of the Child, and at such a Distance of Time that Six Days at least may elapse after the issuing of the Summons, and the Service on the Man, or at his Place of Abode, before the Petty Sessions.*

No. 3.

Application for a Summons by a Woman after Birth.

to wit. } The Information and Application of single Woman, residing at in the County of before me, the undersigned One of Her Majesty's Justices of the Peace acting for the [1] *Petty Sessional Division of in the said County* of in which she resides, this Day of in the Year of our Lord One thousand eight hundred and who saith that she hath been delivered of a Bastard Child within Twelve Calendar Months before this Day, to wit, on the Day of in the Year of our Lord One thousand eight hundred and and alleges that one of in the County of is the Father of such Child, and maketh Application to me for a Summons to be served upon the said to appear at a Petty Session to be holden for the *Petty Sessional Division* [1] in which I usually act, to answer such Complaint as she shall then and there make touching the Premises.

Exhibited before me, the Day and Year first above written. } _____

No. 4.

Summons where the Application is made by Woman after Birth.

to wit. } To of the Parish of in the County of .

Whereas Application has been this Day made to me, the undersigned, One of Her Majesty's Justices of the Peace for the [1] *County* of by single Woman, residing at in the [1] *Petty Sessional Division of the said County* for which I act, who hath been delivered of a Bastard Child within Twelve Calendar Months before this Day, and of which Bastard Child she alleges you to be the Father, for a summons to be served upon you to appear at a Petty Session of the Peace, according to the Form of the Statute in such case made and provided.

These are therefore to require you to appear at the Petty Session of the Justices holden at , being the Petty Session for the *Division* [1] in which I usually act, on [2] the

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[1] *Or* City, Borough, *or other Place.*

[2] *Insert some Day, at least Six Days after the Date of Summons and after the Day when the same can be served upon the Man, or at his Place of Abode.*

Day of at of the Clock in the noon in the Year of our Lord One thousand eight hundred and to answer any Complaint which she shall then and there make against you touching the Premises.

Herein fail you not.

Given under my Hand at in the *County* [1] this Day of in the Year of our Lord One thousand eight hundred and .

NOTE.—If you neglect to appear at the Petty Session as above stated, the Justices, upon Proof that this Summons has been duly served upon you, or left at your last Place of Abode, may proceed, if they think fit, to make an Order upon you, as the putative Father of the Child above referred to, to pay a weekly sum to the said Mother for its maintenance, and other Sums for Costs and Expenses.

No. 5.

Application for a Summons by a Woman after Birth, where the alleged Father has paid Money within Twelve Months after the Birth.

to wit. } THE Information and Application of single Woman, residing at in the County [1] of before me, the undersigned One of Her Majesty's Justices of the Peace acting for the [1] *Petty Sessional Division of in the said County of* in which she resides, this Day of in the Year of our Lord One thouand eight hundred and who saith that she hath been delivered of a Bastard Child more than Twelve Calendar Months before this Day, to wit, on the Day of in the Year of our Lord One thousand eight hundred and and alleges that one of in the [1] County of is the Father of such Child, and having given Proof to me that the said did within the Twelve Calendar Months next after the Birth of such Child pay Money for its Maintenance, maketh application to me for a Summons to be served upon the said to appear at a Petty Session to be holden for the *Petty Sessional Division* [1] in which I usually act, to answer such Complaint as she shall then and there make touching the Premises.

Exhibited before me, the Day and Year first above written. } _____

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[1] *Or* City, Borough, *or other Place.*

No. 6.

Summons when the Application is made by a Woman after Birth, where the alleged Father has paid Money within Twelve Months after the Birth.

} To of the Parish of in the County
to wit. } of .

WHEREAS Application hath been this Day made to me, the undersigned, One of Her Majesty's Justices of the Peace for the [1] *County* of by single Woman, residing at in the [1] *Petty Sessional Division of the said County* for which I act, who hath been delivered of a Bastard Child more than Twelve Calendar Months before this Day, of which Bastard Child she alleges you to be the Father, and for the Maintenance whereof she hath given me Proof that you did within the Twelve Calendar Months next after its Birth pay Money, for a summons to be served upon you to appear at a Petty Sessions of the Peace according to the Form of the Statute in such case made and provided.

These are therefore to require you to appear at the Petty Session of the Justices holden at , being the Petty Session for the *Division* [1] in which I usually act, on [2] the Day of at of the Clock in the noon in the Year of our Lord One thousand eight hundred and to answer any Complaint which she shall then and there make against you touching the Premises.

Herein fail you not.

Given under my Hand at in the *County* [1]
this Day of in the Year of our Lord
One thousand eight hundred and .

NOTE.—If you neglect to appear at the Petty Session as above stated, the Justices, upon proof that this Summons has been duly served upon you, or left at your last Place of Abode, may proceed, if they think fit, to make an Order upon you, as the putative Father of the Child above referred to, to pay a weekly Sum to the said Mother for its Maintenance, and other Sums for Costs and Expenses.

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[1] *Or* City, Borough, *or other Place.*

[2] *Insert some Day, at least Six Days after the Date of the Summons, and after the Day when the same can be served upon the Man, or at his Place of Abode.*

No. 7.

Application for a Summons by a Woman after Birth, where the alleged Father has returned after ceasing to reside in England.

to wit. } The Information and application of single Woman, residing at in the County of before me, the undersigned One of Her Majesty's Justices of the Peace acting for the [1] *Petty Sessional Division of in the said County of* in which she resides, this Day of in the Year of our Lord One thousand eight hundred and who saith that she hath been delivered of a Bastard Child more than Twelve Calendar Months before this Day, to wit, on the Day of in the Year of our Lord One thousand eight hundred and and alleges that one of in the County of is the Father of such Child, and having given Proof to me that the said did within the Twelve Calendar Months next after the Birth of such Child cease to reside in England and hath returned to England within the Twelve Calendar Months next before this Day, maketh application to me for a Summons to be served upon the said to appear at a Petty Session to be holden for the *Petty Sessional Division* [1] in which I usually act, to answer such Complaint as she shall then and there make touching the Premises.

Exhibited before me, the Day and Year first above written. } _____

No. 8.

Summons when the Application is made by a Woman after Birth, where the alleged Father has returned after ceasing to reside in England.

to wit. } To of the Parish of in the County of .

Whereas Application hath been this Day made to me, the undersigned, One of Her Majesty's Justices of the Peace for the [1] *County* of by single Woman, residing at in the [1] *Petty Sessional Division of the said County* for which I act, who hath been delivered of a Bastard Child more than Twelve Calendar Months before this Day, of which Bastard Child she alleges you to be the Father,

[1] *Or* City, Borough, *or other Place.*

and hath given Proof to me that you did within the Twelve Calendar Months next after the Birth of such Child cease to reside in England, and have returned to England within the Twelve Calendar Months next before this day, for a Summons to be served upon you to appear at a Petty Sessions of the Peace according to the Form of the Statute in such case made and provided.

These are therefore to require you to appear at the Petty Sessions of the Justices holden at , being the Petty Session for the *Division*[1] in which I usually act, on[2] the Day of at of the Clock in the noon in the Year of our Lord One thousand eight hundred and to answer any Complaint which she shall then and there make against you touching the Premises.

Herein fail you not.

Given under my Hand at in the *County*[1] this Day of in the Year of our Lord one thousand eight hundred and .

NOTE.—If you neglect to appear at the Petty Session as above stated, the Justices, upon Proof that this Summons has been duly served upon you, or left at your last Place of Abode, may proceed, if they think fit, to make an Order upon you, as the Putative Father of the child above referred to, to pay a weekly Sum to the said Mother for its maintenance, and other Sums for Costs and Expenses.

(Forms No. 9 to 12 inclusive related to proceedings where the child was born on or before August 10, 1872, and are therefore now obsolete.)

No. 13.

Recognizance (without Surety) on Adjournment of Hearing.

BE it remembered, that on day the Day of in the Year of our Lord One thousand eight hundred and , of personally came before the undersigned, *One* of Her Majesty's Justices of the Peace for the *County*[1] of and acknowledged himself to our Sovereign Lady the Queen the sum of , of good and lawful Money of Great Britain, to be made and levied of the goods and chattels, lands and tenements of the said ,

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[1] *Or* City, Borough, *or other Place.*

[2] *Insert some Day, at least Six Days after the Date of the Summons, and after the Day when the same can be served upon the Man, or at his Place of Abode.*

to the use of our said Lady the Queen, her Heirs and Successors, if he the said shall fail in the Condition endorsed.

Taken and acknowledged, the Day and Year first above mentioned, at before me. }

Recognizance with (Surety or Sureties) on Adjournment of Hearing.

BE it remembered, that on day the Day of in the year of our Lord One thousand eight hundred and , of and of and of personally came before the undersigned, *One* of Her Majesty's Justices of the Peace for the *County*[1] of and severally acknowledged themselves to owe to our Sovereign Lady the Queen the several sums following; that is to say, the said the Sum of , and the said the Sum of , and the said the Sum of , of good and lawful Money of Great Britain, to be made and levied of their several goods and chattels, lands and tenements respectively, to the use of our said Lady the Queen, her Heirs and Successors, if he the should fail in the Condition endorsed.

Taken and acknowledged, the Day and Year first above mentioned, at before me. }

Condition.

The Condition of the within-written recognizance is such, that if the said shall personally appear on the Day of at of the Clock in the noon, at before such Justices of the Peace for the said *County*[1] as may then be there, to answer the Complaint of [*here state the Name of the Mother, and the Object of her Application*] and to be further dealt with according to Law, then the said Recognizance to be void, or else to stand in full force and virtue.

Notice to Defendant (and his Surety or Sureties).

TAKE notice, that you, , are bound in the sum of [*and you , in the sum of , and you, , in the sum of ,] that you, , appear personally on the

[1] *Or* City, Borough, *or other Place.*

Day of at of the Clock in the noon, at before such Justices of the Peace for the *County*[1] of as shall then be there, to answer the complaint of [*here state as in condition*] the hearing of which was adjourned to the said time and place, and unless you appear accordingly the recognizance entered into by you, , and by, , [*and , as your Suret* ,] will forthwith be levied on you [and *him* or *them*].

Dated this Day of 18 .

Certificate of Non-appearance, to be endorsed.

I hereby certify, that the said hath not appeared at the time and place in the within-written recognizance mentioned, but therein hath made default by reason whereof the said recognizance is forfeited.

Dated this Day of 18 .

One of the Justices of the Peace referred to.

SCHEDULE B.

No. 14.

Form of Order when Application was made by a Woman with Child and the Child has been born and is alive.

to wit. } At a Petty Session of Her Majesty's Justices of the Peace for the *County*[1] of holden in and for the [1] *Division* of in the said County[1] at on the Day of in the Year of our Lord one thousand eight hundred and before us Her Majesty's Justices of the Peace for the said[1] *County*.

Whereas one single Woman, residing at within this[1] *Division*, being with Child, did on the Day of in the Year of our Lord One thousand eight hundred and make application to One of Her Majesty's Justices of the Peace acting for this[1] *Division*, for a Summons to be served upon one of the Parish of in the *County*[1] of whom she, *being duly sworn* before the said *upon her Oath stated*[2] to be the Father

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[1] *Or* City, Borough, *or other Place.*
[2] *Or* affirmed.

of the Child with which she was pregnant; and the said Justice thereupon issued his summons to the said to appear at a Petty Session to be holden on this Day for this *Division*[1] in which the said Justice usually acts, to answer her Complaint touching the Premises; And whereas the said hath been lately delivered of a Bastard Child; And whereas the said having been duly served with the said Summons, *and appearing in pursuance thereof*[2] and the said having now applied to us, the Justices in Petty Session assembled, for an order upon the said according to the Form of the Statute in such case made and provided: and it being now proved to us, *in the Presence and Hearing of the said*[3] that the said Child was, on the Day of in the Year of our Lord One thousand eight hundred and born a Bastard of the Body of the said and we having, *in the presence and hearing of the said*[3] heard the Evidence of such Woman and such other Evidence as she hath produced, *and having also heard all the Evidence tendered by*[4] *the said* and the Evidence of the said the Mother of the said Child, having been corroborated in some material Particular by other Evidence to our Satisfaction, do hereby adjudge the said to be the putative Father of the said Bastard Child; and, having regard to all the circumstances of this Case, we do now hereby order, That the said do pay unto the said the Mother of the said Child, so long as she shall live and shall be of sound Mind, and shall not be in any Gaol or Prison, or under sentence of Transportation, or to the Person who may be appointed to have the Custody of such Child under the Provisions of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled "An Act for the further Amendment of the Laws relating to the Poor in England," the sum of[5] per Week for the maintenance and education of the said Child[6] until the said Child shall attain the Age of[7] Years, or shall die: And we do hereby further order the said

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[1] *Or* City, Borough, *or other Place.*

[2] *Insert here, if the Defendant do not appear,* "Six days at least before this Day, as is now proved before us," *or* "the same having been left at his last Place of Abode Six Days at least before this Day, as is now proved before us," *and erase the words in italics.*

[3] *Should the Defendant not appear, erase the words in italics.*

[4] *Should the Defendant appear by Attorney or Counsel, it will be then only necessary to erase the word* "by," *and add* "on behalf of;" *but should he not appear himself, or by Attorney or Counsel, then erase the words in italics.*

[5] *Not to exceed Five Shillings.*

[6] *If the Justices allow the Payment from the Birth, insert the words* "from the Birth of the said Child," *and if they decline to do so, insert the word* "henceforth."

[7] *Insert* "Thirteen," *or* "Sixteen," *according as the Justices may order.*

to pay to the said the Sum of for the Expenses incidental to the Birth of the said Child, and the sum of for the Costs incurred in obtaining this Order.

Given under our Hands and Seals, at the Session aforesaid.

No. 15.

Form of Order when Application was made by a Woman with Child and the Child has been born and is dead.

to wit. } At a Petty Session of Her Majesty's Justices of the Peace for the *County*[1] of holden in and for the [1] *Division* of in the said *County*,[1] at on the Day of in the Year of our Lord One thousand eight hundred and before us Her Majesty's Justices of the Peace for the said [1] *County*.

Whereas one single Woman residing at within this [1] *Division*, being with Child, did on the Day of in the Year of our Lord One thousand eight hundred and make Application to One of Her Majesty's Justices of the Peace acting for this [1] *Division*, for a Summons to be served upon one of the Parish of in the *County* [1] of whom she, *being duly sworn* before the said *upon her Oath stated*[2] to be the Father of the Child with which she was then pregnant; and the said Justice thereupon issued his Summons to the said to appear at a Petty Session to be holden on this Day for this *Division* [1] in which the said Justice usually acts, to answer her Complaint touching the Premises: And whereas the said hath been lately delivered of a Bastard Child: And whereas the said having been duly served with the said Summons, *and appearing in pursuance thereof*[3] ; and the said having now applied to us, the Justices in Petty Session assembled, for an Order upon the said according to the Form of the Statute in such Case made and provided; and it being now proved to us, *in the Presence and Hearing of the said*[4] that the said Child was, on the Day of in the Year of our Lord One thousand eight hundred and born a

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[1] *Or* City, Borough, *or other Place.*

[2] *Or* affirmed.

[3] *Insert here, if the Defendant do not appear,* "Six Days at least before this Day, as is now proved before us," *or* "the same having been left at his last Place of Abode Six days at least before this Day, as is now proved before us," *and erase the words in italics.*

[4] *Should the Defendant not appear, erase the words in italics.*

Bastard of the Body of the said and we having, *in the Presence and Hearing of the said* [1] heard the Evidence of such Woman and such other Evidence as she hath produced, *and having also heard all the Evidence tendered by* [2] *the said* and the Evidence of the said the Mother of the said Child, having been corroborated in some material Particular by other Evidence to our Satisfaction, do hereby adjudge the said to be the putative Father of the said Bastard Child; and it being now also proved to us, that the said Child died on the day of last past, we do hereby Order that the said do pay to the Mother of the said deceased Child, the sum of for the expenses incidental to the birth of the said Child, and also the sum of for the Funeral expenses of the said Child together with the sum of for the costs incurred in obtaining this Order.[3]

Given under our Hands and Seals at the Session aforesaid.

No. 16.

Form of Order when Application was made by a Woman after the Birth of the Child and the Child is alive.

} At a Petty Session of Her Majesty's Justices of the
to wit. } Peace for the *County* [4] of holden in and for the [4] *Division* of in the said [4] *County*, at on the Day of in the Year of our Lord One thousand eight hundred and before us Her Majesty's Justices of the Peace for the said [4] *County*.

Whereas one single Woman, residing at within this [4] *Division* did on the Day of in the Year of our Lord One thousand eight hundred and having been delivered of a Bastard Child [5] Twelve Calendar Months prior thereto, make Application to One of Her Majesty's Justices of the Peace acting for this [4] *Division*, for a Summons to be served upon one of whom she alleged to

[1] *Should the Defendant not appear, erase the words in italics.*

[2] *Should the Defendant appear by Attorney or Counsel, it will then be only necessary to erase the word* "by," *and add* "on behalf of;" *but should he not appear himself, or by Attorney or Counsel, then erase the words in italics.*

[3] *If the Justices decide upon allowing such payments, insert here* "and the sum of for the Maintenance and Education of the said Child from its Birth until its Death, being at the rate of per Week" [*not to exceed Five Shillings per Week*].

[4] *Or* City, Borough, *or other Place.*

[5] *Insert* "within" *or* "more than," *as the case may require.*

be the Father of the said Child [1] ; and the said Justice thereupon issued his summons to the said to appear at a Petty Session to be holden on this Day for this [2] *Division* in which the said Justice usually acts, to answer her Complaint touching the Premises:

And whereas the said having been duly served with the said Summons within Forty Days from *this Day* [3] [4] *and now appearing in pursuance thereof* and the said having now applied to us the Justices in Petty Session assembled for an Order upon the said according to the Form of the Statute in such case made and provided; and it being now proved to us, *in the Presence and Hearing of the said* [5] that the said Child was on the Day of in the Year of our Lord One thousand eight hundred and , born a Bastard of the Body of the said ; and we having, *in the Presence and hearing of the said* [5] heard the Evidence of such Woman and such other Evidence as she had produced, *and having also heard all the Evidence tendered by* [6] *the said* and the Evidence of the said the Mother of the said Child, having been corroborated in some material Particular by other Evidence to our Satisfaction, do hereby adjudge the said to be the putative Father of the said Bastard Child; and, having regard to all the Circumstances of this Case, we do now hereby order, That the said do pay unto the said the Mother of the said Child, so long as she shall live and shall be of sound Mind, and shall not be in any Gaol or Prison, or under Sentence of Transportation, or to the Person who may be appointed to have the custody of such Child under the provisions of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled "An Act for the further Amendment of the Laws relating to the Poor in England,"

[1] *Insert, as the case may require*, "and who was proved before the said Justice to have paid money for the maintenance of the said child within Twelve Calendar Months after its Birth," *or* "and who was proved before the said Justice to have ceased within the Twelve Calendar Months next after the Birth of the said Child to reside in England, and to have returned to England within the Twelve Calendar Months next before the date of such Application."

[2] *Or* City, Borough, *or other Place.*

[3] *If the Order be made at an adjourned Session, insert the Day of the Commencement of the Session, adding these words*, "from which day the Hearing of this Case hath been adjourned," *and erase the words*, "this Day."

[4] *If the Defendant do not appear, insert here*, "and Six Days at least before this Day, as is now proved before us," *or* "the same having been left at his last Place of Abode Six Days at least before this Day, as is now proved before us," *and erase the words which follow in italics.*

[5] *Should the Defendant not appear, erase the words in italics.*

[6] *Should the Defendant appear by Attorney or Counsel, it will be then only necessary to erase the word* "by," *and add* "on behalf of;" *but should he not appear himself, or by Attorney or Counsel, then erase the words in italics.*

the Sum of [1] per Week for the Maintenance and Education of the said Child [2] until the said Child shall attain the Age of [3] Years, or shall die: And We do hereby further order the said to pay to the said the sum of for the Expenses incidental to the Birth of the said child, and the sum of for the Costs incurred in obtaining this Order.

Given under our Hands and Seals, at the Session aforesaid.

No. 17.

Form of Order when Application was made by a Woman after the Birth of a Child, and the Child is Dead.

to wit. } At a Petty Session of Her Majesty's Justices of the Peace for the *County* [4] of holden in and for the [4] *Division* of in the said [4] *County*, at on the Day of in the Year of our Lord One thousand eight hundred and before us Her Majesty's Justices of the Peace for the said [4] *County*.

Whereas one single Woman, residing at within this [4] *Division* did on the Day of in the Year of our Lord One thousand eight hundred and having been delivered of a Bastard Child [5] Twelve Calendar Months prior thereto, make Application to One of Her Majesty's Justices of the Peace acting for this [4] *Division* for a Summons to be served upon one of whom she alleged to be the Father of the said Child [6]; and the said Justice thereupon issued his Summons to the said to appear at a Petty Session to be holden on this Day for this [4] *Division* in which the said Justices usually act, to answer her Complaint touching the Premises;

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[1] *Not to exceed Five Shillings.*

[2] *If the Application was made within Two Calendar Months after Birth, and the Justices allow the Payment from the Birth, insert* "from the Birth of the said Child;" *in all other cases insert the word* "henceforth."

[3] *Insert* "Thirteen" *or* "Sixteen," *according as the Justices may order.*

[4] *Or* City, Borough, *or other Place.*

[5] *Insert* "within" *or* "more than," *as the case may require.*

[6] *Insert, as the case may require,* "and who was proved before the said Justice to have paid Money for the maintenance of the said Child within Twelve Calendar Months after its Birth," *or* "and who was proved before the said Justice to have ceased within the Twelve Calendar Months next after the Birth of the said Child to reside in England, and to have returned to England within the Twelve Calendar Months next before the date of such Application."

And whereas the said having been duly served with the Summons within Forty Days from *this Day*[1] [2] *and now appearing in pursuance thereof* and the said having now applied to us, the Justices in Petty Session assembled for an Order upon the said according to the Form of the Statute in such Case made and provided; and it being now proved to us, *in the Presence and Hearing of the said*[3] that the said Child was on the Day of in the Year of our Lord One thousand eight hundred and , born a Bastard of the Body of the said ; and We having, *in the Presence and Hearing of the said*[3] heard the evidence of such Woman and such other Evidence as she hath produced, *and having also heard all the Evidence tendered by*[4] *the said* and the Evidence of the said the Mother of the said Child, having been corroborated in some material Particular by other Evidence to our Satisfaction, do hereby adjudge the said to be the putative Father of the said Bastard Child; and it being now also proved to us, that the said Child died on the Day of last passed, We do hereby order that the said do pay to the Mother of the said deceased Child, the Sum of for the Expenses incidental to the Birth of the said Child, and also the Sum of for the Funeral Expenses of the said Child, together with the Sum of for the Costs incurred in obtaining this Order.[5]

Given under our Hands and Seals at the Session aforesaid.

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[1] *If the order be made at an adjourned Session, insert the day of the Commencement of the Session, adding these words,* "from which Day the Hearing of his case hath been adjourned," *and erase the words* "this Day."

[2] *If the Defendant do not appear, insert here,* "and Six Days at least before this Day, as is now proved before us," *or* "the same having been left at his last Place of Abode Six Days at least before this Day, as is now proved before us," *and erase the words which follow in italics.*

[3] *Should the Defendant not appear, erase the words in italics.*

[4] *Should the Defendant appear by Attorney or Counsel, it will be then only necessary to erase the word* "by," *and add* "on behalf of;" *but should he not appear himself, or by Attorney or Counsel, then erase the words in italics.*

[5] *If the application was made within Two Calendar Months after the Birth, and the Justices decide upon allowing such payments, insert here,* "and the sum of for the Maintenance and Education of the said Child from its Birth until its Death, being at the rate of per Week" [*not to exceed Five Shillings per Week*].

No. 18.

Recognizance on Notice of Appeal.

to wit. } WHEREAS by an Order under the Hands and Seals of assembled at a Petty Session of Her Majesty's Justices of the Peace for the [1] *County* of holden in and for the [1] *Division of* *in the said County*, at on the Day of in the Year of our Lord One thousand eight hundred and the said was adjudged to be the putative Father of a Bastard Child, of which one had been delivered, and was ordered to pay to her certain Sums of Money therein set forth: And whereas the said hath given to the said Notice of his Intention to appeal against the said Order to the General Quarter Session of the Peace to be holden [2] on the Day of next, for the County [1] of .

Now the Condition of this Recognizance is such, that if the above-named do appear at the General Quarter Session of the Peace to be held at in and for the [1] *County* of on the Day in the Year of our Lord One thousand eight hundred and and then and there try such Appeal, and pay such Costs as shall be by the said Court awarded, then this Recognizance to be void.

Taken and acknowledged this Day of in the Year of our Lord One thousand eight hundred and at in the *County of* [1] before me the undersigned, One of Her Majesty's Justices of the Peace for the said *County*.[1]

NOTE.—Notice in writing of this recognizance having been entered into must be given or sent by post to the Woman in whose favour the Order was made, and also to one at least of the Justices who made the Order, unless this recognizance be entered into before one of such Justices.

SCHEDULE C.

No. 19.

Information of Mother on Disobedience to Order.

to wit. } THE Information and Complaint of of the Parish of in the *County* [1] of single Woman, taken upon *Oath* [3] before me one of Her

[1] *Or* City, Borough, *or other Place.*

[2] *If the Notice of Appeal do not set out the Day on which the Quarter Session is to be holden, this Recital and the Condition must be altered accordingly.*

[3] *Or* Affirmation.

Majesty's Justices of the Peace for the said *County*,[1] the [2] Day of in the Year of our Lord One thousand eight hundred and who saith, that by an Order made under the Authority of the Statutes in that behalf, at the Petty Sessions holden in and for the *Division of* [1] *in the County of* [1] on the Day of in the Year of our Lord One thousand eight hundred and by Her Majesty's Justices of the Peace in and for the said *County* [1] acting for the said *Division* [1] then and there assembled, of in the *County* [1] of was adjudged to be the putative Father of a Bastard Child, then lately born of her Body, and that in and by the said Order it was ordered that the said should pay to her the said [3] .

And this Deponent further saith, that the said hath had due notice of the said Order, and that the Payments directed to be made by the said Order have not been made according thereto by the said and that there is now in arrear for the same the Sum of being the Amount of .

And this Informant therefore prays Justice in the Premises.

Exhibited and sworn before me, the Day and Year first above written, at in the *County*.[1]

No. 20.

Warrant of Apprehension for Disobedience of Order.

to wit. } To [4]

WHEREAS Information and Complaint have been made upon *Oath* [5] before me, One of Her Majesty's Justices of the Peace for the *County* [1] of the Day of in the Year of our Lord One thousand eight hundred and by of the Parish of in the *County* [1] of single Woman, that by an Order made under the Authority of the Statutes in that behalf, at the Petty Session holden in and for the *Division* [1] of in the *County* [1] of on the Day of

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[1] *Or* City, Borough, *or other Place.*

[2] *This must not be before the Expiration of One Calendar Month from the Order.*

[3] *Here recite the terms of the Order.*

[4] *This should be addressed to the Constables of the Metropolitan Police Force, or of the County, Borough, or Parish, according to circumstances.*

[5] *Or* Affirmation.

in the Year of our Lord One thousand eight hundred and by Her Majesty's Justices of the Peace in and for the said *County*[1] acting in and for the said *Division*[1] then and there assembled of in the *County*[1] of was adjudged to be the putative Father of a Bastard Child then lately born of her Body and that in and by the said Order it was ordered that the said should pay to her the said[2] and that the said had had due Notice of the said Order, and that the Payments directed to be made by the said Order have not been made according thereto by the said and that there is now in arrear for the same the Sum of being the Amount of .

These are, therefore, in Her Majesty's Name, to command you, or some or one of you, forthwith to apprehend the said and convey him before Two of Her Majesty's Justices of the Peace in and for the said *County*[1] to answer the Premises, and be dealt with according to Law.

Given under my Hand and Seal, at in the *County*[1] of this Day of in the Year of our Lord one thousand eight hundred and .

No. 21.

Warrant of Distress against the Putative Father.

To[3]
to wit. } WHEREAS Information and Complaint were, on the Day of in the Year of our Lord One thousand eight hundred and made upon *Oath*[4] before One of Her Majesty's Justices of the Peace in and for the said *County*[1] by of the Parish of in the *County*[1] of single Woman, that by an Order made at the Petty Sessions holden in and for the *Division*[1] *of* *in the County of*[1] on the Day of in the Year of our Lord One thousand eight hundred and by Her Majesty's Justices of the Peace in and for the said *County*[1] acting in and for the said *Division*[1] then and there assembled of *in the County*[1] *of* was adjudged to be the putative Father of a

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[1] *Or* City, Borough, *or other Place.*
[2] *Here recite the terms of the Order.*
[3] *This should be addressed to the Constables of the Metropolitan Police Force, or of the County, Borough, or Parish, according to circumstances.*
[4] *Or* Affirmation.

Bastard Child, then lately born of her Body, and that in and by the said Order it was ordered that the said should pay to her the said [1] and that the said had had due Notice of the said Order, and that the payments directed to be made by the said Order had not been made according thereto by the said and that there was then in arrear for the same the Sum of being the Amount of

And whereas the said Justice, by Warrant under his Hand and Seal directed to commanded them, or some or one of them, forthwith to apprehend the said and to convey him before Two of Her Majesty's Justices of the Peace for the said *County* [2] to answer the Premises, and be dealt with according to Law.

Whereupon the said being now brought before us, Two of Her Majesty's Justices of the Peace for the said *County*,[2] to show Cause why the same should not be paid, hath not shown any Cause why the same should not be paid; and the same duly appearing to us upon Oath [3] to be due from the said under the said Order, together with the further Sum of for the Costs attending such Warrant, Apprehension, and bringing up of him, the said nevertheless hath not paid the said Sums due under the said Order, and the said Sums so due for such Costs, but therein hath made default.

These are therefore to require you forthwith to make Distress of the Goods and Chattels of the said and if within the Space of Days next after such Distress by you taken the said Sums, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such sale thereof that you detain the said Sums, and also the reasonable Charges of taking, keeping, and selling the said Distress, rendering the Overplus (if any), on Demand, unto the said and if no sufficient Distress can be found, that then you certify the same unto us or unto [4] Two of Her Majesty's Justices of the Peace acting for the said *County*,[2] to the end that such further Proceedings may be had therein as to Law doth appertain; And we further order you to make return to this Warrant, on the day of next, unto us or such Justices as aforesaid.

And whereas [5] *the said not having given sufficient Security*

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[1] *Here recite the terms of the Order.*

[2] *Or* City, Borough, *or other Place.*

[3] *Or* Affirmation.

[4] *If the Party give Security for his Appearance, insert the names of the Justices before whom he is to appear; but should he not find such security, insert the word* "any."

[5] *Should the Party find Security for his Appearance on the Return of the Warrant, erase this Paragraph.*

by way of Recognizance or otherwise, to our Satisfaction for his Appearance on the Return of this Warrant, we do hereby further order you to detain the said and keep him in safe custody until the said Return can be conveniently made, and then bring him before us or such Justices aforesaid.

Given under our Hands and Seals, at in the *County*[1] of this day of in the Year of our Lord One thousand eight hundred and

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No. 22.

Form of Recognizance for Appearance at the Return of the Distress Warrant.

RECOGNIZANCE in the Common Form, subject to the following condition:—

to wit. } WHEREAS the above-bounden having been apprehended upon a Warrant issued under the Hand and Seal of One of Her Majesty's Justices of the Peace in and for the *County*[1] of upon the Information and Complaint of for Disobedience to an Order made in the Petty Session holden in and for the *Division*[1] *of in the County* of on the day of in the Year of our Lord One thousand eight hundred and by Her Majesty's Justices of the Peace then and there assembled, whereby he was adjudged to be the putative Father of a Bastard Child, lately born of the Body of the said single Woman, and ordered to pay certain sums of Money as therein set forth; and the said having been brought before and Two of Her Majesty's Justices of the Peace for the said *County*[1] by virtue of the said Warrant, and not having paid the Sums due from him under such Order, together with the Costs attending such Warrant, Apprehension, and bringing of him up before such Justices, but having therein made default, they have by Warrant under their Hands and Seals, addressed to directed the Sum so due, together with such Costs, to be recovered by Distress and Sale of the Goods and Chattels of the said and have made the said Warrant returnable on the Day of to them, or unto Two Justices of the Peace acting for the said *County*.[1]

Now the Condition of such Recognizance is such, that if the above-bounden do appear before the Justices unto whom the said

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[1] *Or* City, Borough, *or other Place.*

Warrant is made returnable on the Day so appointed for the Return thereof, to abide the further proceedings thereon, then the same shall be of no effect, otherwise to remain in full Force.

Taken and acknowledged the Day of in the Year of our Lord One thousand eight hundred and at in the *County*[1] of before me the undersigned, One of Her Majesty's Justices of the Peace in and for the said *County*[1] of .

No. 23.

Warrant of Commitment.

} To[2] and to the Keeper of the *Common*
to wit. } *Gaol*[3] at in the *County*[1] of

WHEREAS Information and Complaint were, on the Day in the Year of our Lord One thousand eight hundred and made upon *Oath*[4] before One of Her Majesty's Justices of the Peace for the said *County*[1] by of the Parish of in the *County*[1] of single Woman, that by an Order made at the Petty Sessions holden in and for the *Division*[1] of *in the County*[1] of on the Day of in the Year of our Lord One thousand eight hundred and by Her Majesty's Justices of the Peace for the said *County*[1] acting in and for the said *Division*[1] then and there assembled of in the *County*[1] of was adjudged to be the putative Father of a Bastard Child then lately born of her Body; and that in and by the said Order it was ordered that the said should pay to her the said[5] and that the said had had due Notice of the said Order, by the said and that there was then in arrear for the same the Sum of being the Amount of .

And whereas the said Justice, by Warrant under his Hand and Seal, directed to the commanded them, or some or one of them forthwith to apprehend the said and to convey him before Two of Her Majesty's Justices of the Peace in and for the said *County*[1] to answer the Premises, and be dealt with according to Law.

Whereupon the said being now brought before us, Two of Her Majesty's Justices of the Peace for the said *County*[1] to

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[1] *Or* City, Borough, *or other Place.*

[2] *This should be addressed to the Constables of the Metropolitan Police Force, or of the County, Borough, or Parish, according to circumstances.*

[3] *Or* House of Correction.

[4] *Or* Affirmation.

[5] *Here recite the terms of the Order.*

show Cause why the same should not be paid, hath not shown any Cause why the same should not be paid, and the same duly appearing to us upon *Oath*[1] to be due from the said under the said order, together with the further Sum of for the Costs attending upon such Warrant, Apprehension, and bringing up of him, the said nevertheless hath not paid the said Sums due under the said Order, and the said Sums so due for such Costs, but therein hath made default;

And whereas it appears to us, upon the Admission of the said that no sufficient Distress can be had upon his Goods and Chattels for the Recovery of the said several Sums:

These are therefore to command you to convey the said to the said *Common Gaol*[2] at and these are also to command you the said Keeper of the said *Common Gaol*[2] to receive the said into the said *Common Gaol*,[2] there to remain without Bail or Mainprise for the term of[3] unless such Sum and Costs, together with the Costs and Charges attending the Commitment and conveying of the said to the said *Common Gaol*,[2] and of the Persons employed to convey him thither, amounting to the further sum of be sooner paid and satisfied.

Given under our Hands and Seals, at in the County of this Day of in the Year of our Lord One thousand eight hundred and .

No. 24.

Appointment of Guardian to the Bastard Child.

to wit. } Whereas the Justices assembled at a Petty Session of Her Majesty's Justices of the Peace for the *County*[4] of holden in and for the *Division of*[4] *in the County of* at on the day of in the year of our Lord One thousand eight hundred and by an Order under their Hands and Seals, reciting that[5]

And whereas the said *hath lately*[6] and the said Child is still alive, and under the age of

Now we, Two of Her Majesty's Justices of the Peace acting

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[1] *Or* Affirmation.
[2] *Or* House of Correction.
[3] *Not to exceed Three Calendar Months.*
[4] *Or* City, Borough, *or other Place.*
[5] *This Form must be completed in regard to the Recitals, by reference to the Order of the Justices.*
[6] Died, *or* become of unsound mind, *or* is now in the Gaol *or* Prison of in the County of , *or* is under sentence of Transportation.

in and for the *County*[1] of do hereby order and appoint of in the *County* of[1] not being an Officer of any Parish or Union, and having consented thereto, to have the Custody of such Bastard Child, so long as such Bastard Child shall not be chargeable to any Parish or Union.

Given under our Hands and Seals, at in the *County* of[1] this Day of in the Year of our Lord One thousand eight hundred and .

N.B.—A Duplicate of this Appointment is to be sent through the Post or otherwise, by the Clerk of the Justices, to the Clerk of the Guardians of the Union or Parish wherein the Mother of the said Child resided at the time when she died, or ceased to be entitled to receive the payments under the Order.

Given under our Seal of Office, this Fourth day of August, 1873.

The foregoing Order was published in the *London Gazette* of August 8, 1874. In strictness it does not relate to Poor Law Administration, but the Editor has nevertheless considered it desirable to include it in this Work, so that it may be more readily accessible than in the *London Gazette*.

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[1] *Or* City, Borough, *or other Place*.

GENERAL ORDER, PRESCRIBING FORMS FOR PROCEEDINGS UNDER BASTARDY ACTS, ON APPLICATION BY THE GUARDIANS.

(Dated 8th January, 1874.)

To the Justices of the Peace in England and Wales ;—

To the Guardians of the Poor of all the Unions in England and Wales ;—

To the Guardians of the Poor of the several Parishes, Townships, and Places in England and Wales under separate Boards of Guardians ;—

And to all others whom it may concern.

Whereas it is enacted by "The Bastardy Laws Amendment Act, 1873" [1] that the Local Government Board may issue such new or altered forms of proceedings in matters of bastardy as they shall deem necessary or expedient for giving effect to the provisions of that Act and of "The Bastardy Laws Amendment Act, 1872 :" [2]

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[1] See 36 & 37 Vict. c. 9, s. 6.

[2] By Section 5 of the Bastardy Laws Amendment Act, 1873 (36 & 37 Vict. c. 9), it is enacted that : "When a bastard child becomes chargeable to a union "or parish, the guardians may apply to two justices having jurisdiction in the "union or parish, in petty sessions, and thereupon the justices may summon "the man alleged to be the father of the child to appear before any two justices "having the like jurisdiction, to show cause why an order should not be made "upon him to contribute towards the relief of the child, and upon his appearance "or on proof that the summons was duly served on him or left at his last place "of abode six days at least before the petty session, the justices in such "petty session shall hear the evidence of the mother, and such other evidence "as she or the said guardians may produce, and shall also hear any evidence "tendered by or on behalf of the person alleged to be the father; and if the "evidence of the mother be corroborated in some material particular by other "evidence to the satisfaction of the said justices, they may adjudge the man to "be the putative father of such bastard child, and they may proceed to make "an order upon such putative father to pay to the guardians or one of their "officers such sum, weekly or otherwise, towards the relief of the child, during "such time as the child shall continue or afterwards be chargeable, as shall "appear to them to be proper; and any payment so ordered to be made shall "be recoverable by the relieving officer or other officer appointed to receive it

And whereas the Local Government Board, in pursuance of the authority so conferred upon them, did, on the Fourth day of August last, issue certain Forms set forth in the Schedules thereto annexed:

And whereas it is expedient that additional Forms should be issued by the said Local Government Board, as hereinafter mentioned:

Now, therefore, We, the Local Government Board, in pursuance of the authority aforesaid, do hereby issue the additional Forms set forth in the Schedule hereto annexed.

SCHEDULE.

No. 1.

Application by the Guardians of a Union or Parish to which a Bastard Child has become chargeable.

to wit. } APPLICATION of the Guardians of the Poor *of the Union*[1] in the *County*[2] of

made before us, the undersigned Two of Her Majesty's Justices of the Peace acting for the *Petty Sessional Division*[2] of in the *County*[2] of and having jurisdiction in the said *Union*,[1] in Petty Sessions assembled, this Day of in the Year of our Lord One thousand eight hundred and ;

Who say that, on the Day of in the Year of

"in the manner provided by the said recited Act for the recovery of payments "under an order obtained by the mother" (*i.e.* by Section 4 of the Bastardy Laws Amendment Act, 1872, 35 & 36 Vict. c. 65):—"Provided as follows: "(1) That no payments shall be recoverable under such order, except in respect "of the time during which the child is actually in receipt of relief; (2) That "an order under this section shall not be made, and if made shall cease, except "for the recovery of arrears, when the mother of the child has obtained an "order under the said recited Act or this Act; (3) That nothing in this section "shall be deemed to relieve the mother of a bastard child from her liability to "maintain such child; (4) That any person upon whom an order is made under "this section shall have the same right of appeal against such order, as in the "case of an order obtained on the application of the mother" (*i.e.* under Section 9 of the Act of 1872); "(5) That if after an order has been made under this "section the mother should apply for an order under the said recited Act or "this Act, the order made under this section shall be *primâ facie* evidence that "the man upon whom the order is made is the father of the child."

[1] *Or* of the Parish of . [2] *Or* City, Borough, *or other Place.*

our Lord One thousand eight hundred and a certain Bastard Child of single Woman, became chargeable to the said *Union*,[1] and allege that one of in the *County*[2] of is the Father of such Child, and make Application to us for a Summons to be served upon the said to appear before Two Justices of the Peace having jurisdiction in the said *Union*,[1] to show cause why an Order should not be made upon him to contribute towards the Relief of such Bastard Child.

Exhibited before Us, the Day and Year first above written. } ——————————

No. 2.

Summons on Application by the Guardians of a Union or Parish to which a Bastard Child has become chargeable.

to wit. } To of in the Parish of in the *County*[2] of :

WHEREAS Application hath been made to us, the undersigned Two of Her Majesty's Justices of the Peace acting for the *Petty Sessional Division*[2] of in the *County*[2] of and having jurisdiction in the *Union*[1] in Petty Sessions assembled, by the Guardians of the said *Union*[1] for a Summons to be served on you to appear before Two Justices of the Peace having jurisdiction in the said *Union*[1] to show cause why an Order should not be made upon you to contribute towards the Relief of a certain Bastard Child of , Single Woman, which Child has become chargeable to the said *Union*,[1] and of which Child it is alleged that you are the Father:

These are therefore to require you to appear at the Petty Session of Her Majesty's Justices of the Peace for the *County*[2] of to be holden in and for the *Division*[2] of in the said *County*[2] at on the Day of at of the Clock in the noon, in the Year of our Lord One thousand eight hundred and , to show cause why an Order should not be made upon you to contribute towards the Relief of the said Bastard Child.

Herein fail you not.

Given under our Hands and Seals this Day of in the Year of our Lord One thousand eight hundred and at in the *County*[2] aforesaid.

(L.S.)

(L.S.)

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[1] *Or* the Parish of

[2] *Or* City, Borough, *or other Place.*

No. 3.

Recognizance on Adjournment of Hearing.

Recognizance in the Common Form, with the following Condition:—

Condition.

THE Condition of the within written Recognizance is such, that if the said shall personally appear on the Day of at of the Clock in the noon, at before such Justices of the Peace for the *County*[1] of as may then be there, to show cause why an Order should not be made upon him to contribute towards the Relief of a certain Bastard Child of , Single Woman, which Child has become chargeable to the *Union*,[2] and of which Child it is alleged that the said is the Father, then the said Recognizance to be void, or else to stand in full force and virtue.

No. 4.

Notice of such Recognizance to be given to the Defendant (and his Surety or Sureties).

TAKE notice, that you, are bound in the sum of , [*and you, in the sum of , and you, in the sum of*], that[3] appear personally on the Day of at of the Clock in the noon at before such Justices of the Peace for the *County*[1] of as shall then be there, to show cause why an Order should not be made upon[3] to contribute towards the Relief of a certain Bastard Child of , Single Woman, which Child has become chargeable to the *Union*,[2] and of which Child it is alleged that[3] *are* the Father, as to which matter the hearing of the application of the Guardians of the said *Union*[2] was adjourned to the said time and place and unless[4] appear accordingly the Recognizance entered into by you, , [*and by , and* , as *your Suret* ,] will forthwith be levied on [*and him*].

Dated this Day of 18 .

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[1] *Or* City, Borough, *or other Place.* [2] *Or* the Parish of .
[3] *Insert* "you" *or* the name of the alleged Father, *as the case may require.*
[4] *Insert* "you" *or* "he."

No. 5.

Recognizance on Notice of Appeal.

Recognizance in the Common Form, with the following Condition:—

to wit. } WHEREAS by an Order under the Hands and Seals of Two of Her Majesty's Justices of the Peace in and for the *County*[1] of having jurisdiction in the *Union*,[2] assembled at a Petty Session holden in and for the *Division*[1] of in the said *County*,[1] at on the Day of in the year of our Lord One thousand eight hundred and the said was adjudged to be the putative Father of a certain Bastard Child, of which one , Single Woman, had been delivered, and which had become chargeable to the said *Union*,[2] and was ordered to pay to the Guardians of the said *Union*[2] or to one of their officers certain sums of Money therein set forth as contributions towards the Relief of the said Child: And whereas the said hath given to the said Guardians Notice of his intention to appeal against the said Order to the General Quarter Sessions of the Peace to be holden on the Day of next, for the *County*[1] of :

Now the Condition of this Recognizance is such, that if the above-named do not appear at the General Quarter Session of the Peace to be holden at in and for the *County*[1] of on the Day of in the Year of our Lord One thousand eight hundred and and then and there try such Appeal, and pay such Costs as shall be by the said Court awarded, then this Recognizance to be void.

Taken and acknowledged, this Day of in the Year of our Lord One thousand eight hundred and at in the *County*[1] of before me the undersigned, One of Her Majesty's Justices of the Peace in and for the said *County*.[1]

No. 6.

Order for Contribution towards the Relief of a Bastard Child which has become Chargeable to a Union or Parish.

to wit. } AT a Petty Session of Her Majesty's Justices of the Peace for the *County*[1] of holden in and for the *Division*[1] of in the said *County*,[1] at

[1] *Or* City, Borough, *or other Place.* [2] *Or* the Parish of .

on the Day of in the Year of our Lord One thousand eight hundred and before us Her Majesty's Justices of the Peace for the said *County*,[1] having jurisdiction in the *Union*,[2] in the *County*[1] of .

WHEREAS the Guardians of the said *Union*[2] did on the Day of in the Year of our Lord One thousand eight hundred and , make Application to , Two of Her Majesty's Justices of the Peace acting for the *Petty Sessional Division*[1] of in the *County*[1] of and having jurisdiction in the said *Union*[2] for a Summons to be served upon one of the Parish of in the *County*[1] of to appear before Two Justices of the Peace having jurisdiction in the said *Union*,[2] to show cause why an Order should not be made upon the said to contribute towards the relief of a certain Bastard Child of , Single Woman, which Child did on or about the Day of in the Year of our Lord One thousand eight hundred and , become chargeable to the said *Union*,[2] and of which Child it is alleged that the said is the Father, and whereas the said last-mentioned Justices thereupon issued their Summons to the said to appear at a Petty Session to be holden on this Day for this *Division*,[1] to show cause why such Order should not be made upon him:

And whereas the said having been duly served with the said Summons *and appearing in pursuance thereof*[3] and the said Guardians having now applied to us, the Justices in Petty Sessions assembled, for an Order upon the said under "The Bastardy Laws Amendment Act, 1873," and it being now proved to us, *in the Presence and Hearing of the said*[4] that the Child was, on the Day of in the Year of our Lord One thousand eight hundred and , born a Bastard of the Body of the said , and that the said Child did on or about the Day of in the Year of our Lord One thousand eight hundred and become and is now chargeable to the said *Union*,[2] and we having, *in the Presence and Hearing of the said*[4] heard the Evidence of such Woman and such other Evidence as hath been produced, in support of the application, *and having also heard all the Evidence tendered by*[5] the said

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[1] *Or* City, Borough, *or other Place.* [2] *Or* the Parish of .

[3] *Insert here, if the Defendant do not appear,* "Six Days at least before this Day, as is now proved before us," *or* "the same having been left at his last Place of Abode Six Days at least before this Day, as is now proved before us," *and erase the words in italics.*

[4] *Should the Defendant not appear, erase the words in italics.*

[5] *Should the Defendant appear by Attorney or Counsel, it will then be only necessary to erase the word* "by," *and add* "on behalf of;" *but should he not appear himself, or by Attorney or Counsel, then erase the words in italics.*

, and the Evidence of the said , the Mother of the said Child having been corroborated in some material Particular by other Evidence to our Satisfaction, do hereby adjudge the said to be the putative Father of the said Bastard Child; and do also hereby order that the said do pay to the said Guardians, or to one of their Officers, the sum of [1] towards the relief of the said Child during such time as the said Child shall continue or hereafter become chargeable to the said *Union* [2] until the Mother shall obtain an Order or until such Child shall attain the age of Years,[3] together with the sum of for the Costs incurred in obtaining this Order.

Given under our Hands and Seals, at the Session aforesaid.

(L.S.)

(L.S.)

No. 7.

Information of an Officer of a Union or Parish on Disobedience to the Order made upon the putative Father.

} THE Information and Complaint of of
to wit. } in the *County* [4] of , being an Officer of the *Union*,[2] taken upon *Oath*,[5] before me One of Her Majesty's Justices of the Peace in and for the *County* of [4] the [6] Day of in the Year of our Lord One thousand eight hundred and who saith, that by an Order made under the authority of "The Bastardy Laws Amendment Act, 1873," at a Petty Session holden in and for the *Division* [4] of in the *County* [4] of on the Day of in the Year of our Lord One thousand eight hundred and by two of Her Majesty's Justices of the Peace acting for the said *Division* [4] and having jurisdiction in the said *Union*,[2] then and there assembled, one of in the Parish of in the *County* [4] of was adjudged to be the putative Father of a Bastard Child, born of the Body of , Single Woman, which Child had become chargeable to the said *Union*,[2] and that in and by the said Order it was ordered that the said should pay to the Guardians of the said *Union*,[2] or to one of their Officers, the sum

[1] *Insert* "weekly" *or otherwise, as the Justices may determine.*
[2] *Or* the Parish of .
[3] *Insert* "thirteen" *or* "sixteen," *according as the Justices may order.*
[4] *Or* City, Borough, *or other Place.*
[5] *Or* Affirmation.
[6] *This must not be before the expiration of One Calendar Month from the Order.*

of [1] towards the Relief of the said Child during such time as the said Child should continue or thereafter become chargeable to the said *Union*,[2] until such Child should attain the age of [3] Years, together with the sum of for the Costs incurred in obtaining the said Order:

And this Deponent further saith, that the said hath had due notice of the said Order, and that the payments directed to be made by the said Order have not been made according thereto by the said and that there is now in arrear for the same the sum of , being the amount of arrears of payments for *Weeks*.

And this Informant therefore prays Justice in the Premises.

Exhibited and sworn before me, the Day and Year first above written, at in the *County* [4] of .

No. 8.

Warrant of Apprehension for Disobedience to Order for Contributions by the putative Father towards the Relief of a Bastard Child chargeable to a Union or Parish.

} To [5]
to wit.

WHEREAS Information and Complaint have been made upon *Oath* [6] before me, One of Her Majesty's Justices of the Peace in and for the *County* [4] of the Day of in the Year of our Lord One thousand eight hundred and , by of in the *County* [4] of an Officer of the *Union* [2] that by an Order made under the Authority of the Statute in that behalf at the Petty Session holden in and for the *Division* [4] of the *County* [4] of on the Day of in the Year of our Lord One thousand eight hundred and by Her Majesty's Justices of the Peace in and for the said *County* [4] acting in and

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[1] *Insert* "weekly" *or otherwise, according to the terms of the Order.*

[2] *Or* the Parish of .

[3] *Insert* "thirteen" *or* "sixteen" *according as the Justices may have ordered.*

[4] *Or* City, Borough, *or other Place.*

[5] *This should be addressed to the Constables of the Metropolitan Police Force, or of the County, Borough, or Parish, according to circumstances.*

[6] *Or* Affirmation.

for the said *Division*[1] and having jurisdiction in the said *Union*,[2] then and there assembled, one of in the Parish of in the *County*[1] of was adjudged to be the putative Father of a certain Bastard Child, born of the Body of , Single Woman, which Child had become chargeable to the said *Union*,[2] and that in and by the said Order it was ordered that the said should pay to the Guardians of the said *Union*,[2] or to one of their Officers, the Sum of [3] towards the relief of the said Child during such time as the said Child should continue or thereafter become chargeable to the said *Union*,[2] until such Child should attain the age of Years,[4] together with the sum of for the Costs incurred in obtaining the said Order:

And that the said had had due notice of the said Order, and that the payments directed to be made by the said Order have not been made according thereto by the said , and that there is now in arrear for the same the Sum of , being the amount of arrears of payments for *Weeks:*

These are, therefore, in Her Majesty's Name, to command you, or some or one of you, forthwith to apprehend the said and convey him before Two of Her Majesty's Justices of the Peace in and for the said *County*[1] to answer the said Premises, and be dealt with according to Law.

Given under my Hand and Seal, at in the *County*[1] of this Day of in the Year of our Lord One thousand eight hundred and .

(L.S.)

No. 9.

Warrant of Distress against the putative Father of a Bastard Child chargeable to a Union or Parish.

} To[5]
to wit. }

WHEREAS Information and Complaint were, on the Day of in the Year of our Lord One thousand eight hundred and made upon *Oath*[6] before One of Her Majesty's Justices of the Peace in and for the *County*[1] of by

[1] *Or* City, Borough, *or other Place.* [2] *Or* the Parish of .
[3] *Insert* "weekly," *or otherwise, according to the terms of the Order.*
[4] *Insert* "thirteen" *or* "sixteen" *according as the Justices may have ordered.*
[5] *This should be addressed to the Constables of the Metropolitan Police Force, or of the County, Borough, or Parish, according to circumstances.*
[6] *Or* Affirmation.

of in the *County*[1] of , an Officer of the *Union*,[2] that by an Order made at the Petty Session holden in and for the *Division*[1] of in the *County*[1] of on the Day of in the Year of our Lord One thousand eight hundred and by Two of Her Majesty's Justices of the Peace in and for the said *County*[1] acting in and for the said *Division*,[1] and having jurisdiction in the said *Union*[2] then and there assembled, one of in the Parish of in the *County*[1] of was adjudged to be the putative Father of a certain Bastard Child born of the Body of , Single Woman, which Child had become chargeable to the said *Union*[2] and that in and by the said Order, it was ordered that the said should pay to the Guardians of the said *Union*,[2] or to one of their officers, the sum of [3] towards the relief of the said Child during such time as the said Child should continue or thereafter become chargeable to the said *Union*,[2] until such Child should attain the age of [4] Years, together with the sum of for the Costs incurred in obtaining the said Order:

And that the said had had due notice of the said Order, and that the payments directed to be made by the said Order had not been made according thereto by the said , and that there was then in arrear for the same the sum of , being the amount of arrears for *Weeks* payments:

And whereas the said Justice, by Warrant under his Hand and Seal directed to commanded them, or some or one of them, forthwith to apprehend the said and to convey him before Two of Her Majesty's Justices of the Peace for the said *County*,[1] to answer the Premises, and be dealt with according to Law:

Whereupon the said being now brought before us, Two of Her Majesty's Justices of the Peace for the said *County*,[1] to show cause why the same should not be paid, hath not shown any cause why the same should not be paid; and the same duly appearing to us upon Oath to be due from the said under the said Order, together with the further sum of for the Costs attending such Warrant, Apprehension, and bringing up of him, the said nevertheless *neglects*[5] to make payment of the said sums due under the said Order, and the said sums so due for such Costs:

These are therefore to require you forthwith to make Distress of the

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[1] *Or* City, Borough, *or other Place.*

[2] *Or* the Parish of .

[3] *Insert* "weekly," *or otherwise, according to the terms of the Order.*

[4] *Insert* "thirteen" *or* "sixteen," *according as the Justices may have ordered.*

[5] *Or* refuses.

Goods and Chattels of the said , and if within the space of Days next after such Distress by you taken the said sums, together with the reasonable Charges of taking and keeping the said distress, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such sale thereof that you detain the said sums, and also the reasonable Charges of taking, keeping, and selling the said Distress, rendering the overplus (if any), on Demand, unto the said , and if no sufficient Distress can be found, that then you certify the same unto us or unto [1]

Two of Her Majesty's Justices of the Peace acting for the *County* [2] of to the end that such further proceedings may be had therein as to Law doth appertain; And we further Order you to make return to this Warrant, on the Day of next, unto us or such Justices as aforesaid.

And whereas [3] *the said hath not given sufficient Security, by way of Recognizance or otherwise, to our Satisfaction, for his appearance on the Return of this Warrant, we do hereby further order you to detain the said and keep him in safe custody until the said Return can be conveniently made, and then bring him before us or such Justices as aforesaid.*

Given under our Hands and Seals, at in the *County* [2] of this Day of in the Year of our Lord One thousand eight hundred and .

(L.S.)

(L.S.)

No. 10.

Recognizance for Appearance at the Return of the Distress Warrant.

RECOGNIZANCE in the common Form, subject to the following Condition:—

to wit. } WHEREAS the above-bounden having been apprehended upon a Warrant issued under the Hand and Seal of One of Her Majesty's Justices of the Peace in and for the *County* [2] of upon the Information and Complaint of an Officer of *Union*,[4] for Disobedience to an Order

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[1] *If the Party give Security for his Appearance, insert the names of the Justices before whom he is to appear; but should he not find such security insert the word* 'any.'

[2] *Or* City, Borough, *or other Place.*

[3] *Should the Party find Security for his Appearance on the Return of the Warrant erase this paragraph.*

[4] *Or* the Parish of .

made in the Petty Session holden in and for the *Division*[1] of in the *County*[1] of on the Day of in the Year of our Lord One thousand eight hundred by Two of Her Majesty's Justices of the Peace having jurisdiction in the said Union, then and there assembled, whereby he was adjudged to be the putative Father of a Bastard Child, born of the Body of , Single Woman, which Child had become chargeable to the said *Union*,[2] and whereby he was ordered to pay certain sums of Money as therein set forth; and having been brought before Two of Her Majesty's Justices of the Peace for the *County*[1] of by virtue of the said Warrant, and having *neglected*[3] to make payment of the sums due from him under such Order, together with the Costs attending such Warrant, Apprehension, and bringing up of him before such Justices, they have by Warrant under their Hands and Seals, addressed to directed the sum so due, together with such Costs, to be recovered by Distress and Sale of the Goods and Chattels of the said and have made the said Warrant returnable on the Day of to them, or unto Two Justices of the Peace acting for the *County*[1] of .

Now the Condition of this Recognizance is such, that if the above-bounden do appear before the Justices unto whom the said Warrant is made returnable on the Day so appointed for the Return thereof, to abide the further Proceedings thereon, then the same shall be of no effect, otherwise to remain in full force.

Taken and acknowledged the Day of in the Year of our Lord One thousand eight hundred and at in the *County*[1] of before me the undersigned, One of Her Majesty's Justices of the Peace in and for the said *County*[1] of .

No. 11.

Warrant of Commitment.

to wit. } To[4] and to the Keeper of the *Common Gaol*[5] at in the *County*[1] of

Whereas Information and Complaint were, on the Day

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[1] *Or* City, Borough, *or other Place.*

[2] Or the Parish of .

[3] *Or* refused.

[4] *This should be addressed to the Constables of the Metropolitan Police Force, or of the County, Borough, or Parish, according to circumstances.*

[5] *Or* House of Correction.

ot in the Year of our Lord one thousand eight hundred and made upon *Oath*[1] before One of Her Majesty's Justices of the Peace for the *County*[2] of by of in the *County*[2] of , an Officer of the *Union*,[3] that by an Order made under "The Bastardy Laws Amendment Act, 1873," at the Petty Session holden in and for the *Division*[2] of in the *County*[2] of on the Day of in the Year of our Lord One thousand eight hundred and by Two of Her Majesty's Justices of the Peace for the said *County*[2] acting in and for the said *Division*[2] and having jurisdiction in the said *Union*[3] then and there assembled, one of in the Parish of in the *County*[2] of was adjudged to be the putative Father of a Bastard Child born of the Body of , Single Woman, which Child had become chargeable to the said *Union*[3]; and that in and by the said Order it was ordered that the said should pay to the Guardians of the said *Union*[3] or to one of their Officers, the sum of [4] towards the relief of the said Child during such time as the said Child should continue or afterwards be chargeable to the said *Union*,[3] until such Child should attain the age of years,[5] together with the sum of for the Costs incurred in obtaining the said Order:

And that the said had had due notice of the said Order, and that the payments directed to be made by the said Order had not been made according thereto by the said and that there was then in arrear for the same the sum of being the amount of arrears of payments for *Weeks*:

And whereas the said Justice, by Warrant under his Hand and Seal directed to commanded them, or some or one of them, forthwith to apprehend the said and to convey him before Two of Her Majesty's Justices of the Peace in and for the said *County*[2] to answer the Premises, and be dealt with according to Law:

Whereupon the said being now brought before us, Two of Her Majesty's Justices of the Peace for the said *County*[2] to show Cause why the same should not be paid, hath not shown any Cause why the same should not be paid; and the same duly appearing upon *Oath*[1] to be due from the said under the said Order, together with the further sum of for the Costs attending such Warrant, Apprehension, and bringing up of him, the said nevertheless *neglects*[6]

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[1] *Or* Affirmation.
[2] *Or* City, Borough, *or other Place.*
[3] *Or* the Parish of
[4] *Insert* "weekly" *or otherwise according to the terms of the Order.*
[5] *Insert* "thirteen" *or* "sixteen" *according as the Justices may have ordered.*
[6] *Or* refuses.

to make payment of the said sums due under the said Order, and the said sums so due for such Costs.

And whereas it appears to us, upon the admission of the said that no sufficient Distress can be had upon his Goods and Chattels for the Recovery of the said several sums :

These are therefore to command you the said to convey the said to the said *Common Gaol*[1] at and these are also to command you the said Keeper of the said *Common Gaol*[1] to receive the said into the said *Common Gaol*,[1] there to remain without Bail or Mainprise for the term of[2] unless such sum and Costs, together with the Costs and Charges attending the Commitment and conveying of the said to the *Common Gaol*,[1] and of the persons employed to convey him thither, amounting to the further sum of be sooner paid and satisfied.

Given under our Hands and Seals, at in the *County*[3] of this day of in the Year of our Lord One thousand eight hundred and .

(L.S.)

(L.S.)

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[1] *Or* House of Correction. [2] *Not to exceed Three Calendar Months.*

[3] *Or* City, Borough, *or other Place.*

Given, &c., this eighth day of January, 1874.

This Order was published in the *London Gazette* of January 13, 1874.

The foregoing Order was applied to Barrow-in-Furness by an Order dated April 15, 1876; to the Exeter Union by an Order dated May 24, 1878; to the Canterbury Union by an Order dated April 8, 1881; to the Great Yarmouth Union by an Order dated March 20, 1891; and to the Grimsby Union by an Order dated April 3, 1890.

NOTE.—The Summary Jurisdiction Act, 1848 (11 & 12 Vict. c. 43), applies to complaints, orders or warrants in matters of bastardy made against the putative father of any bastard child the provisions of the Act relating to the backing of warrants for compelling the appearance of such putative father, or warrants of distress, or to the levying of sums ordered to be paid, or to the imprisonment of a defendant for non-payment of the same (*Ib.* s. 35); and by section 54 of the Summary Jurisdiction Act, 1879 (42 & 43 Vict. c. 49), it is enacted that:—"This Act shall apply to the levying of sums adjudged to be "paid by an order in any matter of bastardy, or by an order which is en- "forceable as an order of affiliation, and to the imprisonment of a defendant "for non-payment of such sums, in like manner as if an order in any such "matter or so enforceable were a conviction or information, and shall apply "to the proof of the service of any summons, notice, process, or document in "any matter of bastardy, and of any handwriting or seal in any such "matter, and to an appeal from an order in any matter of bastardy." It would, therefore, appear that such of the forms prescribed in the fore- going orders as relate to proceedings subsequent to the order of affiliation are superseded by the forms prescribed by the Summary Jurisdiction Rules of 1886.

GENERAL ORDER (METROPOLIS) RELIEF COMMITTEES.

(Dated 29th July, 1874.)

To the Guardians of the Poor of the several UNIONS and PARISHES named in the Schedule hereto ;—

And to all others whom it may concern.

WHEREAS the Poor Law Board and the Local Government Board respectively, by the several Orders specified in the Schedule hereto, ordered and directed that all the proceedings or directions of the Relief Committee or committees which might be appointed by the Guardians of any of the Unions and Parishes mentioned in the said Schedule for the whole or part of the districts of the Relieving Officers of any such Union or Parish should be entered in the Application and Report Books of the said Relieving Officers, and in some other book to be kept for that purpose by the presiding Chairman of any such committee ; and that such book should be laid before the Board of Guardians at the same or their next ordinary meeting, after each sitting of the committee, as might be the more convenient ; and that thereupon the clerk to the Guardians should enter on the minutes of the Board of Guardians the fact of the same having been so laid before them :

And whereas it is expedient that so much of the said Orders as is above recited should be rescinded, and that further provision in lieu thereof should be made as hereinafter mentioned :

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby order,

with respect to the several Unions and Parishes named in the Schedule hereto, as follows ; that is to say :—

Art. 1.—So much of the several Orders above mentioned as is above recited is hereby rescinded.

Art. 2.—Each Relieving Officer whose district or any part thereof is assigned to a relief committee shall submit to the committee at every meeting the Application and Report Book which he is required to keep by the Orders of the Poor Law Board or the Local Government Board ; and a note of the decision or direction of the committee upon every application for relief, whether made through the Relieving Officer or directly to the committee shall be inserted at the meeting of the committee in the proper columns of such book, and authenticated in the proper column by the initials of one of the members of the committee, or of the clerk or the assistant-clerk to the Board of Guardians.[1]

Art. 3.—A Relief Order Book according to the form prescribed by the Orders of the Poor Law Board or the Local Government Board shall be kept for the use of each committee ; and the first four columns in such book shall as far as practicable be entered up by the clerk or the assistant-clerk before each meeting of the committee, and the remaining columns containing the particulars of the decision or directions of the committee shall be filled up at the meeting by one of the members of the committee, or by the clerk or the assistant-clerk.

Art. 4.—The Relief Order Book, filled up as above required and signed by the clerk or the assistant-clerk, shall be laid before the Board of Guardians at their ordinary meeting held on the same day as the sitting of the committee, or at their next ordinary meeting after such sitting, as may be the more convenient ; and thereupon the clerk shall enter on the minutes of the Board of Guardians the fact of the same having been so laid before them.

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[1] With reference to this Order the Local Government Board say, that looking to the terms of the Order, and to the provisions in sec. 38 of 4 & 5 Will. IV. c. 76, requiring that three Guardians shall concur in an act done at any meeting to render such act valid, they do not consider that less than three Guardians can act as a relief committee.

The SCHEDULE above referred to.

Names of Unions and Parishes	Dates of Orders
Fulham	February 7, 1855.
Greenwich	October 22, 1856.
Hackney	December 17, 1866.
Holborn	August 8, 1873.
Poplar	October 29, 1866.
St. George's	April 30, 1870.
St. Olave's	June 20, 1872.
St. Saviour's	April 8, 1873.
Strand	May 15, 1868.
Wandsworth and Clapham	March 16, 1855.
Westminster	May 15, 1868.
St. Matthew, Bethnal Green	February 29, 1868.
St. Mary, Islington	July 4, 1867.
St. Mary Abbots, Kensington	January 3, 1871. May 13, 1871.
St. Mary, Lambeth	March 2, 1855.
Paddington	June 25, 1869.
St. Giles-in-the-Fields and St. George, Bloomsbury	April 20, 1868.
St. Marylebone	July 31, 1867.
St. Pancras	June 8, 1867.
St. Leonard, Shoreditch	January 15, 1868.

Given, &c., this Twenty-ninth Day of July, 1874.

GENERAL ORDER.—REGULATIONS UNDER VACCINATION ACT.[1]

(Dated 31st October, 1874.)

To the Guardians of the Poor of the several UNIONS in ENGLAND and WALES;—

To the Guardians of the Poor of the several Parishes, Townships, and Places in England and Wales under separate Boards of Guardians;—

To the Vaccination Officers for the said Unions, Parishes, Townships, and Places respectively;—

And to all others whom it may concern.

WHEREAS by Section 5 of "The Vaccination Act, 1871," it is provided as follows:—

"Subject to the provisions of this Act, the Poor Law Board "shall have the same powers with respect to Guardians and "Vaccination Officers in matters relating to Vaccination "as they have with respect to Guardians and Officers of "Guardians in matters relating to the relief of the poor, "and may make Rules, Orders, and Regulations accord-"ingly, and all enactments relating to such powers and

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[1] See also the General Orders of February 28, 1887, February 7, 1888, and January 7, 1897, *post*; and the Instructions of the Poor Law Board, the Regulations of the Privy Council, and the Memoranda of the Local Government Board in the Appendix, *post*.

A Bill for the amendment of the law relating to vaccination has, at the time of this work going to press, arrived at its second reading in the House of Commons. Should the Bill become law in its present form, considerable alterations will be rendered necessary in these Orders. If possible, the Act and any Orders of the Local Government Board issued thereunder, will be inserted in the Appendix or in an Addendum.

"to such Orders, Rules, and Regulations, shall apply "*mutatis mutandis;* and the Poor Law Board shall also "from time to time frame, provide, and distribute appro- "priate books and forms for the use of Vaccination Officers, "Public Vaccinators, and Medical Practitioners, under the "principal Act [The Vaccination Act of 1867] and this "Act."

And whereas by a General Order bearing date the 23rd day of January, 1872, addressed to the Guardians of the Poor of the several Unions in England and Wales, and the Guardians of the Poor of the several Parishes, Townships, and Places in England and Wales under separate Boards of Guardians, the Local Government Board prescribed Regulations with respect to the appointment of Vaccination Officers by Boards of Guardians, and also as to the tenure of office, execution of duties, and remuneration of such officers :

And whereas by Article 10 of the above recited Order the vaccination officers so appointed are required to duly observe and execute all instructions and directions issued or given to them from time to time by the Local Government Board ; and the Local Government Board, on the 21st day of December, 1871, issued instructions to such officers under the hand of one of their secretaries :

And whereas by Section 1 of "The Vaccination Act, 1874," it is enacted that the powers conferred by Section 5 of "The Vaccination Act, 1871," shall be deemed to extend to and include the making of Rules, Orders, and Regulations, prescribing the duties of Guardians and their officers in relation to the institution and conduct of the proceedings to be taken for enforcing the provisions of the Vaccination Acts, 1867 and 1871, and the payment of the costs and expenses relating thereto ; and that Rules, Orders, and Regulations under "The Vaccination Act, 1874," shall be deemed to be made under Section 5 of the Vaccination Act, 1871 :

And whereas it is expedient that the above-recited Order and Instructions issued by the Local Government Board should be rescinded, and that the regulations hereinafter contained should be submitted in lieu thereof :

Now therefore, We, the Local Government Board, in pursuance

of the powers given by the Statutes in that behalf, hereby Order as follows :—

The above recited General Order, dated the 23rd day of January, 1872, and the Instructions above recited, dated the 21st day of December, 1871, shall be and are hereby rescinded.

The following Regulations shall henceforth be observed as regards the appointment of vaccination officers by Boards of Guardians, the tenure of office and the duties and remuneration of such officers, the institution and conduct of the proceedings to be taken for enforcing the provisions of the Vaccination Acts,[1] and the payment of the costs and expenses relating thereto ; that is to say,—

I.—Appointment of Vaccination Officers.

Art. 1.—Where the Guardians of any Union or Parish have not already appointed any vaccination officer under the provisions of the Vaccination Acts, they shall do so forthwith.

Where the number of vaccination officers already appointed or hereafter appointed in any Union or Parish shall at any time, in the opinion of the Guardians or of the Local Government Board, be insufficient for the purpose of securing the due execution of the Vaccination Acts in such Union or Parish, the Guardians shall, in accordance with their own view or on the requisition of the Local Government Board, appoint a sufficient number of such officers.

Whenever, in consequence of an extensive outbreak of small-pox or for other cause, it may appear to the Guardians to be requisite to provide temporary assistance for any vaccination officer in the discharge of his duties, the Guardians may, with the consent of the Local Government Board, appoint an assistant or assistants to the vaccination officer, for such time as the Guardians may deem necessary.

Art. 2.—Every appointment of a vaccination officer or assistant vaccination officer, hereafter made by the Guardians, shall be made by a majority of the Guardians, voting on the question, and in the same manner as that in which the Guardians are required to appoint other officers or assistants.

[1] See as to the power to compel the Guardians to direct prosecutions under the Vaccination Acts, *Reg. v. The Guardians of the Lewisham Union*, *post*, p. 884.

Art. 3.—Every such appointment shall, within seven days after it is made, be reported to the Local Government Board by the Clerk to the Guardians.

Art. 4.—In the event of a vacancy in the office of vaccination officer occurring at any time hereafter, the Guardians shall report it to the Local Government Board, and shall make a fresh appointment without delay, unless the Local Government Board shall otherwise direct.

II.—Tenure of Office of Vaccination Officers.

Art. 5.—Every vaccination officer appointed under this Order shall continue to hold the office until he die, or resign, or be removed by the Guardians with the consent of the Local Government Board, or by the Local Government Board.

Art. 6.—Where a vaccination officer is appointed for a particular district, and any change in the extent of the district may be deemed necessary, and he shall decline to acquiesce therein, the Guardians may, with the consent of the Local Government Board, but not otherwise, and after six months' notice in writing, signed by their clerk, given to such vaccination officer, determine his office.

Art. 7.—No person shall be appointed as a vaccination officer who does not agree to give one month's notice, previous to resigning the office, or to forfeit such sum as may be agreed upon as liquidated damages.

Art. 8.—If any such officer give notice of an intended resignation to take effect on a future day, such resignation shall take effect on that day; and the Guardians may elect a successor at any time subsequent to such notice.

III.—Remuneration of Vaccination Officers.

Art. 9.—The Guardians shall pay to any vaccination officer such salary or remuneration, and such only, as the Local Government Board may direct or approve, whether for ordinary duties or for occasional services: any such salary or remuneration may be increased or reduced as that Board may from time to time direct or approve.

Art. 10.—The salary or remuneration of every officer shall be payable up to the day on which he ceases to hold the office and no longer, subject to any deduction which the Guardians may be entitled to make under Art. 7, and shall be considered as accruing from day to day, and be apportionable in respect of time accordingly, in pursuance of the provisions of "The Apportionment Act, 1870."

Art. 11.—The salary or remuneration assigned to such officer shall be payable quarterly, according to the usual Feast Days in the year, namely, Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day; but the Guardians may pay to him at the expiration of every calendar month such proportion as they may think fit on account of the salary or remuneration to which he may become entitled at the termination of the quarter.

Art. 12.—Every such officer shall make out his account at the end of each quarter, and within three days from the quarter day submit it to the Guardians, together with the books which he may be required to keep, and the certificates in his possession; and until such account, books, and certificates have been submitted, and until he has shown that the steps required of him by the instructions contained in the Schedule to this Order have been taken by him with respect to every case entered on the monthly lists furnished to him by the registrar of births and deaths, the Guardians may postpone the payment of the balance of the salary or remuneration which may then remain due.

The vaccination officer shall also produce the said books and certificates to the Guardians, when required by them to do so, at any other times than those above specified.

IV.—Duties of Vaccination Officers.

Art. 13.—No vaccination officer shall perform the duties of his office by deputy, unless, with the permission of the Local Government Board given on the application of the Guardians, he shall be allowed to intrust their performance to some other person approved of by such Guardians.

Art. 14.—Every vaccination officer in performing his duties

under the Vaccination Acts shall obey all lawful orders of the Guardians which are applicable to his office, and in conformity with the provisions of this Order.

Art. 15.—The vaccination officer in performing the duties of his office shall duly observe the instructions contained in the Schedule to this Order.[1]

V.—Institution and Conduct of Proceedings.

Art. 16.—The Guardians shall, in all cases in which the provisions of the Vaccination Acts for enforcing vaccination have been neglected, cause proceedings to be taken against the persons in default, and for this purpose shall give directions, authorising the vaccination officer to institute and conduct such proceedings; but no such directions shall authorise the vaccination officer to take further proceedings under section 31 of the Vaccination Act of 1867 in any case in which an order has already been obtained and summary proceedings taken under that section, until he shall have brought the circumstances of the case under the notice of the Guardians and received their special directions thereon.[2]

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[1] See also the General Orders of February 28, 1887, February 7, 1888, and January 7, 1897, *post*; and the Instructions of the Poor Law Board, the Regulations of the Privy Council, and the Memoranda of the Local Government Board in the Appendix, *post*.

[2] The Local Government Board say that the duties of the Guardians in reference to proceedings, as defined by Article 16 of this Order, are to cause such proceedings to be taken against persons in default; and for this purpose the Article requires them to give the vaccination officers directions, authorising them to institute and conduct such proceedings; that the Guardians may either give special directions in each individual case of default, or they may give such general directions as will enable the vaccination officers to take proceedings in the first instance in every case of default, without referring it to them; but the Board have thought it right to require, as regards proceedings under Section 31, that the vaccination officers shall not in any case in which a magistrate's order has been made and summary proceedings have been made thereon, apply for another order unless they have brought the case before the Guardians and received their special directions concerning it; and with respect to the different proceedings which may be taken under Section 29 and Section 31 of the Vaccination Act, 1867, the Board recall the attention of the Guardians to paragraph 8 of the Board's Circular Letter of October 17, 1871, which is as follows:—"Under Sections 16 and 29 of the Act of 1867, the parent or other person is liable to a penalty, who shall neglect to have the child vaccinated within three months after its birth, or after receiving its custody, or in certain cases within the further period limited by Section 12 of the Act, and shall not render a reasonable excuse for such neglect. This offence is completed at the

Art. 17.—The vaccination officer shall take such proceedings as may be necessary under the Vaccination Acts, in any case in which the Local Government Board may direct him to do so.

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end of three months or other period, and as therefore, it can only be committed once, only one penalty can be inflicted on account of it. (See *Pilcher* v. *Stafford*, 33 L. J. N.S. M. C. 113; 9 L. T. N.S. 759.) Under Section 31 of the same Act, however, an order for the vaccination of a child under 14 years of age may be made by a Justice of the Peace if he see fit, upon the application of the vaccination officer, and such order may be renewed or repeated again and again, as often as may be requisite, until the vaccination of the child is effected. (See *Allen* v. *Worthy*, 39 L. J. N.S. M.C. 36; 21 L. T. N.S. 665; L. R. 5 Q.B. 163.) It is important to bear in mind this distinction between the proceedings under Section 29 and those under Section 31."—*Circular*, October 31, 1874.

A Metropolitan District Board of Works as sanitary authority for its district under the Public Health (London) Act, 1891, charged with the duty of putting in force the powers vested in the Board relating to public health and local government, was held by the Queen's Bench Division to have no legal specific right to enforce the performance by the Guardians of their duties under the Vaccination Acts. An application for a mandamus to Guardians of the Poor, who had refused to direct prosecutions under those Acts, to enforce the provisions of the Acts within their Union was therefore refused. *Reg.* v. *The Guardians of the Lewisham Union* (1897), 1 Q. B. 498; 66 L. J. Q. B. 403; 76 L.T. N.S. 324; 61 J. P. 151; 45 W. R. 346.

On a summons for non-compliance with the requirements of a vaccination notice under Section 31 of the Vaccination Act, 1867, it is not necessary for the vaccination officer to prove that he has the special authority of the guardians to take proceedings in that particular case; but it is sufficient, if his authority is questioned, for him to prove that he is an officer appointed by the guardians to enforce the provisions of the Vaccination Acts by the production by the clerk to the guardians of the minute book of the guardians containing the minutes of the appointment of the vaccination officer, and the consent of the Local Government Board to such appointment. *Bramble* v. *Lowe*, 61 J. P. 168 (1897), 1 Q. B. 283; 66 L.J Q. B. 243; 45 W. R. 366.

The justice who, upon information that a child under fourteen years of age has not been successfully vaccinated and that notice to procure its vaccination has been disregarded, signs a summons under s. 31 of the Vaccination Act, 1867 (30 & 31 Vict. c. 84), to the parent to appear with the child before him, need not be one of the justices hearing the summons, nor need he sign the order made at the hearing. Such an objection is an objection to the vaccination order itself; it is not a ground of objection to a subsequent proceeding for the recovery of a penalty from the parent for non-compliance with the order. *Southcombe* v. *The Guardians of Yeovil Union* (1897), 1 Q. B. 343; 66 L. J. Q. B. 294; 76 L. T. N.S. 58; 61 J. P. 230; 45 W. R. 318; 18 Cox C. C. 489.

The Vaccination Act 1867, s. 31, enacts "that if information be given to a justice that a child under the age of fourteen years has not been successfully vaccinated, and that notice has been given to the parent of such child to procure its being vaccinated, and has been disregarded, the justice may summon such parent to appear with the child before him, and if the justice shall find upon examination that the child has not been vaccinated . . . he may, if he see fit, make an order directing the child to be vaccinated within a certain time; and if at the expiration of such time the child shall not have been vaccinated, the person upon whom such order shall have been made shall be proceeded against summarily; and, unless he can show reasonable grounds for

VI.—Costs of Proceedings.

Art. 18.—The Guardians shall pay the reasonable costs and expenses incurred by any vaccination officer appointed by them in any proceedings taken by him for enforcing the provisions of the Vaccination Acts, and shall charge the same in their accounts in the manner required by law, and the vaccination officer shall pay to the treasurer of the Guardians, to their credit, all sums of money recovered or received by him from any defendants in respect of such costs or expenses, or in respect of any penalty under the said Acts.

VII.—Interpretation.

Art. 19.—The word "Unions" in this Order shall include not only Unions of Parishes formed under the provisions of "The Poor

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his omission to carry the order into effect, he shall be liable to a penalty not exceeding twenty shillings." Where a parent had been fined under this section for disobedience to an order for the vaccination of his child, the Queen's Bench Division held that he could not be again fined for disobedience to the same order. *Reg.* v. *Justices of Portsmouth* (1892), 1 Q. B. 491; 61 L. J. M. C. 126; 66 L. T. N.S. 677; 56 J. P. 470; 40 W. R. 413.

The notice given under. s. 31 of the Vaccination Act, 1867 (30 & 31 Vict. c. 84) to the parent of a child under fourteen years of age to procure its vaccination need not be served personally upon the parent, nor, if personal service be effected, need it be proved affirmatively that it reached him. It is a question for the justices to determine upon the evidence in each particular case whether they are satisfied that the notice reached the person to be notified. *Holloway* v. *Coster* (1897), 1 Q. B. 346; 66 L. J. Q. B. 293; 76 L. T. N.S. 57; 61 J. P. 218; 18 Cox C. C. 487; 45 W. R. 319.

Where an order under Section 31 of the Vaccination Act, 1867, has been made for the vaccination of a child under fourteen years of age, summary proceedings for the enforcement of the order may be taken under that section by the vaccination officer, without obtaining special directions to that effect from the guardians of the Union or Parish within which the child was at the date of the order. The proviso in Art. 16 of the Order of Oct. 31, 1874, that "further proceedings" are not to be taken by the officer "in any case in which a vaccination order has already been obtained, and summary proceedings taken under" section 31, applies, not to the enforcement by summary proceedings of a vaccination order already duly obtained, but to proceedings for obtaining vaccination orders against a parent who has already been fined under Section 31 for disobeying an order to have his child vaccinated. *Reg.* v. *Brocklehurst and others* (1892), 1 Q. B. 566; 61 L. J. M. C. 48; 65 L. T. N.S. 714; 40 W. R. 64; 56 J. P. 182; 17 Cox C. C. 409.

Upon a summons under Section 31 of the Vaccination Act, 1867, the justices have power upon making an order upon the defendant to have his child vaccinated within a certain time, to require him to pay the costs of the order and to direct that on his failure to do so distress shall issue, and in default of distress the defendant shall be imprisoned. *Reg.* v. *Burrows and another, Ex parte Wilson*, 77 L. T. N.S. 338; 61 J. P. 724; 13 Times L. R. 569; 46 W. R. 29.

Law Amendment Act, 1834," but also Unions of Parishes incorporated or united for the relief or maintenance of the poor under any other Act of Parliament.

The SCHEDULE above referred to.

1. The duties of the Vaccination Officer will be to act as Registrar of Vaccination for the district to which he is appointed ; to see that all children resident therein are duly vaccinated; and generally to carry into effect, under direction of the Guardians, but subject to the regulations contained in this Order, all such provisions of the Vaccination Acts as are not expressly assigned to the execution of other officers.
2. He will receive from the Registrars of Births and Deaths, and shall be responsible for the safe custody of, the "Monthly Lists" of births and deaths which will be sent to him under the provisions of the Act of 1871. On the lists of births he shall only enter, in columns which are provided for the purpose, all certificates which he may receive of the successful vaccination of the children whose names are entered on the lists, or of their insusceptibility to vaccination, or of their having already had small-pox. All such entries must be made immediately on the receipt of the respective certificates. He shall compare each monthly list of deaths with the corresponding and with preceding lists of births, and as regards any children included in the death-return whose names are on the birth-lists but for whom he has not received one of the certificates above referred to, he shall enter the death in the column provided. And when on his personal inquiries, or by information from the vaccination officer of another district, or on other reliable authority, he shall have ascertained that a child included in the birth-lists for his districts has died in some other district, he shall write off the case in like way. His work in these respects will be much facilitated by his keeping an alphabetical index to his birth-lists.
3. He shall enter at the end of each quarter on blank "birth-list" sheets which will be supplied him for the purpose on his applying to the district registrar, certificates which he may have received during the quarter, of the successful vaccination, or insusceptibility to vaccination, of children whose births had not been registered at all, or whose district of birth-registration he has been unable to ascertain.

4. The monthly list of births, together with the supplemental sheets referred to in Section 3, shall in the first instance be kept stitched, or otherwise fastened together, in a stiff cover, so as to preserve them from damage or dirt, and shall from time to time be bound into volumes as the Guardians may direct, and shall constitute the "Vaccination Register" of the district.
5. If any list of births or deaths be not received from a registrar within one week from the time it is due, the vaccination officer shall report this to the Guardians at the next board meeting, with a view to the registrar being immediately called upon for an explanation, and, if need be, to communicate with the Local Government Board. A vaccination officer who shall lose any of these lists shall be bound to obtain another from the registrar of births and deaths at his own cost.
6. The steps that the vaccination officer will be required to take in discharge of his duty to see that all children entered on the birth-lists are duly vaccinated, will vary, according as the vaccination district in which the parent resides is one in which continuous weekly public vaccination is maintained, or one in which the public performance of vaccination is only periodical.

(i.) As regards districts in which there is continuous weekly public vaccination :—

(*a*) He shall keep his birth-lists examined from week to week, and in each case of default which may arise shall, *immediately on such default arising*, intimate the fact to the parent. For this purpose a notice in the annexed Form (A.), or to the like effect, may be used ; and such notice may, if he think fit, be sent by post. He should make a mark V in the margin of his vaccination register in each case in which this intimation of default has been given. If the intimation be not attended to within a reasonable time, say 15 days, or if in the case of a notice sent by post, the person to whom it was addressed has not been found by the post-office, the vaccination officer shall at once proceed to make *personal* inquiries with a view to obtaining the requisite certificate or taking the necessary proceedings.

(*b*) If on these personal inquiries the parent be found in default, an exact date should be specified by which he must have complied with the law ; and a notice in the annexed Form (B.), or to the like effect should be given.

(*c*) Failing compliance, the vaccination officer shall proceed according to the directions given him under Article 16 of this Order.

(ii.) As regards districts in which the public vaccination is periodical:—

(*a*) He shall, *previous to each vaccination period*, examine his birth-lists and extract therefrom the names of all parents who would fall into default, provided their children were not vaccinated before the termination of the next ensuing attendances, in order that intimation to this effect may be given to such parents *a few days before the attendances commence*, with warning of the penalties which will result from non-compliance. The annexed Form C. or a Form to the like effect, may be used for this purpose. He should make a mark V in the margin of his vaccination register, against each case in which this intimation has been given.

(*b*) And failing compliance, he shall without delay inquire personally into the circumstances of the case, and take such further steps as may be required according to the directions given him under Article 16 of this Order.

7. He shall keep a book to be called "The Vaccination Officer's Report Book," in such form as shall from time to time be framed and provided by the Local Government Board, in which he shall forthwith enter the names, with the other particulars required, of parents of whom personal inquiries may have been made, as above, with the dates of such inquiries. He shall note in this book any further action taken in any case, and make any remarks which the case calls for. He shall take care to make the necessary reference in Column V. of his "Vaccination Register" to each case thus entered in the Report Book.

8. When on his inquiries the vaccination officer finds that a child has been successfully vaccinated, but the vaccination not duly certified, or that any other certificate due, as of postponement, &c., has not been transmitted, he shall ascertain with whom the default rests, having regard to the requirements of the Vaccination Act, 1867, sections 21, 23, and 30, and the Vaccination Act, 1871, section 7, and shall forthwith take the necessary steps for obtaining the certificate required.

9. He shall forthwith enter all certificates of postponement in the Report Book, with the date of the certificate, the name of the practitioner who signed it, and the period for which it was given, with a view to any inquiries which may be necessary at the expiration of that period; taking care to make the necessary reference in Column V. of his "Vaccination Register" to each case so entered. When certificates of postponement are delivered to him on the Form of "Notice of Requirement," he shall see that the

parent is always supplied with a new form of the notice of requirement, with the particulars of attendance, &c., duly filled in. The forms of "Notice of Requirement" can be obtained by him on his applying to the district registrar.

10. When the vaccination officer shall find that any parent, respecting whose child he has not received a certificate of successful vaccination, has removed from the district, he shall take pains to ascertain the vaccination officer's district to which such removal has taken place, and shall give notice to the vaccination officer of that district, with a view to the vaccination of the child, and the due return of the certificate to himself. And whenever a certificate respecting a child whose birth was registered in the district of some other vaccination officer is sent to him, he shall take pains to ascertain the district in which the birth took place, and forward the certificate accordingly.
11. He shall submit to the Guardians, in duplicate, at the end of every half-year, a summary of the vaccinations of his district, in the form prescribed and issued half-yearly by the Local Government Board, the duplicate to be transmitted to the Local Government Board.
12. The vaccination officer shall at all times use his best endeavours to ascertain whether children resident in his district, but not having been born in it, or (if so born) not having had their birth registered in it, are unvaccinated, and shall, in such cases, take the requisite steps for procuring their vaccination.
13. He shall, on outbreaks of small-pox, make any house-to-house visitations which the Local Government Board or the Guardians may direct in reference to vaccination, and carry out any special instructions they may issue on the subject.
14. As the Guardians' officer for the administration of the Vaccination Acts, he shall see that the registrars of births and deaths in his district are kept informed of the arrangements for public vaccination as settled by the contracts, and of all alterations legally made in such arrangements, as well as of his own place of abode, in order that the entries required to be made in these respects by the registrars on the notices of requirement of vaccination delivered by them to parents may be correct. For this purpose it is recommended that the Guardians have the particulars of the arrangements, and the name and address of the vaccination officer, printed in red ink on the notice forms with which each registrar is supplied.
15. He shall also see that public notifications of the arrangements for Public Vaccination are duly given; and in districts in which Public

Vaccination is periodical, shall see that such notices are distributed and placarded through the districts a week or ten days before the commencement of each period.

16. He shall, as far as possible, attend the Public Vaccination Stations during vaccination hours, and report to the Guardians any insufficiency of accommodation at these stations, or any failure of parents to bring for inspection the children on whom vaccination has been performed, or any other matter concerning the business of the station on which the Guardians may require his report.
17. He shall also undertake the distribution of the certificates, books, and other forms issued by the Local Government Board, to the public vaccinators and medical practitioners in his district.
18. He shall be responsible for the safe custody of the "Registers of successful Vaccinations" which were kept by the registrars of births and deaths under the Acts of 1853 and 1867. The registers kept under the Act of 1853 may, if the Guardians permit, be deposited in the union offices; but all registers which contain entries of births subsequent to December 31, 1867, must be retained by the vaccination officer. He shall duly and forthwith enter in these registers the certificates which he may receive or obtain of the successful vaccination of children whose births are therein recorded. He shall write the word "dead" against the names of any of the children whose births are entered in these registers, whom he may ascertain either by the monthly death-lists, or by his own inquiries, to have died without having been vaccinated. And he shall write, *in pencil*, against the respective names, any information (as of removal from district, certificate of postponement, and its date, &c.), which does not finally dispose of the case.

FORM A.

VACCINATION ACTS, 1867 & 1871.

To _____

I hereby remind you that I have not received the Certificate now due respecting the Vaccination of your Child _____ and I beg that you will take the steps necessary to have such Certificate forwarded to me without delay.

(Signed)

Vaccination Officer for

_____

Dated _____

Address of Vaccination Officer _____

*** The Public Vaccinator for your District attends at his Station at _____ for the gratuitous performance of Vaccination every _____ at _____ o'clock. If the Child be vaccinated the Public Vaccinator is responsible for the transmission of the Certificate to me, otherwise it devolves UPON YOURSELF to send me the Certificate.

FORM B.

VACCINATION ACTS, 1867 & 1871.

To _____

WHEREAS you are in default under the above Acts, respecting your Child _____ I hereby require you [to have the said Child vaccinated within fourteen days from the date hereof, and to do all other things the law requires touching the said Vaccination[1]], *or* [to transmit to me within seven days from the date hereof the requisite Certificate concerning the Vaccination of the said Child[1]], failing which it will be my duty to take the proper steps for securing the enforcement of the law.

(Signed)

Vaccination Officer for

_____

Dated _____

Address of Vaccination Officer _____

*** The Public Vaccinator for your District attends at his Station at _____ for the gratuitous performance of Vaccination every _____ at _____ o'clock. If the Child be vaccinated there, the Public Vaccinator is responsible for the transmission of the Certificate to me, otherwise it devolves UPON YOURSELF to send me the Certificate.

[1] Strike out the words which do not apply to the case.

FORM C.

VACCINATION ACTS, 1867 & 1871.

To _____

I hereby remind you that the next appointed periodical attendances for the performance of Public Vaccination in your District will take place at _____ on _____

and that if your Child,_____
be not vaccinated before the expiration of that period, you will be in default, and subject to the penalties of the Vaccination Acts; and that it will be my duty to take the proper steps for securing the enforcement of the law.

(Signed)

Vaccination Officer for

_____

*Dated*_____

*Address of Vaccination Officer*_____

Given, &c., this Thirty-first day of October, 1874.

The foregoing Order was applied to Barrow-in-Furness by an Order dated April 15, 1876, to the Exeter Union by an Order dated May 24, 1878, to the Canterbury Union by an Order dated April 8, 1881, to the Great Yarmouth Union by an Order dated March 20, 1891, and to the Grimsby Union by an Order dated April 3, 1890.

GENERAL ORDER (METROPOLIS).—DUTIES OF OUT-RELIEF DISTRIBUTOR.

(Dated 27th February, 1875.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in the Metropolis :—[1]

To the Churchwardens and Overseers of the several Parishes comprised in the said Unions, and of the said Separate Parishes :—

And to all others whom it may concern.

WHEREAS by certain General and other Orders addressed to the Guardians of the Poor of the several Unions and separate Parishes in the Metropolis, the Poor Law Commissioners and the Poor Law Board, respectively, prescribed Regulations relating to the appointment of officers and assistants by Boards of Guardians of the said Unions and separate Parishes, and defining the duties of such officers :—

And whereas it is expedient with regard to any officer who has been or may be appointed to take charge of and distribute the stores for out-door relief in kind, that the duties of such officer should be prescribed, and other Regulations made in respect of his office :—

NOW, THEREFORE, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby Order that with respect to all officers now or hereafter appointed by Boards of Guardians in the several Unions and separate Parishes in the Metropolis to take charge of and to distribute the stores for out-door relief in kind, the following Regulations shall be observed.

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[1] For a list of such unions and parishes see the Schedule to the Weekly List of Paupers Order, February 14, 1878, *post*.

DUTIES.

Art. 1.—The duties of the Out-Relief Distributor shall be as follows :—[1]

No. 1. To receive and take charge of all provisions and stores entrusted to his care by the Guardians.

No. 2. To attend at the relief office to which he is appointed at such times as the Guardians shall appoint, and to distribute from the Stores under his care the relief ordered by them in the Form (A.) in the Schedule to this Order, signed by a relieving officer of the Union or Parish, and containing the particulars set forth in such form.

No. 3. To keep punctually and accurately the following books of account, according to the several Forms and Directions in the said Schedule ; namely,

(*a.*) *The Out-Relief Distributor's Day Book* according to Form (B.)

(*b.*) *A Quarterly Summary of the Day Book* according to Form (C.)

(*c.*) *The Out-Relief Distributor's Stores Account* according to Form (D.)

(*d.*) *The Out-Relief Distribution Account* according to Form (E.)

(*e.*) *A Quarterly Balance of the Out-Relief Distributor's Stores Account* according to Form (F.) Such *Quarterly Balance* when made up and balanced, shall be submitted to the Visiting Committee or some member thereof, who shall sign the memorandum at the foot of the account, after

[1] The Local Government Board consider that an officer appointed for the purposes referred to in this Order is in fact an assistant to the relieving officer. Hence this Order contains no provision for the appointment which may be made by the Guardians under the Orders already in force. The Board are aware that there are in some unions and parishes in the Metropolis, officers designated by various names, to whom Boards of Guardians have assigned the duty of keeping the stores and issuing out-relief in kind. The Order now issued will be applicable to such officers, and the new Forms of Account which they will henceforth be required to keep should be adopted on the 25th instant, or as soon afterwards as practicable. The Board further point out that where one distributor is appointed to issue the relief in kind to the poor of more than one district, it will be necessary that a separate Out-Relief Distribution Account, in the Form E., should be kept for each district.—*Instr. Letter*, March 9, 1875.

making the requisite examination : provided, that if it be found necessary to make any addition to this Certificate in respect of any article, matter, or materials in which the entry made by the Out-Relief Distributor, is not, in the opinion of the member or members signing the same, correct, the Out-Relief Distributor shall in such case lay the book containing such addition and Certificate before the Board of Guardians at their next meeting.

Art. 1.—No. 4. To keep, if required by the Guardians to do so, a book, to be called "*The Waste Book*," in which shall appear how all empty packages, boxes, bottles, cans, casks, bags, and wrappers received with stores are disposed of.

No. 5. To present his accounts weekly to the clerk to the Guardians, for his inspection and authentication, before every ordinary meeting of the Guardians, and to the Guardians at such meeting for their approval.

No. 6. To submit to the auditor, in a proper manner, all his books, accounts, and vouchers, at the time and place of audit.

No. 7. To attend the meetings of the Guardians, when required by them to do so.

No. 8. To observe and execute all lawful Orders and directions of the Guardians applicable to his office.

No. 9. To perform all the duties prescribed by any Rules, Orders, and Regulations which may be issued by the Local Government Board applicable to his office.

Examination and Audit of Accounts.

Art. 2.—On the day next before every ordinary meeting of the Guardians, or on the day of such meeting, but previous to the meeting, the clerk shall examine the *Out-Relief Distributor's Day Book*, and shall compare the entries of invoices and bills with the invoices and bills themselves, and shall certify the correctness of the same by his initials.

The Clerk shall also at the same time examine the *Out-Relief Distributor's Stores Account* and *Out-Relief Distribution Account*, so as to

ascertain the accuracy of the entries therein, and that the relief has been given in accordance with the orders of the Guardians by comparison with the *Relief Order Book*, and shall certify the correctness of the same by his initials.

The Clerk shall report to the Guardians at the said meeting the result of his examinations.

Art. 3.—The auditor shall, at the close of each audit of the accounts of the Union or Parish, transmit to the Local Government Board a statement in the Form (G.) in the Schedule to this Order, showing which is not kept, or is imperfectly kept, or kept in a form different from that prescribed by the Local Government Board, and shall deliver a copy thereof to the Guardians, and if he find that there has been no default, shall report to that effect to the Local Government Board in the manner required with reference to the accounts of the other officers of the Union or Parish.

SCHEDULE.

Form (A.)

Counterfoil.

Union [*or* Parish] of _____

Relief District, No. _____

No. ____ Date ____ Week ____

Out-Relief Distributor at _____

Name of Pauper _____

Address _____

Description of Article _____

Quantity _____

Value _____

_____

Relieving Officer.

Out-Relief Ticket.

Union [*or* Parish] of _____

Relief District, No. _____

No. of Ticket ____ Date of Ticket ____

No. of Week ____

To the Out-relief Distributor at _____

Deliver to [1] _____

of _____

the following Out-relief; viz.:

Description of Article	Quantity	Value	
		s.	*d.*

Signature _____

Relieving Officer.

[1] Insert name of pauper and place of abode.

FORM (B.)

The Out-Relief Distributor's Day Book.

_____ UNION [*or* PARISH].

_____ *Out-Relief Distributor at* _____

INVOICES								
Date	No. of Order	No. of Invoice or Bill	Name	Description of Article	Quantity	Amount		
						£	*s.*	*d.*
					Weekly Total . .			

The entries in this book shall be made on the dates of the receipt of the goods at the store. The invoices shall be entered and numbered in the order in which they are received, and shall be filed and preserved by the Out-Relief Distributor in the same order. The money column shall be added up weekly.

FORM (C.)

Summary of the Out-Relief Distributor's Day Book for the Quarter ending _____, 18___.

_____ UNION [*or* PARISH].

_____ *Out-Relief Distributor at* _____

No. of the Week	NAMES OR TRADES																					Total		
	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
1 . . .																								
2 . . .																								
3 . . .																								
4 . . .																								
5 . . .																								
6 . . .																								
7 . . .																								
8 . . .																								
9 . . .																								
10 . . .																								
11 . . .																								
12 . . .																								
13 . . .																								
14 . . .																								
Quarterly Totals																								

FORM (D.)

The Out-Relief Distributor's Stores Account for the _____ *Week of the Quarter ending* _____ 18 .

_____ UNION [*or* PARISH]. _____ *Out-Relief Distributor at* _____

ARTICLES	Stock brought forward	New Stock	No. of Invoice	Totals of Stock brought forward and New Stock	Quantity given out				Quantity Remaining in Store	Totals given out and remaining in Store
					Relief District No. 1	Relief District No. 2	Relief District No. 3	Total Quantity		
Bread lbs. .										
Meat lbs. .										
Tea lbs. .										
Sugar lbs. .										
Arrowroot lbs. .										
Wine ozs. .										

Form (E.)

The Out-Relief Distribution Account.

_____ Union [*or* Parish]. _____ *Relief District.* *Half-year ending* _____ 18 . *Out-Relief Distributor at* _____

No. of Ticket	Name of the Pauper	1st Week.[1] Bread	Meat	Tea	Sugar	Arrowroot	Wine			Value		Totals for the First Quarter Bread	Meat	Tea	Sugar	Arrowroot	Wine			Value	
		lbs.	lbs.	oz.	lbs.	oz.	oz.			*s.*	*d.*	lbs.	lbs.	oz.	lbs.	oz.	oz.			*s.*	*d.*
	Brought forward .																				
	Carried forward .																				
	Clerk's Initials .	Correct										Correct									
		1st Week										Totals for the First Quarter									

1st Week [2] Bread	Meat	Tea	Sugar	Arrowroot	Wine			Value		Totals for the Second Quarter Bread	Meat	Tea	Sugar	Arrowroot	Wine			Value		Totals for the Half-year Bread	Meat	Tea	Sugar	Arrowroot	Wine			Value	
lbs.	lbs.	oz.	lbs.	oz.	oz.			*s.*	*d.*	lbs.	lbs.	oz.	lbs.	oz.	oz.			*s.*	*d.*	lbs.	lbs.	oz.	lbs.	oz.	oz.			*s.*	*d.*
Correct										Correct										Correct									
1st Week										Totals for the Second Quarter										Totals for the Half-year									

[1] And so on up to the 13th Week.

[2] And so on up to the 14th Week.

Form (F.)

Balance of the Out-Relief Distributor's Stores Account.

Quarter ending _____ 18 .

_____ Union [*or* Parish]. _____ *Out-Relief Distributor at* _____

Received																	Consumed														
	Bread	Meat	Tea	Sugar	Arrowroot	Wine	Brandy	Rice	Milk					Value				Bread	Meat	Tea	Sugar	Arrowroot	Wine	Brandy	Rice	Milk				Value		
Balance brought forward .	lbs.	lbs.	lbs.	lbs.	lbs.	pts.	pts.	lbs.	pts.					£	*s.*	*d.*		lbs	lbs.	lbs.	lbs.	lbs.	pts.	pts.	lbs.	pts.				£	*s.*	*d.*
1st Wk., New Stk.																	1st Week . .														
2nd " "																	2nd " . .														
3rd " "																	3rd " . .														
4th " "																	4th " . .														
5th " "																	5th " . .														
6th " "																	6th " . .														
7th " "																	7th " . .														
8th " "																	8th " . .														
9th " "																	9th " . .														
10th " "																	10th " . .														
11th " "																	11th " . .														
12th " "																	12th " . .														
13th " "																	13th " . .														
																	Balance— Stock remaining in Stores .														
Totals .																	Totals .														

Submitted to _____ Member of the Visiting Committee, this _____ day of _____ 18 .
and found to be correct as regards the Stock remaining in store.

_____
_____
_____

FORM (G.)

_____ *Audit District.*

A Statement of the Auditor, in reference to the Books of the Officers of the _____ for the Half-year ended _____ 18 .

As to the Books required to be kept by the OUT-RELIEF DISTRIBUTOR.

Mr. _____

OBSERVATIONS.

Out-Relief Distributor's Day Book.	
Quarterly Summary of the Day Book.	
Out-Relief Distributor's Stores Account.	
Out-Relief Distribution Account	
Quarterly Balance of the Out-Relief Distributor's Stores Accounts.	
The Audit of the above Accounts was concluded the day of 18 .	

_____ *Auditor.*

Date _____ 18 .

Against the name of any book mentioned in this statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any book imperfectly kept, the general nature of the imperfection to be set forth *on the other side*, together with such observations as the auditor considers requisite.

Given, &c., this Twenty-seventh day of February, 1875.

GENERAL ORDER. — AMENDING ACCOUNTS ORDER. — NECESSARIES AND MISCELLANEOUS ACCOUNTS.

(Dated 4th May, 1875.)

To the Guardians of the Poor of the Parishes of Saint Giles, Camberwell; Saint Luke, Chelsea; and Saint Mary, Lambeth; and of the Hamlet of Mile End Old Town;—

And to all others whom it may concern.

Whereas by certain Orders dated March 12, 1856, September 4, 1850, August 30, 1860, January 27, 1858, and December 11, 1861, addressed to the Guardians of the Poor of the Parishes of Saint Giles, Camberwell; Saint Luke, Chelsea; and Saint Mary, Lambeth; and of the Hamlet of Mile End Old Town, respectively, the Poor Law Board prescribed Regulations with reference to the accounts of such Guardians and of their officers:

And whereas it is expedient that further provision should be made in that behalf:

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby Order, with regard to each of the said Parishes and the said Hamlet, as follows:

Art. 1.—The master of the workhouse shall punctually enter up and accurately keep the following books and accounts according to the Forms and directions in the Schedule to this Order, namely:—

Necessaries and Miscellaneous Account.—In this book the master shall enter punctually, according to the proper dates, all articles, goods, and materials received by him for use or consumption in the

workhouse, other than provisions, clothing, materials for repairs, and such articles as are entered in the Inventory Book or the Farm Account. He shall also enter therein the consumption of such articles, goods, and materials, in respect of the workhouse, the paupers, and the officers and servants of the workhouse, as the case may be.

A Quarterly Summary of the Necessaries and Miscellaneous Account, which shall be made by the master at the end of every quarter from the Necessaries and Miscellaneous Account.

A Quarterly Balance of the Necessaries and Miscellaneous Account.—In this account shall be entered the total quantities and values of the several articles, goods, and materials received and consumed in the quarter, and also the quantities and values of the same in store at the beginning and end of the quarter.

The Quarterly Balance of the Provisions Account, the Clothing Materials Receipt and Conversion Account, and the Clothing Receipt and Expenditure Account, required by the above-recited Orders to be kept by the master, together with the Quarterly Balance of the Necessaries and Miscellaneous Account required by this Order to be kept, shall, when made up and balanced, be submitted to the Visiting Committee or some member thereof, who shall sign a memorandum at the foot of such account, certifying to the same having been submitted to them or one of them in the following form :—

"Submitted to Member of the Visiting Committee,
"this day of 18 , and found to be correct
"as regards the quantities of stock remaining in store."

(Signed) {_____
_____
_____

Provided, that if it be found necessary to make any addition to the certificate in respect of any article, matter, or materials in which the entry made by the master is not, in the opinion of the member or members signing the same, correct, the master shall in such case lay the book containing such addition and certificate before the Board of Guardians at their next meeting.

Art. 2.—The provisions of the above-recited Orders of the Poor Law Board, in regard to the examining, closing, and auditing of accounts, and the half-yearly report or certificate to be made to the Local Government Board by the auditor with respect to his examination of accounts, and also the provisions of those Orders in regard to the purchase, custody, and production of books and accounts, shall be applicable to the books and accounts required to be kept under this Order.

Art. 3.—The word "Workhouse," as used in this Order, shall be taken to include any school belonging to the Guardians which may be under distinct management from that of the workhouse, and the term "Master of the Workhouse" shall be taken to include the master or matron of such school.

SCHEDULE.

Necessaries and Miscellaneous Account for the _____

Week of the Quarter ending _____ 18 .

_____ PARISH [*or* HAMLET]. _____ *Master.*

ARTICLES	Stock brought forward	New Stock	No. of Invoice	Total Quantities of Stock brought forward and New Stock	Consumed by the Paupers, Officers, and Servants, and on the Workhouse	Remaining in Store	Total Quantities consumed and remaining in Store	Observations

Quarterly Summary of the Necessaries and Miscellaneous Account for the Quarter ending _____ 18 .

_____ PARISH [*or* HAMLET]. _____ *Master.*

Week [1]																		Weeks
Quantities received	1st																	1st
	2nd																	2nd
	3rd																	3rd
	4th																	4th
	5th																	5th
	6th																	6th
	7th																	7th
	8th																	8th
	9th																	9th
	10th																	10th
	11th																	11th
	12th																	12th
	13th																	13th
	,,																	,,
Totals . .																		Totals .
Quantities consumed	1st																	1st
	2nd																	2nd
	3rd																	3rd
	4th																	4th
	5th																	5th
	6th																	6th
	7th																	7th
	8th																	8th
	9th																	9th
	10th																	10th
	11th																	11th
	12th																	12th
	13th																	13th
	,,																	,,
Totals . .																		Totals .

[1] The names of the several articles are to be placed at the head of the several columns.

(The Form given in the Schedule contains 31 spaces for the several articles to be inserted, but the number of spaces are here abridged.)

Balances of the Necessaries and Miscellaneous Account for the Quarter ending _____ 18 .

_____ PARISH [*or* HAMLET]. *Master.*

ARTICLES	Stock brought forward					New Stock					Total of New Stock and Stock brought forward			Consumed by the Paupers, Officers, and Servants, and on the Workhouse			Remaining in Store			Total of Articles consumed and in Store		
	Quantities	Price		Cost			Price		Cost			Cost			Cost			Cost			Cost		
		s.	*d.*	£ *s.*	*d.*		*s.*	*d.*	£ *s.*	*d.*		£ *s.*	*d.*		£ *s.*	*d.*		£ *s.*	*d.*		£ *s.*	*d.*

Submitted to _____ Member of the Visiting Committee this _____ day of _____, 18 ,
and found to be correct as regards the quantities of Stock remaining in Store.

Signed { _____ _____ _____

Given, &c., this Fourth day of May, 1875.

This Order was published in the *London Gazette* of Tuesday, the Eleventh day of May, 1875.

GENERAL ORDER (METROPOLIS).—APPOINTMENT OF STOCKTAKER.

(Dated 6th May, 1875.)

To the Guardians of the Poor of the several UNIONS and of the several PARISHES and the HAMLET named in the Schedule to this Order ;—

And to all others whom it may concern.

WHEREAS by sundry Orders of the Poor Law Board and Local Government Board prescribing the mode in which the accounts of the Guardians of the Unions and of the separate Parishes and the Hamlet named in the Schedule to this Order and the officers of such Guardians shall be kept, it is required that certain accounts relating to the provisions, clothing, and other stores in the workhouse, infirmary, or school, when made up and balanced, shall be submitted to the visiting committee, or to some member thereof, who shall enter a memorandum at the foot of such accounts, certifying to the same having been submitted, and to the correctness, or otherwise, of such accounts as regards the stock remaining in store : [1]

And whereas it is expedient to empower the said Guardians to appoint a competent person or persons to examine the stores at the

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[1] See the General Order, *ante*, p. 577.

With regard to this Order the Local Government Board say that difficulty has sometimes been experienced by members of Visiting Committees in making the examination necessary to enable them to give the certificate referred to, and they have therefore thought it desirable to issue an Order, to empower the Board of Guardians, if they think fit, to appoint a paid stocktaker to perform those duties, instead of the Visiting Committee.—*Instr. Letter*, May 15, 1875.

workhouse, infirmary, or school, and to perform the other duties hereinafter set forth :

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the statutes in that behalf, hereby order as follows, with regard to each of the Unions and Parishes and the Hamlet named in the Schedule to this Order :—

Art. 1.—The Guardians may, as and when they shall think fit to do so, appoint a competent person or persons to perform the duties of a stocktaker, as hereinafter set forth.

Art. 2.—Every such appointment shall be made in the manner prescribed by the regulations as to the appointment of officers in force in the Union, Parish, or Hamlet, for the time being.

Art. 3.—The Guardians shall pay to the person or persons appointed under this Order such salary or remuneration as the Local Government Board shall from time to time direct or approve.

Art. 4.—Every person appointed under this Order shall hold office until he shall die, or resign, or be removed by the Local Government Board, or by the Guardians with the assent of the Local Government Board, or be proved to be insane by evidence which the Local Government Board shall deem sufficient ; and upon such death, resignation, removal, or insanity of any such Officer, the Guardians shall give notice thereof to the Local Government Board, and in every case of a resignation state the cause of such resignation, so far as it may be known to them.

Art. 5.—The stocktaker shall, on the day next after the termination of each quarter, and at any other time when required by the Guardians to do so, examine the stores at the workhouse, infirmary, or school for which he is appointed or directed by the Guardians to act, and compare the same with the quantities of stock remaining in store as shown by the entries in the proper columns in the accounts termed respectively the "Quarterly Balance of the Provisions Account" and the "Quarterly Balance of the Necessaries and Miscellaneous Account."

He shall also, on the day next after the termination of each half-year, and at any other time when required by the Guardians to do so, examine the stock of clothing at the workhouse, infirmary, or

school, and compare the same with the balance appearing in the accounts termed respectively the "Clothing Materials Receipt and Conversion Account" and the "Clothing Receipt and Expenditure Account."

Art. 6.—After making the examination and comparison referred to in Article 5, the stocktaker, if he finds the stock to be correct, shall sign a certificate at the foot of each of the aforesaid accounts in the following form :—

"Submitted to me this day of , 18 , and "found to be correct as regards the quantities of stock remaining "in store.

"(Signed)_____

"Stocktaker."

If he finds the stock to be in any respect incorrect, he shall make such addition to the said certificate as he may deem necessary, specifying the particulars in which he finds the quantities of stock to be incorrectly stated.

Art. 7.—The master of the workhouse, the house superintendent or steward of the infirmary, and the master or superintendent of the workhouse school, as the case may be, shall, when required by the stocktaker to do so, on the days and at the times referred to in Article 5, submit to him the stores and accounts therein mentioned, and render to him such assistance as may be necessary for the purpose of such examination and comparison as aforesaid.

Art. 8.—The master of the workhouse, the house superintendent or steward of the infirmary, and the master or superintendent of the school, as the case may be, shall lay each of the said books of account before the Guardians, at their next meeting after the date of the entry therein of any such certificate as aforesaid.

Art. 9.—Where a stocktaker is appointed it shall not be necessary for the visiting committee to examine the stores or to enter in any account the memorandum required by the Orders above cited.

SCHEDULE.

Unions.	*Parishes.*
City of London.	Bethnal Green, Saint Matthew.
Fulham.	Camberwell, Saint Giles.
Greenwich.	Chelsea, Saint Luke.
Hackney.	Hampstead, Saint John.
Holborn.	Islington, Saint Mary.
Lewisham.	Kensington, Saint Mary Abbotts.
Poplar.	Lambeth, Saint Mary.
Saint George's.	Paddington.
Saint Olave's.	Saint George-in-the-East.
Saint Saviour's.	Saint Giles in the Fields and Saint George, Bloomsbury.
Stepney.	Saint Marylebone.
Strand.	Saint Pancras.
Wandsworth and Clapham.	Shoreditch, Saint Leonard.
Westminster.	
Whitechapel.	
Woolwich.	Hamlet of Mile End Old Town.

Given, &c., this Sixth day of May, 1875.

This Order was published in the *London Gazette* of Friday, the Fourteenth day of May, 1875.

Similar General Orders to the foregoing were issued on the same date (May 6, 1875), respectively to the following districts of the Metropolis, viz. :—

Central London.	Forest Gate.
South Metropolitan.	Central London.
North Surrey.	Poplar.
West London.	Stepney Sick Asylum Districts.

GENERAL ORDER AS TO DEMAND NOTE FOR PAYMENT OF RATE.

(Dated 14th June, 1875.)

To the Guardians of the Poor of the several UNIONS named in the Schedule to this Order :—

To the Overseers of the Poor of the several Parishes comprised in the said Unions respectively :—

And to all others whom it may concern.

WHEREAS certain General and other Orders addressed by the Poor Law Commissioners, the Poor Law Board, or the Local Government Board to the Guardians of the Poor of the several Unions named in the Schedule to this Order, containing a provision to the effect that in every case in which there are more than thirty ratepayers on the rate book, and in which there is no collector, the overseers shall, and in cases where there is a less number of ratepayers the overseers may, use a *Rate Receipt Check Book*, according to the forms set forth in the Schedules to the respective Orders :

And whereas it is further provided by the said Orders as follows :—

"If the overseers think fit they may cause a *Demand Note* to be "printed in the *Rate Receipt Check Book*, according to the "Form in the said Schedule, which may be detached and left "with the ratepayer or at his address when the payment of "the rate is demanded, which Demand Note shall be "numbered so as to correspond with the number of the "receipt, and may show the particulars of the claims or the "purposes for which the rate is made, if the overseers think "proper to have the same inserted therein."

And whereas the said Orders also contain the following provision or a provision to the like effect, with respect to collectors appointed for any Parish :—

"Every such collector shall in all cases fill up and use, as is here-
"inbefore directed in the case of Overseers of Parishes in
"which there are more than thirty ratepayers on the rate
"book, a *Rate Receipt Check Book*, in the form hereinbefore
"prescribed."

And whereas it is expedient that the use of a Demand Note should be made compulsory to the extent hereinafter specified :

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the several statutes in that behalf, hereby Order as follows :

Art. 1.—The Article in the several Orders above mentioned, containing the provision secondly above-recited, shall, from and after the date at which this Order shall come into operation, be rescinded, and the following shall, from the same date, be substituted in place of the article so rescinded, namely,—

In every Parish in which there are more than thirty ratepayers on the rate book and in which there is no collector, and in every parish in which there is a collector, the overseers shall cause a *Demand Note* to be printed in the *Rate Receipt Check Book*, according to the form in the said Schedule,[1] but containing also a statement of the rateable value of the premises assessed, which Demand Note shall be numbered so as to correspond with the number of the receipt, and shall show the particulars of the claims or the purposes for which the rate is made.

Such Demand Note shall be detached from the Rate Receipt Check Book, and left with the ratepayer or at his address when the payment of any poor rate, either in one sum or by instalments, is first demanded.[2]

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[1] For the form of Demand Note for a poor rate levied within any Parish within a rural district, see the General Order of September 21, 1895, *post*; and for the form of the Demand Note to be printed in the Rate Receipt Check Book in any Parish in which is comprised agricultural land as defined by the Agricultural Rates Act, 1896, and in which a Rate Receipt Check Book is in use, see the General Order of April 13, 1897, *post*.

[1] The Local Government Board said when issuing this Order, that under

Art. 2.—In this Order—

The word "parish" means any place for which a separate poor rate shall or can be made or for which a separate overseer is or can be appointed.

The word "overseers" means overseers of the poor and churchwardens, so far as they are authorised or required by law to act in the management or relief of the poor, or in the collection or distribution of the poor rate in any parish, and applies to the majority of the whole body of churchwardens and overseers or of the overseers only, as the case may be.

The word "collector" means any person appointed under any Act of Parliament, or any Order of the Poor Law Commissioners, the Poor Law Board, or the Local Government Board, to collect the rates for the relief of the poor in any parish or parishes, whether such person shall be designated collector of poor rates or assistant-overseer, or be called by any other name whatever.

SCHEDULE.

Names of Unions to which this Order applies are those named in the Schedule to the General Order of February 14, 1877, *ante*, p. 474, with the

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the previous Orders the use of a Demand Note was merely permissive; but having regard to the recommendations made on this subject in the Reports of the Select Committees on Poor Rates Assessment and Local Taxation in 1868 and 1870, the Board have thought it advisable to provide by the present Order that such a Note shall be used in certain cases. The Order also provides that the particulars of the claims or the purposes for which the rate is made shall be shown in the Demand Note. The Board have not thought it necessary to alter the Form of Demand Note already prescribed, but the Order requires that a statement of the rateable value shall be added. It will be observed that the Order only requires the Demand Note to be left when the first demand is made for payment of the rate, whether in one sum or in instalments; but it will, of course, be competent to the Overseers, if they think fit, to arrange for the delivery of a separate Demand Note for each instalment.—*Instr. Letter*, June 15, 1875.

In support of an application for a distress warrant for an instalment of a poor rate, it is sufficient to prove service of a notice demanding payment of the entire rate, a fresh demand not being necessary in respect of each instalment. *The Overseers of Walton on the Hill* v. *Jones*, (1893) 2 Q. B. 175, 5 R. 422, 62 L. J. M. C. 123, 69 L. T. 319, 57 J. P. 552, 42 W. R. 32.

exception of Middlesborough and Saint George's Unions, and in addition to the Forehoe Incorporation.

Given, &c., this Fourteenth day of June, 1875.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891 ; to the Grimsby Union by an Order dated April 3, 1890 ; to the Mutford and Lothingland Union by an Order dated March 18, 1893 ; to the Saddleworth Union by an Order dated December 22, 1894 ; to the Stoke-upon-Trent Union by an Order dated December 19, 1894 ; and to the Whittlesey Union by an Order of December 19, 1894.

This Order was published in the *London Gazette* of Tuesday, the Fifteenth day of June, 1875, on which day the same came into operation.

REMOVAL OF PAUPERS.—TRANSFER TO GUARDIANS.

(Dated 9th December, 1876.)

To the Guardians of the Poor of the Parish of Paddington, in the County of Middlesex ;—
To the Churchwardens and Overseers of the Poor of the said Parish ;—
And to all others whom it may concern.

Whereas by Section 25 of "The Divided Parishes and Poor Law Amendment Act, 1876," [1] it is enacted, that from and after the twenty-ninth of September, 1876, the Board of Guardians of a Parish, when authorised by the Local Government Board to do so, shall be entitled to apply for orders of removal, and to defend appeals against any such orders obtained, in the place of the Overseers, and with like powers and subject to the like liabilities as Guardians of a Union are entitled or are subject to in respect of such Orders :

Now, therefore, We, the Local Government Board, having received and duly considered an application in that behalf from the Guardians of the Poor of the Parish of Paddington, in the County of Middlesex, hereby authorise the Board of Guardians of that Parish to apply for orders of removal, and to defend appeals against any such orders obtained, in the place of the Overseers of the Poor of the said Parish.

Given, &c., this Ninth day of December, 1876.

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[1] *I.e.*, 39 & 40 Vict. c. 61.

An Order, precisely similar in its terms, has been issued to each of the following Parishes, in which relief to the poor is administered under separate Boards of Guardians :—

Paddington	December 9, 1876.
St. George-in-the-East	May 29, 1884.
St. Giles, Camberwell	January 18, 1877.
St. Leonard, Shoreditch	August 3, 1877.
St. Mary Abbots, Kensington	April 25, 1877.
St. Mary, Islington	December 4, 1876.
St. Mary, Lambeth	April 20, 1877.
St. Marylebone	November 22, 1876.
St. Pancras	October 19, 1878.
Stoke Damerel	October 12, 1878.

The Guardians of the poor of the Parish of Birmingham by their local Act, 1 & 2 Will. IV. c. lxvii. s. 23, may act as overseers of the poor of the said parish in all things appertaining to the office of overseers of the poor of the said parish, except with regard to the making and collecting of rates, though the same may not be particularly specified and mentioned in this Act, in the same manner in all cases as if any such Guardian was regularly appointed an overseer of the said parish, and as fully and effectually to all intents and purposes as such overseers of the poor now have or hereafter shall have, a power to act by virtue of any Act of Parliament or otherwise howsoever.

By a Provisional Order of the Local Government Board confirmed by statute 40 & 41 Vict. c. ccxxvii. the Guardians of the incorporated parishes of the town of Southampton "shall be entitled to apply for orders for the removal of paupers and to bring or to defend appeals against any such orders in place of the overseers, and with the like powers and subject to the like liabilities as Guardians of a Union are entitled or are subject to in respect of such Orders."

ELEMENTARY EDUCATION ACT, 1876.

GENERAL ORDER PRESCRIBING FORM OF REQUISITION FOR COPY CERTIFICATE OF BIRTH, AND FIXING FEE.

(Dated 22nd February, 1877.)

To all Superintendent Registrars and Registrars of Births and Deaths in England and Wales;—

And to all others whom it may concern.

Whereas by Section 25 of "The Elementary Education Act 1876," it is enacted as follows:—

"Where the age of any child is required to be ascertained or "proved for the purposes of this Act, or for any purpose "connected with the elementary education or employment in "labour of such child, any person on presenting a written "requisition in such form and containing such particulars as "may be from time to time prescribed by the Local Govern- "ment Board, and on payment of such fee, not exceeding "one shilling, as the Local Government Board from time to "time fix, shall be entitled to obtain a certified copy under "the hand of the registrar or superintendent registrar of the "entry in the register under the Births and Deaths Registra- "tion Acts, 1836 to 1874, of the birth of the child named "in the requisition."

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby order as follows:—

Art. 1.—The requisition to be made to entitle any person to obtain a certified copy of an entry of a registry of births under the section above cited, shall be in the form set forth in the Schedule to this Order ; and the fee to be paid to the registrar or superintendent registrar shall be sixpence for each such copy furnished by him under that section.

SCHEDULE.

The Elementary Education Act, 1876.

Requisition for a certified copy of an entry of birth for the purposes of the above Act, or for any purpose connected with the elementary education or employment of labour of a child.

To the superintendent registrar or registrar of births and deaths having the custody of the register in which the birth of the undermentioned child is registered :—

I, the undersigned, hereby demand, for the purposes above mentioned, or some or one of them, a certificate of the birth of the child named in the subjoined Schedule.

Christian name and surname of the child of whose age a certificate is required	Name of the Parents of such child		Where such child was born	In what year such child was born
	Father	Mother		

Dated this _____ day of _____, 18__.

Signature _____

Address _____

Occupation _____

Given, &c., this Twenty-second day of February, 1877.

ELEMENTARY EDUCATION ACT, 1876. REGULATIONS AS TO PROCEEDINGS OF GUARDIANS.

(Dated 22nd March, 1877.)

To the Guardians of the Poor of the several UNIONS named in the Schedule B. to this Order ;—

And to all others whom it may concern.

WHEREAS by Section 34 of the Elementary Education Act, 1876, it is enacted as follows :—

"All enactments relating to Guardians and their officers and "expenses, and to relief given by Guardians, shall, subject to "the express provisions of this Act, apply as if the Guardians, "including the School Attendance Committee appointed by "them, and their officers acting under this Act, and expenses "incurred, and money paid for school fees, and relief given "under this Act, were respectively acting, incurred, and paid, "and given as relief, under the Acts relating to the relief of "the poor, and the Local Government Board may make rules, "orders, and regulations accordingly."

And whereas by Section 10 and Section 35 of the said Act (39 & 40 Vict. c. 79) it is enacted as follows :—

"The parent, not being a pauper, of any child, who is unable by "reason of poverty to pay the ordinary fee for such child at a "public elementary school, or any part of such fee, may apply "to the Guardians having jurisdiction in the Parish in which "he resides ; and it shall be the duty of such Guardians, if

"satisfied of such inability, to pay the said fee, not exceeding "threepence a week, or such part thereof as he is, in the "opinion of the Guardians, so unable to pay;" [1]

"Money given under this Act for the payment of school fees for "any child of a parent who is not a pauper, and is resident "in any Parish, shall be charged by the Guardians having "jurisdiction in such Parish to that Parish, with other paro-"chial charges."

And whereas it is expedient that regulations should be made under the above-cited enactments, so far as respects Guardians of the Poor and their officers:

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the several statutes in that behalf, hereby order as follows, with respect to each of the Unions named in the Schedule B. to this Order:—

Art. 1.—The Guardians may, with the approval of the Local Government Board, appoint a person or persons or one or more of their officers, as inquiry officer or officers, to discharge the duties hereinafter prescribed with reference to applications by parents, not being paupers, for payment of school fees.[2]

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[1] The rest of the section is as follows: The parent shall not by reason of any payment made under this section be deprived of any franchise, right, or privilege, or be subject to any disability or disqualification. Payment under this section shall not be made on condition of the child attending any public elementary school other than such as may be selected by the parent, nor refused because the child attends or does not attend any particular public elementary school.

The 25th section of the Elementary Education Act, 1870, is hereby repealed.

[2] School fees are now prohibited from being taken in schools which are in receipt of a grant under the Elementary Education Act, 1891 (54 & 55 Vict. c. 56). Section 2 of that Act enacts that:—"(1) In any school receiving "the fee grant (*a*) where the average rate of fees received during the school "year ended last before the first day of January one thousand eight hundred "and ninety-one was not in excess of ten shillings a year for each child "of the number of children in average attendance at the school; or (*b*) For "which an annual parliamentary grant has not fallen due before the said first "day of January; no fee shall, except as by this Act provided, be charged for "children over three and under fifteen years of age. (2) In any school receiving "the fee grant where the said average rate was so in excess, the fees to be "charged for children over three and under fifteen years of age shall not, except "as by this Act provided, be such as to make the average rate of fees for "all such children exceed for any school year the amount of the said "excess."

Provided that no person shall be so appointed who has not reached the age of twenty-one years.

Art. 2.—Every such appointment shall be made by a majority of the Guardians voting on the question:

Provided that no appointment shall be made unless a notice that the question of making such appointment will be brought before the Guardians has been given and entered on the minutes, at one of their two ordinary meetings next preceding the meeting at which the appointment is made, or unless an advertisement giving notice of the consideration of such appointment shall have appeared in some public paper by the direction of the Guardians at least seven days before the day on which such appointment is made: Provided also, that no such notice or advertisement shall be necessary for the appointment of an assistant or temporary substitute.

Art. 3.—The Guardians shall pay the inquiry officer or officers so appointed such remuneration, by annual salary or otherwise, as may be approved by the Local Government Board, and such remuneration shall be paid quarterly at the several quarters ending at the usual feast days in the year, namely, Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day, and if it be by annual salary it shall be considered as accruing from day to day, and be

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Under section 1 of the Act provision is made for the payment out of the moneys provided by Parliament of a grant in aid of the cost of elementary education in England and Wales at the rate of ten shillings a year for each child of the number of children over three and under fifteen years of age in average attendance at any public elementary school (not being an evening school) the Managers of which are willing to receive the same, and in which the Education Department are satisfied that the regulations as to fees are in accordance with the conditions in the Act. Where then a child attends a school at which no fee is required to be paid, the duty of the Guardians under sections 10 and 40 of the Elementary Education Act, 1876, will cease. But their duty will remain the same as before the Act of 1891, with respect to any child who can only attend a school on payment of a fee.—See the circular letter of the Local Government Board of September 17, 1891, *ante*, p. 220. Section 10 of the Act of 1876 will be found set out on that page, and section 40 on p. 501. Section 3 of the Act of 1891 enacts that:—"In any school receiving "the fee grant, where the average rate charged and received in respect of fees "and books, and for other purposes, during the school year ended last before the "first day of January one thousand eight hundred and ninety-one, was not in "excess of ten shillings a year for each child of the number of children in "average attendance at the school, no charge of any kind shall be made for "any child over three and under fifteen years of age."

apportionable in respect of time accordingly, in pursuance of the provisions of "The Apportionment Act, 1870."[1]

Art. 4.—Every person appointed under this Order shall hold office until he shall die, or resign, or be removed by the Local Government Board, or by the Guardians with the assent of that Board, or be proved to be insane by evidence which that Board shall deem sufficient; and the Guardians shall give notice to the Local Government Board of every such death or resignation, and state the cause of such resignation, so far as it may be known to them.[2]

Art. 5.—If any officer appointed under this Order be at any time prevented by sickness or accident, or other sufficient reason, from performing his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay him a reasonable compensation for his services; and every such appointment shall be reported to the Local Government Board as soon as the same shall have been made.

Art. 6.—The following shall be the duties of the inquiry officer:—

No. 1. To attend all such meetings of the Guardians as they shall by any general or special directions require him to attend.

No. 2. To receive all applications for payment of school fees made to him by parents, not being paupers, residing within

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[1] See Articles 1 and 2 of the General Order of October 7, 1879, *post*.

[2] By a further General Order, dated June 4, 1877, and published in the *London Gazette* of June 5, 1877, addressed to the Guardians of the poor of the several Unions named in the Schedule to this Order, the Local Government Board have ordered as follows:—

Art. 1.—The Guardians of the poor of each of the Unions named in the Schedule to the said Order may, if they think fit, with the assent of the Local Government Board, appoint a person or persons, or one or more of their officers, to discharge the duties of an inquiry officer prescribed by that Order, for a limited period only, anything in the said Order contained to the contrary notwithstanding.

The Order of June 4, 1877, was applied to the Exeter Union by an Order dated May 24, 1878; to the Canterbury Union by an Order dated April 8, 1881; to the Great Yarmouth Union by an Order dated March 20, 1891; to the Grimsby Union by an Order dated April 3, 1890; to the Mutford and Lothingland Union by an Order dated March 18, 1893; to the Saddleworth Union by an Order dated December 22, 1894; to the Stoke-upon-Trent Union by an Order dated December 19, 1894; and to the Whittlesey Union by an Order dated December 19, 1894.

the district for which he is appointed to act, and forthwith to examine into the circumstances of every case by visiting the house of the applicant, and by making all necessary inquiries as regards the means of the applicant, and the other particulars required to be set forth in the Form No. 1, in the Schedule A. to this Order.

Art. 6.—No. 3. In cases where such applications are made to the Guardians directly, to make a similar examination and inquiry, so far as he may be required by them to do so.

No. 4. To enter the particulars of each case in a book, to be termed the "School Fees Application and Report Book," and to be kept in the Form No. 1, set forth in the Schedule A. to this Order, and to lay such book before the Guardians at their ordinary meetings, and at any other meetings which he may be required to attend.

No. 5. To make such further inquiry into the several cases, from time to time, as the Guardians by any general or special directions may require him to make.

No. 6. To perform the duties prescribed by Art. 10 of this Order, when the school fees are required by the Guardians to be paid him, and to observe and execute all lawful orders and directions of the Guardians applicable to his office.

Art. 7.—The Guardians shall, at their ordinary meetings, on receiving such applications as aforesaid, whether directly or through the inquiry officer, give the necessary directions thereon, and where any application is granted, shall also give directions as to the amount of the school fee to be paid and the time for which the payment is to be made. They shall also from time to time, as may be necessary, take into consideration the question of the continuance of any such payment ordered by them, and give directions thereon:

Provided that the Guardians may, if they think fit, adjourn to any particular time or place for the more convenient hearing of such applications and deciding thereon.

Art. 8.—The proceedings of the Guardians under this Order shall be entered on their minutes, and the Order made by them with

respect to each application for payment of school fees shall be entered by their clerk or by the presiding chairman in the said School Fees Application and Report Book, and also in a book to be termed the "School Fees Order Book," and to be kept in the Form No. 2 set forth in the said Schedule A.

Art. 9.—The fees ordered to be paid as aforesaid shall be paid by the Guardians through the inquiry officer or otherwise, at such quarterly or other periods as may be agreed upon between them and the School Board, or school managers, subject to any deduction which may be required to be made in respect of the non-attendance at school of any child.

Art. 10.—If the Guardians pay the school fees through the inquiry officer, he shall duly and punctually make such payments to the School Board or school managers, in accordance with the directions given to him by the Guardians.

The inquiry officer shall in such case keep an account in the Form No. 3 in the Schedule A. to this Order, to be termed the "School Fees Receipt and Payment Account," in which shall be entered all moneys received and paid by him on account of the Guardians, under their proper dates. He shall balance this account once every month, or oftener if required by the Guardians to do so, and shall submit it, with the proper vouchers, to the clerk to the Guardians for examination, at such period as they may appoint.

Art. 11.—On the School Fees Receipt and Payment Account being submitted to the clerk as aforesaid, the clerk shall compare the entries of payments therein with the vouchers, and ascertain that the inquiry officer has debited the account with all sums received by him, and produce proper vouchers for all payments made by him. The clerk shall insert his initials at the foot of the account, and report to the Guardians at their next meeting the result of his examination.

Art. 12.—The books to be kept in pursuance of Art. 8 of this Order shall be submitted by the clerk to the Guardians, and the account to be kept under Art. 10, together with the proper vouchers, shall be submitted by the inquiry officer to the auditor of the Union

at the same times as the other books and accounts of the Union are submitted for audit ; and the auditor shall audit the same, subject to the regulations in force in the Union for the time being in regard to the audit of accounts ; which, both as regards the auditors and the officers concerned, shall, so far as they are applicable, apply to the said books and the said account.

Art. 13.—The "School Fees Order Book" shall be included by the auditor in the statement which by an Order in force in the Union he is required to make at the close of each audit and to transmit to the Local Government Board, as respects the books of the clerk to the Guardians, an addition being made to the Form for that purpose, in the manner set forth in the Form No. 4 in the Schedule A. to this Order. A similar statement shall be made by the auditor with regard to the "School Fees Application and Report Book," and the "School Fees Receipt and Payment Account," such statement being appended to the Form relating to the books of the relieving officer, in the manner set forth in the Form No. 5 in that Schedule.

Art. 14.—In this Order—

The term "Guardians" includes any body of persons performing the functions of Guardians within the meaning of the Acts relating to the relief of the poor.

The term "Union" means any Union or incorporation of parishes under any general or local Act, and any single Parish having Guardians as above defined, under any general or local Act.

The term "Child" means a child between the ages of five and fourteen years.

The term "Parent" includes Guardian and every person who is liable to maintain or has the actual custody of any child.

SCHEDULE A.

Form No. 1.

School Fees Application and Report Book, for the

_____ Union. [Parish of_____.]

Parish of_____. [_____ District.]

No. of Case	Date of the Application	Name of Child in respect of whom application is made	Age of Child	Name of Applicant, and if married, of Wife, and the Number and Ages of Children under 16 dependent on Applicant.	Age of Applicant.	Relationship of Applicant to Child in respect of whom Application is made	Place of Residence of Applicant	Calling or Occupation of Applicant, and if Married, of Wife, and of Children under 16 who are dependent on Applicant, and are employed	State whether Applicant is Single, Married, Widow, or Widower	If ordinarily Able-bodied	Whether partially or wholly Disabled, and if so, the Description of Disability

Form No. 2.

School Fees Order Book.

*Quarter ending*_____18 .

_____ Union. [Parish of _____.]

No. in School Fees Application and Report Book (if any)	Name of Child in respect of whom application is made	Name of Parish where Applicant is resident	Name or Number of District	Public Elementary School selected by Applicant	Amount of Weekly School Fee ordered to be paid by Guardians	For what time ordered	Other Orders of the Board (if any)

Dated this_____ day of_____18 , being for the_____ Week of the Quarter.

SCHEDULE A.

FORM No. 1.

Quarter ending ____, 18 .

Name of Inquiry Officer ____.

	Whether receiving any payment from Clubs, Charitable Institutions, Government Pensions, or otherwise; such Payment, Pension, Allowance or Contribution to be described and the Amount stated	Present Weekly Earnings or other Income of Applicant, and Family dependent on him or her Particulars to be stated	Date of Visit at the Residence of Applicant	Name of School which Child has attended, and time School has been so attended	Name of Public Elementary School selected by Applicant	Amount of ordinary weekly School Fee at School	Amount of Fee or part of Fee ordered to be paid by Guardians	For what Time the Fee or part of Fee is ordered to be paid	Date when Order made	Initials of Chairman or Clerk	OBSERVATIONS

FORM No. 3.

School Fee Receipt and Payment Account.

____ UNION. [PARISH of____.]
____District. ____*Inquiry.*

RECEIPTS					PAYMENTS				
Date	Name and Particulars				Date	Name and Particulars			

Balanced____day of____. (Signed)____*Inquiry Officer.*

FORM No. 4.

_____ *Audit District.*

A Statement to the Auditor, in reference to the books of the _____ UNION, for the Half-year ended _____, 18 .

As to the Books required to be kept by the CLERK,

Mr. ___.

By the TREASURER,

Mr. _____

By the COLLECTOR OF THE GUARDIANS,

Mr. _____.[1]

OBSERVATIONS.

	CLERK
Minute Book	
General Ledger	
Non-settled Poor Ledger	
Parochial Ledger	
Relief Order Book	
School Fees Order Book	
Order Check Book	
Pauper Classification Book	
Petty Cash Book	
	TREASURER
The Treasurer's Book	
	COLLECTOR OF THE GUARDIANS
The Collector's Book	

The Audit of the above Books was concluded the day of 18 .

_____ *Auditor.*

Date _____ 18 .

Against the name of any book contained in this statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any book being imperfectly kept, the general nature of the imperfection is to be set forth *on the other side*, together with such observations as the auditor considers requisite.

[1] As to this Form, see Arts. 50 & 51 of the General Order for Accounts, *ante*, p. 626, and Art. 13 of the present Order, *ante*, p. 927.

FORM No. 5.

_____*Audit District.*

A Statement of the Auditor, in reference to the books of the officers of the _____ UNION, for the Half-year ended _____, 18 .

As to the books required to be kept by the RELIEVING OFFICER,
Mr. _____.

By the INQUIRY OFFICER,
Mr. _____

OBSERVATIONS.

	RELIEVING OFFICER
Application and Report Book	
Out-door Relief List	
Out-door Relief List for Vagrants	
Abstract of Out-Relief List	
Receipt and Expenditure Book	
Quarterly Summary of Receipts and Expenditure	
	INQUIRY OFFICER
School Fees Application and Report Book	
School Fees Receipt and Payment Account	
The Audit of the above Books was concluded the *day of* 18	

_____ *Auditor.*

Date _____ 18 .

Against the name of any book contained in this statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any book being imperfectly kept, the general nature of the imperfection is to be set forth *on the other side*, together with such observations as the auditor considers requisite.

SCHEDULE B.

UNIONS AND INCORPORATIONS.

The Unions named in the Schedule are those named in the Schedule to the General Order, *ante*, p. 474, also the following Unions and incorporations, viz. :—

[1] Barton Regis.
Bristol.
Bury St. Edmunds.
[2] Cannock.
Canterbury.
Chichester.
East and West Flegg.
Exeter.
Forehoe.
Kingston-upon-Hull.
Mutford and Lothingland.
Norwich.
Oswestry.
Oxford.
Plymouth.
Southampton.

SINGLE PARISHES.

The Parishes named in this Schedule are those named in the Schedule to the General Order, *ante*, p. 482 :—

Alverstoke.
Barrow-in-Furness.
Brighton.
Manchester.
Mile End Old Town.
Saddleworth.
St. Giles in the Fields and St. George, Bloomsbury.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Marylebone.
St. Mary, Islington.
St. Mary and St. Andrew, Whittlesey.
St. Pancras.
Toxteth Park.

And also the following Parishes under Local Acts, viz. :—

Birmingham.
Liverpool.
Stoke Damerel.

Given, &c., this Twenty-second day of March, 1877.

This Order was published in the *London Gazette* of Friday, the Twenty-third day of March, 1877.

The foregoing Order was applied to the Exeter Union by an Order dated May 24, 1878 ; to the Canterbury Union by an Order dated April 8, 1881 ; to the Great Yarmouth Union by an Order dated March 20, 1891 ; to the Grimsby Union by an Order dated April 3, 1890 ; to the Mutford and Lothingland Union by an Order dated March 18, 1893 ; to the Saddleworth Union by an Order dated December 22, 1894 ; to the Stoke-upon-Trent Union by an Order dated December 19, 1894 ; and to the Whittlesey Union by an Order dated December 19, 1894. A special Order as to school fees was issued to the Dudley Union on August 7, 1885.

[1] This was formerly the Clifton Union.
[2] This was formerly the Penkridge Union.

GENERAL ORDER.—ELEMENTARY EDUCATION ACT, 1876.—REGULATION AS TO SCHOOL ATTENDANCE COMMITTEES.

(Dated 14th April, 1877.)

To the Guardians of the Poor of the several Unions in which School Attendance Committees may be appointed by Guardians under the provisions of the Elementary Education Act, 1876 ;—

To all School Attendance Committees so appointed ;—

And to all others whom it may concern.

Whereas by an Order dated March 22, 1877, the Local Government Board prescribed regulations under the Elementary Education Act, 1876, so far as respects Guardians of the Poor and their officers, in reference to the discharge of the duties of such Guardians and officers under that Act, and it is expedient that regulations should be made as respects School Attendance Committees appointed by such Guardians, and the officers of such Committees : [1]

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[1] By section 7 of the Elementary Education Act, 1876 (39 & 40 Vict. c. 79), as amended by section 89 of the Local Government Act, 1894 (56 & 57 Vict. c. 73) it is enacted that :—"The provisions of this Act respecting the employ-"ment of children shall be enforced: (1) In a school district within the "jurisdiction of a School Board, by that Board; and (2) In every other school "district by a committee (in this Act referred to as a School Attendance Com-"mittee) appointed annually, if it is a Borough, by the Council of the Borough, "and if it is a Parish, by the Guardians of the Union comprising such Parish. "A School Attendance Committee, under this section, may consist of not less "than six nor more than twelve members of the Council or Guardians "appointing the Committee. Every such School Board and School Attendance "Committee (in this Act referred to as the Local Authority) shall, as soon as "may be, publish the provisions of this Act within their jurisdiction in such "manner as they think best calculated for making those provisions known. "Provided that it shall be the duty of the inspectors and sub-inspectors acting "under the Acts regulating factories, workshops, and mines respectively, and

NOW, THEREFORE, We, the Local Government Board, in pursuance of the powers given by the several statutes in that behalf, hereby order as follows, with respect to the School Attendance Committee who may be appointed under the provisions of the above-mentioned Act by the Guardians of any union, and the officers of such Committee.

SECTION I.—MEETINGS.

Art. 1.—The School Attendance Committee shall meet for the dispatch of business, and shall from time to time, as occasion may require, make such regulations with respect to the summoning, notice, place, management, and adjournment of such meetings, and generally with respect to the transaction and management of business, as they think fit.

Art. 2.—The proceedings of the School Attendance Committee at their meetings shall be duly recorded in a minute book to be kept by their clerk. At each meeting the minutes of the last preceding meeting shall be read to the Committee, and such minutes shall be signed by the chairman presiding at the meeting at which the same are read.

Art. 3.—No business involving the employment or appointment, or the dismissal of any officer, any new expense, or any payment (except the ordinary periodical payments), or any business which under the Elementary Education Acts requires the consent of the Education Department, shall be transacted at any meeting of the School Attendance Committee, unless notice in writing of the general nature of such business has been sent to every member of the Committee four days at least before the meeting.

"not of the local authority, to enforce the observance by the employers of "children in such factories, workshops, and mines, of the provisions of this "Act respecting the employment of children; but it shall be the duty of the "local authority to assist the said inspectors and sub-inspectors in the per-"formance of their duty by information and otherwise. It shall be the duty of "the local authority to report to the Education Department any infraction of "the provisions of section seven of the Elementary Education Act, 1870, in "any public elementary school within their district, which may come to their "knowledge, and also to forward to the Education Department any complaint "which they may receive of the infraction of those provisions."

SECTION II.—APPOINTMENT OF SCHOOL ATTENDANCE OFFICERS.

Art. 4.—Where the School Attendance Committee, with the consent of the Guardians, direct an officer or officers of the Guardians to act in the execution of the said Act, or of any byelaws in force within the jurisdiction of the Committee, or with the like consent, appoint an officer or officers for that purpose, such officers shall be termed "School Attendance Officers," and such direction or appointment shall be reported to the Local Government Board for their approval within fourteen days afterwards.[1]

Art. 5.—No person shall be so appointed or employed unless he shall have reached the age of twenty-one years.

Art. 6.—If any person who may have been directed or appointed by the committee to act as provided in Art. 4, be at any time prevented from acting by reason of sickness or accident or other sufficient cause, the committee may direct some other officer of the Guardians to appoint some other person to act as his temporary substitute, and every such direction or appointment, if the person be an officer of the Guardians, shall be forthwith reported to the Local Government Board.

SECTION III.—TENURE OF OFFICE.

Art. 7.—Every person appointed under this Order shall hold office until he shall die, or resign, or be dismissed by the Local

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[1] By a further General Order, dated June 4, 1877, and published in *The London Gazette* of June 5, 1877, addressed "to the Guardians of the poor of the "several Unions in which School Attendance Committees may be appointed by "Guardians under the provisions of the Elementary Education Act, 1876," and "to the School Attendance Committees so appointed," the Local Government Board have ordered as follows:—

Art. 1.—The School Attendance Committee may, if they think fit, with the assent of the Guardians and of the Local Government Board, direct one or more of their officers, or appoint a person or persons, to discharge the duties of a school attendance officer, prescribed by the said Order (*i.e.*, of April 14, 1877), for a limited period only, anything in the said Order contained to the contrary notwithstanding.

This Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891; to the Grimsby Union by an Order dated April 3, 1890; to the Mutford and Lothingland Union by an Order dated March 18, 1893; to the Saddleworth Union by an Order dated December 22, 1894; to the Stoke-upon-Trent Union by an Order dated December 19, 1894; and to the Whittlesey Union by an Order dated December 19, 1894.

Government Board, or by the School Attendance Committee with the assent of the Guardians, or be proved to be insane by evidence which the Local Government Board shall deem sufficient; and the committee shall give notice to the Local Government Board of every such death, resignation, or dismissal by the School Attendance Committee, and state the cause of such resignation, so far as it may be known to them, or of such dismissal.

Art. 8.—Where an officer of the Guardians is directed to act as an officer of the School Attendance Committee, he shall, upon ceasing to be an officer of the Guardians, or upon the withdrawal of the consent of the Local Government Board to his acting as an officer of the School Attendance Committee, cease to be an officer of that committee.

Section IV.—Remuneration of Officers.

Art. 9.—The clerk and other officers of the School Attendance Committee shall receive such salary or remuneration as the committee assign to them and the Guardians and the Local Government Board approve.[1]

Provided that the committee, with the approval of the Guardians and of the Local Government Board, may pay to any such officer a reasonable compensation by way of gratuity on account of extraordinary services, or other unforeseen circumstances.

Art. 10.—If the remuneration be by annual salary, it shall be paid quarterly at the several quarters ending at the usual Feast Days in the year, namely, Midsummer Day, Michaelmas Day, Christmas Day, and Lady Day, and shall be considered as accruing from day to day, and be apportionable in respect of time accordingly, in pursuance of the provisions of "The Apportionment Act, 1870."[1]

Section V.—Duties of Officers.

Art. 11.—The following shall be the duties of the clerk to the School Attendance Committee:

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[1] See Articles I. & II. of the General Order, dated October 7, 1879, *post.*

Art. 11.—No. 1. To attend all meetings of the School Attendance Committee ; to keep punctually minutes of the proceedings at every meeting, and to enter the said minutes in a book, to be termed the minute book. To enter from time to time, at proper dates, in the minute book, a statement of all pecuniary transactions of the committee, and to submit the minutes so entered to the presiding chairman at the succeeding meeting for signature.

No. 2. To peruse and conduct the correspondence of the committee according to their directions, and to preserve the same, as well as all orders, documents, and letters addressed to the committee and received by him as their clerk, together with copies of all letters sent, and all letters, books, papers, and documents belonging to the committee or entrusted to him by them, and to make all necessary copies thereof.

No. 3. To communicate to the several persons appointed by the committee, or acting under their direction, all orders and directions of the committee and other competent authorities, and, so far as may be, to give the instructions requisite for the prompt and correct execution of all such orders and directions, and to report to the Committee any neglect or failure therein which may come to his knowledge.

No. 4. To observe and execute all lawful orders and directions of the Committee applicable to his office.

Art. 12.—The following shall be the duties of a school attendance officer :

No. 1. To attend all such meetings of the School Attendance Committee as they may by any direction, whether general or special, require him to attend.

No. 2. To make inquiries as to cases of employment of children contrary to the provisions of the said Act, and as to the non-attendance of children at school, and also as to cases of children who may be liable to be sent to certified industrial schools under the said Act or the Industrial Schools Act, 1866.

No. 3. To record his proceedings and the result of his inquiries

in a book to be provided for him for that purpose by the committee, and to submit such book to the committee at each meeting.

Art. 12.—No. 4. To observe and execute all lawful orders and directions of the committee applicable to his office.

Section VI.—Receipts and Expenses.

Art. 13.—The School Attendance Committee shall, before the end of each of the usual quarters of the year, cause to be prepared and submitted to the Guardians an estimate of the amount which, in the judgment of the committee, will be likely to be required during the ensuing quarter for the payment of their expenses.

Art. 14.—The School Attendance Committee shall from time to time certify to the Guardians in the Form set forth in the Schedule to this Order the expenses legally incurred by the Committee, such certificate being signed by the chairman and one other member of the committee, and countersigned by the clerk.

Art. 15.—The Guardians shall, upon the receipt of such certificate, pay the expenses legally incurred and specified therein, in like manner as other payments are made by them in the ordinary discharge of their duties, unless in any case they shall be prevented by any rule of law or statute from making the payment.

Art. 16.—All sums received by the School Attendance Committee under the Elementary Education Act, 1876, shall be paid to the treasurer of the union to the credit of the Guardians to be applied in aid of the fund raised by them for the purposes of that Act; and every officer of the Committee who may receive money on their behalf shall forthwith, or as and when directed by them, pay the amount to such treasurer to the credit of the Guardians, to be applied by them in like manner.

Section VII.—Interpretation of Terms.

Art. 17.—In this Order,—

The term "Guardians" includes any body of persons performing the functions of Guardians within the meaning of the Acts relating to the relief of the poor.

The term "Union" means any union or incorporation of parishes under any general or local Act, and any single parish having Guardians as above defined, under any general or local Act.

The term "Children" includes any child between the age of five and fourteen years.

SCHEDULE.

We, the undersigned, on behalf of the School Attendance Committee for the Union, hereby certify that the expenses, the particulars of which are specified below, were on the dates set forth legally incurred by such committee in the execution of the Elementary Education Act, 1876, and are respectively due to the persons under-mentioned :—

Date.	Particulars of Expenditure		
	Name and Address of the Person to whom the Sum is due	For what purpose incurred	Amount
		Total . .	

Dated this day of 18 .

(*Signed*)

_____ Chairman of the Committee.

_____ Member of the Committee.

(*Countersigned*)

_____ Clerk to the Committee.

Given under the Seal of Office, this 14th April, 1877.

This Order was published in the *London Gazette* of Tuesday the Seventeenth day of April, 1877.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891; to the Grimsby Union by an Order dated April 3, 1890; to the Mutford and Lothingland Union by an Order dated March 18, 1893; to the Saddleworth Union by an Order dated December 22, 1894; to the Stoke-upon-Trent Union by an Order dated December 19, 1894; and the Whittlesey Union by an Order dated December 19, 1894.

GENERAL ORDER.—OFFICERS' SECURITIES.—ALTERING PROVISIONS OF GENERAL ACCOUNTS ORDER OF 14TH JANUARY, 1867, AS REGARDS AUDITORS' REPORTS.

(Dated 5th May, 1877.)

To the Auditors of the several AUDIT DISTRICTS named in the Schedule A. to this Order ;—

To the Guardians of the Poor of the several Unions named in the Schedule B. to this Order ;—

And to all others whom it may concern.

WHEREAS by a General Order of the Poor Law Board bearing date the 14th day of January 1867, addressed to the Guardians of the poor of the several unions named in the Schedule thereunto annexed, the Poor Law Board made certain regulations as to the keeping and auditing of the accounts of the Guardians and their officers, and the examination by the auditor of the securities of such officers :—

And whereas it is required by Art. 51 of the said Order that the auditor shall, at the close of every audit of the accounts of the union next after the 25th day of March in every year, transmit to the Poor Law Board a certain statement in reference to the securities of officers, and deliver a copy thereof to the Board of Guardians :

And whereas it is expedient that the article above-cited should be rescinded and other provisions made as hereinafter set forth :

Now therefore, We, the Local Government Board, in pursuance of the powers given by the statutes in that behalf, hereby Order as follows :

Art. 1.—The article numbered 51 in the above-recited General Order is hereby rescinded.

Art. 2.—The auditor shall, at the close of every audit of the accounts of the union next after March 25 in every year, transmit to the Guardians a statement in the Form in the Schedule G. to the above-recited General Order, setting forth the name of each union officer, collector of poor rates, vestry clerk, and other officer in the union required to give security, and whether such security, together with any certificate or proof that each of the sureties therein named is living, and is not bankrupt or insolvent, was produced to him at such audit, or the security is otherwise in force; and also in the column headed "Observations," stating any defects which he may discover in such securities.[1]

SCHEDULE A.

AUDIT DISTRICTS.

Bedford and Hertfordshire.
Berkshire and Hampshire.
Buckinghamshire and Northamptonshire.
Cambridgeshire and Huntingdonshire.
Cheshire and Staffordshire.
Cornwall and West Devonshire.
Cumberland and Westmoreland.
Devonshire, East.
Durham and Northumberland.
Durham and Yorkshire.
Essex.
Gloucestershire and Monmouthshire.
Hampshire and Wiltshire.
Kent, East.
Kent, West.
Lancashire, South, and Cheshire.
Lancashire, West and North.
Leicestershire and Nottinghamshire.
Lincolnshire and Rutlandshire.
London.
Metropolitan.
Norfolk, East.
Norfolk, West.
Oxfordshire and Warwickshire.
Shropshire and Montgomeryshire.
Somersetshire and Wiltshire.
Suffolk, East.
Suffolk, West.
Sussex, East, and Surrey.
Wales, North.
Wales, South.
Wiltshire and Gloucestershire.
Yorkshire, North-East.
Yorkshire, North.
Yorkshire, West.

[1] The Local Government Board, with reference to this Order, say that they now leave with the Guardians the responsibility of procuring and maintaining proper security from their officers, and that it appears to the Board that instead of the report being sent to them by the auditor and a copy transmitted to the Guardians, it will suffice if the report itself is sent by the auditor to the Guardians direct.

SCHEDULE B.

The unions named in this Schedule are those to which the General Accounts Order, *ante*, p. 688, is addressed.

Given, &c., this Fifth day of May, 1877.

This Order was published in the *London Gazette* of Tuesday, the Eighth day of May, 1877, on which day the same came into operation. It was applied to the Great Yarmouth Union by an Order, dated 20th March, 1891; to the Grimsby Union by an Order, dated 3rd April, 1890; to the Mutford and Lothingland Union by an Order, dated 18th March, 1893; to the Saddleworth Union by an Order, dated 22nd December, 1894; to the Stoke-upon-Trent Union by an Order, dated 19th December, 1894; and to the Whittlesey Union by an Order, dated 19th December, 1894.

A similar General Order, dated 22nd May, 1877, was issued to the following unions with reference to the Orders for accounts mentioned in the second column:—

Name of Union	Date of Order	Name of Audit District
North Bierley	(General Order) January 14, 1867	West Yorkshire.
Aysgarth	(General Order) September 9, 1869.	Durham and Yorkshire.
Holbeck.		West Yorkshire.
Hunslet		West Yorkshire.
Leeds		West Yorkshire.
Lunedale		West and North Lancashire.
Chester	(General Order) December 13, 1869.	Cheshire and Staffordshire.
East Preston		East Sussex and Surrey.
Smallburgh		East Norfolk.
Coventry	April 13, 1874	Oxfordshire and Warwickshire.
Forden	May 13, 1870	Shropshire and Montgomeryshire.
Middlesbrough	July 16, 1875.	North-East Yorkshire.
Pontardawe	April 28, 1875	South Wales.
Saint George's	June 9, 1870	Metropolitan.

A similar general Order, dated 22nd May, 1877, was issued to the undermentioned places with reference to the Orders mentioned in the second column *infra.*

Name of Incorporation, Parish, or Place	Date of Order	Name of Audit District
Birmingham, Parish .	February 23, 1850 .	Oxfordshire and Warwickshire.
Bristol, City . .	February 17, 1857 .	Wiltshire and Gloucestershire.
Bury St. Edmunds Borough	December 4, 1857 .	West Suffolk.
Canterbury, Incorporation	June 12, 1852 . .	East Kent.
Chichester, City . .	February 21, 1853 .	East Sussex and Surrey.
East Stonehouse, Parish	August 7, 1851 .	Cornwall and West Devonshire.
Exeter, City . .	May 9, 1857 . .	East Devonshire.
Kingston-upon-Hull, Incorporation	May 3, 1850 . .	South Yorkshire.
Manchester, Township	March 10, 1851 .	South Lancashire and Cheshire.
Mile End Old Town, Hamlet	January 27, 1858 .	Metropolitan.
Oswestry, Incorporation	April 26, 1851 . .	Shropshire and Montgomeryshire.
Oxford, City . .	June 10, 1853 . .	Buckinghamshire and Northamptonshire.
Plymouth, Town . .	August 6, 1853. .	Cornwall and West Devonshire.
Saint Giles, Camberwell, Parish	March 12, 1856 .	Metropolitan.
Saint Luke, Chelsea, Parish	September 4, 1850 .	Metropolitan.
Saint Mary, Lambeth, Parish	August 30, 1860 .	Metropolitan.
Southampton, Town .	March 16, 1850 .	Hampshire and Wiltshire.
Stoke Damerel, Parish	January 31, 1855 .	Cornwall and West Devonshire.
Toxteth Park, Township	February 17, 1885 .	West and North Lancashire.

A further similar general Order was issued on the 22nd May, 1877, to the following places :—

Name of Parishes	Dates of Orders	Names of Audit Districts
Alverstoke	April 28, 1869	Hampshire and Wiltshire.
Barrow-in-Furness	May 4, 1876	Cumberland and Westmoreland.
Paddington	(General Order) March 9, 1871	Metropolitan.
St. George-in-the-East.		
Saint John, Hampstead		
Saint Leonard, Shoreditch		
Saint Mary Abbotts, Kensington		
Saint Mary, Islington	July 13, 1868	
Saint Matthew, Bethnal Green	(General Order) March 9, 1871	
Saint Pancras	August 29, 1867, and September 29, 1870	

Names of Parishes	Dates of Orders
Saint Giles-in-the-Fields and Saint George, Bloomsbury	June 18, 1869.
Saint Marylebone	May 11, 1868.

On the 22nd May, 1877, another similar general Order was issued to Westminster and Woolwich Unions and the Forehoe Incorporation.

On the 24th May, 1877, a further similar general Order was issued to the following school districts :—

Name of District	Date of Accounts Order
School Districts	
Central London	January 9, 1851.
Farnham and Hartley Wintney	December 31, 1850.
Forest Gate	April 2, 1869.
North Surrey	August 7, 1861.
Reading and Wokingham	January 17, 1851.
South-East Shropshire	January 21, 1851.
South Metropolitan	April 25, 1855.
Walsall and West Bromwich	February 9, 1870.
West London	April 23, 1872.
Asylum Districts.	
Metropolitan Asylum District	November 28, 1870.
Central London Sick Asylum District	November 4, 1870.
Poplar and Stepney Sick Asylum District.	March 7, 1871.

SCHOOL FEES.—GENERAL ORDER (AMENDING) APPLICATIONS TO RELIEF COMMITTEE.

(Dated 5th September, 1877.)

To the Guardians of the Poor of the several UNIONS named in the Schedule to this Order;—
And to all others whom it may concern.

WHEREAS by certain General Orders bearing date March 22, 1877,[1] and June 4, 1877,[2] addressed, amongst others, to the Guardians of the poor of each of the unions named in the Schedule to this Order, the Local Government Board made regulations with respect to the proceedings of the Guardians under the Elementary Education Act, 1876, by reason whereof all applications by parents, not being paupers, for payment of school fees, whether made directly to the Guardians or through an inquiry officer are exclusively controlled and managed by the Guardians of the union sitting as a board:

And whereas the Guardians of the said several unions are empowered by orders of the Poor Law Commissioners, the Poor Law Board, and the Local Government Board,[3] respectively to appoint a committee or committees for the purpose of hearing and determining applications for relief, and it is expedient that the committee or committees so appointed, hereinafter termed the Relief Committee or Relief Committees, should be authorised to deal with the applications made as aforesaid for the payment of school fees:

Now, therefore, We, the Local Government Board, in pursuance

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[1] See *ante*, p. 921.

[2] See *ante*, p. 935 *n.*

[3] A Form of the Orders formerly issued, and also the last Order issued by the Local Government Board, viz., to the Holyhead Union, on July 17, 1886, will be found in the Appendix, *post*, as also a list of the Orders which have been issued.

of the powers given by the statutes in that behalf, hereby order as follows ; that is to say :—

Art. 1.—The Guardians of the poor of each of the unions named in the Schedule to this Order may, if they think fit to do so, authorise the Relief Committee or Committees who are appointed or may be appointed by them, to deal with all applications for payment of school fees on account of parents, not being paupers, residing or being in the district, or part of the district, which may have been so assigned to such committee or committees ; and such committee or committees shall thereupon hear and determine all such applications, and give all directions respecting the continuance of the payment of the fees, in such manner as the Guardians, acting as a board, are now or may hereafter be authorised to do.[1]

Provided that nothing in this Order contained shall at any time prevent the Guardians acting as a board from rescinding or altering any order of such Relief Committee or Relief Committees in regard to school fees not previously paid, or from considering and deciding on any application from any parent as aforesaid, or determining on the continuance or cessation of any weekly or other fee which shall not have been actually paid.

Art. 2.—Whenever the Guardians of a union give authority to the Relief Committee or Committees in pursuance of Art. 1 of this Order, the following regulations shall take effect :—

No. 1. Each inquiry officer whose district or any part thereof is assigned to a Relief Committee shall submit to the committee at every meeting the School Fees Application and Report Book which he is required to keep by the General Order of the Local Government Board first above-recited ;[2] and a note of the decision or direction of the committee upon every application for school fees, whether made through an inquiry officer or directly to the Relief Committee, shall be inserted at the meeting of the committee in the proper columns of such book, and authenticated in the proper column by the initials of one of the

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[1] See note (2) *ante*, p. 922.
[2] See Art. 6, No. 4, of the Order of March 22, 1877, *ante*, p. 925.

members of the committee, or of the clerk or the assistant-clerk to the Board of Guardians.

Art. 2.—No. 2. A School Fees Order Book according to the form prescribed by the General Order of the Local Government Board first above-recited shall be kept for the use of each Relief Committee ;[1] and the first four columns in such book shall, as far as practicable, be entered up by the clerk or the assistant-clerk before each meeting of the committee, and the remaining columns, containing the particulars of the decisions or directions of the committee, shall be filled up at the meeting by one of the members of the committee, or by the clerk or the assistant-clerk.

No. 3. The School Fees Order Book, filled up as above required and signed by the clerk or the assistant-clerk, shall be laid before the Board of Guardians at their ordinary meeting held on the same day as the sitting of the Relief Committee, or at their next ordinary meeting after such sitting, as may be more convenient ; and thereupon the clerk shall enter on the minutes of the Board of Guardians the fact of the same having been so laid before them.

Art. 3.—In this Order,—

The term "Guardians" includes any body of persons performing the functions of Guardians within the meaning of the Acts relating to the relief of the poor.

The term "Union" means any union or incorporation of parishes under any general or local Act, and any single parish having Guardians as above defined, under any general or local Act.

SCHEDULE.

Unions.

Altrincham.	Basford.	Bodmin.
Ashton-under-Lyne.	Bedminster.	Bolton.
Barnsley.	Belper.	Bradford (York).
Barrow-upon-Soar.	Biggleswade.	Bramley.
Barton Regis.	Blackburn.	Burnley.
Barton-upon-Irwell.	Blything.	Burton-upon-Trent.

[1] See Art. 8 of the Order of March 22, 1877, *ante*, p. 925.

Bury.
Cambridge.
Cardiff.
Carlisle.
Chelmsford.
Chester.
Chesterton.
Chippenham.
Chorley.
Chorlton.
Clitheroe.
Colchester.
Cosford.
Coventry.
Depwade.
Durham.
Edmonton.
Ely.
Fulham.
Fylde, The.
Glanford Brigg.
Glossop.
Greenwich.
Hackney.
Halifax.
Haslingden.
Hexham.
Hitchin.
Holborn.
Huddersfield.
Huntingdon.
Keighley.
Kingston.
Lancaster.
Leigh.
Lexden and Winstree.
Linton.
Liskeard.
Loughborough.
Luton.
Maidstone.
Maldon.
Mansfield.
Monmouth.
Morpeth.
Newcastle-upon-Tyne.
Newmarket.
Newport (Monmouth).
Newtown and Llanidloes.
Nottingham.
Oldham.
Peterborough.
Pontefract.
Poplar.
Prescot.
Preston.
Prestwich.
Pwllheli.
Risbridge.
Rochdale.
Runcorn.
Saint Asaph.
Saint George's.
Saint Olave's.
Saint Saviour's.
Saffron Walden.
Salford.
Sheffield.
South Shields.
Stockport.
Stourbridge.
Strand.
Sudbury.
Sunderland.
Swansea.
Taunton.
Tendring.
Thingoe.
Thrapstone.
Tiverton.
Todmorden.
Tonbridge.
Tynemouth.
Wandsworth and Clapham.
Wangford.
Warrington.
Warwick.
West Derby.
West Ham.
Westminster.
Wharfedale.
Wigan.
Wigton.
Wisbeach.
Wycombe.

Single Parishes.

Birmingham.
Great Yarmouth.[1]
Manchester.
Paddington.
Plymouth.
Saint Giles-in-the-Fields and Saint George, Bloomsbury.
Saint Leonard, Shoreditch.
Saint Marylebone.
Saint Mary Abbotts, Kensington.
Saint Mary, Islington.
Saint Mary, Lambeth.
Saint Matthew, Bethnal Green.
Saint Pancras.
Toxteth Park.

Given, &c., this Fifth day of September, 1877.

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[1] The Parish of Great Yarmouth was with the Parish of Gorleston formed into a Union by an Order dated January 17, 1891. The above Order is not applied to such Union.

GENERAL ORDER.—ELEMENTARY EDUCATION ACT, 1876: PRESCRIBING "ATTENDANCE" AS REGARDS WORKHOUSE SCHOOLS.

(Dated 27th October, 1877.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in England and Wales :—[1]

To the Boards of Management of the Several District Schools formed under the Poor Law Amendment Act, 1844, and the Acts amending the same :—

And to all others whom it may concern.

WHEREAS by Section 5 of the Elementary Education Act, 1876, it is enacted as follows :—

"A person shall not, after the commencement of this Act, take "into his employment (except as hereinafter in this Act mentioned) "any child—

"(1.) Who is under the age of ten years ; or

"(2.) Who, being of the age of ten years or upwards, has not ob- "tained such certificate either of his proficiency in reading, "writing, and elementary arithmetic, or of previous due at- "tendance at a certified efficient school, as in this Act in that "behalf mentioned, unless such child, being of the age of ten "years or upwards, is employed and is attending school, in "accordance with the provisions of the Factory Acts, or of "any byelaw of the local authority (herein after mentioned)

[1] This Order is applied to the Exeter Union by an Order dated May 24, 1878; and to the Canterbury Union by an Order dated April 8, 1881.

"made under section seventy-four of the Elementary "Education Act, 1870, as amended by the Elementary "Education Act, 1873, and this Act, and sanctioned by "the Education Department."

AND WHEREAS by Section 48 of the said Act, it is provided that the term "certified efficient school" in that Act means (among other schools) "any workhouse school certified to be efficient by the Local Government Board":

And whereas by Rule No. 11 in the First Schedule to the said Act it is provided that attendance for the purpose of that Schedule includes, where the attendance is at a workhouse school, such attendance as may be from time to time directed for the purpose by the Local Government Board:

NOW, THEREFORE, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby direct, for the purpose of the said Schedule as regards children who attend a workhouse school certified by the Local Government Board to be efficient, as follows: [1]

Art. 1.—An attendance of a child at a workhouse school certified as aforesaid shall be deemed to be an attendance for the purpose of the said Schedule, where such child has attended the school and been under instruction in secular subjects at the morning or afternoon meeting of the school for not less than two hours if the child is above seven years of age, or for not less than one hour and a half if the child is above five and under seven years of age.

Provided, that where a child, if above seven years of age, has so attended and been under instruction in secular subjects for not less than three hours in the morning and one hour in the afternoon of the same day; or if above five and under seven years of age, for not less than two hours in the morning and one hour in the afternoon of

[1] By a General Order of January 30, 1897, *post*, the Local Government Board prescribed further regulations with respect to the school attendance of children in workhouses and Poor Law Schools, and the time during which they may be employed in industrial training or manual or industrial work. The Order does not apply to children who are receiving instruction in public elementary schools; but any provision in the above Order which is inconsistent with the earlier is rescinded by the later Order.

the same day, each such attendance shall in each case be deemed to be an attendance for the purpose aforesaid.

Art. 2.—Any time which may be devoted to instruction in drill or to industrial training, other than a reasonable time for needlework in the case of girls, shall not be included in the time prescribed for an attendance for the purpose aforesaid.

Art. 3.—In this Order,—

The word "union" includes any union of parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament;

The term "separate Parish" means a Parish or place which is under a separate Board of Guardians;

The word "Guardians" includes any governors, directors, managers, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the poor rates under any Act of Parliament;

The term "workhouse school" includes any school, certified as aforesaid, belonging to a Union or separate Parish which is under distinct management from that of the workhouse, whether the school buildings are part of the workhouse premises or, being separate from the workhouse, are situated either within or without the limits of the Union or separate Parish, and also any school belonging to a school district formed under the Poor Law Amendment Act, 1844, and Acts amending the same.

Given, &c., this 27*th October*, 1877.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891.

GENERAL ORDER.—ALTERING REGULATIONS AS REGARDS CONTRACTS AND TENDERS.[1]

(Dated 31st December, 1877.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES named in Schedule B. to this Order :—

And to all others whom it may concern.

WHEREAS by certain General and other orders, addressed by the Poor Law Commissioners, the Poor Law Board, and the Local Government Board respectively to the Guardians of the Poor of each of the unions and separate parishes named in the Schedule B. to this Order, the Guardians are required to enter into contracts on behalf of the union or separate parish, relating to the maintenance, clothing, lodging, employment, or relief of the poor, or for any other purpose relating to or connected with the general management of the poor ; and the said Orders contain the following regulations, or some of them, or regulations to the like effect,

[1] In their Circular accompanying this Order the Local Government Board say that they have found that Guardians not unfrequently omit to enter into proper Contracts for the purposes above referred to, and circumstances have come under the notice of the Board which appear to them to render it advisable that further regulations should be made on the subject. They have accordingly issued a General Order, two copies of which are herewith enclosed. It will be observed that the Order prescribes a form of tender, to which certain "conditions of contract" are attached, and that any tender so made, when accepted by the Guardians, according to a Form which is also prescribed, will constitute a contract. A statement is also to be prefixed to the Form of Tender, in which the particulars which will still be required to be inserted in the newspaper notices, as well as some additional particulars, are to be supplied for the information of persons proposing to tender.

It will also be observed that the Local Government Board have not reserved to themselves any power to assent to a departure from any of the provisions of the Order.

with respect to such contracts, and to the tenders to be submitted to the Guardians prior to their entering into contracts, and the bonds to be given by contractors :

"Art. 45.—The Guardians shall require tenders to be made in some sealed paper for the supply of all provisions, fuel, clothing, furniture, or other goods or materials, the consumption of which may be estimated, one month with another, to exceed ten pounds per month, and of all provisions, fuel, clothing, furniture, or other goods or materials, the cost of which may be reasonably estimated to exceed fifty pounds in a single sum, and shall purchase the same upon contracts to be entered into after the receipt of such tenders.

"Art. 46.—Any work or repairs to be executed in the workhouse, or the premises connected with the workhouse, or any fixtures to be put up therein, which may respectively be reasonably estimated to exceed the cost of fifty pounds in one sum, shall be contracted for by the Guardians, on sealed tenders, in the manner prescribed in Arts. 45 and 47.

"Art. 47.—Notice of the nature and conditions of the contract to be entered into, of the estimated amount of the articles required, of the last day on which tenders will be received, and the day on which the tenders will be opened, shall be given in some newspaper circulating in the union, not less than ten days previous to the last day on which such tenders are to be received ; and no tender shall be opened by the clerk, or any Guardian, or other person, prior to the day specified in such notice, or otherwise than at a meeting of the said Guardians.

"Art. 48.—When any tender is accepted, the party making the tender shall, in pursuance of these regulations, enter into a contract in writing, with the Guardians, containing the terms, conditions, and stipulations mutually agreed upon, and whenever the Guardians deem it advisable, the party contracting shall find one or more surety or sureties, who shall enter into a bond conditioned for the due performance of the contract, or shall otherwise secure the same.

"Art. 49.—Provided always, that if, from the peculiar nature of any provisions, fuel, clothing, furniture, goods, materials, or fixtures to be supplied, or of any work or repairs to be executed, it shall

appear to the Guardians desirable that a specific person or persons be employed to supply or execute the same, without requiring sealed tenders as hereinbefore directed, it shall be lawful for such Guardians, with the consent of the Commissioners first obtained, to enter into a contract with the said person or persons, and to require such sureties and securities as are specified in Art. 48.

"Art. 50.—Every contract to be hereafter made by any Guardians shall contain a stipulation requiring the contractor to send in his bill, or account of the sum due to him for goods or work, on or before some day to be named in the contract.

"Art. 51.—The Guardians shall fix some day or days, not being more than twenty-one days after the end of each quarter, for the attendance of contractors and tradesmen, or their authorised agents, and the clerk shall notify such day to every contractor or tradesman to whom money may be due, or to his agent, or he shall, under the direction of the Guardians, cause the same to be advertised in some newspaper."

And whereas it is expedient that further regulations in that behalf should be made as hereinafter mentioned :

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given by the statutes in that behalf hereby Order as follows, with respect to each of the unions and separate parishes named in the Schedule B. to this Order :—

Art. 1.—Tenders for the supply of goods or materials required by the Guardians by advertisement, in pursuance of the regulations above-recited, shall be made in the Form No. 2, in the Schedule A. to this Order, or in a Form to the like effect ; and a statement of the estimated amount of the articles required, of the last day on which tenders will be received, and the day on which the tenders will be opened, shall be made in the Form No. 1, in the same Schedule, or in a Form to the like effect, and prefixed to the Form of tender.

Art. 2.—Whenever any such tender is accepted by the Guardians, the fact of such acceptance shall be attested under the Common Seal of the Guardians and the signature of their clerk, in the Form No. 3, in the said Schedule A., or in a Form to the like effect ; and the acceptance so attested, together with the tender comprising the

"Conditions of Contract," made in accordance with Article 1 of this Order, and duly executed, shall constitute the contract referred to in the regulations above recited.

Art. 3.—The bond to be given in pursuance of the regulations above recited shall be in the Form No. 4, in the Schedule A. to this Order, or in a Form to the like effect.

Art. 4.—The Forms above referred to shall be provided by the Guardians, and supplied by their clerk to any person requiring them.

Art. 5.—In this Order—

The word "unions" includes any union of parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament.

The term "separate parishes" includes any parish or place which is under a separate Board of Guardians.

The word "Guardians" includes any governors, directors, managers, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief from the poor rates under any Act of Parliament.

SCHEDULE A.

Form No. 1.

Union [Parish].

The Guardians of the above-named Union [Parish] being desirous of entering into Contracts for the supply of the undermentioned goods or materials for the use of the workhouse [or of the Poor] thereof, during a period of months from the day of instant (or next), and having issued public advertisement of their willingness to receive Tenders for the supply of such articles, the following statement of the estimated amount of each article likely to be required during that period, and of the quantity or number of each article consumed during the corresponding period of the preceding year is furnished for the information of persons proposing to tender.

Goods or Materials required	Estimated amount likely to be required	Quantity or Number consumed during months ended at				
		Cwts.	Galls.	Pounds		

The last day on which Tenders will be received is the of .

The Tenders will be opened on the of .

Clerk to the Guardians.

FORM No. 2.

_____ 18 .

To the Guardians of the Poor of the Union [Parish].

I, of , in the County of , hereby contract and agree, on the acceptance of this Tender by the said Guardians, to supply them, in accordance with the Conditions of Contract stated below, the goods or materials hereunder named, of the quality or sort and after the rate or price hereunder specified :—

Description of Goods or Materials	Quality or Sort	Rate or Price	Total quantity or number to be supplied (if limited)

CONDITIONS OF CONTRACT.

1.—*Period of Contract.*—This Contract is to last for months certain from the date hereof, and further until the expiration of months' notice of termination given by either party in writing to the other, which notice shall not be given until the said months shall have expired; but in the event of any breach of agreement at any time on the part of the contractor, the Contract shall be determinable

summarily by the Guardians, without compensation to the contractor. The Contract may also be put an end to at any time by the Local Government Board, or by the Guardians with the consent or by the direction of that Board, upon giving days' notice to the contractor.[1]

2. *Quality of Goods or Materials.*—The goods or materials to be supplied under this Contract are to be of the quality or sort above mentioned, and in every respect equal and answerable to the patterns or samples sent with the Tender, and such as the Guardians or their officers duly authorised shall approve.[2]

3. *Delivery of Goods or Materials.*—The goods or materials are to be delivered at the Workhouse of the Union [Parish] or at free of charge to the Guardians, and at the contractor's risk, in such quantities or numbers, at such times, and in such manner, as the Guardians or their officers duly authorised shall from time to time order.

4. *Removal of Rejected Goods or Materials.*—Rejected goods or materials are to be removed by and at the expense of the contractor within seven days after notice shall have been given him of the rejection. If not so taken away, the Guardians may cause the goods or materials to be removed, and charge the contractor with all expenses incurred in such removal.[3]

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[1] It is not intended that the Contract should run from the date of the Tender, but that it should commence as from the date of the acceptance of the Tender by the Guardians, that being the period of its taking effect; and any words to make this more clear may be inserted.

It does not appear necessary that a Contract for any particular article must be terminated before a fresh Contract is entered into, inasmuch as in cases where the supply is not to commence immediately words may be inserted fixing a subsequent day for that purpose.

If the Guardians wish to contract for a less period than six months—say three months—they can do so by inserting two months as the period for which the Contract is to continue, and make it determinable upon the giving of one month's notice.

The Local Government Board consider that the period during which the Contract is to last, and whether it is to be determined at a date certain or by notice, are points to be settled by the Guardians in each case with reference to the particular circumstances; and that subsequently terms of Condition No. 1, so far as they relate to those points, should be adapted to the circumstances of each case. When so adapted the form would be a form "to the like effect" within the meaning of Art. 1 of the Order. The terms of the agreement on these points will be stated in the advertisement, and the adaptation of Condition No. 1 should be made before the form is provided or supplied in accordance with Art. 4 of the Order.

[2] It is considered that Condition No. 2 does not require a pattern or sample to be sent with every Tender.

[3] The number of days (seven) inserted in this Condition is intended as a maximum, so that the time allowed for the removal shall not in any case exceed

5. *Power to Purchase in Default.*—In case of failure by the contractor to deliver goods or materials demanded from him within the period limited for delivery, or in case of goods or materials delivered by him not being of the stipulated quality, weight, or measure, or in case of goods or materials being delivered without a correct invoice or bill of parcels, in duplicate, the Guardians or their officers duly authorised shall have power to reject any such goods or materials and to purchase others instead of any goods or materials so rejected or not delivered, unless the Contractor shall himself forthwith supply others that shall be sufficient and satisfactory, and any excess of cost so incurred by the Guardians over the contract price, together with all charges and expenses attending the purchase, shall be recoverable by the Guardians from the contractor.

6. *Arbitration.*—In the event of a rejection of goods or materials by the Guardians or their officers, whereby the contractor may consider himself aggrieved, a re-survey of the goods or materials by an independent person or persons, to be agreed upon or appointed by the respective parties to the Contract, will be allowed on written application to the Guardians. If the persons so appointed disagree in their judgment, they may refer the question to an umpire, to be appointed by themselves. The expenses of the arbitration shall be paid by the party against whom the decision under this condition shall be given.

7. *Transfer of Contract.*—The Contract, or any part, share, or interest in it, is not to be transferred or assigned by the contractor, directly or indirectly, to any person or persons whomsoever without the written consent of the Guardians.

8. *Payment for Supplies.*—With every delivery of goods or materials under this contract, invoices or bills of parcels, in duplicate, are to be sent by the Contractor. The duplicate will be returned by the Guardians or their officers, with the quantities or numbers received duly noted thereon. The contractor is to send in his account quarterly to the Guardians within seven days from the termination of the quarter, with the amount due correctly calculated according to the prices agreed upon; whereupon (after examination of the claim) notice shall be given to him of the day on which he, or his authorised agent, may attend for payment.[1]

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seven days. It is open to the Guardians to fix the limit at any number less than seven which may be deemed necessary or expedient, having regard to the nature of the goods; and the form when altered accordingly in any such case will be a "form to the like effect" within the meaning of Art. 1 of the Order.

[1] As to the Condition No. 8, it may be observed that there is nothing in

9. *Service of Notices.*—Any notice to the contractor shall be deemed to be sufficiently served, if given or left in writing at his usual or last place of abode or business.

Signature _____

Address by Post _____

Witness to the above Signature } _____

FORM No. 3.

The Guardians of the Poor of the Union [Parish] hereby accept the foregoing tender, in accordance with the conditions of Contract hereunto annexed, and undertake to pay after the rate or price therein specified for the goods or materials duly supplied.

In witness whereof the common seal of the said Guardians has been affixed hereto, this day of .

_____

Clerk to the Guardians. (Seal)

FORM No. 4.

Form of Bond.

KNOW all Men by these Presents, that We are jointly and severally held and firmly bound to the Guardians of the Poor of the Union [Parish], in the Count of , in the sum of , of good and lawful money of Great Britain, to be paid to the said Guardians, or their certain attorney, successors, or assigns, for which payment to be well and truly made, we bind ourselves and any two of us jointly, and each of us bindeth himself severally our and each and every of our heirs, executors, and administrators, and every of them, firmly by these Presents. Sealed with our respective seals, and dated this day of in the year of our Lord One thousand eight hundred and .

Whereas the above-named hath by a certain Contract, bearing even date with the above-written obligation, and made between him of the one part, and the above-named Guardians of

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the Order to prevent monthly payments on account being made to the contractors, having due regard to the quantity and value of the goods actually delivered; but there must still be a stipulation for a quarterly settlement, as contemplated by Art. 51 of the General Consolidated Order, *ante*, p. 241.

the other part, contracted to supply the goods or materials therein mentioned, as on reference to the said Contract will more fully appear.

Now the condition of the above-written obligation is such, that if the above-named contractor, his executors or administrators, do and shall well and truly perform, fulfil and keep all and every the covenants, clauses, provisoes, terms, and stipulations in the said recited Contract contained, and on his and their part to be observed, performed, fulfilled, and kept according to the true intent and meaning thereof, then the above-written obligation shall be void, but otherwise shall remain in full force.

Signed, sealed, and delivered by *in the presence of* } (Seal)

Signed, sealed, and delivered by *in the presence of* } (Seal)

Signed, sealed, and delivered by *in the presence of* } (Seal)

SCHEDULE B.

Unions and Incorporations.

The Unions and Incorporations in this Schedule are those named in the Schedule to the General Consolidated Order of July 24, 1847, *ante*, p. 474, and also the following:—

Barton Regis.
Bristol.
Bury St. Edmunds.
Cannock.
Canterbury.
Chichester.
East and West Flegg.
Exeter.
Forehoe.
Kingston-upon-Hull.
Mutford and Lothingland.
Norwich.
Oswestry.
Plymouth.
Southampton.

Separate Parishes.

The Separate Parishes in this Schedule are those named in the Schedule of the above-mentioned Order, *ante*, p. 480, and also the following:—

Alverstoke.
Barrow-in-Furness.
Birmingham.
Brighton.
Liverpool.
Manchester.
Mile End Old Town.
Saddleworth.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Marylebone.
St. Mary, Islington.
St. Mary and St. Andrew, Whittlesey.
St. Pancras.
Stoke Damerel.
Toxteth Park.

Given &c., this Thirty-first day of December, 1877.

The foregoing Order was applied to the following Unions by Orders of the Local Government Board issued on the dates set opposite the names of the Unions, viz.:

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

ALLOWANCE OF SCHOOL FEES BY WAY OF LOAN.—GENERAL ORDER.

(Dated 9th January, 1878.)

To the Guardians of the Poor of the several UNIONS named in the Schedule to this Order ;—
And to all others whom it may concern.

WHEREAS, by Section 10 of the Elementary Education Act, 1876, it is enacted as follows :—

"The parent, not being a pauper, of any child, who is unable by "reason of poverty to pay the ordinary fee for such child at "a public elementary school, or any part of such fee, may "apply to the Guardians having jurisdiction in the Parish in "which he resides : and it shall be the duty of such Guardians, "if satisfied of such inability, to pay the said fee, not exceeding "threepence a week, or such part thereof as he is, in the "opinion of the Guardians, so unable to pay ;" [1]

And whereas, by Section 34 of the said Act, it is enacted as follows :—

"All enactments relating to Guardians and their officers and "expenses, and to relief given by Guardians, shall, subject to "the express provisions of this Act, apply as if the Guardians, "including the School Attendance Committee appointed by "them, and their officers acting under this Act, and expenses "incurred, and money paid for school fees, and relief given "under this Act, were respectively acting, incurred and paid, "and given as relief, under the Acts relating to the relief of "the poor, and the Local Government Board may make rules, "orders, and regulations accordingly ;"

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[1] For the remainder of the section see note (1), *ante*, p. 922.

And whereas, by Section 58 of the Poor Law Amendment Act, 1834, it is enacted as follows :—

"From and after the passing of this Act, any relief, or the cost "price thereof, which shall be given to or on account of any "poor person above the age of twenty-one, or to his wife, or "any part of his family under the age of sixteen, and which "the said Commissioners shall by any rule, order, or regulation "declare or direct to be given or considered as given by way of "loan, and whether any receipt for such relief, or engagement "to repay the same, or the cost price thereof, or any part "thereof, shall have been given or not by the person to or on "account of whom the same shall have been so given, shall be "considered and the same is hereby declared to be a loan to "such poor person."

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby order, declare, and direct as follows, with respect to each of the unions named in the Schedule to this Order :

Art. 1.—In every case in which the Guardians decide to pay the School Fee, or any part thereof, under the provisions of Section 10 of the Elementary Education Act, 1876, above recited, and declare the money so paid to be given by way of loan to the parent of the child, such money shall be considered as given by way of loan to the parent accordingly.[1]

Art. 2.—In every case where the money paid in respect of such fee is so given by way of loan, the same shall be recoverable in accordance with the provisions of the Poor Law Acts applicable to the recovery of other relief given on loan.

Art. 3.—In this Order,—

The term "Guardians" includes any body of persons performing the functions of Guardians within the meaning of the Acts relating to the relief of the Poor.

[1] This Order only applies now where children are sent to schools at which fees are still payable, notwithstanding the abolition of school fees by the Elementary Education Act, 1891 (54 & 55 Vict. c. 56). See the note to Art. 41 thirdly of the General (Consolidated) Order of July 24, 1847, on p. 220, *ante*.

The term "unions" includes any union or incorporation of parishes under any General or Local Act, and any single parish having Guardians as above defined, under any General or Local Act.

The term "parent" includes the guardian of a child, and every person who is liable to maintain a child.

SCHEDULE.

Unions and Incorporations.

The Unions named in this Schedule are those named in the Schedule to the General Order, *ante*, p. 474, and also the following Unions and Incorporations, viz. :—

Barton Regis.[1]
Bristol.
Bury St. Edmunds.
Cannock.[2]
Chichester.
East and West Flegg.
Forehoe.
Kingston-upon-Hull.
Norwich.
Oswestry.
Oxford.
Plymouth.
Southampton.

Single Parishes.

The Parishes named in this Schedule are those named in the Schedule to the General Order, *ante*, p. 480, and also the following parishes :—

Alverstoke.
Barrow-in-Furness.
Birmingham.
Brighton.
Liverpool.
Manchester.
Mile End Old Town.
Saddleworth.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Marylebone.
St. Mary, Islington.
St. Mary and St. Andrew, Whittlesey.
St. Pancras.
Stoke Damerel.
Toxteth Park.

Given, &c., this Ninth day of January, 1878.

The foregoing order was applied to the following Unions by Orders issued by the Local Government Board on the dates set opposite the names of the Unions, viz. :

Canterbury	April 8, 1881.
Exeter	May 24, 1878.
Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

[1] This was formerly the Clifton Union.
[2] This was formerly the Penkridge Union.

GENERAL ORDER (METROPOLIS).—PRINTING AND CIRCULATING WEEKLY LISTS OF PAUPERS.

(Dated 14th February, 1878.)

To the Guardians of the Poor of the several Unions and Separate Parishes named in the Schedule to this Order ;—

And to all others whom it may concern.

Whereas it is expedient that provision should be made as hereinafter mentioned, with respect to the publication of lists of persons receiving out-door relief in the several unions and separate parishes named in the Schedule to this Order : [1]

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby Order as follows, with respect to each of such unions or separate parishes :—

Art. 1.—The Guardians may cause lists to be prepared at such intervals as they may deem expedient, being not oftener than once a week, showing the name and address of each pauper who has during the interval been admitted into the workhouse or has received out-door relief, whether in money or in kind, and the amount or value of the out-door relief so received in each case, and

[1] The Local Government Board say that the Poor Law Board, in a Minute dated November 20, 1869, expressed their readiness to authorise the printing of lists of out-door paupers, and the Local Government Board have now, in order to remove any doubt as to the legality of charging the expenses on the poor rate, deemed it expedient to issue regulations upon the subject generally. The Board say that, although they consider it expedient that the lists should be printed for the use of the Guardians, the parish officers, and the ratepayers, it is not desirable that the lists should be placarded by the Guardians or their Officers in public places.—*Instr. Letter*, February 16, 1878.

may cause such lists, or any parts thereof, to be printed and circulated or distributed in such manner as they may think fit.[1]

Art. 2.—Such lists shall be prepared by the relieving officers under the directions of the Guardians, and shall be certified by the clerk to the Guardians in such manner as the Guardians may direct.

Art. 3.—The reasonable costs incurred in the printing, circulation, or distribution of the said lists, or of any parts thereof, shall, in the case of a Union, be charged by the Guardians to the Common Fund.

Art. 4.—The term "separate parish" in this Order includes any place which is under a separate Board of Guardians.

SCHEDULE.

Names of Unions.

City of London.
Fulham.
Greenwich.
Hackney.
Holborn.
Lewisham.
Poplar.
St. George's.
St. Olave's.
St. Saviour's.
Stepney.
Strand.
Wandsworth and Clapham.
Westminster.
Whitechapel.
Woolwich.

Names of Separate Parishes.

Mile End Old Town
Paddington.
St. George-in-the-East.
St. Giles, Camberwell.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Marylebone.
St. Mary Abbotts, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Matthew, Bethnal Green.
St. Pancras.

Given, &c., this Fourteenth Day of February, 1878.

Date of publication in the *London Gazette*, February 15, 1878.

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[1] Orphan and deserted children who are relieved by the Guardians are within Art. 1 of the Order as the relief is given to them; but as regards other children the relief is given to the parents, whose names only should appear in the list. Orphan and deserted children should appear in the lists when they are in district or certified schools.

GENERAL ORDER.—ELEMENTARY EDUCATION ACT, 1876: PRESCRIBING REGISTER OF "ATTENDANCE" AS REGARDS WORKHOUSE SCHOOLS.

(Dated 3rd April, 1878.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in England and Wales;—

To the Boards of Management of the several District Schools formed under the Poor Law Amendment Act, 1844, and the Acts amending the same;

And to all others whom it may concern.

WHEREAS the Local Government Board by a General Order dated the 27th day of October, 1877, gave directions with respect to the attendance, for the purpose of the Elementary Education Acts, of children attending workhouse schools certified by the Board to be efficient; and it is expedient that provision should be made with respect to the registration of attendances in every workhouse school, as hereinafter mentioned:

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, hereby Order as follows, with respect to the registration of the attendance of children in every workhouse school:—[1]

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[1] Further provision with regard to the instruction and school attendance of children in workhouses, separate workhouse schools, and district schools, has been made by a General Order issued by the Local Government Board on January 30, 1897, see *post.* By such Order regulations are made with regard to the hours of instruction which children are to receive, the holidays

Art. 1.—The schoolmaster or schoolmistress, as the case may be, shall, within fifteen minutes from the commencement of the required instruction in secular subjects, mark the attendance of each child present at every meeting of the school in an attendance register according to the Form No. 1 in the Schedule to this Order ; and shall from time to time make out a summary of the attendance register according to the Form No. 2 in the said Schedule, which summary shall be duly examined and signed by the clerk.[1]

Art. 2.—The attendance registers shall be produced to the visiting committee, on their visits to the school, and to the Guardians or the Board of Management at such times as they may direct.

Art. 3.—Every attendance register shall be carefully preserved by the Guardians or the Board of Management for ten years.

Art. 4.—The standards of examination to be observed shall be those prescribed in the Code of the Education Department in force for the time being. A list of the children arranged according to such standards shall be prepared by the schoolmaster or schoolmistress, as the case may be, and presented to the school inspector of the Local Government Board at the time of his annual examination of the school.

Art. 5.—The instruction in the school shall be given at the time specified in a time-table to be prepared by the schoolmaster or

they are to be allowed, the periods of the day during which the instruction is to be given, and in the case of girls, the time which is to be occupied in needlework (Art. II.). Regulations are also made with regard to the withdrawal of children entitled to partial exemption from the obligation to attend school (Art. III.), the attendance of children receiving instruction for half only of the time fixed for the ordinary school hours (Art. IV.), the hours during which children may be employed in industrial training or manual or industrial work (Art. V.), the intervals to be allowed for recreation (Art. VI.), the religious instruction of children (Art. VII.), the weekly holidays to be allowed (Art. VIII.), and the preparation and keeping of time-tables (Art. IX.). Anything in the Order of April 3, 1878, which is inconsistent with the Order of January 30, 1897, is rescinded so far as it relates to children receiving instruction at any of the schools above mentioned (Art. 1).

[1] This Order is not confined to workhouse schools, certified to be efficient, but applies to all workhouse schools, and it will be seen that it embodies some provisions with regard to the standards of examination, and the adoption of time-tables. The attendance register now prescribed supersedes the School Attendance Book hitherto required to be kept in the Form which accompanied the Circular Letter of the Poor Law Board, dated July 12, 1850.—*Instr. Letter*, April 3, 1878.

schoolmistress and approved by the Guardians or Board of Management, as the case may be.[1]

Art. 6.—In this Order—

The word "union" includes any union of parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament;

The term "separate parish" means a parish or place which is under a separate Board of Guardians;

The word "Guardians" includes any governors, directors, managers, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief to the poor from the poor rates under any Act of Parliament;

The term "clerk" means the clerk to the Guardians or the clerk to the Board of Management, as the case may be;

The term "workhouse school" includes any school belonging to a Union or separate parish which is under distinct management from that of the workhouse, whether the school buildings are part of the workhouse premises or, being separate from the workhouse, are situated either within or without the limits of the Union or separate parish, and also any school belonging to a school district formed under the Poor Law Amendment Act, 1844, and the Acts amending the same.

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[1] See now with regard to the times during which instruction is to be given, the General Order of the Local Government Board of January 30, 1897.

SCHEDULE.

FORM No. 1.

Attendance Register.

Quarter ending _____ 18__.

Workhouse School at _____

_____ Union.

No.	Names	Age last birth-day	Standard in which last examined	ATTENDANCES DURING THE WEEK ENDED						Total Attend-ances for the Week	Total Attend-ances for the Quarter	No.
				M.	T.	W.	Th.	F.	S.			
1												1
2												2
3												3
4												4
5												5
6												6
7												7
8												8
9												9
10												10
11												11
12												12
13												13
14												14
15												15
16												16
17												17
18												18
				Number of School Meetings during the week .								

TOTAL NUMBER OF SCHOOL MEETINGS DURING THE QUARTER . . . .

The Schoolmaster or Schoolmistress, as the case may be, is responsible for the accurate keeping of this Register.

Every attendance must be marked in ink at each Meeting of the School; the morning attendance by a stroke marked thus /; the afternoon attendance thus \.

A horizontal line — will denote that no Meeting of the School has taken place.

Absence through sickness must be shown by the letter "s."

Absence on account of industrial work should be shown by the letter "w."

Absence through any cause should be shown by the letter "a."

There should be no erasures and no blanks.

In the Order the preceding additional columns are repeated for the thirteen weeks of the Quarter.

_____ *Schoolmaster or Schoolmistress.*

FORM No. 2.

Summary of Attendance Register.

Year ending _____ 18__.

_____Union.

No.	Names	Standard in which last examined	Attendances during the Quarters ended				Total Attendance for the Year
		Totals [1] .					

[1] In the Order there are 18 spaces for names.

NUMBER OF SCHOOL MEETINGS:—

Quarter ended . . . . . .

Quarter ended . . . . . .

Quarter ended . . . . . .

Quarter ended . . . . . .

TOTAL . . . .

[1] Average number of Scholars in Attendance . . .

[1] The Average number of Scholars in attendance will be found by dividing the Total number of Attendances by the Total number of School Meetings.

_____*Schoolmaster or Schoolmistress.*

Examined on behalf of the Guardians,

_____ { *Clerk of the Guardians* [or *to the Board of Management*].

Given, &c., this Third day of April, 1878.

The foregoing Order was applied to the following Unions by Orders issued by the Local Government Board on the dates placed opposite to the names of such Unions, viz.:—

Canterbury	April 8, 1881.
Exeter	May 24, 1878.
Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.

GENERAL ORDER.—THE LOCAL LOANS ACT, 1875. RETURN AS TO SINKING FUND ORDER.

(Dated 14th November, 1878.)

To the several Local Authorities in ENGLAND and WALES, as defined by "The Local Loans Act, 1875";—[1]

And to all others whom it may concern.

WHEREAS "The Local Loans Act, 1875," by section 13, requires that every loan borrowed in manner provided by that Act [2] shall be discharged within the prescribed period from the date thereof, and that such discharge shall be secured, where a sinking fund is prescribed, but not otherwise, by the establishment of a sinking fund, and the application thereof in manner by that Act provided; [3]

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[1] By section 34 of the Local Loans Act, 1875 (38 & 39 Vict. c. 83), the term "local authority" is defined as follows:—"Local Authority means the justices of any county, liberty, riding, parts, or division of a county in general or quarter sessions assembled, the council of any municipal borough, also any authority whatsoever having power to levy a rate, as in this Act defined, also any prescribed authority." The definition of a "rate" in the Act is, "a rate means a rate, the proceeds of which are applicable to public local purposes, and leviable on the basis of an assessment in respect of property, and includes any sum which, though obtained in the first instance by a precept, certificate, or other document requiring payment from some authority or officer, is or can be ultimately raised out of a rate; and the levy of a rate includes the issue and enforcement of any such precept, certificate, or document as aforesaid, and expressions relating to the levy and the assessment and making of a rate shall be construed accordingly."

[2] The methods prescribed by section 13 of the Local Loans Act, 1875, are the following:—"By the issue of annuity certificates limited to expire within the prescribed period; or, by the issuing of debentures made payable in such a manner that in each year such number of debentures will become due and be paid off as will secure the repayment of the whole sum secured by such debentures by equal annual instalments, extending over the whole of the prescribed period, or over a less time than the prescribed period; or by the annual appropriation, as in this Act mentioned, of a fixed sum to the discharge of a certain portion of such loan; or where a sinking fund is prescribed, but not otherwise, by the establishment of a sinking fund and the application thereof in manner in this Act mentioned."

[3] With regard to the discharge of a loan by means of a sinking fund, the Act

And whereas by section 16 of the said Act it is enacted that "where a sinking fund is created for the purpose of discharging any "loan or part of a loan the local authority shall, until such loan or

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provides in section 15 that:—"Where a sinking fund is prescribed for any loan or part of a loan, the local authority shall create a sinking fund as hereinafter mentioned; that is to say:—

"(1.) Such equal yearly or half-yearly sums shall be paid into the sinking fund in each year as, being accumulated at compound interest at the prescribed rate, or if no rate is prescribed, at such rate as in the opinion of the local authority (regard being had to the securities in which they are authorised to make investments), will at the expiration of some period not longer than the prescribed period, be sufficient, after payment of all expenses, to discharge such loan or part of a loan; and,

"(2.) The first of such payments shall be made within one year from the date of the loan; and,

"(3.) All sums paid into the sinking fund shall be, as soon as may be, invested by the local authority in the prescribed manner, and if no manner is prescribed, or if a manner having been prescribed, the Local Government Board shall assent, in securities in which trustees are by law for the time being authorised to invest, or in debentures, debenture stock, or annuity certificates issued under this Act, and any such investments may be from time to time varied or transposed, and all dividends and other annual sums received in respect of such investments shall, as soon as may be after they are received, be paid into the sinking fund and invested by the local authority in like manner; and,

"(4.) The local authority may from time to time apply the sinking fund, or any part thereof, in or towards the discharge of the loan or part of a loan for which it was created, and until such loan or part is wholly discharged shall not apply the same for any other purpose;

"(5.) The debentures or portion of debenture stock, to the payment of which such sinking fund is for the time being applicable, shall be ascertained in such manner as may have been fixed at the time of the issue of the debentures or debenture stock, or may thereafter have been arranged. Where the debentures or portion of debenture stock to be paid off are or is to be determined by lot, the lots shall be drawn and notice shall be given in manner hereinbefore in this Act mentioned;

"(6.) Any surplus of the sinking fund remaining after the discharge of the loan or part of a loan for the discharge of which it was created shall be paid into some other sinking fund under the control of the local authority, or if there is no such fund shall be applied to any purpose to which such loan is applicable, or otherwise, as the local authority may, with the assent of the Local Government Board, think expedient;

"(7.) Where any part of the sinking fund is invested in any securities of the local authority, or is applied in paying off any part of the loan before the prescribed period, the interest which would otherwise be payable on such securities or on such part of the loan shall be paid into the sinking fund and invested in manner provided by this Act;

"(8.) If the annual income of the sinking fund is not less than the annual interest payable on so much of the loan or part of the loan in respect of which it was created as remains undischarged, the equal annual sums required by this section to be paid into the sinking fund may cease to be so paid."

"part of a loan is discharged, within 21 days after the expiration of "each year, transmit to the Local Government Board a return in "such form, and verified in such manner, as the Board from time to "time directs, showing the amount which has been invested or "applied for the purpose of such sinking fund during the year next "preceding the making of such return, and the description of the "securities upon which any investment has been made, and the "purposes to which any portion of the sinking fund has been applied "during the same period, and the total amount (if any) remaining "invested at the end of the year;" [1]

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby order that, until we shall otherwise direct, the returns relating to a sinking fund required to be transmitted to us in pursuance of section 16 above recited, shall be in the form set forth in the Schedule to this Order, and shall be verified by statutory declaration.[2]

SCHEDULE.

RETURN AS TO SINKING FUND.

Name of Local Authority, _____

Act by which the Sinking Fund is prescribed, _____

Period prescribed for discharge of the Loan, _____

Prescribed mode of investment, if any, _____

Amount of Loan in respect of which the Return is made, _____

Date of Loan, _____

Rate of accumulation, on which the payments into the Fund are based, _____

Whether payments are made yearly or half-yearly _____

Period for which the Return is made, viz., year ending, _____

Date of commencement of Sinking Fund. _____

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[1] The manner in which sinking funds for the discharge of loans may be created is regulated by section 15 of the Act.

[2] Section 16, in addition to the provisions recited in this Order, provides that:—"If it appears to the Local Government Board, by such return or otherwise, that the local authority have failed to comply with the provisions of this Act with respect to the sinking fund, that Board may, if they think fit and after hearing the local authority, if desirous to be heard, by order direct that the sum in respect of which default has been made is to be raised and invested or applied as part of the sinking fund, and any such order may be enforced by *mandamus*."

Amount paid into the Sinking Fund during the Year			Description of Securities on which invested	Nominal value of Securities purchased			Rate of Interest payable thereon			Amount of Loan discharged during the Year			Rate of Interest payable on amount so discharged			Total amount remaining invested at the end of the Year			Description of Securities in which invested
£	*s.*	*d.*		£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	

Dated the _____ day of _____ 18____.

Signed _____ *Clerk.*

[*or other Officer acting for the Local Authority in this behalf.*]

Given, &c., this Fourteenth day of November, 1878.

GENERAL ORDER.—AMENDMENT OF CONSOLIDATED AND OTHER ORDERS.

(Dated 12th February, 1879.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES named in the Schedule to this Order ;—

And to all others whom it may concern.

WHEREAS by certain General and other Orders, addressed by the Poor Law Commissioners, the Poor Law Board, and the Local Government Board respectively to the Guardians of the Poor of each of the Unions and Separate Parishes named in the Schedule to this Order, provision is made for the appointment by such Guardians, from time to time, of persons to hold certain offices, and amongst them the following ; namely,—

Master of the workhouse,
Matron of the workhouse,
Schoolmaster of the workhouse,
Schoolmistress of the workhouse,
Relieving officer ;

and the said Orders contain the following regulations, or regulations to the like effect, with respect to the continuance in office of such officers :—

"Every officer appointed to or holding any office under this Order, other than a medical officer, shall continue to hold the same until he die, or resign, or be removed by the Commissioners or be proved to be insane to the satisfaction of the Commissioners."

"If any master and matron hereafter appointed be husband and wife, and one of them should be dismissed by order of the Commissioners, or should otherwise vacate his or her office, or should die, the other or survivor shall, at the expiration of the then current quarter, cease to hold his or her office of master or matron, as the case may be."

And whereas it is expedient that the regulations above-recited should be altered as hereinafter mentioned :

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby Order as follows :—

Art. 1.—Instead of the regulations above-recited, the following regulations numbered (1) and (2) respectively shall apply to the officers therein-mentioned :

(1.) Every master, matron, schoolmaster, and schoolmistress of a workhouse, and every relieving officer appointed after the twenty-eighth day of February, One thousand eight hundred and seventy-nine, shall continue to hold office until he or she die, or resign, or be dismissed by the Guardians, subject to the consent of the Local Government Board, or by the Local Government Board, or be proved to be insane by evidence which that Board shall deem sufficient.

Provided that the Guardians may, with the like consent, determine the appointment of any such officer at any time before, or at the expiration of the first year of his or her service, by giving to the officer three months previous notice in writing, signed by their clerk, of such their intention.

(2.) In every case where both the master and matron are appointed after the twenty-eighth day of February, One thousand eight hundred and seventy-nine, and whether they be husband and wife or not, the termination of the office of either of them by death, resignation, insanity, or dismissal as aforesaid, shall render the office of the other vacant at the expiration of the then current quarter.

And whereas the above-mentioned Orders contain the following regulation, or a regulation to the like effect, with respect to the division of the said unions and separate parishes into districts for general and medical relief and the assignment of relieving officers and medical officers to such districts :—

'The Guardians may from time to time divide the Union into districts for general and medical relief, with the consent of the

Commissioners ; and on any change in the division of the Union into districts for general and medical relief, or in the assignment of relieving officers and medical officers to such districts, the clerk shall report every such change to the Commissioners for their approbation."

And whereas by General Orders of the Poor Law Board, dated respectively the twenty-fifth day of May, One thousand eight hundred and fifty-seven, and the tenth day of August, One thousand eight hundred and seventy, the said lastly recited regulation has, as regards certain of the unions and separate parishes named in the Schedule to this Order, been altered in relation to changes in the districts for medical relief, and as regards the other unions and parishes therein-named, such alteration has been made applicable or a corresponding alteration has been embodied in other Orders issued to such unions and separate parishes, and it is expedient that such lastly-recited regulation should be altered as hereinafter mentioned, with respect to changes in the districts for general relief, and the assignment of relieving officers to such districts :

Now, therefore, we hereby further Order as follows :—

Art. 2.—Where a change in the extent of the district of a relieving officer appointed after the twenty-eighth day of February, One thousand eight hundred and seventy-nine, or where the transfer of any such relieving officer from one district to another in the same union or separate parish shall be deemed necessary for the more convenient or efficient administration of relief, or otherwise, and he shall decline to acquiesce in such change or transfer, the Guardians may, with the consent of the Local Government Board, and after six months notice in writing, signed by the clerk and given to such officer, determine his office.

And whereas by the above-mentioned Orders, and by other Orders of the Poor Law Board and the Local Government Board, the duties of medical officers, either for districts or for workhouses, are prescribed, and it is expedient to make further provision in that behalf:

Now, therefore, we hereby further Order as follows :—

Art. 3.—Every medical officer appointed by the Guardians after the twenty-eighth day of February, One thousand eight hundred and seventy-nine, whether for a district or a workhouse, shall imme-

diately upon the occurrence of any case of contagious, infectious, or epidemic disease of a dangerous character amongst the pauper patients under his care, give notice thereof to the clerk of the sanitary authority of the urban or rural sanitary district, as the case may be, within which he acts as medical officer, or to the medical officer of health of such authority.

He shall also furnish from time to time to the medical officer of health of such sanitary authority such information with respect to the cases of sickness and the deaths amongst the pauper patients under his care as the Local Government Board may direct, and whenever the Local Government Board shall make regulations for all or any of the purposes specified in Section 134 of the Public Health Act, 1875, he shall observe such regulations as far as the same relate to or concern his office.

And whereas by the Orders firstly before-referred to provision was made for payment to district medical officers of special remuneration for certain operations, subject to a proviso, for which another proviso was substituted by Article 2 of a General Order of the Local Government Board, dated the tenth day of June, One thousand eight hundred and seventy-five ; and it is expedient that the last-named Order should be altered as hereinafter mentioned :

Now, therefore, We hereby further Order as follows :—

Art. 4.—Article 2 of the said Order dated the tenth day of June, One thousand eight hundred and seventy-five, shall, on the twenty-eighth day of February, One thousand eight hundred and seventy-nine, be rescinded, and in lieu thereof the following regulation shall take effect :

After the twenty-eighth day of February, One thousand eight hundred and seventy-nine, no district medical officer shall, except in cases of sudden accident immediately threatening life, be entitled to receive the remuneration prescribed by the firstly before-recited Orders for any amputation unless, before performing it, he shall have obtained, at his own cost, the advice of some person who shall be registered under the Medical Act of 1858, and shall be qualified by law to practise in England and Wales either medicine or surgery, or both ; and unless he shall produce to the Guardians a certificate

from such person stating that, in his opinion, it was right and proper that such amputation should be then performed.

Art. 5.—In this Order—

The word "union" includes any union of parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament.

The term "separate parish" means a parish or place which is under a separate Board of Guardians.

The word "Guardians" includes any governors, directors, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief to the poor from the poor rates under any Act of Parliament.

SCHEDULE.

The unions named in the Schedule are those contained in Schedule B. of the General Consolidated Order, *ante*, p. 474, together with the following unions, viz.:—

Barton Regis.	Exeter.	Plymouth.
Cannock.	Kingston-upon-Hull.	Southampton.
Canterbury.	Oswestry.	

Except that the Clifton, Penkridge, and Presteigne Unions, which are specified in the said Schedule, are not mentioned in this Schedule.

The separate parishes mentioned in this Schedule are those contained in Schedule C. of the General Consolidated Order, *ante*, p. 480, and also the parishes of:—

Alverstoke.	St. Giles-in-the-Fields and St. George, Bloomsbury.	St. Mary, Islington.
Barrow-in-Furness.		St. Mary and St. Andrew, Whittlesey.
Brighton.	St. John, Hampstead.	St. Pancras.
Manchester.	St. Leonard, Shoreditch.	Stoke Damerel.
Mile End Old Town.	St. Marylebone.	Toxteth Park.
Saddleworth.		

Given, &c., this Twelfth day of February, 1879.

Date of publication in the *London Gazette*, 14th February, 1879.

The foregoing Order has been applied to the following unions by Orders of the Local Government Board issued on the dates set opposite their names, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

GENERAL ORDER.—OVERSEERS' NON-POOR RATE ACCOUNTS.

(Dated 20th March, 1879.)

To the Overseers of the Poor of every Parish in ENGLAND and WALES;
And to all others whom it may concern.

WHEREAS by Section 37 of "The Divided Parishes and Poor Law Amendment Act, 1876" (39 & 40 Vict. c. 61), which was passed on the 15th day of August, 1876, it is enacted as follows:—

"From and after the Twenty-fifth day of March next, when an "overseer shall make and levy any rate or assessment which "is not now subject to be audited by the district auditor, or "by any auditor or auditors appointed under or by virtue of "the Metropolis Local Management Act, such rate or assess- "ment, and the accounts relating thereto, shall be submitted, "by him, and by the collector thereof, if any, to the said "auditor, in the like manner, and with the like incidents, "consequences, liabilities, and power of appeal as in the case "of the Poor Rate made by such overseer; and every other "audit of every such rate or assessment, if any, shall cease.

"And the Local Government Board shall have the same power "to make orders to regulate the keeping of such accounts as "they have in regard to other local rates." [1]

Now, therefore, We, the Local Government Board, in pursuance

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[1] The following, amongst others, are special rates to which this Order has application:—
Lighting and Watching Rates (3 & 4 Will. IV. c. 90, ss. 9, 33).
Borough or Watch (Pound) Rates (45 & 46 Vict. c. 50, s. 146).
Burial Board Rates (18 & 19 Vict. c. 128, s. 13).
Highway Rates, South Wales (23 & 24 Vict. c. 68, s. 22).
School Board Rates (33 & 34 Vict. c. 75, s. 54).

of the powers given to us by the Statutes in that behalf, hereby Order as follows :—

Art. 1.—In every case in which, after the Twenty-fifth day of March, One thousand eight hundred and seventy-nine, any rate as defined in this Order shall be made and levied by overseers in any parish or any part thereof, the following regulations shall be observed except in so far as we may from time to time assent to any departure therefrom.

Art. 2.—In this Order—

"Rate" means any rate or assessment coming within the provisions of Section 37 of the "Divided Parishes and Poor Law Amendment Act, 1876," above recited.

"Rateable value" includes net annual value and any other basis of value on which a rate is required to be assessed.

"Overseer" means any person to whom the word "overseer" in the section above recited applies, and the word "overseers" applies not only to the whole body of overseers, but also to the majority of that body.

"Collector" means any person lawfully appointed or employed to collect any rate to which this order applies.

"Parish" means any place for which a separate poor rate shall or can be made or for which a separate overseer is or can be appointed.

KEEPING OF ACCOUNTS.

Overseers.

Art. 3.—The overseers shall (except so far as such books may be kept under their direction by any collector) punctually enter and accurately keep according to the forms and directions in the Schedule to this Order—

A Rate Book, in the Form (No. 1) in the said Schedule. In this book shall be inserted the particulars of the assessment and collection of the rate and the heading or title of the rate, as set forth in the Form ; and the overseers shall, before any sum of money in respect of the said rate is collected, sign a declaration, in the terms or to the effect set forth in the said Form.[1]

[1] See now with regard to the Form of the rate-book the general Order

Provided, that in any case where overseers make a rate as defined in this Order on the same day on which they make a poor rate, and where such rate as defined in this Order is made over an area no part of which is outside the area over which the said poor rate is made, then the said rate as defined in this Order may be made in the same book and on the same pages thereof as the said poor rate, if the two regulations next following and marked (*a.*) and (*b.*) be observed.

(*a.*) On each of the several pages containing the said poor rate there shall be added, after the last column thereof, the several columns numbered from 7 to 16, both inclusive in the Form No. 1 in the said Schedule.

(*b.*) After the heading of the said poor rate, and before the commencement of the columns thereof and of the rate as defined in this Order, the form of heading prescribed in the said Form (No. 1) in the said Schedule shall be inserted, and immediately after the signatures to the form of declaration appended to the said poor rate, the form of declaration prescribed in the said Form (No. 1) in the said Schedule shall be added.

(*c.*) Whether the rate as defined in this Order be made in a separate book or in the same book with a poor rate, the several columns of *The Rate Book* which are numbered 7, 8, 10, and 11 respectively in the said Form (No. 1) shall be added up at the foot of every page, and the several totals shall be ascertained and set forth at the foot of the rate, before any sum of money in respect of the said rate is collected.

(*d.*) If the overseers shall deem it convenient, the rate may be divided into several portions corresponding with the several divisions of the parish, if any, so as to bring all the rateable property of each division together, and there may be separate series of numbers for the assessments in every division, and they may in like manner bring

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of the 13th April, 1897, *post*, and the note to Art. 1 of the General Order for Accounts of January 14, 1867, *ante*, p. 580.

together in the rate separate classes of rateable property.

A Rate Receipt and Payment Book, in the Form (No. 2) in the said Schedule. On one side of this book shall be entered an account of all moneys received by the overseers in respect of the rate, and on the other side, with the proper dates, an account of all moneys paid and expended by them in respect thereof; and the overseers shall sign the same in the place prescribed in the said Form.

A Rate Receipt Check Book, in the Form (No. 3) in the said Schedule. The receipts and counterfoils shall be numbered consecutively with numbers corresponding with those in the rate book, and the overseers shall cause a *Demand Note* to be printed in the *Rate Receipt Check Book*, in the Form prescribed in the said Schedule, and the demand notes shall be numbered so as to correspond with the numbers of the respective receipts.[1]

Art. 4.—When the amount of the rate shall be received from any person assessed, at that time and not before, the receipt applicable to such person's assessment shall be detached from the Rate Receipt Check Book, and the same shall be delivered, stamped with an adhesive stamp where the amount of the payment shall render such stamp necessary, to the person paying the same, and the counterfoil shall be retained in the book.

In the receipt so delivered and in the counterfoil so retained the true date of the payment of the money shall be inserted.

If upon the closing of any rate not collected by a collector there shall remain in the Rate Receipt Check Book any receipts made out for such rate unused, the overseers shall enter upon each of such receipts the reason of its not having been used, and date and sign such entry.

COLLECTOR.

Art. 5.—Every collector shall enter up so much of any books or forms of the overseers relating to the collection of the rate as he may

[1] With regard to the form of demand note now in use, see the note to Article 3 of the General Order for Accounts of January 14, 1867, *ante*, p. 583, and the General Order of the 13th April 1897, *post*.

be directed to enter up by the overseers for the time being, and shall enter in the *Rate Book* all such particulars of every assessment as he shall be directed by such overseers to enter therein ; and every collector shall attend before the auditor at the same time as the overseers of the parish for which he acts.

Provided that the signature of any collector to any book presented to the auditor shall not be taken to stand for or supply the place of the signature of any overseer which may be required by this Order.

Art. 6.—Every collector shall in all cases fill up and use as is hereinbefore directed in the case of overseers, the *Rate Receipt Check Book*, in the Form (No. 3) hereinbefore prescribed.

Art. 7.—The collector, before he shall proceed to collect any rate, shall prepare receipts in one book, or in several, if so directed by the overseers, in the aforesaid Form, numbered both on the receipt and the counterfoil thereof with the same number consecutively throughout the book, and properly fill in the same respectively with the names of the several ratepayers, and the sum to be collected from each, and submit every such Rate Receipt Check Book, so numbered and filled up, to the overseers before he proceeds to collect the rate ; and such overseers shall cause the correctness of the numbering, and the correspondence of the sums, and of the names filled in, with the rate book to which they relate, to be ascertained, and on the leaf next after the last of the receipts so made out in respect of any one rate the overseers shall certify the fact that such Rate Receipt Check Book has been examined and ascertained to be correct, and shall state in words at length the number of receipts filled up for the rate then to be collected, which certificate shall be in the Form set forth in the said Schedule, and shall be signed by the overseers and correctly dated.

If upon the closing of any rate collected by a collector there shall remain in the Rate Receipt Check Book any receipts made out for such rate unused, the collector to whom such book shall belong shall enter upon each of such receipts the reason of its not having been used, and date and sign such entry.

Art. 8.—The collector shall pay over all moneys collected by him

in respect of the rate to the overseers or their banker at intervals of not more than a month, and also whenever he has fifty pounds in his hands, or more frequently if the overseers so direct him ; and he shall keep a book, to be called the *Collecting and Deposit Book*, in the Form (No. 4) in the said Schedule, in which shall be entered accurately, and under their true dates all sums received and deposited or paid by him as such collector, and also the number of every receipt given by him as such collector out of the *Rate Receipt Check Book*, and he shall balance such book monthly, at the times specified in Art. 9 ; and any overseer who shall receive any money from such collector shall write his initials against the entry of the sum so deposited with him.

Art. 9.—The collector shall a keep a book containing blank Forms of *Monthly Statements* in the Form (No. 5) in the said Schedule, and shall every month fill up one of such statements with the several particulars set forth in the said Form, which statement shall be made up to the last day of every calendar month inclusive, excepting in the case of the month of March, when it shall be made up to the 25th, and in that of the month of September, when it shall be made up to the 29th ; so that any receipts or payments on the remaining days of those months respectively shall be included in the next monthly statement ; and he shall forthwith deliver a copy of such statement, signed by himself, to one of the overseers.

Provided that the overseers may, if they think fit, require a statement, containing the several particulars set forth in the said Form, to be made out and delivered to them respectively every week or fortnight.

The overseer who receives the statement shall enter his initials in the column against the amount stated to be paid to the overseers, if he shall have received the sum there mentioned ; and he shall mark on such statement the date of his receipt thereof, and preserve the copies delivered to him, and produce the same to the auditor at the next audit.

Art. 10.—The collector shall, previous to each audit, make out an *Unpaid Rates Statement*, in the Form (No. 6) in the said Schedule, containing a statement of the rates allowed during the

last half year, with the dates of their allowance, and showing the name of every person rated in respect of whom there shall be at the end of the half year for which the audit is being held, any arrears of the rate or rates made before that in the course of collection on the last day of that half year, with the other particulars set forth in the Form. He shall submit such statement to one of the overseers for his signature, and shall produce the same to the auditor at the audit.

Art. 11.—In every case in which there shall be more than one collector employed in the collection of any one rate, the provisions of the several Articles hereinbefore made shall apply to the portion of such rate assigned to each collector as if such portion were one entire rate.

Examination and Closing of Accounts.

Art. 12.—The overseers or the collector, as the case may be, shall make up and balance the Rate Book and the Receipt and Payment Book to the twenty-fifth day of March and the twenty-ninth day of September in each year.

Art. 13.—The overseers shall, as soon as they shall receive notice from the auditor of the day or days appointed by him for the auditing of their accounts, cause the following notice to be affixed on the place or places where parochial notices are usually affixed, and shall continue the same so affixed until the audit is completed :—

"Parish of _____.

"Notice is hereby given, that the half-yearly accounts relating to the rate[1] will, on the day of , be deposited at ; and that such accounts will be open to be inspected, examined, and copied by any owner of property or ratepayer having an interest in such accounts, at any reasonable hour in the day-time, until the day of ; and that on the last-mentioned day, at the hour of , the accounts will be audited by at , when and where every such owner of property or ratepayer, who may have any objection to any

[1] If the rate is levied in a part only of the parish, this should be duly stated.

matter contained in the above-mentioned accounts, may attend, and prefer his objection, and the same will be heard and determined by the auditor.

"Dated _____

"_____ } Overseers."

"_____

Art. 14.—The overseers shall, seven clear days before the day appointed for auditing the accounts, deposit the said accounts at the place appointed, and shall permit the said accounts to be inspected, examined, and copied by any owner of property or ratepayer having an interest in the said accounts, at any reasonable hour in the day-time, after the said accounts shall have been so deposited, and previous to the day appointed for the audit.

Art. 15.—In case the auditing of any of the accounts shall be adjourned for any longer period than from day to day, the overseers, on receiving from the auditor notice thereof, shall affix, in manner aforesaid, notice of the time and place of such adjournment, and of the accounts remaining to be audited, as often as such adjournment shall be made.

Auditing of Accounts.

Art. 16.—The auditor shall audit the accounts of the overseers and of the collector once in every half year, that is to say, as soon as may be after the twenty-fifth day of March and the twenty-ninth day of September. Provided always, that if the auditor shall be required by the Local Government Board to hold an extraordinary audit, either of the whole or of any portion of the accounts in addition to the ordinary audit, all the provisions herein-contained, with reference to the ordinary audit, shall, as far as they may be applicable, apply to such extraordinary audit.

Art. 17.—The auditor, in respect of every ordinary audit, shall give to the overseers and the collector fourteen days' notice in writing of the time and place on and at which he intends to commence the audit of the accounts.

Art. 18.—The overseers and the collector shall attend at the time and place appointed by the auditor for the audit of their accounts,

and shall submit to the auditor all books, documents, and vouchers containing or relating to their accounts; and the same shall at the time of the audit be open to the inspection of any owner of property or ratepayer having an interest in such accounts, but to such extent and in such manner only as will not in the judgment of the said auditor, interfere with the audit.

Art. 19.—In auditing the accounts, the auditor shall see that they have been kept and are presented in proper form; that the particular items of receipt and expenditure are stated in sufficient detail, and that the payments are supported by adequate vouchers and authority; and he shall ascertain whether all sums received, or which ought to have been received, are brought into account; and he shall examine whether the expenditure is in all cases such as might lawfully be made; and he shall reduce such payments and charges as are exorbitant; shall surcharge moneys not duly accounted for, or lost by negligence, upon the person who ought to account for the same, or whose negligence or improper conduct has caused the loss; and shall disallow and strike out such payments as are not authorised by law.[1]

Art. 20.—When the auditor disallows any payment or surcharges any sum upon any person he shall declare the ground of his decision, and offer to state such ground in writing, if required by the person aggrieved to do so, in the proper book of account forthwith, or so soon as the arrangements for the business of his audit will permit, and shall report such disallowance or surcharge to the Local Government Board.

Art. 21.—The auditor shall examine and collate the several books and papers of account; and shall ascertain that the several entries correspond with and balance each other, where such balance may be required; but in case of any error caused by inadvertence or acci-

[1] By section 3 of the Local Authorities (Expenses) Act, 1887 (50 & 51 Vict. c. 72, it is enacted that:—"Expenses paid by any local authority whose accounts are subject to audit by a district auditor shall not be disallowed by that auditor if they have been sanctioned by the Local Government Board." The expression "Local Authority" has the same meaning as in the Local Loans Act, 1875, see the note (1) to the General Order of November 14, 1878, *ante*, p. 973, and the expression "District Auditor" has the same meaning as in the District Auditors Act, 1879 (*Ib.* s. 2).

dent in any account he may require the overseers or collector rendering it to correct the same, and the overseers or collector shall make the necessary correction, and the auditor shall then deal with the account so corrected. But if the overseers or collector shall refuse to do so, the auditor shall himself make the correction, and report the circumstances of the case to the Local Government Board.

Art. 22.—The auditor shall compute the several accounts so as to verify the arithmetical accuracy thereof, and the balance due to or from the overseers or the collector at the time to which the audit relates ; and he shall state the balance in words at length, and certify the same by his signature or initials, and add the date of the audit ; and when he certifies any sum or other matter to be due he shall, as far as practicable, enter his certificate and his reasons for the same (when they are required) in some part of the book of account, which shall be free from other writing.

Art. 23.—The auditor shall receive any objection made by a ratepayer, or any person aggrieved, against the accounts undergoing audit, or any item or charge therein, or any vouchers or authority for the same, and shall examine into the merits of such objection, and make a decision respecting the same, stating the grounds thereof, and offering to enter the same in the book of account then being examined, if required to do so, as in the case of a disallowance or surcharge.

Art. 24.—The personal representatives of an overseer or collector accountable under this Order, dying before the audit of his accounts, shall, so far as they may be by law required, account, in conformity with the provisions herein-contained, in the place of such deceased overseer or collector ; and all regulations affecting the accounts of such overseer or collector shall, so far as may be otherwise lawful, affect the accounts of his personal representatives.

Art. 25.—The auditor shall, at the close of each audit, transmit to the Local Government Board a statement in the Form (No. 7) in the said Schedule, showing which of the books directed by this Order to be kept is not kept, or is imperfectly kept, or kept in a form different from that prescribed by the Local Government Board.

SCHEDULE.

FORM (No. 1).

The _____

Form of Heading

An Assessment for the of the Parish of
in which the provisions of the Act with respect to the purpose
, in the year of our Lord One thousand eight hundred and

RATE													
Number	Name of Occupier	Name of Owner	Description of Property rated	Name or Situation of Property	Estimated Extent			Rateable Value			[1] Rate at in the Pound			Amount of Rate assessed upon and payable by the Owner, instead of the Occupier, by virtue of the Statute or Statutes in that behalf.		
1	2	3	4	5	6			7			8			9		
					A	R	P	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
TOTALS																

Form of Declaration at the foot of the "Rate."

We, the undersigned, do hereby declare that one of us, or some person on our behalf, has examined and compared the several particulars in the respective columns of the above Rate with the Valuation List in force in this Parish, and that the several hereditaments are, to the best of our belief, rated according to the rateable value appearing in such Valuation List.

We also declare that the total of the above Rate, as shown in Column 8, amounts to the sum of Pounds Shillings and Pence.

_____, *Overseer.*

_____, *Overseer.*

[1] Where the Rate is made under the Lighting and Watching Act (3 & 4 Will. IV. c. 90), there having been duly held under the said Act on the day of , 18 , at purposes of the said Act for the current year ending the day

SCHEDULE.

FORM (No. 1).

Rate Book.

to the "Rate."

[*or* that part of the Parish of], in the County of
[*or* purposes] aforesaid, have been adopted, made this day of
, after the rate of in the Pound.[1]

COLLECTION																		
Recoverable Arrears of former Rate			Total Amount to be collected			Amount actually collected			Uncollected at balancing this Book									
									Recoverable Arrears at balancing the Book			Irrecoverable at balancing this Book						
												Amount legally excused			Otherwise not recoverable			
															Amount			Causes
10			11			12			13			14			15			16
£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	

Where the Rate is levied in different proportions on different descriptions of property, this column must be divided accordingly; thus, in the case of a Rate made under the Lighting and Watching Act (3 & 4 Will. IV. c. 90) it may be—

Rate in the Pound	
8	
(*a*) At 3*d.* on Property other than Land	(*b*) At 1*d.* on Land

should be added here "a Meeting of Ratepayers of the said Parish [*or* part of the Parish] which it was determined that the sum of Pounds should be raised for the of 18 ."

FORM (No. 2).

_____ *Rate Receipt and Payment Book.*

PARISH OF _____

The Overseers' Account for the Half-Year ending the ___ day of ___ 18

RECEIPTS							PAYMENTS				
Dates	Items			Totals			Dates	Items	Totals		
		£	s.	d.	£	s.	d.			£	s.	d.
	Balance brought forward :—											
	Memorandum.[1] Rate allowed on—day of—[2] on £ —at— per £ . . .											
	Arrears brought forward . . .											
	Total . .											
	Amount of Rates legally excused .											
	Ditto ditto not recoverable . .											
	Amount collected .											
	Balance .											

We declare the entries in the above Account to be true, just, and complete; and in verification thereof, we have hereunto subscribed our names, this day of 18 .

_____ } *Overseers.*
_____ }

find the Balance of this Account to be _____ Pounds _____ Shillings and _____ Pence, against (*or* in favour of, *as the case may be*) the Overseers who have signed this Account [and I certify that amount to be due from them].

Dated _____ _____ *Auditor.*

[1] Here insert the amount of the Rates made during this Half-year.

[2] Where the Rate is levied in different proportions on different descriptions of property, the total rateable value, the rate in the Pound, and the total amount assessed in respect of each description of property, should be shown separately.

FORM (No. 3).

_____ *Rate Receipt Check Book.*

This part is to be retained by the Overseers.

COUNTERFOIL

Parish of _____
the __ *day of* __
18—.
Mr. _____
Rate made on
the __ *day of*
_____
Arrear £ _____

RECEIPT

Parish of _____, *the* _____
day of _____ 18—.
Received of _____
the sum of _____ *in respect*
of the _____ *Rate of*
the above Parish, viz.:—

	£	s.	d.
[1] *Rate made the* _____ *day of* _____ 18—*at* _____ *in the Pound on* £ _____ *Rateable Value*			
Arrear of former rate			
Total . .			

(*Signed*) _____

DEMAND NOTE

Parish of _____
Mr. _____
_____ *Street.*
The Overseers of
the Poor demand pay-
ment of the _____
[1] *Rate made the* _____
day of _____ 18—,
and of the arrears of
former Rates as below,
now due from you.

	£	s.	d.
At _____ *in the Pound on* £ _____ *rateable Value*			
Arrears . .			
Total .			

(*Signed*) _____

[1] Where the rate is levied in different proportions on different descriptions of property, the Demand Note and the Receipt should show the description of property in respect of which the amount due is assessed; thus, under the Lighting and Watching Act (3 & 4 Will. IV. c. 90), it may be instead of "on £ Rateable Value," "at in the Pound on £ Rateable Value of property other than land;" "at in the Pound on £ Rateable Value of land."

And in such cases the Counterfoil should also show in respect of which description of property the money was received.

FORM (No. 4).

The _____ *Rate Collecting and Deposit Book.*

PARISH OF _____ _____ Collector.

RECEIPTS						DEPOSITS					
Date of Receipt	Date of the Rate, and that of the Arrears, if any	No. of Receipt	Amount			Date	Initials of the Overseer with whom deposited	With whom deposited, or to whom paid	Amount [1]		
			£	s.	d.				£	s.	d.

[1] When the Collector deposits or pays any sum he shall carry out the total amounts in this column against the entry of the sum in the Deposits; and when he deposits money with the Overseer he shall request him to insert his initials in the proper column.

FORM (No. 5).

The Collector's Monthly Statement (_____ *Rate*).

PARISH OF _____. Month of _____ 18 .

Drs. The Ratepayers in account with the Collector *Crs.*

	£	s.	d.		£	s.	d.
Recoverable arrears as per last month's statement .				Amount of Rates collected since last month's statement			
Amount of Rate allowed on the day of				Ditto legally excused .			
				Ditto irrecoverable . .			
				Ditto recoverable . .			
Total . . .				Total . . .			

Dr. The Collector in account with the Overseers *Cr.*

	£	s.	d.	[1] Initials of the Overseers		£	s.	d.
Balance (if any) in the Collector's hands at the end of last month . .								
Amount of Rates collected since					Amount deposited with the Overseers or their Banker .			
					Balance (if any) in the Collector's hands .			
Total . . .					Total . .			

Dated _____ 18 . _____ Collector.

Received the _____ day of _____ 18 .

_____ *Overseer.*

[1] Place for the initials of the Overseer who, having received the money, receives the statement from the Collector.

The statements received by the Overseers are to be preserved by them, and laid before the Auditor.

FORM (No. 6).

The Collector's Unpaid Rates Statement (_____ *Rate*).

PARISH OF_____

Showing the number of rates made during the Half-year last ended, with dates of their allowance, and the names of the parties rated who are in arrear in respect of the under-mentioned rates made previous to and during the Half-year ended (Lady *or* Michaelmas) Day immediately before that in course of collection on that day.

The number of rates allowed during the Half-year ended at_____ last _____[ ],

Dates of the allowances_____.

NAMES OF PERSONS IN ARREAR

Date of the Rate	Number in Rate Book	Name of the Person assessed	Amount of Rates	Reason why not paid
			£ s. d.	

FORM (No. 7).

_____ *Audit District.*

_____ UNION. _____ PARISH.

A Statement of the Auditor for the Half Year ended _____ 18 , in reference to the Books required to be kept by the Officers of the above-mentioned Parish as regards the _____ Rate.

_____ *Overseer.* _____ *Collector.*

The Overseer and the Collector above-named attended the Audit.[1]

OBSERVATIONS

Rate Book.	
Rate Receipt and Payment Book.	
Rate Receipt Check Book.	
Collecting and Deposit Book.	
Monthly Statement.	
Unpaid Rates Statement.	
The Audit of the above Accounts was concluded the day of 18 .	

_____ *Auditor.*

Date _____ 18 .

Against the name of any book contained in this statement which is not kept at all, or is imperfectly kept, the auditor is to write in the former case "not kept," and in the latter "imperfectly." In case of any book being imperfectly kept, the general nature of the imperfection is to be set forth *on the other side*, together with such observations as the auditor considers requisite. Where there is no defect, the auditor should state the fact. He is also to report whether any paid officer has in any respect disobeyed, neglected, or departed from any of the regulations of this Order applicable to his office.

Given, &c., this Twentieth day of March, 1879.

Date of publication in the *London Gazette*, 21st March, 1879.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891; and to the Grimsby Union by an Order dated April 3, 1890.

[1] If this is not so, alter the statement according to the fact.

GENERAL ORDER (AMENDMENT OF REGULATIONS: DISTRICT SCHOOLS).

(Dated 14th June, 1879.)

To the Boards of Management of the several SCHOOL DISTRICTS named in the Schedule to this Order ;—

And to all others whom it may concern.

WHEREAS by certain Orders, addressed by the Poor Law Commissioners, the Poor Law Board, and the Local Government Board respectively to the Board of Management of each of the School Districts named in the Schedule to this Order, provision is made for the appointment by such Board of Management, from time to time, of persons to hold certain offices, and amongst them the following ; namely,—

Superintendent,
Matron,
Schoolmaster,
Schoolmistress,
} of the School ;

and the following regulations, or regulations to the like effect, are contained in or made applicable by the said Orders, with respect to the continuance in office of such officers :

"Every officer appointed by the managers shall continue to hold his office until he shall die, or resign, or be removed by the Commissioners, or be proved in a manner satisfactory to the Commissioners to be insane."

"If any superintendent and matron be husband and wife, and one of them be dismissed by order of the Poor Law Board, or otherwise

vacate his or her office, or die, the other, or survivor, shall at the expiration of the then current quarter, cease to hold his or her office of superintendent or matron, as the case may be."

And whereas it is expedient that the regulations above-recited should be altered as hereinafter mentioned :

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby order as follows :—

Art. 1.—Instead of the regulations above-recited, the following regulations numbered (1.) and (2.) respectively shall apply to the officers therein mentioned :

(1.) Every superintendent, matron, schoolmaster, and schoolmistress of a district school, appointed after the twenty-fourth day of June, One thousand eight hundred and seventy-nine, shall continue to hold office until he or she die, or resign, or be dismissed by the Board of Management, subject to the consent of the Local Government Board, or by the Local Government Board, or be proved to be insane by evidence which that Board shall deem sufficient.

Provided that the Board of Management may, with the like consent, determine the appointment of any such officer at any time before, or at, the expiration of the first year of his or her service, by giving to the officer three months' previous notice in writing, signed by their clerk, of such their intention.

(2.) In every case where both the superintendent and matron are appointed after the twenty-fourth day of June, One thousand eight hundred and seventy-nine, and whether they be husband and wife or not, the termination of the office of either of them by death, resignation, insanity, or dismissal as aforesaid, shall render the office of the other vacant at the expiration of the then current quarter.

And whereas by the above-mentioned Orders, and by other Orders of the Poor Law Board and the Local Government Board the duties of medical officers appointed by Boards of Manage-

ment of District Schools are prescribed, and it is expedient to make further provision in that behalf :

Now therefore, We hereby further order as follows :—

Art. 2.—Every medical officer appointed by a Board of Management of a District School after the twenty-fourth day of June, One thousand eight hundred and seventy-nine, shall immediately upon the occurrence of any case of contagious, infectious, or epidemic disease of a dangerous character amongst the pauper patients under his care, give notice thereof to the Clerk of the Sanitary Authority of the Urban or Rural Sanitary District, as the case may be, within which the school building is situated, or to the Medical Officer of Health of such authority.

He shall also furnish from time to time to the Medical Officer of Health of such Sanitary Authority such information with respect to the cases of sickness and the deaths amongst the pauper patients under his care as the Local Government Board may direct, and whenever the Local Government Board shall make regulations for all or any of the purposes specified in Section 134 of the Public Health Act, 1875, he shall observe such regulations so far as the same relate to or concern his office.

SCHEDULE.

Brentwood School District.
Central London School District.
Farnham and Hartley Wintney School District.
Forest Gate School District.
North Surrey School District.
Reading and Wokingham School District.
South-East Shropshire School District.
South Metropolitan School District.
Walsall and West Bromwich School District.
West London School District.

Given, &c., this Fourteenth day of June, 1879.

GENERAL ORDER.—AMENDMENT OF REGULATIONS: SEPARATE WORKHOUSE SCHOOLS.

(Dated 21st June, 1879.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES named in the Schedule to this Order;—

And to all others whom it may concern.

WHEREAS by certain Orders[1] addressed by the Poor Law Commissioners, the Poor Law Board, and the Local Government Board, respectively, to the Guardians of the Poor of each of the unions and separate parishes named in the Schedule to this Order, provision is made for the appointment by such Guardians, from time to time, of persons to hold certain offices, and amongst them the following; namely,—

Superintendent or Master,
Matron or Assistant-Matron[2]
Schoolmaster,
and
Schoolmistress
} of the Separate Workhouse School belonging to such Union or Parish:

and the following regulations, or regulations to the like effect, are contained in or made applicable by the said Orders, with respect to the continuance in office of such officers:

"Every officer appointed to or holding any office under this Order, other than a medical officer, shall continue to hold the same until he die, or resign, or be removed by the Commissioners, or be proved to be insane to the satisfaction of the Commissioners."

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[1] As the Orders referred to are not "General" Orders, but apply only to the individual Unions, they are not included in this work.

[2] By a subsequent Order, dated September 12, 1879, such of the provisions of this Order as relate to an assistant-matron of a separate workhouse school shall not be applicable to any such assistant-matron appointed by the Guardians of any of the Unions or the separate Parishes mentioned in the Schedule after September 29, 1879.

"If any master or matron hereafter appointed be husband and wife, and one of them should be dismissed by Order of the Commissioners, or should otherwise vacate his or her office, or should die, the other or survivor shall, at the expiration of the then current quarter, cease to hold his or her office of master or matron, as the case may be."

And whereas it is expedient that the regulations above-recited should be altered as hereinafter mentioned :

Now therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby Order as follows :—[1]

Art. 1.—Instead of the regulations above-recited, the following

---

[1] With reference to the foregoing Order the Local Government Board say that—

"The first alteration relates to the tenure of office of superintendents or masters, matrons, schoolmasters, and schoolmistresses of separate workhouse schools, *appointed after August 1 next.*

"Under the existing regulations, persons holding these appointments are entitled to continue in office until they die, resign, or are removed by the Local Government Board, or become insane, the power of the Guardians being limited to the suspension of any such officer from the discharge of his or her duties. By Article 1 (No. 1) of the present Order, the Guardians are enabled to dismiss any such officer, subject only to the consent of the Board.

"The Article further provides that in the case of any such officer the Guardians may, with the consent of the Board, determine the appointment at, or before, the expiration of the first year of service, by giving three months' notice in writing.

"The effect of these alterations will be to enable the Board, in cases where charges of misconduct are made against such officers, to accept without local inquiry the decision of the Guardians, and also to render the appointments of persons to the before mentioned offices subject to a period of probation.

"Article 1 (No. 2) of the Order contains a further provision, which experience has shown to be desirable, with respect to the offices of master or superintendent, and matron of the school. At present, a vacancy in one of those offices involves relinquishment of the other at the expiration of the then current quarter, in cases where the officers are man and wife. The regulation now introduced makes either office determinable in like manner upon the other becoming vacant, whether the master or superintendent and matron be husband and wife, or not. This new provision also applies only to appointments made after August 1 next.

"Article 2 of the Order, which also applies only to appointments made after August 1 next, imposes some additional duties on medical officers of separate workhouse schools. Every such medical officer will be under the obligation of giving notice to the clerk or to the medical officer of health of the Sanitary Authority within which the school building is situated, of the occurrence of contagious, infectious, or epidemic disease of a dangerous character amongst the

regulations numbered (1.) and (2.) respectively shall apply to the officers therein mentioned :

(1.) Every superintendent or master, matron or assistant matron,[1] schoolmaster, and schoolmistress of a separate workhouse school, appointed after the first day of August, One thousand eight hundred and seventy-nine, shall continue to hold office until he or she die, or resign, or be dismissed by the Guardians, subject to the consent of the Local Government Board, or by the Local Government Board, or be proved to be insane by evidence which that Board shall deem sufficient.

Provided that the Guardians may, with the like consent, determine the appointment of any such officer at any time before, or at the expiration of the first year of his or her service, by giving to the officer three months' previous notice in writing, signed by their clerk of such their intention.

(2.) In every case where both the superintendent or master and the matron are appointed after the first day of August, One thousand eight hundred and seventy-nine, and whether they be husband and wife or not, the termination of the office of either of them by death, resignation, insanity, or dismissal as aforesaid, shall render the office of the other vacant at the expiration of the then current quarter.

And whereas by the above-mentioned Orders, and by other Orders of the Poor Law Board and the Local Government Board, the duties of medical officers for separate workhouse schools are prescribed, and it is expedient to make further provision in that behalf :

Now, therefore, We hereby further Order as follows :—

Art. 2.—Every medical officer appointed by the Guardians after the first day of August, One thousand eight hundred and seventy-

pauper patients under his care, and of furnishing to the medical officer of health, from time to time, information with respect to sickness and deaths amongst such patients. He is also required to observe any regulations made by the Local Government Board for all or any of the purposes specified in Section 134 of the Public Health Act, 1875, in relation to the prevention of the spread of dangerous infectious disease."—*Instr. Letter*, June 24, 1879.

[1] See the General Order of September 12, 1879, *post*, p. 1012.

nine, for a separate workhouse school, shall immediately upon the occurrence of any case of contagious, infectious, or epidemic disease of a dangerous character amongst the pauper patients under his care, give notice thereof to the clerk of the Sanitary Authority of the Urban or Rural Sanitary District, as the case may be, within which the school building is situated, or to the medical officer of health of such authority.

He shall also furnish from time to time to the medical officer of health of such Sanitary Authority such information with respect to the cases of sickness and the deaths amongst the pauper patients under his care as the Local Government Board may direct, and whenever the Local Government Board shall make regulations for all or any of the purposes specified in Section 134 of the Public Health Act, 1875, he shall observe such regulations as far as the same relate to or concern his office.

Art. 3.—In this Order—

The word "Union" includes any union of Parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament.

The term "separate Parish" means a Parish or place which is under a separate Board of Guardians.

The word "Guardians" includes any governors, directors, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief to the poor from the Poor Rates under any Act of Parliament.

SCHEDULE.

Unions.

Birkenhead.	Leeds.	Oxford.
Cardiff.	Merthyr Tydvil.	Strand.
Holborn.	Newport (Monmouth).	Westminster.

Separate Parishes.

Brighton.	Saint Marylebone.
Liverpool.	Saint Mary, Islington.
Manchester.	Saint Mary, Lambeth.
Mile End Old Town.	Saint Matthew, Bethnal Green.
St. George-in-the-East.	St. Pancras.

Given, &c., this Twenty-first day of June, 1879.

Date of publication in the *London Gazette*, June 24, 1879.

Orders and Regulations for the Government of Workhouse Infirmaries have been issued as follows :—

City of London	December 7, 1874.
Croydon	July 18, 1885.
Fulham	January 31, 1884.
Greenwich	January 9, 1876.
Hackney	December 22, 1874.
St. George-in-the-East.	June 27, 1871. March 2, 1876.
St. George's	December 10, 1877.
St. Giles, Camberwell	August 29, 1873.
St. Leonard, Shoreditch	June 24, 1872.[1] March 2, 1876.
St. Luke, Chelsea	December 23, 1873.
St. Mary Abbotts, Kensington	June 24, 1872.[1] March 2, 1876.
St. Mary, Islington	June 27, 1871. March 2, 1876.
St. Mary, Lambeth	August 25, 1873.
St. Olave's	August 31, 1875.
St. Saviour's	August 8, 1877. August 31, 1877.
Wandsworth and Clapham	June 27, 1871. May 25, 1872. March 2, 1876.
Whitechapel	October 23, 1876. December 19, 1876.
Woolwich	August 14, 1873.

School Districts.

Orders and Regulations for the Government of the Schools of the several Districts have been issued as follows :—

Banstead	School Regulations, including Accounts	July 14, 1880.
Brentwood	Proceedings of Managers and School Regulations	March 24, 1877.
Branch at Hanworth		January 17, 1883.
Central London	Proceedings of Managers	April 4, 1849.
	School Regulations	January 17, 1852.
	Amending ditto	May 4, 1875.
Farnham	Proceedings of Managers	October 25, 1849.
	School Regulations	January 17, 1852.

[1] A General Order for the Government of Infirmaries, distinct from the workhouses of the parishes of St. Mary Abbotts, Kensington, and St. Leonard, Shoreditch, was issued on June 24, 1872.

Forest Gate . . .	Proceedings of Managers .	July 24, 1868.
	Ditto, Amending . .	August 5, 1870.
	School Regulations . .	March 22, 1869.
Kensington & Chelsea .	Proceedings of Managers .	October 26, 1876.
	Ditto, Amending . .	December 29, 1876.
Lincolnshire & Nottinghamshire . . .	Proceedings of Managers .	March 19, 1868.
North Surrey . . .	Proceedings of Managers .	April 27, 1849.
	Ditto, Amending . .	March 24, 1852.
	School Regulations . .	May 22, 1851.
	Ditto, Amending . .	May 4, 1875.
Reading & Wokingham .	Proceedings of Managers .	December 24, 1849.
	School Regulations . .	February 10, 1852.
South-East Shropshire .	Proceedings of Managers .	August 6, 1849.
	School Regulations . .	August 16, 1851.
	Ditto, Amending . .	November 3, 1852.
South Metropolitan .	Proceedings of Managers .	April 21, 1849.
	Ditto, Amending . .	February 2, 1876.
	Ditto, ditto . .	May 4, 1875.
	School Regulations . .	July 18, 1854.
Walsall & West Bromwich	Proceedings of Managers .	February 12, 1869.
	School Regulations . .	July 1, 1861.
West London . .	Proceedings of Managers .	March 20, 1868.
	School Regulations . .	April 23, 1862.
Central London . . Farnham and Hartley Wintney . . . Forest Gate . . . Kensington & Chelsea . North Surrey . . . Reading & Wokingham . South-East Shropshire . South Metropolitan . Walsall & West Bromwich . . . . West London . . .	Qualification of Managers .	September 12, 1894.

For the dates of the Accounts Orders issued to the School Districts, see *ante* p. 690.

The foregoing separate School District Orders have been amended by the General Orders of June 14, 1879, *ante*, p. 1000, and November 11, 1879, *post*, p. 1019.

PUBLICATION OF STATEMENT OF ACCOUNTS (METROPOLIS).

(Dated 4th July, 1879.)

To the Guardians of the Poor of the several Unions and Separate Parishes named in the Schedules A. and B. to this Order;—

And to all others whom it may concern.

Whereas by a General Order dated June 27, 1870,[1] addressed (amongst others) to the Guardians of the several Unions named in the Schedule A. to this Order, and by certain General Orders dated January 2, 1871, and March 9, 1871, addressed (amongst others) to the Guardians of the Poor of the several Separate Parishes named in Schedule B. to this Order, the Poor Law Board made provision for the printing, circulating, and advertising by the Guardians of the Poor of such Unions or Parishes of the Statistical and Financial Statements therein mentioned, or any parts thereof, and in the case of the said Unions provision was also made for the printing, circulating, and advertising of the Parochial List and Statement of Account therein referred to, or any parts thereof:

And whereas it is expedient that further provision should be made as hereinafter mentioned:

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby Order as follows with respect to the Guardians of the Poor of each of the Unions and separate Parishes named in the Schedules A. and B. to this Order:

[1] See *ante*, p. 795.

Art. 1.—Where the Guardians deem it expedient that, in addition to the said Statistical and Financial Statements and the said Parochial List and Statement of Account, an additional account of the Receipts and Expenditure of the Guardians, with such further information relating thereto as can be given within reasonable limits, shall be prepared, it shall be the duty of the clerk to prepare the same accordingly.[1]

Art. 2.—The Guardians may, in substitution for the said Statistical and Financial Statements and the said Parochial List and Statement of Account, cause the said additional Account, when so prepared with such information as aforesaid, to be printed and circulated among the ratepayers of the Union or separate Parish, or to be advertised in some newspaper or newspapers circulating within the Union or separate Parish.

Art. 3.—The reasonable costs incurred under this Order by the Guardians of a Union shall be charged to the common fund of the Union.

SCHEDULE A.

Names of Unions.

City of London.
Fulham.
Greenwich.
Hackney.
Holborn.
Lewisham.
Poplar.
St. George's.
St. Olave's.
St. Saviour's.
Stepney.
Strand.
Wandsworth and Clapham.
Westminster.
Whitechapel.
Woolwich.

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[1] The General Orders hitherto in force in the Metropolis allow of the printing and circulation of the Statistical and Financial Statements, and the Parochial List and Statement of Account. The Order now issued provides that the Guardians may, when they deem it expedient, in addition to the Statements and Lists referred to, cause an Account of their Receipts and Expenditure, together with such further information relating thereto as can be given within reasonable limits to be prepared, and that this additional Account may, in substitution for such Statements and Lists, be printed and circulated or advertised by the Guardians.—*Letter of Local Government Board,* July 9, 1879.

SCHEDULE B.

Names of Separate Parishes.

Mile End Old Town.
Paddington.
St. George-in-the-East.
St. Giles, Camberwell.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Marylebone.
St. Mary Abbotts, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Matthew, Bethnal Green.
St. Pancras.

Given, &c., this Fourth day of July, 1879.

Date of publication in the *London Gazette*, July 8, 1879.

GENERAL ORDER.—AMENDMENT OF REGULATIONS: SEPARATE WORKHOUSE SCHOOLS.

(Dated 12th September, 1879.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES named in the Schedule to this Order;—

And to all others whom it may concern.

WHEREAS by an Order bearing date June 21, 1879,[1] addressed by the Local Government Board to the Guardians of the poor of each of the Unions and separate Parishes named in the Schedule to this Order, provision is made with reference to the terms of the appointment by such Guardians of persons to hold certain offices, and amongst them the office of assistant-matron of the Separate Workhouse School belonging to such Union or Parish:

And whereas it is expedient that the said Order should be amended, as hereinafter-mentioned:

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby Order as follows:—

Such of the provisions of the above-cited Order as related to an assistant-matron of a Separate Workhouse School shall not be applicable to any such assistant-matron appointed by the Guardians of any of the said Unions or separate Parishes after September 29, 1879.

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[1] See *ante*, p. 1003.

SCHEDULE.

Unions.

Birkenhead.
Cardiff.
Holborn.
Leeds.
Merthyr Tydvil.
Newport (Monmouth).
Oxford.
Strand.
Westminster.

Separate Parishes.

Brighton.
Liverpool.
Manchester.
Mile End Old Town.
Saint George-in-the-East.
Saint Marylebone.
Saint Mary, Islington.
Saint Mary, Lambeth.
Saint Matthew, Bethnal Green.
Saint Pancras.

Given, &c., this Twelfth day of September, 1879.

Date of publication in the *London Gazette*, September 16, 1879.

ELEMENTARY EDUCATION ACT, 1876: INQUIRY OFFICERS: MONTHLY PAYMENTS. GENERAL ORDER.

(Dated 7th October, 1879.)

To the Guardians of the Poor of the several UNIONS named in the Schedule to this Order;—

And to all others whom it may concern.

WHEREAS by a General Order bearing date the 22nd day of March, 1877,[1] in force in the unions named in the Schedule to this Order, the Local Government Board prescribed regulations with respect to the appointment by the Guardians of the poor of each of such unions, or of a person or persons, or one or more of their officers, an inquiry officer or officers, to discharge the duties therein prescribed with reference to applications by parents, not being paupers, for payment of school fees:

And whereas Art. 3 of the said General Order of the 22nd day of March, 1877, contains the following provision with regard to the remuneration of the said inquiry officers, and the periods at which such remuneration shall be paid:—

"The Guardians shall pay the inquiry officer or officers so appointed such remuneration, by annual salary or otherwise, as may be approved by the Local Government Board, and such remuneration shall be paid quarterly at the several quarters ending at the usual feast days in the year, namely, Lady-Day, Midsummer-Day, Michaelmas-Day, and Christmas-Day, and if it be by annual salary it shall be considered as accruing from day to day, and be apportionable in respect of time accordingly, in pursuance of the provisions of 'The Apportionment Act, 1870.'"

And whereas it is expedient to alter the aforesaid provision for the payment of the salaries of the said officers at quarterly periods:

Now therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf,

[1] See *ante*, p. 921; and the note (2) to the Order referred to, p. 922.

hereby alter Art. 3 of the said General Order dated the 22nd day of March, 1877, so far as it provides for the payment of the salaries of the said inquiry officers quarterly. And we hereby Order, from and after the 7th day of October, 1879, as follows :—

Art. 1.—The Guardians of the said several unions may, if they think fit, pay to the inquiry officers appointed by them, or to any of such officers, the amount which shall become due in respect of each monthly service at the end of such month, instead of at the quarterly periods aforesaid

Art. 2.—Every such officer who may be paid monthly under the authority of this Order, shall nevertheless make out his account quarterly, according to the above-mentioned days, and submit the same to the Guardians on those days, before the last portion of the salary in respect of the quarter is paid to him by them.

Art. 3.—In this Order—

The term "Guardians" includes any body of persons performing the functions of Guardians within the meaning of the Acts relating to the relief of the poor.

The term "union" means any unions or incorporation of parishes under any General or Local Act, and any single parish having Guardians as above defined, under any General or Local Act.

SCHEDULE.

Unions and Incorporations.

(The Schedule contains the names of the existing unions and the existing parishes under separate Boards of Guardians.)

Given, &c., this Seventh day of October, 1879.

Date of publication in the *London Gazette*, 7th October, 1879.

The foregoing Order was applied to the following Unions by orders issued by the Local Government Board on the dates placed opposite their names, viz. :—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

ELEMENTARY EDUCATION ACT, 1876: OFFICERS OF SCHOOL ATTENDANCE COMMITTEES: MONTHLY PAYMENTS. GENERAL ORDER.

(Dated 7th October, 1879.)

To the Guardians of the Poor of the several Unions in which School Attendance Committees may be appointed by Guardians under the provisions of the Elementary Education Act, 1876;—

To all School Attendance Committees so appointed;—

And to all others whom it may concern.

Whereas by Art. 4 of a General Order, bearing date the 14th day of April, 1877,[1] and addressed to the Guardians of the poor of the several unions in which School Attendance Committees may be appointed by Guardians under the provisions of the Elementary Education Act, 1876, and to all School Attendance Committees so appointed, the Local Government Board ordered as follows:—

"Where the School Attendance Committee, with the consent of the Guardians, direct an officer or officers of the Guardians to act in the execution of the said Act, or of any byelaws in force within the jurisdiction of the committee, or with the like consent, appoint an officer or officers for that purpose, such officers shall be termed 'School Attendance Officers,' and such direction or appointment shall be reported to the Local Government Board for their approval within fourteen days afterwards."

And whereas Arts. 9 and 10 of the said General Order contain

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[1] See *ante*, p. 935.

the following provisions with regard to the remuneration of the said officers, and the periods at which such remuneration shall be paid :—

"Art. 9.—The clerk and other officers of the School Attendance Committee shall receive such salary or remuneration as the committee assign to them and the Guardians and the Local Government Board approve.

"Provided that the committee, with the approval of the Guardians and of the Local Government Board, may pay to any such officer a reasonable compensation by way of gratuity on account of extraordinary circumstances, or other unforeseen circumstances.

"Art. 10.—If the remuneration be by annual salary, it shall be paid quarterly at the several quarters ending at the usual feast days in the year, namely, Midsummer-Day, Michaelmas-Day, Christmas-Day, and Lady-day, and shall be considered as accruing from day to day, and be apportionable in respect of time accordingly, in pursuance of the provisions of 'The Apportionment Act, 1870.'"

And whereas it is expedient to alter the provision contained in the said Art. No. 10, for the payment of the salaries of the said officers at quarterly periods :

Now, therefore, We, the Local Government Board, in pursuance of the Powers given us by the statutes in that behalf, hereby alter Art. 10 of the said General Order, so far as it provides for the payment of the salaries of the said officers quarterly. And we hereby order, from and after the 7th day of October, 1879, as follows :—

Art. 1.—The Attendance Committee may, if they think fit, pay to their officers, or any of them, the amount which shall become due in respect of each monthly service at the end of such month, instead of at the quarterly periods aforesaid.

Art. 2.—Every such officer who may be paid monthly under the authority of this Order, shall nevertheless make out his account quarterly, according to the above mentioned days, and submit the same to the Guardians on those days, before the last portion of the salary in respect of the quarter is paid to him by them.

Art. 3.—In this Order—

The term "Guardians" includes any body of persons performing

the functions of Guardians within the meaning of the Acts relating to the relief of the poor.

The term "Union" means any union or incorporation of parishes under any General or Local Act, and any single parish having Guardians as above defined under any General or Local Act

Given, &c., this Seventh day of October, 1879.

Date of publication in the *London Gazette*, 7th October, 1879.

The foregoing Order was applied to the following Unions by Orders of the Local Government Board issued on the dates placed opposite their names, viz. :—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

GENERAL ORDER: AMENDMENT OF REGULATIONS: DISTRICT SCHOOLS (DUTIES OF OFFICERS).

(Dated 11th November, 1879.)

To the Boards of Management of the several School Districts named in the Schedule to this Order;—

And to all others whom it may concern.

Whereas by certain Orders, addressed by the Poor Law Commissioners, the Poor Law Board, and the Local Government Board respectively, to the Board of Management of each of the School Districts named in the Schedule to this Order, regulations are prescribed with reference to the duties of officers appointed by such Board of Management:

And whereas it is expedient that further provision should be made as hereinafter mentioned:

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby Order as follows with respect to each of the School Districts named in the Schedule to this Order:—

Art. 1.—In every case not otherwise provided for by the Orders in force in the School District, every officer appointed by the Board of Management shall perform his duties in person, and shall not intrust the same to a deputy, except with the special permission of the Local Government Board on the application of the Board of Management.

Art. 2.—Every medical officer shall be bound to visit and attend

personally, as far as may be practicable, the children intrusted to his care, and shall be responsible for the attendance on them.

Art. 3.—Every medical officer shall, as soon as may be after the issuing of this Order, or after his appointment, name to the Board of Management some legally qualified medical practitioner to whom application for medicines or attendance may be made in the case of his absence from home, or other hindrance to his personal attendance, and who will supply the same at the cost of such medical officer ; and the name and residence of every medical practitioner so named shall be forwarded to the superintendent of the School by the Board of Management.

SCHEDULE.

Central London School District.
Farnham and Hartley Wintney School District.
Forest Gate School District.
North Surrey School District.
Reading and Wokingham School District.
South-East Shropshire School District.
South Metropolitan School District.
Walsall and West Bromwich School District.
West London School District.

Given, &c., this Eleventh day of November, 1879.

Metropolitan Sick Asylum Districts (30 Vict. c. 6) :—

Metropolitan Asylum Board .	Declaration . . .	May 15, 1867.
	Rules and Regulations .	June 18, 1867.
	Amending ditto . .	July 17, 1867.
	Ditto ditto . .	March 22, 1870.
	Ditto ditto . .	August 6, 1870.
	Ditto ditto . .	June 17, 1871.
	Ditto ditto . .	August 26, 1871.
	Ditto ditto . .	March 6, 1872.
	Ditto ditto . .	March 7, 1872.
	Ditto ditto . .	May 11, 1874.
	Ditto ditto . .	January 4, 1878.

Metropolitan Asylum Board .	Accounts . . .	November 28, 1870.
	Amending ditto . .	March 6, 1872.
	Ditto ditto . .	August 8, 1874.
	Ditto ditto . .	May 24, 1877.
	Ditto ditto . .	April 3, 1884.
	Ditto ditto . .	July 26, 1884.
	Ditto ditto . .	November 20, 1884.
Leavesden and Caterham Asylums for insane . .	Amended Consolidated Regulations . .	February 10, 1875.
	Amending Regulations .	June 22, 1875.
	Ditto ditto . .	December 22, 1876.
Homerton and Stockwell Asylums for Fever and Small Pox . . .	Amended Consolidated Regulations . .	February 10, 1875.
	Amending ditto . .	June 22, 1875.
	Ditto ditto . .	April 6, 1876.
	Ditto ditto . .	December 22, 1876.
Training Ship, H.M.S. Exmouth	Regulations and Accounts	August 24, 1876.
	Amending Regulations .	February 1, 1877.
	Ditto ditto . .	January 14, 1878.

SICK ASYLUM DISTRICTS:—

Central London . . .	Declaration . . .	May 2, 1868.
	Rules and Regulations .	June 10, 1868.
	Amending Order . .	March 7, 1872.
	Accounts . . .	November 4, 1870.
Poplar and Stepney . .	Declaration . . .	April 23, 1868.
	Rules and Regulations .	May 16, 1868.
	Amending Order . .	March 7, 1872.
	Accounts . . .	March 4, 1870.
	Ditto	March 7, 1871.

The Apprenticeship General Order of January 29, 1845, remains in force in the following places:—

Birmingham.	Forehoe.	Oxford.
Bury St. Edmunds.	Kingston-upon-Hull.	Plymouth.
Chichester.	Mutford and Lothingland.	Southampton.
East and West Flegg.	Oswestry.	Stoke Damerel.

A similar General Order, dated December 31, 1844, is also in force in Liverpool. The Order of January 29, 1845, will be found in the Sixth Edition of this Work, p. 418.

GENERAL ORDER.—PAUPERS' CONVEYANCE EXPENSES.

(Dated 26th February, 1880.)

To the Guardians of the Poor of the several UNIONS in England and Wales ;—[1]

To the Guardians of the Poor of the several PARISHES in England and Wales under separate Boards of Guardians ;—

And to all others whom it may concern.

WHEREAS by Section 1 of "The Paupers' Conveyance (Expenses) Act, 1870," it is enacted as follows :—

"The Poor Law Board may by Order define and direct in what "cases (other than those expressly provided for by law) and "under what regulations the Guardians of any Union or "Parish may pay the reasonable expenses incurred by them "in conveying any person chargeable to such Union or Parish "from one place to another in England, and may charge such "expenses upon the common fund of the Union or other like "fund under their control."

Now, therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, hereby Order as follows :—

Art. 1.—Subject to the regulations hereinafter contained, the

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[1] This Order has been applied to the Canterbury Union, by an Order dated April 8, 1881 ; to the Great Yarmouth Union by an Order dated March 20, 1891 ; and to the Grimsby Union by an Order dated April 3, 1890.

Guardians of the Poor of any Unions or Parish may, in the case of any person actually chargeable to such Union or Parish, pay the reasonable expenses of the conveyance of such person from the Union or Parish to any institution specified in this Article, for the purpose of visiting the husband, wife, child, or other relative of such person, who may have been sent by lawful authority to such institution, and may also pay the reasonable expenses of the return of such person to the Union or Parish ; namely,—

(1.) Any workhouse, or separate workhouse infirmary, or separate workhouse school, belonging to or occupied by the Guardians of the union or parish, whether situated within or beyond the boundaries of the union or parish.

(2.) Any workhouse, or separate workhouse infirmary, or separate workhouse school, belonging to or occupied by the Guardians of any other union or parish, with whom an agreement shall have been entered into under the following enactments, or any of them, viz., Section 14 of the Poor Law Amendment Act, 1849 ; Section 6 of the Poor Law Amendment Act, 1851 ; Section 16 of the Poor Law Amendment Act, 1866 ;[1] Section 50 of The Metropolitan Poor Act, 1867 ; Section 17 of the Metropolitan Poor Amendment Act, 1869 ; and Section 22 of The Divided Parishes and Poor Law Amendment Act, 1876.

(3.) Any district school belonging to a school district formed under the Poor Law Amendment Act, 1844, and the Acts amending the same, and within which the union or parish is comprised.

(4.) Any district school belonging to a school district formed as aforesaid, but within which the union or parish is not comprised, and with the managers of which district school an agreement shall have been entered into under Section 51 of The Poor Law Amendment Act, 1844, or Section 16 of The Poor Law Amendment Act, 1866.

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[1] This section is repealed by the Statute Law Revision Act, 1893 (56 & 57 Vict. c. 14).

(5.) Any school certified under the provisions of Section 2 of the Act 25 & 26 Vict. c. 43, intituled "An Act to provide for the Education and Maintenance of Pauper Children in certain Schools and Institutions;" and any school for the reception of poor deaf and dumb or blind children, not so certified, but coming within the provisions of Section 42 of The Poor Law Amendment Act, 1868.

(6.) Any asylum provided under the authority of The Metropolitan Poor Act, 1867, or of any Act amending the same.

(7.) Any asylum established for the reception and relief of idiots maintained at the charge of the county rate or by public subscription, within the meaning of Section 13 of The Poor Law Amendment Act, 1868.

(8.) Any hospital or institution established for blind or deaf and dumb persons, within the provisions of Section 21 of The Poor Law Amendment Act, 1867.

(9.) Any house or establishment, not being a workhouse, with respect to which the Local Government Board shall have issued rules, orders, and regulations under the provisions of Section 1 of the Act 12 Vict. c. 13, intituled "An Act to provide a more effectual regulation and control over the maintenance of poor persons in houses not being the workhouses of any union or parish."

Art. 2.—The expenses of conveyance as aforesaid shall not be payable unless permission for the visit is given by the Guardians of the union or parish to which the person seeking such permission is chargeable as aforesaid, nor unless such permission is duly recorded in the minutes of the Guardians.

Provided that in order to meet any cases of urgency which may occur between the meetings of the Guardians, the Guardians may, if they think fit, authorise the master of the workhouse, as regards in-door paupers, and the relieving officer as regards out-door paupers, to pay in such cases the reasonable expenses of conveyance as aforesaid, subject to such regulations as may be prescribed by the Guardians; and the master of the workhouse or the relieving officer shall report each case so dealt with by him to the Guardians

at their next meeting, and a record of such report shall be entered in the minutes of the Guardians.[1]

Art. 3.—The visits to any such person as aforesaid in either of the institutions described in the several paragraphs of Article 1 of this Order, and numbered (2), (3), (4), (5), (6), (7), (8), and (9) respectively, shall at all times be subject to such regulations as may be made in that behalf by the Guardians, Board of Management, or other authority having the control of such institutions respectively.

Art. 4.—The amount allowed for the expenses of conveyance shall be paid by the Guardians out of the common fund of the union or out of the poor rates of the parish, as the case may be.

Art. 5.—In this Order—

The word "union" includes any union of parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament.

The word "parish" means any parish or place which is under a separate Board of Guardians.

Given, &c., this Twenty-sixth day of February, 1880.

Date of publication in the *London Gazette*, February 27, 1880.

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[1] The Local Government Board point out with reference to the proviso to Article 2 of this Order, that it is desirable that very explicit instructions should be given by the Guardians to masters of workhouses and relieving officers as to the exceptional circumstances which would justify those officers in acting under the Order.—*Official Letter*, February 28, 1880. The Board, however, do not indicate what is the nature of the "very explicit instructions" or the "exceptional circumstances" to which they refer.

CHURCH RATE ACCOUNTS.—FINANCIAL STATEMENT. — "THE DISTRICT AUDITORS' ACT, 1879."

(Dated 27th February, 1880.)

To the Churchwardens and Overseers of the Poor of the several Parishes named in the Second Schedule to this Order ;—

To the several District Auditors in England and Wales ;—

And to all others whom it may concern.

Whereas by Section 3 of "The Compulsory Church Rate Abolition Act, 1868," it is enacted as follows :

"In any Parish where a sum of money is at the time of the "passing of this Act due on the security of church rates, or "of rates in the nature of church rates to be made or levied "in such Parish under the provisions of any Act of Parlia- "ment, or where any money in the name of church rate is "ordered to be raised under any such provisions, such rates "may still be made and levied, and the payment thereof "enforced by process of law, pursuant to such provisions, "for the purpose of paying off the money so due, or paying "the money so ordered to be raised and the costs incidental "thereto, but not otherwise, until the same shall have been "liquidated : provided, that the accounts of the Church- "wardens of such parish in reference to the receipt and "expenditure of the moneys levied under such Acts, shall be "audited annually by the auditor of the Poor Law Union "within whose district such parish shall be situate, unless "another mode of audit is provided by Act of Parliament."

And whereas by Section 3 of the "District Auditors' Act, 1879," it is enacted as follows :

"Where the accounts of the receipts and expenditure of a local "authority are audited by a district auditor, the local authority "shall prepare and submit to the district auditor at every audit "(other than an extraordinary audit, held in pursuance of "Section Six of the Poor Law Amendment Act, 1868), a "financial statement in duplicate in the prescribed Form and "containing the prescribed particulars ; one of such duplicates "shall have the stamp charged under this Act, affixed thereon, "and the auditor at the conclusion of the audit shall cancel "that stamp, and certify on each duplicate, in the prescribed "Form, the amount in words at length of the expenditure so "audited and allowed, and further, that the regulations with "respect to such statement have been duly complied with, and "that he has ascertained by the audit the correctness of the "statement."

And whereas the Churchwardens and Overseers of the Poor for the purposes of the first above-recited Act are Local Authorities within the terms of the last above-recited Act :

Now therefore, We, the Local Government Board, hereby order and prescribe as follows :—

The financial statement to be prepared and submitted to the district auditor in duplicate by the Churchwardens and Overseers of the Poor as a Local Authority, in accordance with the provisions of the section last above-recited, shall be in the Form (A.) in the First Schedule to this Order, and shall contain the particulars therein specified or referred to ; and the certificate of the district auditor to be appended to each such duplicate shall be in the Form set forth at the foot of the said statement.

The terms "church rate" and "parish" in this Order have the same meaning as in The Compulsory Church Rate Abolition Act, 1868, and the term "churchwardens" includes chapelwardens.

Given &c., this Twenty-seventh day of February, 1880.

FIRST SCHEDULE.—Form (A).

The Parish of

FINANCIAL

"The District Auditors'

Church Rates, under 31 & 32 Vict. c. 109, s. 3; Statement of
of the Poor of the Parish of _____ for the Year

Receipts other than from Loans [1]	£	s.	d.
Amounts received from Church Rates, or Rates in the nature of Church Rates.			
Amounts received from all other sources, specifying them:—			
_____			
_____			
_____			
_____			
Gross receipts . . £			

[1] The particulars of the Loan Account are

I hereby certify that I have compared the entries in the above Statement with
respect to such Statement have been duly complied with.

I hereby further certify that I have ascertained by Audit the correctness of
Overseers of the Poor of the Parish of , during the year ended
me at the Audit, is [*here insert the amount in words at length*].

FIRST SCHEDULE.—Form (A).

STATEMENT.

Act, 1879" (42 Vict. c. 6).

Receipts and Expenditure by the Churchwardens and Overseers ended the _____ day of _____ 18 .

Expenditure not paid for out of Loans [1]	£	s.	d.
Amount of Principal of Loan repaid			
Amount paid in respect of Interest			
Other Expenses, specifying them:			
_____			
_____			
_____			
_____			
Total Expenditure included in this Statement . £			

to be supplied in the Form (B.) annexed.

_____ } *Churchwardens.*
_____ }

_____ } *Overseers.*
_____ }

} _____ day of _____ 18 .

the Vouchers and other documents relating thereto, and that the Regulations with such statement, and that the amount expended by the Churchwardens and the day of , 18 , as included in such Statement and allowed by

As witness my hand this day of 18 .

_____ Stamp _____ *District Auditor.*

FIRST SCHEDULE.—Form (B).

PARISH OF _____ LOAN

Statement with Reference to Loans obtained

Year ended the _____

Amount originally advanced	When advanced	Whether by Public Works Loan Commissioners, a Company,[1] or otherwise	For what object	For what Period	Rate of Interest	Mode of Repayment, whether by annuity or otherwise
£						

[1] If by a Company, insert the name.

Examined by me in connection with the Financial Statement for

Note.—It is only required that money be entered in the Form above to the in their total to 10*s.* or more than 10*s.*, they are to be taken as equal to £1; if £176; but £175 9*s.* 11*d.* as £175 only.

FIRST SCHEDULE.—Form (B).

ACCOUNT.

upon the Security of Church Rates.

day of _____ 18 .

Amounts paid this Year		Amount of Principal still owing	Sinking Fund			
Principal	Interest		Amount annually set apart	Rate of Interest on which Fund is based	Total Sum in Fund	Securities in which Fund is invested, and Rate of Interest payable on them
£	£	£	£		£	

_____ } *Churchwardens.*
_____ }

_____ } *Overseers.*
_____ }

} _____ day of _____ 18 .

the year ended the _____ day of _____, 18, and found correct.

_____ *District Auditor.*

_____ day of _____ 18 .

nearest £. Whenever the fractional parts, in abstracting from the books, amount less than 10*s.* they are to be rejected. Thus: £175 10*s.* should be entered as

SECOND SCHEDULE.

Parish	County	Parish	County
Abbas Combe	Somerset.	Cheam	Surrey.
Acton	Middlesex.	Chesterton	Oxford.
Albury	Hertford.	Chewton Mendip	Somerset.
Aldworth	Berks.	Chitterne All Saints	Wilts.
Asheldam	Essex.	Chrishall	Essex.
Aunsby	Lincoln.	Churston Ferrers	Devon.
		Clanfield	Oxford.
Bampton	Oxford.	Clovelly	Devon.
Bawdrip	Somerset.	Clutton	Somerset.
Belleau with Aby	Lincoln.	Collingbourn Kingston	Wilts.
Bempton	York., E. R.	Combe St. Nicholas	Somerset.
Bettiscombe	Dorset.	Compton Abbas	Dorset.
Bicester	Oxford.	Crickhowell	Brecknock.
Binstead	Southampt'n.	Croxton Kerial	Leicester.
Bishop's Castle out Liberties	Salop.	Cuxton	Kent.
Black Bourton	Oxford.	Danbury	Essex.
Bletchley	Bucks.	Deddington	Oxford.
Blunham	Bedford.	Deerhurst	Gloucester.
Bole	Nottingham.	Denford	Northampt'n.
Bower Chalke	Wilts.	Denham	Buckingham.
Boxford	Suffolk.	Dinedor	Hereford.
Bradenham	Buckingham.	Dorrington	Lincoln.
Bradfield Combust	Suffolk.	Drayton Parslow	Buckingham.
Bradford	Devon.		
Bradley	Worcester.	East Barkwith	Lincoln.
Bradwell Juxta Mare	Essex.	East Dean	Sussex.
Brent Pelham	Hertford.	Eaton Bray	Bedford.
Brettenham	Suffolk.	Edlesborough	Buckingham.
Bridenbury	Hereford.	Edwin Ralph	Hereford.
Brinklow	Warwick.	Egloshayle	Cornwall.
Brinsop	Hereford.	Eltham	Kent.
Britwell Salome	Oxford.	Ewyas Harold	Hereford.
Brize Norton	Oxford.		
Broadwood Kelly	Devon.	Faccombe	Southampt'n.
Bromham	Wilts.	Findon	Sussex.
Buckland	Berks.	Fleckney	Leicester.
Burgate	Suffolk.	Folkingham	Lincoln.
Burton Abbots	Oxford.	Forden	Montgomery.
Burton-upon-Stather	Lincoln.	Forncett St. Mary	Norfolk.
		Fornham All Saints	Suffolk.
Caldecote	Leicester.	Forrabury	Cornwall.
Castle Caereinion	Montgomery,	Fovant	Wilts.
Caterham	Surrey.	Fremington	Devon.
Caythorpe	Lincoln.		
Charlynch	Somerset.	Godmersham	Kent.
Charterhouse Hinton	Somerset.	Gosforth	North'mblnd.

Parish	County	Parish	County
Grays Thurrock	Essex.	Mappowder	Dorset.
Great Brickhill	Buckingham.	Marchwiel	Denbigh.
Great Clacton	Essex.	Martinhoe	Devon.
Great Easton	Leicester.	Martock	Somerset.
Great Ringstead	Norfolk.	Melford	Suffolk.
Great Withford	Wilts.	Mendham	Norfolk and Suffolk.
Gussage All Saints	Dorset.	Merriott	Somerset.
Hamsey	Sussex.	Milford	Southampt'n.
Hannington	Northampt'n.	Milton Clevedon	Somerset.
Harborough Magna	Warwick.	Milton Keynes	Buckingham.
Harmston	Lincoln.	Milverton	Warwick.
Haughley	Suffolk.	Minting	Lincoln.
Hayley-cum-Crawley	Oxford.	Minwere	Pembroke.
Headborne Worthy	Southampt'n.	Monkland	Hereford.
Helpston	Northampt'n.	Mordiford	Hereford.
Heytesbury	Wilts.	Moreton-upon-Lugg	Hereford.
Higham	Oxford.	Moulton	Lincoln.
Hoath	Kent.	Munslow	Salop.
Holy Trinity, Barnstaple	Devon.	Mursley	Buckingham.
Hope Bowdler	Salop.	Nempnett	Somerset.
Hopton-by-Lowestoft	Suffolk.	Newbottle	Northampt'n.
Horsham	Sussex.	Newton-le-Willows	York., N. R.
Horton	Gloucester.	Nonington	Kent.
Houghton Conquest	Bedford.	Northill	Bedford.
Houghton Regis	Bedford.	Northmundham	Sussex.
Hove	Sussex.	Norton	Radnor.
		Norton Canon	Hereford.
Itchingfield	Sussex.	Norton-sub-Hamden	Somerset.
Keymer	Sussex.	Oborne	Dorset.
Kilton	Somerset.	Ogbourne St. George	Wilts.
Kinnersley	Hereford.	Okeford Fitzpaine	Dorset.
Kirk Leavington	York., N. R.	Orleton	Hereford.
		Otterford	Somerset.
Leaden Roding	Essex.		
Leighton Buzzard	Bedford.	Pangbourne	Berks.
Leintwardine	Hereford.	Partney	Lincoln.
Lesnewth	Cornwall.	Pencombe	Herts.
Linwood	Lincoln.	Peterstow	Hereford.
Little Brickhill	Buckingham.	Petham	Kent.
Little Hempston	Devon.	Piddlehinton	Dorset.
Little Langford	Wilts.	Preston-next-Faversham	Kent.
Little Marcle	Hereford.	Preston St. Mary	Suffolk.
Llanfihangelfechan	Brecknock.	Pwllcrochan	Pembroke.
Llangathen	Carmarthen.		
Llangenny	Brecknock.	Quarrington	Lincoln.
Llyswen	Brecknock.		
Lower Heyford	Oxford.	Radway	Warwick.
Luppit	Devon.	Reepham	Lincoln.
Lydeard St. Lawrence	Somerset.	Rhos Crowther	Pembroke.
Manuden	Essex.	Riccall	York., E. R.

Parish	County
Roberrow	Sussex.
Roborough	Devon.
Romansleigh	Devon.
Rumboldswhyke	Sussex.
Ruskington	Lincoln.
Saint Alkmond, Shrewsbury	Salop.
Saint Cosmus and Damain in the Blean	Kent.
Saint Issells	Pembroke.
Saint Leonard, Bridgnorth	Salop.
Saint Leonard, Hythe	Kent.
Saint Mary, Bredin	Kent.
Saint Marylebone	Middlesex.
Saint Nicholas, Harwich	Essex.
Saint Peter, Hereford	Hereford.
Saint Peter, Marlborough	Wilts.
Salford	Bedford.
Saxlingham	Norfolk.
Selsey	Sussex.
Shenfield	Essex.
Shepton Beauchamp	Somerset.
Shifford	Essex.
Shifford	Oxford.
Shottesbrooke	Berks.
Shute	Devon.
Silsoe	Bedford.
Skipton George	Dorset.
Slaugham	Sussex.
Slebech	Pembroke.
Slindon	Sussex.
Soulbury	Buckingham.
South Carlton	Lincoln.
South Fleet	Kent.
South Newton	Wilts.
Stapleford	Wilts.
Stockbridge	Southampt'n.
Stogursey	Somerset.
Stoke Lacy	Hereford.
Stoke Lyne	Oxford.
Stoke Prior	Hereford.
Stottesdon	Salop.
Stowe	Salop.
Stratton Audley	Oxford.
Stretton Grandison	Hereford.
Sutton	Sussex.
Syresham	Northampt'n.
Tawstock	Devon.
Taynton	Gloucester.
Teversham	Cambridge.
Thornbury	Hereford.
Thornford	Dorset.
Throwley	Kent.
Thurston	Suffolk.
Tillingham	Essex.
Tintagel	Cornwall.
Titley	Hereford.
Toft	Cambridge.
Ullingswick	Hereford.
Uploman	Devon.
Uppingham	Rutland.
Walgrave	Northampt'n.
Waltham	Kent.
Walton	Cumberland.
Walton Cardiff	Gloucester.
Wapley	Gloucester.
Warkton	Northampt'n.
Washington	Durham.
Weobly	Hereford.
West Barkwith	Lincoln.
Westbourne	Sussex.
Westbury	Buckingham.
West Camel	Somerset.
West Coker	Somerset.
West Harptree	Somerset.
Wigmore	Hereford.
Willesborough	Kent.
Wilsford	Lincoln.
Wingfield	Suffolk.
Winscombe	Somerset.
Withersfield	Suffolk.
Wold Fewton	Lincoln.
Wombourne	Stafford.
Woodford	Northampt'n.
Wool	Dorset.
Woolstaston	Salop.
Woolstone	Berks.
Wootton	Northampt'n.
Woughton-on-the-Green	Buckingham.
Yarkhill	Hereford.
Yarpole	Hereford.

A similar Order was issued to the following places:—

Caldecote	Cambridge.
High Ham	Somerset.
Pencombe	Hereford.
Rowberrow	Somerset.
Stifford	Essex.

METROPOLIS DISTRICT NON-RESIDENT MEDICAL OFFICERS: TENURE OF OFFICE.

(Dated 14th July, 1880.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES named in the Schedule to this order ;—

And to all others whom it may concern.

WHEREAS certain General Orders of the Poor Law Board in force in the several unions and separate parishes named in the Schedule to this Order contain provisions to the effect that a district medical officer shall be entitled to hold office until he die, or resign, or be removed, or become insane or legally disqualified for the office, subject to the condition that he shall reside within the district for which he is appointed to act :

And whereas it is expedient that the said Orders should be altered as hereinafter mentioned :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the statutes in that behalf, hereby Order as follows with respect to each of the unions and separate parishes named in the said Schedule :—

As regards any district medical officer now or hereafter appointed, the Guardians may, with the consent of the Local Government Board previously obtained, but not otherwise, dispense with the condition above referred to with respect to residence within the district ; and, in any case in which such condition has been so dispensed with, the medical officer shall be entitled to hold office for the same term as he would be entitled to hold it under the

regulations applicable to his appointment, if he had been resident within the district at the time of his appointment, and had so continued.[1]

The SCHEDULE above referred to.

Names of Unions.

City of London.
Fulham.
Greenwich.
Hackney.
Holborn.
Lewisham.
Poplar.
St. George's.
St. Olave's.
St. Saviour's.
Stepney.
Strand.
Wandsworth and Clapham.
Westminster.
Whitechapel.
Woolwich.

Names of Separate Parishes.

Mile End Old Town.
Paddington.
St. George-in-the-East.
St. Giles, Camberwell.
St. Giles-in-the-Fields and St. George, Bloomsbury.
St. John, Hampstead.
St. Leonard, Shoreditch.
St. Luke, Chelsea.
St. Marylebone.
St. Mary Abbots, Kensington.
St. Mary, Islington.
St. Mary, Lambeth.
St. Matthew, Bethnal Green.
St. Pancras.

Given, &c., the Fourteenth day of July, 1880.

Date of publication in the *London Gazette*, 16th July, 1880.

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[1] With reference to this Order, the Local Government Board say, that representations have frequently been made to them by Boards of Guardians in the metropolis as to the expediency of modifying the regulations contained in the Orders under which district medical officers, although duly qualified, are not entitled to hold office permanently unless they reside within the districts for which they are respectively appointed. The Board deem it essential that, as a general rule, medical officers should reside within their districts, but at the same time they are aware that cases occasionally occur in the metropolis where a medical officer finds it impracticable to obtain a suitable residence within a given area, although he may be able to secure a dwelling sufficiently near to his district to cause no actual inconvenience in the discharge of the duties of his office. In this respect, as well as in some others, the circumstances of the metropolis are exceptional, and the Board have accordingly issued an Order (two copies of which are enclosed) enabling metropolitan Guardians, with the consent of the Board, to dispense with the condition, that to entitle a district medical officer to hold office permanently, he shall reside within the district for which he is appointed to act.—*Official Letter*, dated July 17, 1880.

GENERAL ORDER.—PRESCRIBING REGISTER OF SECURITIES UNDER 45 & 46 VICT., CAP. 58, SECT. 14.

(Dated 7th December 1882.)

To the Guardians of the Poor of the several UNIONS in England and Wales ;—

To the Boards of Management of the several District Schools formed under the Poor Law Amendment Act, 1844, and the Acts amending the same ;—

To the Boards of Management of the several Asylum Districts formed under the Metropolitan Poor Act, 1867 ;—

And to all others whom it may concern.

WHEREAS by Section 14 of the Divided Parishes and Poor Law Amendment Act, 1882, hereinafter referred to as "the Act of 1882," it is enacted as follows :—

"The following enactments are hereby repealed, viz."—

* * * * * *

"So much of Section Six of the Union and Parish Property "Act, 1835, and of the Schedule to that Act, and so much of "Section Six of the Parish Property and Parish Debts Act, "1842, as relate to the transmission to the Poor Law Com- "missioners, and the approval, sealing, and registration by "such Commissioners of deeds or other instruments, except as

"regards deeds or instruments executed prior to the date "of this Act; and nothing in the said Acts, or in the Poor "Law Amendment Act, 1834, or in the Union Loans Act, "1869, or the Acts amending or extending those Acts re- "spectively, shall be deemed to require the approval or regis- "tration by the Local Government Board of any such deed or "instrument as aforesaid, or of any lease or agreement for "lease made or entered into under the authority of those Acts "or any of them."

"Provided that the Guardians or managers, as the case may be, "shall keep a register of the securities in respect of all sums "borrowed by them, in such form and subject to such regula- "tions as to inspection or otherwise as the Local Government "Board may from time to time prescribe."

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby order that until we otherwise direct, the following regulations shall be in force, namely :—

Art. 1.—The Register of Securities required by the above-cited enactment to be kept shall be in the form prescribed in the Schedule to this Order.

Art. 2.—With respect to securities executed by the Guardians or managers after the passing of the Act of 1882, it shall be the duty of the clerk to make the entries required in columns 1 to 13, both inclusive, of the said register, and to authenticate such entries by placing his signature in column 14 of the said register. Such entries shall be made and authenticated as aforesaid in the case of every security so executed before the date of this Order as early as practicable : and in the case of every security so executed on or after the date of this Order, after the same has been executed and before it is delivered to the lender.

Art. 3.—With respect to every transfer of any security, which shall have been or shall be executed by the Guardians or managers, as the case may be, after the passing of the Act of 1882, it shall be the duty of the clerk, within seven days after the same shall be produced to him by or on behalf of the transferee, to make the

entries required in columns 16, 17, and 18 of the said register, and to authenticate such entries by placing his signature in column 19 of the said register.[1]

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[1] Reference may here be made to the Forged Transfers Act, 1891 (54 & 55 Vict. c. 43) passed, say the Local Government Board in their Circular Letter of September 25, 1891, in consequence of the decision of Manisty J., in the case of *Barton v. the London and North Western Railway Company*, which was affirmed by the Court of Appeal in November 1889 (24 Q.B.D. 77), to the effect that where stock had been transferred in the books of a Company on a forged transfer, the holder of the stock prior to such transfer was entitled to require the Company to replace his name in their register as holder of the stock.

The object of the Act is to enable local authorities to compensate purchasers of stock and other securities who may suffer loss in consequence of the securities having been transferred in pursuance of a forged transfer. The expression "local authority" is defined by section 2 of the Act to mean amongst other bodies "any authority having power to levy or require the levy of a rate the proceeds of which are applicable to public local purposes." By section 1 of the Act it is enacted that:—

(1.) Where a company or local authority issue or have issued shares, stock, or securities transferable by an instrument in writing or by an entry in any books or register kept by or on behalf of the company or local authority, they shall have power to make compensation by a cash payment out of their funds for any loss arising from a transfer of any such shares, stock or securities, in pursuance of a forged transfer or of a transfer under a forged power of attorney.

(2.) Any company or local authority may, if they think fit, provide, either by fees not exceeding the rate of one shilling on every one hundred pounds transferred, to be paid by the transferee upon the entry of the transfer in the books of the company or local authority, or by insurance, reservation of capital, accumulation of income, or in any other manner which they may resolve upon, a fund to meet claims for such compensation.

(3.) For the purpose of providing such compensation any company may borrow on the security of their property, and any local authority may borrow with the like consent and on the like security and subject to the like conditions as to repayment by means of instalments or the provision of a sinking fund and otherwise as in the case of the securities in respect of which compensation is to be provided, but any money so borrowed by a local authority shall be repaid within a term not longer than five years. Any expenses incurred by a local authority in making compensation, or in the repayment of, or the payment of interest on, or otherwise in connection with, any loan raised as aforesaid, shall, except so far as they may be met by such fees as aforesaid, be paid out of the fund or rate on which the security in respect of which compensation is to be made is charged.

(4.) Any such company or local authority may impose such reasonable restrictions on the transfer of their shares, stock, or securities, or with respect to powers of attorney for the transfer thereof, as they may consider requisite for guarding against losses arising from forgery.

(5.) Where a company or local authority compensate a person under this Act for any loss arising from forgery, the company or local authority shall, without prejudice to any other rights or remedies, have the same rights and remedies against the person liable for the loss as the person compensated would have had.

Art. 4.—At the meeting of the Guardians or managers, as the case may be, held next after any entries required to be made under Articles 2 and 3 of this Order have been duly made and authenticated as aforesaid, it shall be the duty of the clerk to submit the said register to the Guardians or managers, and the chairman shall at such meeting place his signature, in the case of securities executed by the Guardians or managers, in column 15 of the said register, and in the case of transfers, in column 20 of the said register.

Art. 5.—When the final instalment due on any security included in the said register has been paid, it shall be the duty of the clerk to enter in column 21 of the said register the date of the payment of such final instalment, and to place his signature at the foot of such entry.

Art. 6.—No notice of any trust expressed, implied, or constructive, in relation to any security, shall be entered in the said register.

Art. 7.—The said register shall remain in the custody of the clerk, and shall be produced by him to the district auditor at every audit.

Art. 8.—The clerk shall allow the said register to be open at all reasonable times to the inspection of any Guardian or manager, as the case may be, and of any other person, and any such person may make copies of or extracts from the entries in the register in relation to any security or transfer included therein without fee or reward.

Art. 9.—In this order—

The term "union" means a union of parishes under a General or Local Act, with a separate Board of Guardians, and includes a parish or place for which there is a separate Board of Guardians.

The term "Guardians" means Guardians appointed under the Poor Law Amendment Act, 1834, and the Acts amending the same, and includes Guardians or any other body of persons performing under any Local Act the like functions as Guardians under the Poor Law Amendment Act, 1834.

The term "managers" means members of boards of management

of district schools formed under the Poor Law Amendment Act, 1844, and amending Acts, or members of boards of management of asylum districts formed under the Metropolitan Poor Act, 1867.

The term "clerk" means the clerk to the Guardians or the clerk to the managers, as the case may be.

SCHEDULE.

REGISTER OF

(45 & 46 Vict.

_____ UNION, PARISH, SCHOOL DISTRICT, OR ASYLUM DISTRICT.

No. of Security	Date of Security	Amount borrowed[1]	Date of Order of Local Government Board authorising the Loan	Purpose for which the Loan was obtained	Period for which the Loan was authorised	Rate of Interest	Mode of repayment[2]	Amount of each equal annual or half-yearly Instalment of principal, or of principal and interest combined	Date or dates in each Year when Instalment becomes payable	Date when final Instalment becomes payable
1	2	3	4	5	6	7	8	9	10	11
		£						£ s. d.		

[1] If an Order of the Local Government Board authorise Loans for different purposes, the amount authorised for each purpose must be separately stated, although the repayment of the several sums may be secured in one and the same deed.

[2] If the Loan be repayable by equal instalments of Principal, with interest on the unpaid balance of principal, enter the words "Mode 1." If the Loan be repayable by equal instalments of principal and interest combined, enter the words "Mode 2."

SCHEDULE.

SECURITIES.

c. 58, s. 14).

Name of Lender	Residence and description of Lender	Signature of Clerk and date of Signature	Signature of Chairman and date of Signature	If Security transferred					When Loan repaid, date of final payment
				Date of Transfer	Name of Transferee	Residence and description of Transferee	Signature of Clerk and date of Signature	Signature of Chairman and date of Signature	
12	13	14	15	16	17	18	19	20	21

Given, &c., the 7th day of December, 1882.

Date of publication in the *London Gazette*, December 8, 1882.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891; and to the Grimsby Union by an Order dated April 3, 1890.

GENERAL ORDER.—REGULATIONS WITH RESPECT TO CASUAL PAUPERS.

(Dated 18th December, 1882.)

To the Guardians of the Poor of the several UNIONS in ENGLAND and WALES for the time being :—

And to all others whom it may concern.

WHEREAS by a General Order, dated the 22nd day of November, 1871, the Local Government Board, in pursuance of Section 6 of the "Pauper Inmates Discharge and Regulation Act, 1871," prescribed regulations with reference to casual paupers :

And whereas the said Act has been amended by the "Casual Poor Act, 1882," and it is expedient that the said Order should be rescinded to the extent hereinafter specified, and that other regulations should be substituted for those contained in that Order :

Now, therefore, We, the Local Government Board, in pursuance of the powers given to us by the several statutes in that behalf, hereby Order as follows :—[1]

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[1] The Local Government Board issued, on December 18, 1882, the following circular explanatory of this Order :—

The Local Government Board advert to their circular letter of August 31 last, in which they brought under the attention of the Guardians the provisions of the Casual Poor Act, 1882, which comes into operation on January 1 next.

By that Act the provision in the Pauper Inmates Discharge and Regulation Act, 1871, as to "the discharge of and detention of casual paupers" is repealed, and with the view of checking the increase of vagrancy a clause is substituted extending the time for which a casual pauper may be detained.

The Act referred to, which is to be construed as one with the Pauper Inmates Discharge and Regulation Act, 1871, has rendered it necessary for the Board to modify their General Order of November 22, 1871, and the Board have accordingly rescinded that Order, and issued an Order adapted to the new statutory

Art. 1.—The said Order dated the 22nd day of November, 1871, shall be rescinded on the 31st day of December, 1882, except so far as that Order rescinded other Orders.

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provisions. They have also availed themselves of this opportunity of making certain amendments in the regulations with regard to casual paupers which appear to them to be desirable.

The Board enclose six copies of the Order for the use of the Guardians and the officers concerned. The Order will take effect at the same time as the new Act, viz., on January 1 next.

As regards the detention of casual paupers, it will be observed that under section 4 of the Act a casual pauper will "not be entitled" to discharge himself from a casual ward until the time therein mentioned, and the Board by their Order have provided that a casual pauper "shall not be allowed" to discharge himself at an earlier period than that at which he is entitled to discharge himself under that section. Provisions similar to those in the previous Order have, however, been introduced so as to admit of the discharge of any class or classes of casual paupers before the expiration of the respective periods specified in the section, when the Guardians so direct. When also, in the opinion of the master of the workhouse or the superintendent of the casual ward, there are special circumstances that require that a casual pauper should be discharged before the expiration of the specified period, he may be discharged accordingly, the facts of the case being reported to the Guardians at their next meeting.

With respect to the new regulations it may be convenient to draw attention to some of the more important alterations which are made by the Order.

By Article 4 the time for admission to a casual ward is fixed at two hours earlier than was the case under the former Order, viz., four o'clock in the afternoon (instead of six) during the months between October and March, and six o'clock in the afternoon (instead of eight) during the months between April and September. The Board hope that this alteration in the hours of admission will tend to prevent the evils arising from the congregating at the door of the casual ward of a number of casual paupers waiting for admission.

Article 4 further provides that the order for admission to a casual ward shall be available only "on the day on which it was issued," but the Board think it right to observe that if an order is granted at so late an hour at night that the casual pauper is unable to present it at the casual ward until after midnight, this would not in itself be a sufficient ground for refusing admission. It would, under such circumstances, be the duty of the master of the workhouse, or during his absence or inability to act, of the matron or the superintendent of the casual ward, to admit the pauper, if the case appears to be one of sudden or urgent necessity. *See* Article 3 (1).

Article 8, which prescribes the form of Admission and Discharge Book, contains an additional provision under which the Guardians will be enabled to require the master of the workhouse or the superintendent of the casual ward to enter in the book such particulars as the Guardians may deem expedient besides those indicated in the form. The form of book has also been altered to meet the cases of casual paupers who are detained for the full period authorised by the Act.

The regulations as to the tasks of work for male casual paupers have also been altered in several particulars. The maximum quantity of stone which the Guardians may require to be broken by a male casual pauper who remains for one night only, has been increased from three to four cwt., and the maximum quantity in the case of a male casual pauper detained for more than one night,

Art. 2.—The following regulations shall take effect on and after the 1st day of January 1883, with regard to the several unions in England and Wales for the time being.[1]

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for each day of detention has been increased from 10 to 13 cwt. This alteration has been made in consequence of the comparatively soft character of the stone which, in some localities, is used for the task of work. It is further provided that the stone shall be broken to such a size as the Guardians having regard to the nature of the stone may prescribe.

The following alternative tasks of work are also prescribed :—In the case of male casual paupers who remain for one night only, three hours' work in digging, or pumping, or cutting wood, or grinding corn ; and in the case of casual paupers who are detained for more than one night, nine hours' work of the same character for each entire day of detention.

It will be observed from the third proviso to Article 11 that any task of work which at the date when the Order takes effect had been approved by the Board, in pursuance of the Order of November 22, 1871, will remain in force until the Guardians pass a resolution revoking it.

It is, however, to be borne in mind, with reference to the several tasks of work, that by Article 11 it is provided that a person shall not be required to perform the whole or any part of such work, if it appears that the same is not suited to his age, strength, or capacity.

By section 7 of the Pauper Inmates Discharge and Regulation Act a pauper, whether an inmate of a casual ward or workhouse, who refuses or neglects to observe the regulations prescribed, is to be deemed an idle and disorderly person within the meaning of sect. 3 of Geo. IV. c. 83, and the Board have deemed it desirable in Article 12 to prescribe additional regulations as to the conduct of casual paupers.

Instances have occurred showing the necessity for ready means of communication being provided between the inmates of the casual ward and the person having charge of the ward, and an express requirement that such provision shall be made is introduced in Article 14.

If the Guardians have not already done so, it will be necessary for them to consider what arrangements can most conveniently be made for the accommodation by day of the casual paupers who are detained under the Act, and the Board state that, if the Guardians desire it, the inspector of the district will be willing to confer with them on the subject.

The Board feel assured that they may rely on the co-operation of the Guardians in giving effect to the powers conferred on them by the Act, and enforcing the regulations which the Board have issued.—12th Annual Report, p. 62.

[1] In a circular letter issued by the Local Government Board on February 25, 1896, the Board stated that their attention had been directed for some time past to the large increase in the number of applicants for admission to the casual wards throughout the country; and that from information received from their inspectors and otherwise, there appeared to be reason for considering that this increase was to a considerable extent not unconnected with a failure on the part of Boards of Guardians to enforce the provisions of "The Pauper Inmates Discharge and Regulation Act, 1871," as amended by the "Casual Poor Act, 1882," and of the Regulations of the Board.

That in many instances the prescribed regulations had been entirely disregarded or had been only partially complied with, whilst the divergence of

ADMISSION.

Art. 3.—A casual pauper shall not be admitted into any casual ward except upon an order signed either—

By a relieving officer or an assistant relieving officer ;

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practice throughout the country and often in neighbouring Unions was very marked.

That many representations had been made to the Board as to the desirability of increasing the powers of Guardians as regards the detention of vagrants and of dealing with them in other ways, but the Board were of opinion that as the first step, Boards of Guardians throughout the country should avail themselves of the powers they already possess, and endeavour in concert with the Guardians of neighbouring Unions, to ensure greater uniformity of practice in dealing with this class of applicants for relief.

That the existing regulations had been framed with a view of ensuring from the vagrants such a return, by work, for the relief afforded to them by the Guardians that they will understand that their lot whilst so relieved will be in no wise better as regards labour than that of the industrious working man, although no penal consequences ensue from an application for relief. But that it was manifest that this intention is frustrated when from more than half the casual wards in the country vagrants are discharged the first morning after their admission, generally without any adequate task of work being required from them.

That as regards the detention of casual paupers the regulations of December 18, 1882, provide that a casual pauper shall not be allowed to discharge himself from a casual ward before nine o'clock in the morning of the second day following his admission, nor before he has performed the prescribed work; and where a casual pauper has been admitted on more than one occasion during one month into any casual ward of the same union, he shall not be allowed to discharge himself before nine o'clock in the morning of the fourth day after his admission.

That in computing the number of days during which a casual pauper may be detained, Sunday is not to be included, and with respect to the Metropolis, in determining the number of admissions of a casual pauper, every casual ward in the Metropolis is to be deemed to be a casual ward of the same Union.

That these provisions were however subject to the exceptions contained in Art. 9 of the Order.

That by a further Order dated June 11, 1892 (*post*), provision has been made for the discharge of any casual pauper at half-past five o'clock in the morning between Lady Day and Michaelmas and half-past six o'clock in the morning between Michaelmas and Lady Day, when such person has been detained for more than one night and represents to the Master of the workhouse or superintendent of the casual ward that he is desirous of seeking work, provided that he has to the best of his ability performed the task of work prescribed.

That it had often been urged that the Casual Ward accommodation at the disposal of the Guardians is not sufficient to enable them to keep vagrants for more than one night, having regard to the numbers that seek admission. If, however, there were a due sense of reciprocity of interests in dealing with vagrants, this contention would, to a considerable extent, fail, because, in the case of an habitual vagrant, it may usually be assumed that if he is not sleeping in one workhouse he is doing so in another, and therefore if all Guardians detained vagrants of this class, the extra strain on the accommodation which is anticipated would not, under ordinary circumstances, arise. But apart from

Or, in cases of sudden and urgent necessity, by an overseer ;

Provided as follows ;—

Art. 3—1. The master of the workhouse (or during his absence or inability to act, the matron), or the superintendent of the casual ward shall admit any casual pauper without an order, where the case appears to be one of sudden or urgent necessity.

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this, it had been proved again and again that strict administration immediately produces a marked reduction in the number of applicants for admission.

That in connection with this point it is important to consider the character of the provision made for the accommodation of vagrants. At some workhouses the cellular system only is adopted ; at others, the cellular system in connection with associated wards ; and at others, associated wards only. In about half the workhouses in the country, neither the cellular system nor any modification of it is carried out.

That the Board recognise the fact that, when adequate associated wards have been provided in a rural Union, it may be unreasonable to expect the Guardians to incur the expense of building new wards on the cellular system. At the same time the Board have a strong opinion as to the advantages of this system. Whilst the separation for which it provides makes relief in the casual ward more distasteful to the habitual vagrant, it is appreciated by the *bonâ-fide* working man, as it saves him from association with the class who ordinarily have recourse to a casual ward, and the relief thus given is more consistent with his self-respect.

That in many Unions there are both separate compartments and associated wards, the intention being that the latter should only be used by the vagrants detained for more than two nights, or on occasions when their use is rendered necessary by the admission of an exceptional number of persons. But it is found that, in some cases, the vagrants have been placed in the associated ward, whilst the separate compartments have been left unoccupied. Very clear instructions should be given by the Guardians to the responsible officer, that such a practice should be discontinued.

That it was unnecessary for the Board to refer in detail to other regulations as to the relief of casual paupers, such as those with regard to searching on admission, bathing, the provision of garments for the night, the drying and disinfection, when necessary, of the clothes of the persons admitted, the task of work, and the dietary. The Board must, however, impress on the Guardians the importance of a due compliance with those regulations.

That the Board are clearly of opinion that, whilst all due consideration should be given to those who are *bonâ-fide* travelling in search of work, and who unfortunately are obliged to apply for relief in the casual ward, the arrangements should not be such as to encourage the habitual vagrant to have recourse to the Guardians for relief, instead of endeavouring by work to maintain himself.

That where there has been agreement in different parts of the country that neighbouring Unions over a given area shall stringently enforce the regulations, a large reduction in the number of vagrants in the district has ensued ; and the Board believe that a similar result might be obtained in the country generally if the provisions of the regulations were enforced.

That the Board must, therefore, urge on Boards of Guardians that they should, with this view, duly exercise the powers already vested in them, and the Board trust that they may rely on their co-operation in this matter.

That if it should thereafter be found that the existing law, when duly enforced by Boards of Guardians generally throughout the country, is insufficient to meet the evil, the Board will be quite ready to consider what further action

Art. 3.—2. The master or matron of any workhouse or the superintendent of any casual ward in the Metropolis shall admit without an order any person brought to the casual ward by a constable, in pursuance of Section 4 of the "Metropolitan Houseless Poor Act, 1865," if there be room for him in such ward.

3. Where a person is refused admission to a casual ward, a record of the name of the applicant and of the circumstances under which he was refused admission shall be entered by the master, matron, or superintendent in a book, and laid before the Guardians at their next meeting.

Art. 4.—The following regulations, subject, however, as regards the Metropolis, to the provisions of Sections 4 and 5 of the "Metropolitan Houseless Poor Act, 1865." shall be observed with respect to orders of admission :—

1. The order shall, in addition to any other particulars which may be required, show the hour and place at which it was given :

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should be taken with a view to dealing with the question either by legislation or otherwise.

On January 19, 1889, the Local Government Board, in a circular issued to clerks to Guardians in the Metropolis stated that, in connection with the relief of the casual poor in the Metropolis, they observed that, whilst in many of the casual wards there was always vacant accommodation, there were others where there was very frequently considerable pressure in consequence of the number of applications for relief, and that in many instances applicants were refused admission and referred to other wards on the ground that the wards were full.

The Board further stated that it had reason to believe that this pressure in the case of particular wards was, to a large extent, attributable to differences with regard to the nature of the task of work which the casual paupers were required to perform, or the extent to which powers of detention were exercised, or other causes of a like character.

The cost of the relief of the casual poor in the different Unions and Parishes in London was a charge on the Metropolitan Common Poor Fund, and was, therefore, borne by the Metropolis in like manner as if it formed one Union. But apart from this consideration, it was obvious that there should, so far as possible, throughout the Metropolis be uniformity in the arrangements in connection with the relief of casual paupers.

The Board deemed it right to bring this subject specially under the notice of the several Boards of Guardians, and suggested that in those Unions in which the pressure to which reference had been made arose, the Guardians should make inquiry with the view of ascertaining how far the arrangements adopted by them in connection with the relief of this class of poor differed from those in other Unions where no such pressure occurred.

Art. 4.—2. The order shall be available only on the day on which it was issued :

3. The order shall not be available for admission earlier than four o'clock in the afternoon during the months between October and March, both inclusive, or earlier than six o'clock in the afternoon during the months between April and September, both inclusive, nor unless it is presented within a reasonable time after it has been obtained, except where at the time of the presentation of the order, the master or matron of the workhouse, or the superintendent of the casual ward may consider the case to be one of sudden or urgent necessity.

Art. 5.—Every casual pauper shall immediately upon admission be searched, in the case of the male, by or under the inspection of the master or other male officer, and in the case of a female, by or under the inspection of the matron or other female officer, and all articles which may be found upon the person of such pauper shall be taken away, and (except as regards any money, which may be dealt with in the manner prescribed by Section 10 of the "Poor Law Amendment Act, 1848") shall be restored to him at the time of his discharge.[1]

Art. 6.—Every casual pauper shall as soon as practicable after his admission be cleansed in a bath with water of suitable temperature : provided that this regulation shall not be enforced if on account of the state of health of the pauper or other circumstances, there is reason to believe that the use of the bath would be injurious.[1]

Art. 7.—The clothing worn by a casual pauper shall, after his admission, be taken from him, and if requisite be dried or disinfected, and such garment or garments as the Guardians may deem necessary, shall be supplied to him for the night, his own clothes being returned to him in the morning.[1]

Art. 8.—The master of the workhouse or the superintendent of

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[1] A printed copy of this Article is to be suspended in some conspicuous place in the casual ward and in the yard or room where the casual paupers are set to work. See Art. 15, *post*, p. 1056.

the casual ward shall duly keep, or cause to be kept a book containing the particulars set forth in the Form in Schedule A. annexed hereto, and such other particulars as may be required by the Guardians ; and such book shall be laid before the Guardians at such times as they may appoint, and shall be submitted to the district auditor at the usual audits, and at other audits when required by him.

Discharge.

Art. 9.—Whereas by Section 4 of the "Casual Poor Act, 1882,' it is enacted that—

"A casual pauper shall not be entitled to discharge himself from "a casual ward before nine o'clock in the morning of the "second day following his admission, nor before he has per- "formed the work prescribed for him, as in the said Act [The "Pauper Inmates Discharge and Regulation Act, 1871] men- "tioned ; and where a casual pauper has been admitted on "more than one occasion during one month into any casual "ward of the same union, he shall not be entitled to discharge "himself before nine o'clock in the morning of the fourth "day after his admission, and he may at any time during that "interval be removed by any officer of the Guardians, or by a "police constable, to the workhouse of the union, and be "required to remain in such workhouse for the remainder of "the period of his detention."

"Provided that in computing the number of days during which "a casual pauper may be detained under this section, Sunday "shall not be included."

"Provided also, with respect to the metropolis, as follows :

"(1.) In determining the number of admissions of a casual "pauper, every casual ward in the metropolis shall be "deemed to be a casual ward of the same union :"

"(2.) The expression 'workhouse of the union' in this section "shall include any workhouse and any asylum provided "under the Metropolitan Poor Act, 1867, for the recep-

" tion and setting to work of the casual poor, to which
" the casual poor of the union can be sent : "

Now, therefore, the following regulations shall, on and after the First day of January, One thousand eight hundred and eighty-three, be observed with respect to the discharge of casual paupers ; that is to say,—

A casual pauper shall not be allowed to discharge himself at an earlier period than that at which he is entitled to discharge himself under the section above cited.

Provided as follows :—

(1.) The Guardians may give any directions to the master of the workhouse, or to the superintendent of the casual ward, with respect to the discharge of any class or classes of casual paupers before the expiration of the respective periods specified in the section above cited, and such directions shall be followed by the master or superintendent.

(2.) If in the opinion of the master of the workhouse, or the superintendent of the casual ward, any special circumstances shall require that a casual pauper shall be discharged before the expiration of either of the periods mentioned in the section above cited, he may discharge such pauper accordingly, and shall report the facts of the case to the Guardians at their next meeting.[1]

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[1] A third proviso has been added to this Article by Art. 1 of the Amending Order of June 11, 1892, *post*.

The proviso (3) in Article 1 of the Order of May 20, 1897, *post*, is to be read as an addition to Article 9 of the General Order of December 18, 1882, and should, therefore, form part of the printed matter which under Article 15 of the latter Order the master of the workhouse or the superintendent of the casual ward is required to cause to be " hung up and kept suspended in some " conspicuous place in the casual ward and in the yard or room where the " casual paupers are set to work." With regard to the notice to be given of the provisions of Article 9 of the Order of December 18, 1882, the Local Government Board in a Circular Letter dated May 20, 1897, said :—" It would appear from representations that have been made to the Board that the proviso referred to is not in all cases included in the notices hung up in the casual wards, and they therefore think it necessary to bring the matter to the notice of the Guardians, in order that, if they have not already done so, they may give directions that the proper extracts from both Orders should be hung up in the prescribed places.

" The Board may point out that if no notice is given as to the provisions of the Order of 1892 it is not improbable that those to whom it is specially desir-

Dietary.

Art. 10.—The casual paupers received into the casual ward shall be dieted as prescribed in the Table in the Schedule B. hereto annexed.

Provided as follows :

1. The dietaries may be varied from time to time by a resolution of the Guardians, approved by the Local Government Board.
2. If the casual pauper be sick or infirm, the medical officer of the workhouse or casual ward shall prescribe the dietary for such pauper.[1]

Task of Work.

Art. 11.—The master of the workhouse or the superintendent of the casual ward shall set every casual pauper not suffering under any temporary or permanent infirmity of body to perform one of the tasks of work prescribed in the Schedule C. hereto annexed, according to the class to which he may belong.[2]

Provided as follows :

1. A person shall not be required to perform the whole or any part of such task of work if it shall appear that the same is not suited to his age, strength, or capacity.

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able that the advantage contemplated by the Order should be given will have no knowledge of their right to make the representation provided for; and unless such representation is made no right to early discharge can accrue."

[1] The Dietary Table in Schedule B to this Order is amended by an Order of the Local Government Board dated May 4, 1897, *post*.

[2] By a General Order of the Local Government Board, dated December 21, 1882, which was published in the *London Gazette* on December 22, 1882, and recites that Orders had been issued to the several Unions named in the first column of the Schedule to the Order bearing the dates placed opposite to the names of such Unions respectively in column 2 of that Schedule; and that those Orders contain in the Articles thereof bearing the numbers set opposite to each Order in the third column of that Schedule, regulations with respect to casual paupers, such regulations were rescinded, subject to the following proviso:—"Provided that any task of work which, before the 1st of January, 1883, shall have been approved by the Local Government Board in pursuance of the regulations contained in any Article hereby rescinded, shall remain in force until the Guardians pass a resolution revoking it; and the master of the workhouse or the superintendent of the casual ward shall, until such resolution is passed, set every casual pauper within the terms of Art. 11 of the General Order above cited (*i.e.* Art. 11, *supra*), to perform the task of work so approved, or one of the tasks of work prescribed in the Schedule C. annexed to such

Art. 11.—2. The tasks of work may be varied from time to time by a resolution of the Guardians, approved by the Local Government Board.

3. Any task of work which, at the date when this Order takes effect, shall have been approved by the Local Government Board in pursuance of the Order hereby rescinded, shall remain in force until the Guardians pass a resolution revoking it, and the master of the workhouse or the superintendent of the casual ward shall until such resolution is passed set every casual pauper within the terms of this Article to perform the task of work so approved, or one of the tasks of work prescribed in Schedule C. hereto annexed according to the class to which he may belong.

General Regulations.

Art. 12.—The following regulations shall be observed by every casual pauper ; viz. :—

1. He shall not use obscene or profane language, or act or write indecently or obscenely.
2. He shall not by word or deed insult or revile or threaten to strike or assault, the master or matron, the superintendent of the casual ward, or any other officer or assistant officer in the employ of the Guardians.
3. He shall not unlawfully strike or otherwise unlawfully assault any person.
4. He shall not smoke in the casual ward, or in any part of the premises connected therewith.[1]

General Order (*i.e.* Sch. C. *post*, p. 1061), according to the class to which he may belong."

The Schedule to the Order is as follows :—

Name of Union	Date of Order	Nos of Articles
Barrow-in-Furness . . .	April 15, 1876 . . .	128 to 140 (both inclusive).
Canterbury	,, 8, 1881 . . .	126 to 138 (both inclusive).
Coventry	,, 13, 1874 . . .	128 to 140 (both inclusive).
Exeter	May 30, 1878 . . .	129 to 141 (both inclusive).
Middlesborough	July 16, 1875 . . .	128 to 140 (both inclusive).
Pontardawe	April 12, 1875 . . .	128 to 140 (both inclusive).

[1] A printed copy of this Article is to be kept suspended in some conspicuous place in the casual ward and in the yard or room where the casual paupers are set to work. See Art. 15, *post*, p. 1056.

Art. 13.—In the event of any casual pauper being ill, the master of the workhouse or the superintendent of the casual ward shall, as soon as practicable, obtain the attendance of the medical officer, who shall give directions as to the treatment of such pauper, and if, in the opinion of the medical officer, the pauper cannot be properly treated in the casual ward, he shall be transferred to a sick ward of the workhouse, and be deemed to be an ordinary inmate thereof.[1]

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[1] The Board consider it highly important that all cases of illness should receive prompt medical attention, and they request that the Guardians will be good enough to give strict directions to the master of the workhouse or superintendent of the casual wards, as the case may be, that he should at once procure the attendance of the medical officer whenever any casual pauper appears to be ill, or there is any doubt upon the subject.—*Circular Letter*, March 17, 1882, see 12th Annual Report, p. 8.

On February 13, 1893, the Local Government Board issued the following Circular Letter to the Clerks and Guardians :—" The Local Government Board have had recently brought under their attention a number of instances in which casual paupers who have been admitted to the casual wards have been found to be suffering from small-pox, and on several occasions it has appeared that the persons so affected had, on the night immediately preceding their application for admission to the casual wards, slept in other casual wards.

" There is no doubt that there is considerable risk of small-pox being spread by means of casual paupers, and the Board trust that the Guardians and their officers will take such measures as will tend as far as possible to diminish this danger.

" The regulations of the Board relative to the relief of casual paupers, which were issued on December 18, 1882, by Article 13 provide that in the event of any casual pauper being ill the master of the workhouse or the superintendent of the casual wards shall, as soon as practicable, obtain the attendance of the medical officer, who shall give directions as to the treatment of such pauper. The Board consider it a matter of great importance that the attention of the medical officer should be at once called to any casual pauper who may complain of illness, or who, in the absence of complaint, may present any suspicious symptoms, and they request that the Guardians will be so good as to give such instructions to the master of the workhouse or superintendent of the casual wards as will ensure that this shall be done, and that the greatest vigilance may be exercised to check the discharge of persons who are likely to be suffering from small-pox, or, being convalescent, may still be a source of danger to others.

" [The regulations of the Board contemplate that under ordinary circumstances a casual pauper when ill shall be removed to the workhouse ; but the Guardians will realise that, as a general rule, patients suffering from small-pox cannot be retained on the workhouse premises without very serious risk of the spread of the disease.

" The sanitary authorities are expressly empowered by section 131 of the Public Health Act to provide hospital accommodation for the isolation of persons suffering from dangerous infectious disease, and when the sanitary authority have provided a hospital suitable for the reception of small-pox cases the Board consider that the Guardians should, if possible, arrange beforehand

Art. 14.—Proper sleeping accommodation, consisting of separate cells, beds, or compartments, or other arrangements, which have been approved by the Local Government Board, and suitable bed clothing, shall be provided in every casual ward; and, except in the case of a mother and her infant child or children, more than one casual pauper shall not be allowed to sleep in the same cell bed, or compartment. Suitable means of communication between the inmates of the casual ward and the person having charge of the ward shall be provided.

Art. 15.—The master of the workhouse or the superintendent of the casual ward shall cause to be hung up and kept suspended in some conspicuous place in the casual ward and in the yard or room where the casual paupers are set to work, a printed copy of Articles 5, 6, 7, 9, and 12, of this Order, as well as of the Dietary Table and the Tasks of Work in force for the time being, and of

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with the sanitary authority for the reception into such hospital, when necessary, of any persons suffering from small-pox for whom relief is required.

"The Board are advised that, as a general rule, only circumstances of grave urgency justify the admission or retention of a small-pox case in a workhouse. The Guardians, when there is no hospital already provided by the sanitary authority affording suitable accommodation, should immediately consider, in concert with the medical officer of health, what other provision for the due isolation of patients is practicable.]

"The Board must, at the same time, observe that when a case of small-pox occurs, whether in the casual wards or in the workhouse, and indeed in times of small-pox prevalence generally, it is, in the opinion of the Board, of the greatest importance that measures should at once be taken to secure, as far as practicable, vaccination or re-vaccination of the other inmates, so far as the medical officer may consider needful. Care should especially be taken that the nurses and other persons employed to attend upon the patients or brought into personal contact with them should be such as have, within a sufficiently recent period, been either successfully re-vaccinated or had small-pox; or, when there is a difficulty in securing this, that such persons should at once be re-vaccinated as a protection against the disease.

"The Board request that whenever there is an occurrence of small-pox or any other dangerous infectious disease in a workhouse, including any case occurring in the casual wards, the fact may be immediately reported to them by the medical officer, with a statement showing for each case the date of attack and source of infection, so far as may be known. The medical officer should also state what provision has been made for preventing the spread of the disease among the inmates, and for the isolation and nursing of the patients, and whether he is satisfied of the sufficiency of such provision. In the case of small-pox occurring the medical officer should fully inform the Board of such measures as may be taken in regard to vaccination and re-vaccination."

A similar circular to the foregoing, omitting, however, the portion included within brackets, was issued by the Local Government Board to the clerks to Guardians in the Metropolis on July 30, 1895.

Section 7 of the "Pauper Inmates Discharge and Regulation Act, 1871" (omitting the provisoes to that Section), of Section 44 of the "Divided Parishes and Poor Law Amendment Act, 1876," and of Section 5 of the "Casual Poor Act, 1882."

Explanation of Terms.

Art. 16.—In this Order—

The term "Union" means a union of parishes under a general or local Act, with a separate Board of Guardians, and includes a parish or place for which there is a separate Board of Guardians.

The term "Guardians" means Guardians appointed under "The Poor Law Amendment Act, 1834," and the Acts amending the same, and includes Guardians or any other body of persons performing under any local Act the like functions as Guardians under "The Poor Law Amendment Act, 1834."

The term "Metropolis" means the Metropolis as defined by the Metropolis Management Act, 1855, and includes any union which is wholly or for the greater part thereof comprised within the Metropolis as so defined.

The term "casual pauper" means any destitute wayfarer or wanderer applying for or receiving relief.

The term "casual ward" means any ward or wards, building, or premises set apart or provided for the reception and relief of destitute wayfarers and wanderers.

All words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural and the plural the singular, unless the contrary as to gender or number is expressly provided.

SCHEDULE A.—*Admission and Discharge*

_____ Union.

ADMITTED							
Year, Month, and Day of the Month	Day of the Week	Hour of Admission	Names of Casual Pauper, Wife, and family	Age	Calling or Occupation	Where he slept last night	If any, what money found when searched on admission *

* See the Provisions in the Statute 11 & 12 Vict. c. 110, s. 10.[1]

In Unions within the Metropolis columns must be added for *the nature and quantity of food given* and *the cost*.[1]

[1] These *notes* are contained in the Order itself. The 11 & 12 Vict. c. 110, s. 10, provides for searching any poor person on admission to a workhouse, or

Book for Casual Paupers.

Master of the Workhouse at _____

or Superintendent of the Casual Ward at _____

DISCHARGED								
At what Hour discharged					What work done	If not set to work, why?	To what place going	Remarks
1st day after admission	2nd day after admission	3rd day after admission	4th day after admission	5th day after admission **				

** This column is only intended for cases where the period of detention includes Sunday.'

on applying for relief, and for punishment of persons as idle and disorderly persons applying for relief having means of support under immediate control.

SCHEDULE B.

Dietary Table.

CASUAL PAUPERS WHO REMAIN FOR ONE NIGHT ONLY.

SUPPER	Males above 15 years of age [1]	8 oz. of Bread; *or* 6 oz. of Bread, and 1 pint of Gruel or 1 pint of Broth.
	Females above 15 years of age	6 oz. of Bread, and 1 pint of Gruel or 1 pint of Broth.
	Children from 7 to 15 years of age	
	Children under 7 years of age	*4 oz. of Bread, and half-a-pint of Gruel or half-a-pint of Broth.*[2]

BREAKFAST—Same as Supper.

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[1] By an Order of the Local Government Board, dated November 3, 1887, it is provided that:—

So far as regards casual paupers received into a casual ward belonging to any of the Unions and separate Parishes named in the schedule to this Order, the above cited general order shall be altered by substituting in the dietary table contained in the Schedule B thereto, 6 ounces of bread, together with one pint either of hot gruel, containing "not less than 2 oz. of oatmeal, or of hot broth" for the diet prescribed in such table for the supper and breakfast of males above 15 years of age.

SCHEDULE.

Unions.

City of London.
Fulham.
Greenwich.
Hackney.
Holborn.
Lewisham.
Poplar.
Saint George's.
Saint Olave's.
Saint Saviour's.
Stepney.
Strand.
Wandsworth and Clapham.
Westminster.
Whitechapel.
Woolwich.

Separate Parishes.

Mile End Old Town (Hamlet).
Paddington.
Saint George-in-the-East.
Saint Giles, Camberwell.
Saint Giles-in-the-Fields and Saint George, Bloomsbury.
Saint John, Hampstead.
Saint Leonard, Shoreditch.
Saint Luke, Chelsea.
Saint Mary Abbotts, Kensington.
Saint Mary, Islington.
Saint Mary, Lambeth.
Saint Marylebone.
Saint Matthew, Bethnal Green.
Saint Pancras.

[2] All words relating to the diet of children under seven years of age are now to be omitted from the dietary table in Schedule B. See the Order of May 14

SCHEDULE B.—(*Continued.*)

CASUAL PAUPERS WHO ARE DETAINED FOR MORE THAN ONE NIGHT.

SUPPER and BREAKFAST.	The same as above.	
DINNER for the first and each subsequent day after admission.	Males above 15 years of age	8 oz. of Bread and 1½ oz. of Cheese, *or* 6 oz. of Bread and 1 pint of Soup.
	Females above 15 years of age	6 oz. of Bread and 1½ oz. of Cheese, *or* 5 oz. of Bread and 1 pint of Soup.
	Children from 7 to 15 years of age	
	Children under 7 years of age	*4 oz. of Bread and 1 oz. of Cheese, or 3 oz. of Bread and half-a-pint of Soup.*[1]

The Gruel, Broth, and Soup to be made of the same ingredients and in the same proportions as are used in the Workhouse for those articles of diet.

SCHEDULE C.

Tasks of Work.[2]

CASUAL PAUPERS WHO REMAIN FOR ONE NIGHT ONLY.

As regards males—

The breaking of two cwt. of stones, or such other quantity not less than one and a-half cwt. nor more than four cwt. as the Guardians, having regard to the nature of the stone, may prescribe. The stone shall be broken to such a size as the Guardians, having regard to the nature thereof, may prescribe ;

or

The picking of one pound of unbeaten or two pounds of beaten oakum ;

or

Three hours' work in digging or pumping, or cutting wood, or grinding corn.

1897, *post.* A printed copy of the dietary table as so amended, is to be kept suspended in some conspicuous place in the casual ward, and in the yard or room in which the casual paupers are set to work. See Art. 15, *ante*, p. 1056.

[1] See Note 2, *ante*, p. 1060.

[2] A printed copy of this table is to be kept suspended in some conspicuous place in the casual ward, and in the yard or room in which the casual paupers are set to work. See Art. 15, *ante*, p. 1056.

As regards females—

The picking of half-a-pound of unbeaten or one pound of beaten oakum;

or

Three hours' work in washing, or scrubbing and cleaning.

Casual Paupers who are detained for more than One Night.

As regards males, for each entire day of detention—

The breaking of seven cwt. of stones, or such other quantity not less than five cwt. nor more than thirteen cwt. as the Guardians, having regard to the nature of the stone, may prescribe. The stone shall be broken to such a size as the Guardians, having regard to the nature thereof, shall prescribe;

or

The picking of four pounds of unbeaten or eight pounds of beaten oakum;

or

Nine hours' work in digging or pumping, or cutting wood, or grinding corn.

As regards females, for each entire day of detention—

The picking of two pounds of unbeaten or four pounds of beaten oakum;

or

Nine hours' work in washing, scrubbing and cleaning, or needlework.

Given, &c., the Eighteenth day of December, 1882.

Date of publication in the *London Gazette*, December 19, 1882.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891.

GENERAL ORDER.—POOR LAW CONFERENCES.

(Dated 17th September, 1883.)

To the Guardians of the Poor of the several UNIONS in England and Wales for the time being ;—

And to all others whom it may concern.

WHEREAS Section 2 of the Poor Law Conferences Act, 1883, contains the following enactment :—

"The Guardians of any union may, when empowered by and "subject to any regulations made by the Local Government "Board (which regulations the said Board is hereby authorised "from time to time to make, vary, or rescind), pay the "reasonable expenses of any Guardian or Guardians, or clerk "to the Guardians, incurred in attending any conference of "Guardians held for the purpose of discussing any matter "which is connected with the duties which devolve on them, "and any reasonable expenses incurred in purchasing reports "of the proceedings of any such conference, and may charge "the amount to their Common Fund, or, if they have no "Common Fund, to the fund under their control."[1]

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[1] By Section 2 of the Public Health and Local Government Conferences Act, 1885 (48 Vict. c. 22), it is enacted that :—"Any local authority may, when empowered by and subject to any regulations made by the Local Government Board in that behalf (which regulations the said Board is hereby authorised from time to time to make, vary, or rescind), pay the reasonable expenses of any member or members or clerk to the local authority attending any conference or meeting of members of local authorities held for the purpose of discussing any matter which is connected with the duties which devolve on them, and any reasonable expenses incurred in purchasing reports of the proceedings of any such meeting or conference, and may charge the amount to any rates applicable to the general purposes of the Public Health Act, 1875, within their district."

By Section 3 the expression "local authority" has the same meaning as it

Now therefore, We, the Local Government Board, do, by this Our Order, empower the Guardians of the Poor of the several unions in England and Wales to pay the reasonable expenses incurred in attending any such conference as is mentioned in the above-recited section, and in purchasing reports of the proceedings of any such conference, subject to the following regulations :—

(1.) The expenses incurred in attending a conference shall only be paid in respect of attendance at the Central Conference held in London, or at a conference convened for a district including the union from which the persons attending as representatives are sent, and held at a place distant not more than one hundred miles from such union.

(2.) The attendance at any conference of a Guardian, or Guardians, or the clerk to the Guardians of any union, shall be expressly authorised by a resolution passed at a meeting of the Guardians of such union,[1] a written or printed notice that the proposal is to be considered at that meeting having been sent, by post or otherwise, to each Guardian not less than four days prior to the date of the meeting ; and where the attendance of more than one Guardian is authorised, the number of Guardians authorised to attend shall be specified in the resolution.

(3.) The maximum number of Guardians authorised to attend any conference shall be three, and in the case of the

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has in the Public Health Act, 1875, except that the term does not mean or include the urban authority of any borough.

The Guardians of a union acting as the rural sanitary authority of their district are therefore a local authority under the Act.

[1] The Local Government Board in their circular, dated September 19, 1883, which accompanied this Order, state that the expenses of deputations attending conferences under this Order, will not be payable unless the attendance at the conference of a Guardian or Guardians or of the clerk has been expressly authorised in the manner prescribed by the Order. They further state that they had not deemed it practicable to specify the precise sum which should be allowed in respect of an attendance at a conference. The statute only admits of the expenses actually incurred being charged, and it requires that these should be reasonable. They must necessarily vary in different cases, but the Board think that in addition to the actual travelling expenses they should not exceed the following scale for each person, viz. :—*Seven shillings and sixpence* per day when not absent from home at night ; and *fifteen shillings* per day when absence from home at night is necessary.

Central Conference held in London only one Guardian shall be authorised to attend from any union which is at a distance of more than fifty miles from the place of meeting.

(4.) The number of copies which may be purchased by the Guardians of any union of the report of the Central Conference, or of any conference for a district including the union, shall be such as the Guardians of the union may, by resolution, determine.[1]

In this Order—

The expression "union" means a union of parishes under a General or Local Act with a separate Board of Guardians, and includes a parish for which there is a separate Board of Guardians.

The expression "Guardians" means Guardians appointed under the Poor Law Amendment Act, 1834, and the Acts amending the same, and includes Guardians or other body of persons performing under any Local Act the like functions as Guardians under the Poor Law Amendment Act, 1834.

Given, &c., this Seventeenth day of September, 1883.

Date of publication in the *London Gazette*, 18th September, 1883.

The foregoing Order was applied to the Great Yarmouth Union by an Order dated March 20, 1891 ; and to the Grimsby Union by an Order dated April 3, 1890.

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[1] The Local Government Board in the circular referred to in the previous note say that:—"With regard to the reports of Poor Law conferences it will be seen that the Board have left it to the Guardians to determine by resolution what number of copies they will purchase. The power of purchase extends to the reports, both of the Central Conference and of any Conference for a district including the Union."

GENERAL ORDER.—COLLECTORS OF POOR RATES AND ASSISTANT OVERSEERS.

(Dated 17th June, 1886.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in England and Wales;—

To the churchwardens and overseers of the poor of the several parishes and places comprised in the said unions, and of the said several separate parishes;—

And to all others whom it may concern.

WHEREAS the Poor Law Commissioners, the Poor Law Board, and the Local Government Board, respectively, have, by General and other Orders issued in that behalf,[1] ordered and empowered the Guardians of the poor of certain of the unions and separate parishes in England and Wales to appoint collectors of poor rates, or assistant overseers,[2] for all or some of the parishes comprised in such unions or for such separate parishes:

And whereas by the said Orders, or some of them, provision was made with regard to the mode of appointment, tenure of office, and remuneration of such collectors and assistant overseers, and the supply of vacancies:

And whereas it is expedient that certain further provisions should be made as hereinafter mentioned:

Now therefore, We, the Local Government Board, in pursuance

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[1] A form of Order for the appointment, &c., of a Collector of Poor Rates will be found in the Appendix, *post*; see also the Order of November 15, 1867, *ante*, p. 762.

[2] With regard to the appointment of assistant overseers, see the note (1) to the Order of November 15, 1867, *ante*, p. 762.

of the powers given to us by the statutes in that behalf, hereby Order as follows :—

Art. 1.—The provisions of Articles 2, 3, and 4 of this Order shall respectively apply in every case where, under any Order or Orders above referred to, and still in force, the Guardians of any union or separate parish in England and Wales have appointed or may hereafter appoint a collector of poor rates or an assistant overseer,[1] and all previous provisions at variance or inconsistent with the same are hereby rescinded.

Art. 2.—If any such collector of poor rates or assistant overseer now holding office, or who may hereafter be appointed, shall give notice of an intended resignation to take effect on a future day, or if the Guardians shall, in pursuance of any provision in force at the time, by notice determine the appointment of any such officer, they may appoint a successor to such officer at any time subsequent to such notice, without waiting for the vacancy in the office.[2]

Art. 3.—On the occurrence of a vacancy in the office of any such collector of poor rates or assistant overseer now holding office, or who may hereafter be appointed, the Guardians may, during the necessary interval before a new appointment can be made in conformity with the provisions in force at the time on the subject, employ some person to discharge the duties of the vacant office, and may pay to such person a reasonable compensation for his services, and such compensation shall be charged in the same manner as the remuneration of the officer in whose place or stead such person is employed was chargeable in pursuance of the provisions in force at the time on the subject; but no compensation shall be paid in any

[1] With regard to the appointment of assistant Overseers, see the note (1) to the Order of November 15, 1867, *ante*, p. 762.

[2] The Local Government Board in their circular of June 19, 1886, which accompanied this Order, state that :—"It has sometimes happened that an officer thus appointed has given notice of an intended resignation of his office to take effect on a future day; but the Orders hitherto in force have not specifically empowered the Guardians to proceed to a new appointment in such a case, until the vacancy has actually arisen. The Board have, therefore, by Article 2 of the new Order, given the Guardians power, under circumstances of the kind above-mentioned, to appoint a successor to the officer at any time subsequent to the notice, without waiting for the actual vacancy in the office. It will, of course, be understood that the appointment, although it may be made, will not take effect until the occurrence of the vacancy."

such case for a longer period than six weeks unless our consent be first obtained.[1]

Art. 4.—The Guardians may, with our approval, pay to any such collector of poor rates or assistant overseer now holding office, or who may hereafter be appointed, a reasonable compensation on account of extraordinary services or other unforeseen circumstances connected with the duties of his office, and such compensation shall be charged in the same manner as the remuneration of the officer may be chargeable in pursuance of the provisions in force at the time on the subject.[2]

Art. 5.—The following provision shall take effect in respect of any collector or assistant overseer appointed after the thirtieth day of June, One thousand eight hundred and eighty-six, under any Order which has not contained a similar provision ; and all previous provisions at variance or inconsistent with the same shall, except so far as relates to any collector or assistant overseer appointed on or before the said date, be rescinded,[3] that is to say—

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[1] In the circular above referred to the Local Government Board say that:—"There have also been instances in which, when a vacancy has taken place in one of the offices in question, the Guardians have been unable immediately to proceed to a new appointment, and some difficulty has consequently arisen as to the collection of the rates. Article 3 of the Order will empower the Guardians to employ a person to discharge the duties of the vacant office during the necessary interval before a new appointment can be made, and to pay to the person employed a reasonable compensation for his services. It is, however, extremely desirable that the permanent appointment should be made with the least possible delay, and it will be seen that the temporary officer cannot be paid for a longer period of service than six weeks unless the consent of the Board has been first obtained. Subject to this, no sanction on the part of the Board will be necessary to the temporary employment."

[2] With regard to this Article the Local Government Board in their circular say:—"The Board have from time to time received applications for their approval to the payment to collectors or assistant overseers appointed under Orders issued by them or their predecessors of compensation for special services not contemplated when the remuneration attached to the offices was fixed, but, in view of the terms of the Orders under which the officers were appointed, the Board have not been legally empowered to give the approval asked for. Article 4 has been framed to meet cases of this kind, and under it the Guardians may, with the approval of the Board, award gratuities to the officers referred to. It is not, however, intended that this provision should be generally resorted to for the purpose of supplementing the ordinary remuneration of the officer, but merely that it should be used where extraordinary services have been performed or unforeseen circumstances connected with the duties of the office have arisen." See now with regard to the appointment of assistant overseers the note (1) to the Order of November 15, 1867, *ante*, p. 762.

[3] The Local Government Board in their circular say:—"By Article 5, the

Every such officer shall continue to hold office until he shall die, or resign, or be dismissed by the Guardians, subject to the consent of the Local Government Board, or be removed by the Local Government Board, or be proved to be insane by evidence which that Board shall deem sufficient; and the said Guardians shall give notice to the Local Government Board of every such death or resignation, and state the cause of such resignation, so far as it may be known to them.

Provided that the Guardians may, with the like consent, determine the appointment of any such officer at any time before, or at the expiration of the first year of his service, by giving to the officer three months' previous notice in writing, signed by the clerk, of such their intention.

Art. 6.—In this order—

The word "union" includes any union of parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament.

The term "separate parish" means a parish or place which is under a separate Board of Guardians.

The word "parish" means any place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed.

The word "Guardians" includes any governors, directors,

Board have extended to collectors of poor rates and assistant overseers appointed by Boards of Guardians the provisions as to tenure of office which already apply to masters and matrons of workhouses, schoolmasters and schoolmistresses, and relieving officers appointed since February 28, 1879. Hitherto, in most cases, the officer has been entitled to hold office until he should die or resign, or become insane, or be removed by the Board. In future he will hold office until the occurrence of one of these events, or until the Guardians remove him from office with the Board's consent. Moreover, at any time before or at the expiration of the first year of his service, the Guardians may, with the consent of the Board, determine the appointment by giving to the officer three months' previous notice in writing of their intention.

"It will be observed that whilst the provisions of Articles 2, 3, and 4 of the new Order will apply to all collectors and assistant overseers appointed by Boards of Guardians, irrespective of the date at which they may have been appointed, Article 5 will apply only to persons appointed after June 30, 1886."

See now with regard to the appointment of assistant overseers the note (1) to the Order of November 15, 1867, *ante*, p. 762.

managers, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief to the poor from the poor rates under any Act of Parliament.

Given, &c., this Seventeenth day of June, 1886.

Date of publication in the *London Gazette,* June 18, 1886.

GENERAL ORDER.—VACCINATION: INSTRUCTIONS TO PUBLIC VACCINATORS.[1]

(Dated 28th February, 1887.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in England and Wales;—

And to all others whom it may concern.[2]

WHEREAS, by an Order of the Lords of Her Majesty's Most Honourable Privy Council, dated the 29th day of July, 1871, it was provided that all vaccinations and inspections under contract should be performed in accordance with the "Instructions for Vaccinators under Contract" annexed to such Order:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the statutes in that behalf, hereby Order as follows:—

Art. 1.—The said Order shall be rescinded from and after the fifteenth day of March, 1887, except so far as it rescinded certain provisions of an Order of Her Majesty's Most Honourable Privy Council, dated 1st day of December, 1859.

Art. 2.—All vaccinations and inspections under contract shall be performed in accordance with the "Instructions for Vaccinators under Contract" contained in the Schedule appended to this Order.

Art. 3.—This Order shall come into force and have effect on and after the fifteenth day of March, 1887.

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[1] See the note (1) on p. 878, *ante*.

[2] In their Circular of March 3, 1887, which accompanied this Order, the Local Government Board request that the Guardians will cause a copy of the Order to be given to each Public Vaccinator under contract with the Guardians, and add that "It should be pointed out to the Public Vaccinator that the principal object of the fresh instructions is the avoidance of accidental septic infection of any vaccinated places."

Art. 4.—In this Order,—

The word "union" includes any union of parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament ;—

The term "separate parish" means a parish or place which is under a separate Board of Guardians ;—

The word "Guardians" includes any governors, directors, managers, acting Guardians, vestrymen, or other officers appointed or entitled to act in the distribution or ordering of relief to the poor from the poor rates under any Act of Parliament.

Given, &c., this Twenty-eighth day of February, 1887.

Date of publication in the *London Gazette*, 1st March, 1887.

SCHEDULE.

Instructions for Vaccinators under Contract.[1]

(1.) Except so far as any immediate danger of small-pox may require, vaccinate only subjects who are in good health. As regards infants, ascertain that there is not any febrile state, nor any irritation of the bowels, nor any unhealthy state of skin; especially no chafing or eczema behind the ears, or in the groin, or elsewhere in folds of skin. Do not, except of necessity, vaccinate in cases where there has been recent exposure to the infection of measles or scarlatina, nor where erysipelas is prevailing in or about the place of residence.

(2.) In all ordinary cases of primary vaccination make such insertions of lymph as will produce at least four separate good-sized vesicles or groups of vesicles, not less than half an inch from one another. The total area of vesiculation on the same day in the week following the vaccination should be not less than half a square inch.

(3.) Direct that care be taken for keeping the vesicles uninjured during their progress, and for avoiding afterwards the premature removal of the

[1] See also the instructions of the Poor Law Board as to arrangements for vaccination of February 20, 1869, the Regulations of the Privy Council of December 1, 1859, February 18, 1868, and July 29, 1871; and the Memoranda of the Local Government Board with regard to re-vaccination of October 17, 1876, and March, 1888; and those of March, 1877, on the steps to be taken by Boards of Guardians in places in which small-pox is epidemic in the Appendix, *post*.

crusts. Do not use any needless means of "protection" or of "dressing" to a vaccinated arm; but if in a particular case you find reason for means of "protection" or of "dressing," define the material and the manner of use of the appliance best adapted to the case, avoiding all such as cannot readily be destroyed and replaced whenever they become soiled.

(4.) Enter all cases in your register on the day when you vaccinate them, and with all particulars required in the register up to and including the column headed "Initials of Person performing the Operation." Enter the results on the day of inspection. Each of those entries must be attested by the initials of the person who inspects the case. In cases of primary vaccination, register as "successful" only those cases in which the normal vaccine vesicle has been produced; in cases of re-vaccination, register as "successful" only those cases in which either vesicles, normal or modified, or papules surrounded by areolæ, have resulted. When any operation (whether vaccination or re-vaccination) has to be repeated owing to want of success in the first instance, it should be entered as a fresh case in the register.

(5) & (6.) [By a General Order dated the 7th January, 1897, the Local Government Board have substituted for the Instructions contained in paragraphs 5 & 6 of this Schedule, the following Instructions, viz.:—

"Endeavour to maintain in your District such a succession of cases as "will enable you to vaccinate with liquid lymph directly from "arm to arm at each of your Contract attendances. When "stored lymph, whether humanised lymph or calf lymph, is "used, it should be preserved either *dry* on ivory points, thickly "charged and constantly well protected from damp; or *liquid* "in tubes, hermetically sealed at both extremities. With all "stored lymph caution is necessary, lest in time it have be-"come inert, or otherwise unfit for use.

"(6.) Consider yourself strictly responsible for the quality of whatever "lymph you use or furnish for vaccination. In storing lymph "be careful to keep separate the charges obtained from differ-"ent subjects, and to affix to each set of charges the name, or "the number in your Register, of the subject from whom the "lymph was derived. Keep such note of all supplies of lymph "whether humanised lymph or calf lymph, which you use or "furnish as will always enable you to identify the origin of the "lymph. Do not employ lymph supplied by any person who "does not keep exact record of its source."]

(7.) Never take lymph from cases of re-vaccination. Take lymph only from subjects who are in good health, and, as far as you can ascertain, of healthy parentage; preferring children whose families are known to you, and who have elder brothers or sisters of undoubted

healthiness. Always carefully examine the subject as to any existing skin disease, and especially as to any signs of hereditary syphilis. Do not take lymph from children who have any sort of sore at or about the anus. Take lymph only from well characterised, uninjured vesicles. Take it at the stage when the vesicles are fully formed and plump. Do not take it from a vesicle around which there is any conspicuous commencement of areola. Open the vesicles with scrupulous care to avoid drawing blood. Take no lymph which, as it issues from the vesicle, is not perfectly clear and transparent, or which is thin and watery. From a well-formed vesicle of ordinary size, do not, except under circumstances of necessity, take more lymph than will suffice for the immediate vaccination of five subjects, or for the charging of seven ivory points, or for the filling of three capillary tubes; and from larger or smaller vesicles, take only in like proportion to their size. Never squeeze or scrape or drain any vesicle, and do not use lymph that has run down the skin. Be careful never to transfer blood from the subject you vaccinate to the subject from whom you take lymph.

(8.) Scrupulously observe in your inspections every sign which tests the efficiency and purity of your lymph. Note any case wherein the vaccine vesicle is unduly hastened or otherwise irregular in its development, or wherein any undue local irritation arises; and if similar results ensue in other cases vaccinated with the same lymph, desist at once from employing it. Consider that your lymph ought to be changed, if your cases, at the usual time of inspection on the day week after vaccination, show any conspicuous areolæ round their vesicles.

(9.) Keep in good condition the lancets or other instruments which you use for vaccinating, and do not use them for any other purpose whatever. When you vaccinate, have water and a napkin at your side, with which invariably to cleanse your instrument after one operation before proceeding to another. Never use an ivory point or capillary tube a second time either for the conveyance or for the storage of lymph, but when points or tubes have once been charged with lymph and put to their proper use, do not fail to break or otherwise destroy them.

The foregoing order was applied to the Great Yarmouth Union by an Order dated 20th March, 1891, and to the Grimsby Union by an Order dated 3rd April, 1890.

GENERAL ORDER. — REGULATIONS. — METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

(Dated 7th February, 1889.)

To Edwin Leveff, the Proprietor of an Establishment known as the Metropolitan Infirmary for Children, situate at Dane Hill, Margate, in the county of Kent ;—

To the Boards of Guardians of the several Unions and Separate Parishes in the Metropolis, and of the several other Unions in the counties of Berks, Essex, Kent, Middlesex, and Surrey ;—

To the Board of Management of the North Surrey District School ;—

And to all others whom it may concern.

WHEREAS by an Act passed in the twelfth year of the reign of her present Majesty Queen Victoria, it is enacted that it shall be lawful for the Commissioners for administering the laws for the relief of the poor in England, and they are thereby required, from time to time, as they shall see occasion, to make and issue all such rules, orders, and regulations for the management and government of any house or establishment wherein any poor person shall be lodged, boarded, or maintained, for hire or remuneration, under any contract or agreement entered into by the proprietor, manager, or superintendent of such house or establishment, or on his behalf, with any Guardians, overseers, or other persons having the ordering or management of the poor in any Union or Parish, or for the education of any poor children therein, in like manner and to the same

extent as the said Commissioners are by law empowered to do in the case of any workhouse belonging to any Union or Parish ; and that all such rules, Orders, and regulations shall have the like effect as other rules, Orders, and regulations of the said Commissioners, and shall be obeyed accordingly, with the like penalties on any neglect or disobedience thereof, to be enforced upon summary conviction, as penalties under the Act of the fifth year of his late Majesty King William the Fourth, intituled "An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales," may now be enforced :

And whereas it is by the said Act also enacted that the said Commissioners may, from time to time, issue any Order which they may deem necessary for regulating the mode in which any contract shall be entered into for the lodging, boarding, or maintenance of any poor person with the proprietor, manager, or superintendent of such house or establishment as aforesaid, or the terms or the duration of any such contract ; and if, after the issuing of any such order, any contract or agreement be entered into with such proprietor, manager, or superintendent, or any person on his behalf, not in accordance with such Order, the same shall be voidable, and if the said Commissioners shall so direct, the same shall be void and of no effect :

And whereas by an Order dated September 17, 1879, We, the Local Government Board, prescribed Rules and Regulations with respect to an Establishment situate at Dane Hill, Margate, in the County of Kent, known as the Metropolitan Infirmary for Children, of which Establishment John Weekley was the Proprietor, and which was provided for the reception and treatment of pauper children afflicted with scrofulous, cutaneous, or other diseases, and requiring the benefits of residence at the sea-side and of sea-bathing ;

And whereas by an Order dated March 7, 1888, We amended the said Regulations so as to admit of the reception into the said Infirmary of Children sent from the said North Surrey District School by the said Board of Management ;

And whereas the said John Weekley is deceased, and Edwin

Levett has become the Proprietor of the said Establishment, and We deem it expedient that the above-cited Orders should be rescinded, and that rules, orders, and regulations should again be made for the management and government of the said Establishment :

NOW THEREFORE, in pursuance of the powers given to Us in that behalf, We hereby rescind the above-cited Orders dated respectively the Seventeenth day of September, One thousand eight hundred and seventy-nine, and the Seventh day of March, One thousand eighty hundred and eighty-eight, and Order and Declare that the following rules and regulations shall forthwith come into operation and be observed with respect to the said Establishment :—

CONTRACTS.

Art. 1.—All contracts or agreements to be entered into by the Proprietor with the Guardians of any Union or Separate Parish, or with the Board of Management of a District School, for the reception, treatment, and maintenance of children in the establishment, shall be according to the Form (No. 1) in the Schedule to this Order, or in some form to the like effect.

ADMISSION AND DISCHARGE.

Art. 2.—The said establishment shall be limited to the reception of children under the age of sixteen years afflicted with scrofulous, cutaneous, or other diseases, and requiring the benefits of residence at the sea-side and of sea-bathing.

Art. 3.—Every pauper child who shall be admitted into the said establishment, either upon his first or any subsequent admission, shall be admitted upon an order signed by the Clerk to the Guardians of the Union or Parish, or by the Clerk to the Board of Management of the District School, from which he is sent according to the Form (No. 2) in the Schedule to this Order. But no such order shall be given unless a medical officer of such Union, Parish, or District School has previously examined such child, and signed the certificate at the foot of such Form.

Art. 4.—No child shall be admitted from any Union or Parish

or District School unless a contract in the Form (No. 1) prescribed in the Schedule to this Order, or to the like effect, shall have been entered into between the proprietor and the Board of Guardians of such Union or Parish, or the Board of Management of the District School, for the reception, treatment, and maintenance of children.

Art. 5.—The proprietor shall not admit into the establishment, or retain therein, a larger number of children than that from time to time fixed by the Local Government Board ; and in case such number shall at any time be exceeded, the fact of such excess shall forthwith be reported to the Local Government Board by the medical officer of the establishment.

Art. 6.—When any child, in the opinion of the medical officer of the establishment, is sufficiently recovered to be sent back to the Union, Parish, or District School from which he was sent, such medical officer shall make a written report of the case to the proprietor, who shall communicate with the Guardians of such Union or Parish, or the Board of Management of such District School, in order that such child may be sent back accordingly.

Classification.

Art. 7.—The children shall be classed, according to the nature of their diseases, or otherwise, as the proprietor, with the advice of the medical officer of the establishment, shall direct.

Discipline and Diet.

Art. 8.—The clothing to be worn by the children shall be made of such materials as shall be approved of by the medical officer of the establishment.

Art. 9.—The children shall be dieted in accordance with the directions of the medical officer of the establishment.

Art. 10.—Each child shall have a bed to himself.

Art. 11.—The children shall, as far as practicable, be regularly instructed in reading, writing, arithmetic, and the principles of the Christian religion, and such other instruction shall be imparted to them as may be calculated to produce in them habits of industry and virtue, and to promote their future usefulness and welfare.

Art. 12.—The proprietor shall make such arrangements as, with the concurrence of the medical officer, he may deem expedient for allowing the children to quit the establishment for the purpose of sea-bathing, or any other purpose, under the care and guidance of some one of the officers or assistants of the establishment.

Art. 13.—Subject to the provisions of the law and the regulations herein contained with respect to the religious visitation and instruction of children in the establishment, any person may visit any child in the establishment by permission of the proprietor, subject to such conditions and restrictions as the medical officer may prescribe.

Art. 14.—Any licensed Minister of the religious persuasion of any child in the establishment who may at any time in the day enter the establishment for the purpose of affording him religious assistance, or for the purpose of instructing him in the principles of his religion, shall give such assistance or instruction so as not to interfere with the good order and discipline of the establishment; and such religious assistance or instruction shall be strictly confined to children who are of the religious persuasion of such Minister, and whom such Minister shall have been lawfully authorised to visit and instruct.

Art. 15.—No work, except the necessary household work and cooking, shall be performed on any Sunday, Good Friday, Christmas Day, or any day appointed for a public fast or thanksgiving.

Art. 16.—Prayers shall be read before breakfast and after supper every day, and Divine Service shall be performed every Sunday, Good Friday, and Christmas Day in the appointed place in the establishment, unless the proprietor, with the consent of the Local Government Board, shall otherwise direct.

Art. 17.—It shall also be incumbent upon the proprietor to discharge the following duties :—

No. 1. To cause the children, upon admission, to be cleansed and properly clothed.

No. 2. To send for the medical officer in case any child is taken suddenly ill, and to take care that all sick children are duly attended by the medical officer, and are provided with such

medicines and attendance, diet, and other necessaries, as the medical officer may direct, and in the case of dangerous sickness to send for the Minister of the religious persuasion of the child, and to give notice to any relative or friend of the sick child whom he may know to be resident within a reasonable distance.

Art. 17.—No. 3. To take care that no child when suffering from severe illness, or at the approach of death, shall be left unattended either during the day or the night.

No. 4. To give immediate information of the death of any child in the establishment to the medical officer, if not present at the death, and to the nearest relations of the deceased whose place of residence may be known to him, and who may reside within a reasonable distance, and to the Guardians of the Union or Parish, or to the Board of Management of the District School, from which the child shall have been admitted ; and, if the body be not removed within a reasonable time, to provide for the interment thereof.

No. 5. When requisite, to cause the death of every child dying in the establishment to be duly notified to the proper registrar of births and deaths within five days after the day of such death.

No. 6. Once at least in every year, and as often as may be necessary for cleanliness, to cause all the rooms and offices belonging to the establishment to be lime-washed, and at all times to take care that all the rooms and offices, and the furniture and utensils, are kept clean and in good order.

No. 7. To cause the establishment, and all its furniture and appurtenances, to be kept in good and substantial repair ; and from time to time to remedy without delay any such defect in the repair of the establishment, its drainage, warmth, or ventilation, or in the furniture or fixtures thereof, as may, in the opinion of the medical officer, tend to injure the health of the inmates.

No. 8. To provide a book, to be termed the visitors' book, in which inspectors of the Local Government Board and other persons who may from time to time officially visit the esta-

blishment, may make such observations as they may think fit respecting the dietary, accommodation, and treatment of the inmates of the establishment; also to provide the necessary books and forms for the use of the medical officer and for other reports.

Art. 18.—The proprietor shall punctually enter up, and accurately keep, the following books, according to the forms and directions in the Schedule to this Order.

No. 1. *The Admission and Discharge Book*, in the Form (No. 4). In this book shall be kept an account of every child admitted into, and of every child dying in, or discharged from, the establishment, and such account shall be balanced weekly.

No. 2. The proprietor shall at the close of each half-year prepare a statement from the *Admission and Discharge Book* of the establishment, showing the number of children of all classes actually in the establishment in the course of the previous half-year, and the other particulars according to the Form (No. 9) in the Schedule to this Order. This statement shall within four weeks after the close of the half-year be transmitted to the Local Government Board.

No. 3. *A Register of the Religious Creed* of the children in the Form (No. 5) in the Schedule to this Order.

OFFICERS.

Art. 19.—The proprietor shall forthwith, and from time to time hereafter as vacancies occur, appoint a medical officer for the establishment, at such salary or remuneration as the Local Government Board shall approve, and so many fit persons to hold such of the undermentioned offices as the Local Government Board may deem to be requisite; namely,—

Matron or Superintendent Nurse,
Schoolmaster,
Schoolmistress,

with such assistants as may be necessary for the efficient performance of the duties of the said offices.

Art. 20.—All appointments to the offices of medical officer,

matron, or superintendent nurse, schoolmaster, and schoolmistress, shall be reported to the Local Government Board as soon as they are made.

Art. 21.—No person shall hold the office of medical officer under this Order unless he be duly registered under "The Medical Act of 1858," or other authority of law in that behalf, and be qualified by law to practise both medicine and surgery in England and Wales, such qualification being established by the production of a diploma, certificate of a degree, licence or other instrument granted or issued by competent legal authority in Great Britain or Ireland, testifying to the medical or surgical, or medical and surgical qualification or qualifications of the candidate for such office.

Duties of the Medical Officer.

Art. 22.—The following shall be the duties of the medical officer :—

No. 1. To attend at the establishment not less than three times in each week, and oftener if required or sent for by the proprietor.

No. 2. To attend duly and punctually upon the children in the establishment according to the necessities of their cases, and to give the requisite directions as to their treatment, nursing, diet, and clothing, and the ventilation and condition of the rooms in which they are placed, and in accordance with such agreement as he may make with the proprietor to supply the requisite medicines, exclusive of cod liver oil, to the children.

No. 3. To examine the state of each child on his admission into the establishment, and make a record of the same in the *Case Book*, and to give the requisite directions to the proprietor.

No. 4. To give directions from time to time as to the diet, classification, and treatment of the children, and to make any suggestions to the proprietor which he may deem requisite with reference to the health of the children in general.

Provided that if the medical officer be of opinion that any child

is not fit to be retained in the establishment, he shall make a written report of the case to the proprietor.

Art. 22.—No. 5. To make the written reports to the proprietor required by Art. 6.

No. 6. To keep a *Case Book*, according to the Form (No. 7) in the Schedule to this Order, and to insert therein the particulars required by such Form with respect to every child in the establishment, employing therein, so far as is practicable, the terms used or recommended in the regulations and statistical nosology issued by the Registrar General.

No. 7. To prescribe the dietary for the children in so many different scales as he shall deem expedient; and to enter the same at the commencement of *The Admission and Discharge Book*, according to the Form (No. 3) in the Schedule to this Order, or some Form to the like effect.

No. 8. To keep a Book, to be termed *The Medical Officer's Report Book*, in the Form (No. 8) in the Schedule to this Order, in which he shall enter in writing, duly and punctually and under the correct dates, such Reports as he may think it necessary from time to time to make to the proprietor as to defects in the diet, drainage, ventilation, warmth, and other arrangements of the establishment; as to any excess in the number of any class of inmates which he may deem to be detrimental to health; as to every defect which he may observe in the arrangements of the rooms, and in the performance of their duties by the nurses; and, further, a Report of any other matter which, in the discharge of the duties of his office, he shall consider to require the attention of the proprietor; and also such recommendations relating to any of the matters aforesaid as he may think it right to submit to the proprietor or to the Local Government Board.

No. 9. To allow any Visitor appointed by the Local Government Board access to the *Case Book* and the *Medical Officer's Report Book* at all times that he may require to see it, and to produce it also to the Inspectors of the Local Government Board, whenever duly required to do so.

Art. 22.—No. 10. To report specially to the Local Government Board on or about the First day of January and the First day of July in every year upon the several matters set forth in the Statement contained in Form (No. 6) in the Schedule to this Order.

No. 11. To enter on a card in respect of each patient upon whom he shall be in attendance, the diet, extras, and medical treatment ordered by him.

No. 12. To report in writing to the Local Government Board the case of every sudden and every accidental death which may occur in the establishment within twenty-four hours after he shall receive information of the same, and the cause of the death so far as he is able to explain it.

No. 13. To report to the Local Government Board, fortnightly, upon the establishment, in such Form as they shall from time to time direct.

Duties of the Schoolmaster and Schoolmistress.

Art. 23.—The following shall be the duties of the Schoolmaster and Schoolmistress respectively :—

No. 1. To instruct the children in accordance with the directions in Art. 11.

No. 2. To accompany the children when they quit the School for exercise or sea-bathing, according to such directions as the proprietor may give.

No. 3. To inspect the children every morning to see that they are clean in their persons, and to report to the proprietor every instance of a child who on such inspection shall appear to be not clean in his person, or not clean and neat in his clothing.

No. 4. To keep the children punctual, orderly, and decorous in their conduct, by enforcing proper discipline among them ; to assist the proprietor in maintaining due subordination, discipline, and propriety of behaviour at all times ; and to report in writing to the proprietor every occurrence in their opinion unfavourable to the welfare of the children, and the general efficiency and prosperity of the establishment.

VISITOR.

Art. 24.—If a Visitor be at any time appointed by the Local Government Board under the authority of Section VII. of the above-recited Act, the proprietor shall allow him free access to every part of the establishment.

INTERPRETATION OF TERMS.

Art. 25.—In this Order,—

The term "Union" includes any Union of Parishes incorporated or united for the relief or maintenance of the poor under any Act of Parliament.

The term "Separate Parish" means a Parish or place which is under a separate Board of Guardians.

The term "Proprietor" in this Order means Edwin Levett, or such other person or persons as may hereafter become the proprietor or proprietors of the said establishment, with a view to the reception and treatment therein solely of poor children afflicted with scrofulous, cutaneous, or other diseases, and requiring the benefits of residence at the sea-side and of sea-bathing.

All words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural and the plural the singular, unless the contrary as to gender or number is expressly provided.

Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

SCHEDULE.

Form No. 1.

Contract.

Articles of Agreement made the day of 18 , with the consent of the Local Government Board, testified by their Seal of Office being hereunto affixed, between , the proprietor of an establishment known as the "Metropolitan Infirmary for Children," situate at Dane Hill, Margate, in the county of Kent, of the one part, and the Guardians of the Poor [Board of Management] of the , in the county of , of the other part.

Whereas the said , hereinafter termed the proprietor, is the proprietor of an establishment known as the " " at , in the county of , for the reception, maintenance, and treatment of poor children suffering from scrofulous, cutaneous, and other diseases, and requiring the benefits of residence at the sea-side and sea-bathing.

And whereas the Guardians of the Poor [Board of Management], of the said , hereinafter termed the Guardians [Board of Management] have applied to the said proprietor to receive into and maintain and instruct, and also to provide with medical attendance and medicines, and with sea-bathing, when necessary, whilst so maintained, in the said establishment, a certain number of poor children under the age of sixteen years chargeable to the said

Now, therefore, the proprietor does hereby (in consideration of the payments hereinafter mentioned to be made) contract and covenant with the Guardians [Board of Management] that he, the proprietor, will receive into the said establishment a certain number of poor children under the age of sixteen years, not exceeding chargeable to the said , and that such poor children while in the said establishment shall be maintained, instructed, and provided with medical attendance and medicines, and with sea-bathing when necessary, in the same manner in all respects as required by the regulations of the Local Government Board, at the following rate of charge, namely, the sum of

per week, and after the same rate for any less time than a week for each child, each week to commence on the day of admission into the said establishment.

Provided also, that the limit hereinbefore prescribed, for the number of children to be admitted into the said establishment may be increased or diminished by the parties hereto, with the consent of the Local Government Board previously obtained.

And the Guardians [Board of Management] do hereby covenant with the said proprietor to pay to him, his executors or administrators, within one calendar month after Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day respectively, during the subsistence of this contract, and within one month after its termination, the said sum of per week, and after the same rate for less time than a week, for each of the children so received into the said establishment, so long as such child shall remain an inmate thereof.

And it is hereby mutually agreed by and between the parties hereto, that in the case of the death in the said establishment of any child admitted from the said , the proprietor, after giving the notices required by the regulations of the Local Government Board, shall, if the body be not removed within a reasonable time, provide for the interment thereof; and that the Guardians [Board of Management] shall pay to the proprietor the expenses incurred in and about such interment upon being furnished by the proprietor with particulars and vouchers of such expenses.

Also, that no child from the said shall be admitted into the said establishment without a certificate from a medical officer of the said

Also, that no child who is imbecile shall be admitted into the said establishment.

Also, that the Guardians [Board of Management] will not remove any child from the said establishment without a request in writing addressed to the proprietor, and signed by their clerk, and forwarded days before the day when the removal is to take place.

Also, that if the Guardians [Board of Management] shall appoint a committee from their own body, not exceeding three Guardians [Managers], with their clerk or other officer, to visit the children in the said establishment, such committee shall be admitted into the said establishment at all reasonable times to visit therein the children belonging to the said .

And lastly, it is hereby covenanted and agreed, that if either of the said parties hereto shall be desirous of putting an end to this contract, the party so desirous shall give three calendar months' notice thereof in writing to the other of them.

In witness whereof the said hath hereunto set his hand

and seal, and the said Guardians [Board of Management] their Common Seal, the day and year first above written.

Signed, sealed, and delivered by the above-named in the presence of }

Seal of the Proprietor.

Seal of the Guardians [Board of Management].

The Common Seal of the said Guardians [Board of Management] was hereto affixed at a meeting of the Board of Guardians [Management] held on the day of the date hereof, by , Chairman of the Board at the said meeting, in the presence of

Clerk to the Guardians [*Board of Management*].

Seal of the Local Government Board.

FORM No. 2.

_____Union [Parish] [District School].

No._____. Dated this_____ day of_____, 18 .

To the Proprietor of the Metropolitan Infirmary for Children, Margate.

Admit the Child named and described below.

(Signed) _____

Clerk to the Board of [*Guardians*] [*Management*].

Name	Sex	Age	Description [1]	Religious Creed		Name and Address of the Nearest Relation
				Of the Father	Of the Mother	

[1] Insert "Orphan," "Deserted," or "Parent(s) in Workhouse," as the case may be; and where illegitimate, state so.

I hereby certify that I have this day examined the above-named Child, and find such Child to be suffering from or affected with .

Dated this_____day of_____18 .

(Signed)_____

Medical Officer of the above named Union [Parish] [District School].

FORM No. 3.

Table of Diets.

METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

Articles	Full Diet	Ordinary Diet	Low Diet
Breakfast . . (*articles*) .	(*quantities*)	(*quantities*)	(*quantities*)
Dinner . . . (*articles*) .	(*quantities*)	(*quantities*)	(*quantities*)
Supper . . . (*articles*) .	(*quantities*)	(*quantities*)	(*quantities*)
Extras as ordered by the Medical Officer.			
QUANTITIES PER DIEM allowed to each Child according to the above Table.			
Articles	Full Diet	Ordinary Diet	Low Diet
	(*quantities*)	(*quantities*)	(*quantities*)

_____*Medical Officer.*

_____day of_____18 .

FORM No. 4.

METROPOLITAN INFIRMARY

The Admission and

ADMISSION										
Number on Admission	Year and Day of the Month	Day of the week	Name	Sex	Age	Description	Name and Address of Nearest Relation	From whence admitted	Date of the Order of Admission	Observations on Condition at the time of Admission, and any other general Remarks

FORM No. 5.

Register of Religious Creed.

METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

Name		Date of Admission	Number on Admission	From what Union, Parish, or District School	Religious Creed [1]	Date of Discharge or Death
Christian Name	Surname					

[1] This information must be obtained from the Order of Admission.

FORM No. 4.

FOR CHILDREN, MARGATE.

Discharge Book.

DISCHARGE OR DEATH						
Year and Day of the Month	Day of the Week	Number on Admission	Name	How Discharged; and if by Order, by whose Order	In case of Death, state the cause	Observations on general health, character, and behaviour

FORM No. 6.

METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

Half-yearly Statement of the Medical Officer.

TO THE LOCAL GOVERNMENT BOARD.

STATEMENT of the MEDICAL OFFICER for the above-named establishment, for the half-year ended on the day of 18 , in answer to the following inquiries in reference to the said establishment.

1. Is there sufficient ventilation and warmth?
2. Has the accommodation during the preceding six months for the several classes of children been sufficient?
3. Are the arrangements for cooking and distribution of food satisfactory? And has the food been of good quality?
4. Is the nursing satisfactorily performed?
5. Is there a sufficient supply of towels, vessels, bedding, clothing, and other conveniences for the use of the children?
6. Are the medical appliances sufficient and in good order?
7. Are the lavatories and baths sufficient and in good order?

   And to what extent has sea-bathing formed a part of the treatment?

8. Are the supply and distribution of hot and cold water sufficiently provided for ?
9. State the number discharged during the half-year :—
   (*a*) Cured . . . .
   (*b*) Improved . . . .
   (*c*) Unchanged . . .
10. State the names of the children who have died during the half-year, with the cause of death in each case.
11. State the present number of the children in the establishment.
12. State the number of children now in the establishment who have remained in it for more than one year, and the names of the Unions, Parishes, and District School from which they were respectively admitted.

Signed_____ Medical Officer.

This_____ day of_____ 18 .

FORM No. 7.

Case Book.

METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

_____ Medical Officer.

Name of Child_____ Age_____

Chargeable to _____

Date of admission_____ Date of discharge or death_____

Disease, and state of child on admission _____

Date[1]	Diet	Extras	History of the Case and Treatment

[1] The date to be inserted whenever the Diet is changed, or whenever any Extra is ordered or discontinued.

N.B.—This book should be in a portable form.

FORM No. 8.

Medical Officer's Report Book.

METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

_____ Medical Officer.

_____day, the_____day of _____18—.

FORM No. 9.

Statement of the Numbers of the Children in the Establishment during the Half-year ended _____

METROPOLITAN INFIRMARY FOR CHILDREN, MARGATE.

UNION, PARISH, OR DISTRICT SCHOOL	No. of Children in the Establishment at the commencement of the half-year	No. admitted during the half-year	No. discharged during the half-year	No. of Deaths during the half-year	No. of Children in the Establishment at the end of the half-year

Dated this_____day of_____18 . _____*Proprietor.*

Given under the Seal of Office of the Local Government Board, this Seventh day of February, in the year One thousand eight hundred and eighty-nine.

L.S.

CHAS. T. RITCHIE, *President.*

S. B. PROVIS, *Assistant Secretary.*

Date of publication in the *London Gazette*, 19th February, 1889.

GENERAL ORDER.—NATIONAL DEBT REDEMPTION ACT, 1889, 52 VICT. CH. 4.

(Dated 23rd May, 1889.)

To the Guardians of the Poor of the several UNIONS in ENGLAND and WALES named in the Schedule to this Order ;—

And to all others whom it may concern.

WHEREAS by Sections 1 and 2 of the National Debt Redemption Act, 1889, it is enacted as follows :—

"1.—(1.) Every person who is on the sixth day of July one "thousand eight hundred and eighty-nine a holder of Consolidated "Three Per Cent. Stock or Reduced Three Per Cent. Stock shall on "that day be paid off by the payment of a principal sum at the rate "of one hundred pounds sterling for every one hundred pounds of "the capital sums in respect of which the annuities constituting his "stock are payable, together with all arrears of those annuities at "the rate of three pounds per cent. per annum, including the "proportionate part accrued since the last date for the payment of "dividends, and thereupon the said annuities shall cease and be "understood to be redeemed.

"(2.) The payment may be made either by warrant in manner "provided by this Act, or at the Bank, or by crediting the stock-"holder in the books of the Bank with the amount of cash due to "him.

"2.—It shall be lawful for the Treasury to pay off any holders "of Consolidated Three Per Cent. Stock or Reduced Three Per "Cent. Stock in advance at any time or times before the sixth day "of July one thousand eight hundred and eighty-nine, with such

"consideration for the proportionate part of dividend accrued up to the "date of payment as may be agreed on between the Treasury and the "stockholder, and it shall be lawful for any trustee or other fiduciary "holder of stock, by assent signified in the prescribed manner, to "accept any offer of such payment, and on such payment the "annuities constituting the stock shall cease and be understood to "be redeemed. Any such consideration shall be charged on and "payable out of the Consolidated Fund in like manner as the "dividend in respect of which it is payable, and may be treated by "trustees and others as income."

And whereas the Boards of Guardians of the several Unions named in the Schedule to this Order have, in pursuance of Orders of the Poor Law Commissioners, the Poor Law Board, or the Local Government Board, invested moneys in either or both of the above-named Three per Cent. Stocks upon the Trusts mentioned in such Orders ;

And whereas it is requisite that provision should be made for the investment of such money or moneys as will be receivable by such Guardians in redemption of the Stock now held by them ;

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers conferred upon Us by the Statutes in that behalf, hereby Order, with respect to the Guardians of the Poor of each Union named in the Schedule to this Order, now holding Stock of either or both of the aforesaid descriptions, as follows :—

Art. I.—The Guardians shall, within one calendar month of the receipt thereof lay out and invest the moneys received by them as aforesaid in respect of the principal of the said Stock in the purchase of Two and Three Quarters per Cent. Consolidated Stock, or Local Loans Stock, or Two and a Half per Cent. Stock.

Art. II.—Immediately after the investment of such moneys, as required by Article I., the Clerk to the Guardians shall, where more than one Parish is interested, duly and accurately apportion the Stock so purchased amongst the several Parishes entitled to share therein.

Art. III.—Within ten days after the investment of such moneys, the Clerk to the Guardians shall transmit to Us the Stock

Receipt relating to the investment, together with a statement showing the amounts of the Stock so purchased severally belonging to Parishes in the Union.

Art. IV.—All the provisions of any Order at present in force with respect to any sum invested in either of the aforesaid Three per Cent. Stocks, and to the dividends thereon, shall continue in force and shall apply to the Stock which shall be purchased, in pursuance of this Order, with the money received in respect of the principal of such sum and to the dividends on the Stock so purchased.

SCHEDULE.

NAMES OF UNIONS.

Aston.
Atcham.
Bakewell.
Barnet.
Barnsley.
Bedale.
Belper.
Billesdon.
Blaby.
Bourn.
Brecknock.
Builth.
Bury.
Calne.
Carmarthen.
Chepstow.
Cockermouth.
Crickhowell.
Droitwich.
Dunmow.
East Retford.
East Ward.
Ecclesall Bierlow.
Halifax.
Hardingstone.
Hartismere.
Havant.
Henley.
Holbeach.
Kingston.
Lampeter.
Lancaster.
Lewisham.
Llanelly.
Loddon and Clavering.
Lunesdale.
Mere.
Middlesbrough.
Penrith.
Prescot.
Preston.
Redruth.
Ripon.
Romford.
Saint Faith's.
Shepton Mallet.
Shiffnal.
Sleaford.
Southwell.
Tarvin.
Tenterden.
Ticehurst.
Towcester.
Weobley.
Westbury.
Weymouth.
Wheatenhurst.
Woodbridge.

Given under the Seal of Office of the Local Government Board, this Twenty-third day of May, in the year One thousand eight hundred and eighty-nine.

L.S.

Chas. T. Ritchie, *President.*

Hugh Owen, *Secretary.*

Date of publication in the *London Gazette*, May 24, 1889.

GENERAL ORDER. — OUT-DOOR RELIEF TO ORPHAN AND DESERTED CHILDREN.— BOARDING IN HOMES WITHIN THE LIMITS OF UNION OR SEPARATE PARISH.—[THE BOARDING OF CHILDREN IN UNIONS ORDER, 1889.]

(Dated 28th May, 1889.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES named in Schedules B. and C. to this Order ;—

And to all others whom it may concern.

WHEREAS by a General Order dated September 10, 1877, addressed to the Guardians of the Poor of the several Unions and Separate Parishes named in Schedules B. and C. to such Order, We prescribed regulations with regard to orphan or deserted children relieved by the Guardians of any such Union or Parish out of the Workhouse in homes within the limits of the Union or Parish ; and by an Order dated May 24, 1878, We made such General Order applicable to the Exeter Union ;

And whereas it is expedient that the said Orders should be rescinded, and that regulations should be made as hereinafter contained ;

NOW, THEREFORE, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby rescind the above-cited General Order dated September 10, 1877 ; and We also hereby rescind the above cited Order dated May 24, 1878, so far as it refers to the said General Order.

And we do hereby order that the following Regulations shall,

except so far as We may assent to any departure therefrom in any particular case or cases, have effect with regard to the relief, by the Guardians of the several Unions and separate Parishes named in Schedules B. and C. to this Order, of orphan or deserted children by boarding such children in homes within the limits of the Union or Separate Parish to which they are chargeable; that is to say,—[1]

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[1] In the Instructional Letter issued by the Poor Law Board on November 25, 1870, with the Order of that date, to which letter the attention of the Guardians is drawn by the Circular Letter of May 29, 1889, issued with the present Order, the Poor Law Board recommended—1. That children should not, save in special cases, be boarded with relations or with persons in receipt of relief out of the poor rates.—2. That children should not be boarded out in any home where the father is employed in night-work; and that in every case the foster-parents should be by preference persons engaged in out-door, not in sedentary, labour.—3. That in choosing the home especial attention should be paid to decent accommodation and the proper separation of the sexes in the sleeping rooms. Children over seven years of age should never be allowed to sleep in the same room with married couples.—4. That no child should be boarded out in a house where sleeping accommodation is afforded to an adult lodger.—5. That particular attention should in all cases be paid to the schoolmaster's quarterly report, and if after two warnings to the foster-parents the report continue unfavourable, the child shall be instantly withdrawn, and either transferred to another home or sent back to the Union from which it came.—6. That great care should always be given to providing the children with good ordinary clothing. No child should ever be sent by the Guardians to be boarded out of their Union or Parish without a suitable outfit, for the repair and renewal of which a quarterly allowance, not exceeding 10*s*., should be made to the foster-parents by the Guardians. Anything resembling a "Workhouse uniform" should be most carefully avoided.—7. The Board have been unwilling to lay down any regulations as to the size of towns or villages to which pauper children might be sent, but they recommend the adoption of the rule, that children should not be sent out to homes in places containing more than fifteen thousand inhabitants. All boarding out in larger towns should be avoided.

By section 1 of the Custody of Children Act, 1891 (54 & 55 Vict. c. 3), upon application by the parent of a child to the High Court for a writ or order for the production of the child, the Court, if of opinion that the parent has abandoned or deserted the child, or that he has so conducted himself that the Court should refuse to enforce his right to the custody of the child, may in its discretion decline to issue the writ or make the order. By section 2 it is enacted that if at the time of the application for a writ or order for the production of the child, the child is being brought up by another person, or is boarded out by the Guardians of a Poor Law Union, the Court may, in its discretion, if it orders the child to be given up to the parent, further order that the parent shall pay to such person or to the Guardians of such Poor Law Union, the whole of the costs properly incurred in bringing up the child, or such portion thereof as shall seem to the Court to be just and reasonable, having regard to all the circumstances of the case. By section 3 it is enacted that where a parent has (*a*) abandoned or deserted his child; or (*b*) allowed his child to be brought up by another person at that person's expense, or by the Guardians of a Poor Law Union, for such length of time and under such circumstances as to satisfy the Court that the parent was unmindful of his parental duties; the

Art. 1.—No. 1. No child shall be boarded with any person who is at the time, or has been within twelve months preceding, in receipt of relief from the Common Fund or from the poor rates, as the case may be; and if the foster-parent [1] shall at any time become in receipt of relief, any child boarded with him shall be withdrawn.[2]

No. 2. Not more than two children shall be boarded by the Guardians in the same home at the same time unless all such children are brothers and sisters and do not exceed four in number; not more than one child shall be boarded by the Guardians in a home in which any child is boarded by persons other than the Guardians, nor shall any child be boarded in a home in which there is more than one such child; and no child shall be boarded in a home in which, at the time when the

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Court shall not make an order for the delivery of the child to the parent, unless the parent has satisfied the Court that, having regard to the welfare of the child, he is a fit person to have the custody of the child. For the purposes of the Act the expression "parent" of a child includes any person at law liable to maintain such child or entitled to his custody, and "person" includes any school or institution. *Ib.* s. 5.

[1] For the meaning of the term "foster-parent," see Art. 15, p. 1109.

[2] When the Guardians have arranged under Art. 5, *post*, p. 1103, with a Boarding Out Committee for the purpose of finding and superintending homes, the Regulations prescribed by Art. 9, *post*, p. 1104, have effect in addition to or in modification of the Regulations contained in Art. 1. The Guardians are empowered by the General Order of May 28, 1889, *post*, p. 1118, to board out children chargeable to their Union or Parish in homes beyond the limits thereof under arrangements with a Boarding-out Committee, approved by the Local Government Board. Cases in which pauper children are adopted and in which out-relief is not allowed by the Guardians, are not within the terms of the Order. The Local Government Board said in November, 1881, with regard to the Orphan and Deserted Children Order, September 10, 1877, that the Regulations in that Order applied to all orphan and deserted children in receipt of outdoor relief, notwithstanding that they might be living with friends.

For definitions of the terms "orphan child" and "deserted child" respectively, see Art. 15, *post*, p. 1109.

With regard to the provision by the Guardians of outfits for children who have been boarded or boarded out on their going to service, see the General Order of July 10, 1897, *post*.

In their Circular Letter of May 29, 1889, the Local Government Board said that their attention had been drawn to cases in which children had been boarded out with foster-parents having no means of support apart from the allowances made by the Guardians for the benefit of the children boarded out. And that the Board considered that such a practice must be injurious to the best interests of the children, and trusted that in future no children would be placed with foster-parents not having some adequate means of support.

child would first be placed in it, there would be with such child more than five children resident.

Art. 1.—No. 3. In no case shall a child be boarded with a foster-parent of a religious creed different from that to which the child belongs. The child's creed shall be ascertained from the Creed Register, if it is entered therein.[1]

No. 4. No child shall be boarded in a home without a certificate, in the Form No. 2 in the Schedule A. to this Order, signed by one of the Medical Officers of the Union or Separate Parish, stating the particulars of the child's health.

No. 5. Before receiving any child to be boarded with him the foster-parent shall sign an undertaking in duplicate,[2] which shall, in addition to any other matter which may be agreed upon, contain an engagement on the part of the foster-parent, that, in consideration of a certain sum per week, he will bring up the child as one of his own children, and provide the child with proper food, lodging, and washing, and endeavour to train the child in habits of truthfulness, obedience, personal cleanliness, and industry, as well as in suitable domestic and out-door work, so far as may be consistent with the law ; that he will take care that the child shall attend duly at church or chapel, according to the religious

[1] By section 4 of the Custody of Children Act, 1891 (54 & 55 Vict. c. 3), it is enacted that upon the application by the parent for the production or custody of a child, if the Court is of opinion that the parent ought not to have the custody of the child, and that the child is being brought up in a different religion to that in which the parent has a legal right to require that the child should be brought up, the Court shall have power to make such order as it may think fit to secure that the child be brought up in the religion in which the parent has a legal right to require that the child should be brought up. Nothing in the Act is, however, to interfere with or affect the power of the Court to consult the wishes of the child in considering what order ought to be made, or diminish the right which any child possesses to the exercise of its own free choice.

[2] It was previously to the present Order requisite for the Guardians to cause a copy of the undertaking given by the foster-parent on the boarding-out of a child to be forwarded to the Local Government Board. Such requirement is now dispensed with. Provision is, however, made by Art. 9, No. 8, *post*, p. 1107, for the furnishing to that Board from time to time of accurate reports as to the children boarded out under the present Order.

creed to which the child belongs, and shall attend school according to the provisions of the law for the time being ; that he will provide for the proper repair and renewal of the child's clothing ; and that, in the case of the child's illness, he will forthwith report such illness to the Relieving Officer in whose District the child resides, or to the Guardians ; and that he will at all times permit the child to be visited and the house to be inspected by the Relieving Officer or the Medical Officer of the District, and by any Guardian or other person specially appointed for that purpose by the Guardians or by the Local Government Board ; and that he will produce the child for examination by the Guardians when required by them to do so. The undertaking shall also contain an engagement on the part of the foster-parent that he will, upon the demand of a person duly authorised in writing by the Guardians, give up possession of the child.

Such undertaking shall be made according to the Form No. 3 in Schedule A. to this Order. One copy of it shall be kept by the foster-parent and the other by the Guardians.

Art. 1.—No. 6. On the delivery of the child to the foster-parent, an acknowledgment shall be given in the Form No. 4 in Schedule A. to this Order, or to the like effect.

No. 7. In no case shall the sum to be paid to the foster-parent for the maintenance of a child, inclusive of lodging, but exclusive of clothing, school-fees, fees for medical attendance, medicines, and extras ordered by a medical attendant, exceed four shillings per week.[1]

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[1] In the Instructional Letter of November 25, 1870, issued with the Order of that date, the Local Government Board stated, with reference to the corresponding provision of that Order to that contained in Art. 1, No. 7, that :— "In putting the maximum at *four shillings*, the Board have been guided by the practice in the Unions where the boarding out system is actually in force. In no case does the weekly amount paid appear to exceed four shillings. The Board consider it advisable to fix a maximum in order to avoid the possibility of Unions bidding against each other, for the purpose of finding homes, a

Art. 1.—No. 8. No child shall be boarded in a home distant more than two miles from a certified efficient school within the meaning of the Elementary Education Act, 1876, or any Act amending the same,[1] the Schoolmaster of which School is willing to undertake to send to the Guardians, at least once a quarter, a written report upon the child, in the Form No. 5 in Schedule A. to this Order.[2]

No. 9. The Guardians may allow an extra school-fee, not exceeding one penny per week, to be paid to the Schoolmaster of the School at which such child attends, the same to be a remuneration to him for drawing up and sending the Quarterly report upon such child prescribed in the Regulation last preceding.[2]

Art. 2.—The Relieving Officer shall pay the amount of relief ordered by the Guardians in respect of any child at the residence of

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practice which they would greatly deprecate. Nothing would, in the judgment of the Board, be less desirable and more calculated to defeat the success of the whole scheme than any attempt to force it by the offer of high pecuniary inducements. Within the limit of *four shillings*, the Board desire to leave the settlement of the terms to the free action of the Committees and the Boards of Guardians. The payment for clothing has also been left undetermined. When committees of ladies are willing themselves to undertake the clothing of the children, an engagement to that effect should form part of the arrangements with the Guardians."

[1] A certified efficient school within the meaning of the Elementary Education Act, 1876 (39 & 40 Vict. c. 79), is "a public elementary school, and any workhouse school certified to be efficient by the Local Government Board . . . and also any elementary school which is not conducted for private profit, and is open at all reasonable times to the inspection of Her Majesty's Inspectors, and requires the like attendances from its scholars as is required in a public elementary school, and keeps such registers of those attendances as may be for the time being required by the Education Department, and is certified by the Education Department to be an efficient school" (*Ib.* s. 48). A public elementary school means an elementary school which is conducted with the regulations contained in section 7 of the Elementary Education Act, 1870 (33 & 34 Vict. c. 75).

[2] With regard to the corresponding regulations contained in the Order of November 25, 1870, the Local Government Board said in their Circular Letter issued with that Order that they attached the greatest importance to such regulations. That it appeared to the Board, that if regular reports from the schoolmasters of the schools to which the children were sent, could be secured, a very valuable additional guarantee against any ill-treatment of the children remaining undiscovered would be afforded. The Board trusted that the Guardians would, by unremitting watchfulness, maintain the effectual observance of those Regulations.

the foster-parent, and, unless otherwise directed by the Guardians, such amount shall be paid weekly.

Art. 3. The Relieving Officer shall once in every quarter, or oftener, if so required by them, make to the Guardians a report according to the Form No. 6 in Schedule A. to this Order.

Art. 4. The Medical Officer of the district in which the child may be resident shall visit the child once in each quarter, and shall after each visit make to the Guardians a Report in the Form No. 7 in Schedule A. to this Order, and for each such visit duly reported the Medical Officer shall be paid by the Guardians a fee of Two Shillings and Sixpence.[1]

Art. 5.—The Guardians of any Union or Separate Parish may, if they think fit, with Our consent, enter into arrangements with a Boarding-out Committee, constituted as hereinafter mentioned, for the purpose of finding and superintending homes within the Union or Parish for orphan or deserted children chargeable to such Union or Parish.[2]

Art. 6.—A Boarding-out Committee shall consist of three or more persons, to be approved by Us, who shall have signed an engagement in the Form No. 1 in Schedule A. to this Order, and shall have obtained Our written authority to enter into arrangements with Boards of Guardians for the purpose of finding and superintending homes for pauper children.[3]

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[1] The Order applies to children placed by the Guardians in homes, whether such homes be kept by the relatives of the children or otherwise, see note 1 on p. 1099, *ante*.

[2] With regard to the withdrawal by the Local Government Board from any Boarding-out Committee of the authority to enter into arrangements with Boards of Guardians, see the 10th Regulation in Art. 9, *post*, *p.* 1107.

In their Circular Letter of May 29, 1889, the Local Government Board said that they had not considered it necessary to prescribe in the present Order a form for the arrangements between Guardians and Committees; but that they had under revision a form which had been adopted with advantage in many cases where arrangements had been made between Guardians and Committees under the provisions of the Order of 1870, and a copy of this form would be supplied upon application.

[3] In the Instructional Letter of November 25, 1870, issued by the Poor Law Board with the Order of that date that Board stated that:—"No system of contracting with one person for a round sum to provide homes and maintenance for a given number of pauper children would be sanctioned by the Board. The attention of the Board has been drawn to a suggestion that advertisements might be issued by Boards of Guardians inviting persons to apply for the charge of pauper children. The order of the Board

Art. 7. Any person deriving any pecuniary or other personal profit from the boarding of any child shall be thereby disqualified from becoming or continuing to be a member of any such Boarding-out Committee.

Art. 8.—The Boarding-out Committee shall from time to time appoint one of their members to act as Secretary; and it shall be the duty of the Secretary punctually to inform Us of any vacancies which may be caused by death, resignation, or otherwise amongst the members of the Committee; and to report to Us as soon as practicable after the First day of January and the First day of July in every year the names and addresses of the members of the Committee.

Art. 9.—Where the Guardians shall have entered into arrangements with a Boarding-out Committee as aforesaid, the following Regulations shall have effect in addition to or in modification of those hereinbefore contained :—

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now issued would not permit such a practice. When an application is made to the Board for the written authority required by Art. 2, it will be necessary that the Board should be supplied with reference as to the standing and qualifications of the applicants. When the proposed committee consists of three or more members, the Board will further require to be furnished with the name or names of the member or members of the committee who engage to perform the duties of secretary or president, and to make themselves responsible for conducting the correspondence and business transactions. The Board have not prescribed any fixed form for the arrangements between the Guardians and the Committees in the present Order, as they are anxious to leave as much latitude as possible. But they wish to call attention to the necessity of engagements being taken with respect to the following points :—

"1. On the part of the Guardians—

"*a.* As to the sum which they will pay for each child *weekly* on a suitable home being found.—*b.* As to the mode of payment; for instance, as to the periods at which the money will be remitted.—*c.* As to the clothing of the child.—*d.* As to school fees.—*e.* As to the payment of medical fees, medicine, and extra nourishment in time of sickness.—*f.* As to the payment of burial expenses in case of the death of the child.

"2. On the part of the Committee—

"*a.* To find homes for a certain number of children.—*b.* To visit the homes at certain intervals.—*c.* To insist on the fulfilment of the regulations prescribed by the Guardians and by the Poor Law Board.—*d.* To make such reports to the Guardians in such matters as may be agreed upon.

"Boards of Guardians will be bound to take precautions that medical attendance is promptly secured for such children as may require it. At the same time it will be necessary to provide a proper and continuous check over the expenditure which may thus be incurred."

Art. 9.– No. 1. No child shall be boarded in any home which is distant more than five miles by the nearest road of access from the residence of some member of the Boarding-out Committee.[1]

No. 2. The Certificate given in pursuance of Article 1 (No. 4), or a copy thereof, shall be forwarded by the Guardians to the Boarding-out Committee.

No. 3. The undertaking required by Article 1 (No. 5) shall also contain an engagement that, in the case of the child's illness, the foster-parent will forthwith report such illness to the Boarding-out Committee ; that the foster-parent will at all times permit the child to be visited and the house to be inspected by any member of the Boarding-out Committee ; and that he will, upon the demand of a person duly authorised in writing by

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[1] In the circular letter of May 29, 1889, issued with this Order the Local Government Board say that they "may take this opportunity of impressing upon all Boarding-out Committees the necessity of frequent and close inspections of the homes of the children as well as of the children themselves. The Board have found that in some cases sufficient supervision has not been exercised by the Boarding-out Committees over the children and the homes, and, as a general rule, it is in these cases that the boarding-out system would appear to have been least successful. The Board cannot insist too strongly upon the importance of a close inquiry, by the Boarding-out Committees, into all matters affecting the health and condition of the children, such as food, clothing, cleanliness, and sleeping arrangements, as it appears to the Board that the success of the whole system mainly depends upon effective inspections.

"With regard to the clothing of the children, cases have been found where foster-parents had received for its repair and renewal the full allowance provided for in the Undertaking, but had evidently not applied the amount to the purpose for which it was given. The Board would remind the Committee that, where they receive from the Guardians a payment to enable them to provide for the repair and renewal of the clothing, it is incumbent upon them to see that the allowance is properly applied, and that each child has always a sufficient stock of clothes.

"The Board desire that the members of a Boarding-out Committee should bear in mind that they are jointly responsible for all children entrusted to the care of the Committee, and that the visitation of each child should not be entirely left in the hands of an individual member of the Committee. The Board have reason to believe that in some instances persons have consented to become members of Committees under a misapprehension as to the responsibility they would thereby incur.

"Although the Board have thought it right to make these observations, they desire at the same time to state that they have not failed fully to appreciate the trouble and care which, in most cases, have been bestowed by the Boarding-out Committees on the children entrusted to them."

the Boarding-out Committee, give up possession of the child.

Art. 9.—No. 4. The Guardians may at any time withdraw any child from a home in which such child is boarded, notice of their intention to do so being given at least one week beforehand to the Boarding-out Committee : and every foster-parent shall, upon the demand of a person duly authorised in writing by the Boarding-out Committee or by the Guardians, deliver up to such person any pauper child boarded with such foster-parent.

No. 5. Every child shall be visited not less often than once in every six weeks by a member of the Boarding-out Committee at the home of the foster-parent with whom such child is boarded, and the visitor shall thereupon make a report in writing to the Committee, stating the apparent bodily condition and the behaviour of such child, and all reasonable complaints made by or concerning the child, against or by the foster-parent.[1]

These reports shall be forwarded by the Boarding-out Committee to the Guardians not less often than quarterly.

If in the case of any child no such report shall be received by the Guardians for the space of four consecutive months, the Guardians shall either provide for the visiting of such child at the home of its foster-parent by an officer of the Guardians at intervals of not more than six weeks until such reports are again received by them, or shall withdraw the child from the home with all reasonable expedition.

No. 6. The Guardians may, if they think fit, dispense with the

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[1] In the circular letter issued by the Local Government Board on November 25, 1870, with the Order of that date, the Board said that they considered the existence of facilities for visiting the children to be so important, that they could not sanction any child being placed in a home at a greater distance from the residence of some member of the Committee. That by the eleventh regulation the distance was limited to five miles, and that the Board considered it as a rule desirable that the homes should be still more accessible.

report of the Relieving Officer required by Art. 3, and the visits of the Medical Officer prescribed by Art. 4.

Art. 9.—No. 7. The arrangements to be made by the Guardians with the Boarding-out Committee may include the payment by such Committee to the foster-parent of the amount of relief ordered by the Guardians in respect of any child, and the provision of Article 2 shall, upon such an arrangement being made, not be applicable.

No. 8. The Clerk to the Guardians of every Union or Separate Parish within which any children are boarded under the provisions of this Order, and under the superintendence of a Boarding-out Committee, shall, as soon as practicable after the First day of April and the First day of October in every year, make a Return to Us, in the Form No. 8 in the Schedule A. to this Order, of the several children remaining so boarded on those dates respectively.

No. 9. The Secretary to the Boarding-out Committee shall make a Return to Us as soon as practicable after the First day of January and the First day of July in every year of the several children remaining boarded under the supervision of the Committee on those days respectively under the provisions of this Order. Such Return shall be made according to the Form No. 9 in Schedule A. to this Order.

No. 10. If We shall withdraw from any Boarding-out Committee the authority to enter into arrangements with Boards of Guardians, the Guardians who have made arrangements with the said Committee for the boarding of pauper children shall, on receiving notice of such withdrawal, take back with all reasonable expedition all children boarded in homes found by such Committee. Provided that it shall not be necessary for the Guardians to take back such children if We declare that the withdrawal of authority from the Committee shall not apply to children already boarded under

their superintendence ; or, if in a case in which We do not so declare, the Guardians, with our approval, cause the children to be visited by one of their own officers at intervals of not more than six weeks.

Art. 10.—The Guardians shall not order relief in pursuance of this Order for a period exceeding three months at any one time.[1]

Art. 11.—Any relief given under the provisions of this Order by the Guardians to any deserted child under the age of sixteen years may, if the Guardians think fit, be given by way of Loan to the parent of such child.[2]

Art. 12.—Where the arrangements made by the Guardians with any Boarding-out Committee under the provisions of this Order include the payment of any sums by such Committee on behalf of the Guardians, the Guardians may, if they think fit, advance to the Boarding-out Committee quarterly a sum not exceeding three-fourths of the expenditure which, in pursuance of such arrangements, may reasonably be expected to be incurred by such Committee during the ensuing quarter.

Art. 13.—Any Boarding-out Committee duly formed under the provisions of any Order of the Poor Law Board or of the Local Government Board, and in existence at the date of this Order, shall in so far as the authority of such Committee extends at the date of this Order, be deemed to have been duly constituted under the provisions of this Order.

Art. 14.—In any case in which Guardians are, at the date of this Order, boarding children in homes under the provisions of the above-cited General Order, it shall not be necessary, with regard to the children so boarded, that fresh undertakings shall be entered into by the foster-parents under the provisions of this Order ; and

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[1] It will therefore be necessary for the relieving officer to report the cases at the expiration of the three months, but the regulation does not appear to contemplate the possibility of the application for a continuance of the relief being renewed at the expiration of the three months. If it be not renewed, and a further order of the Guardians for the relief being continued be made, the relieving officer will run a certain risk of the cost of the relief being disallowed, unless he can show that the cases have become sudden or urgent, which is not very likely whilst the children are being cared for by their foster-parents.

[2] With regard to the giving of relief by way of loan see Art. 9 of the Out-door Relief Regulation Order, December 14, 1852, *ante*, p. 517.

any child may continue to be boarded with the foster-parent with whom such child is boarded at the date of this Order, if no Regulation in the above-cited General Order in pursuance of which the child was placed out is thereby contravened.

Art. 15.—In this Order—

The word "Union" includes any Union of Parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament.

The term "Separate Parish" means a Parish or Place which is under a separate Board of Guardians.

The word "Guardians" includes any Governors, Directors, Managers, Acting Guardians, Vestrymen, or other Officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the Poor Rates under any Act of Parliament.

When applied to a legitimate child, the term "orphan child" means a child, both of whose parents are dead; or one of whose parents is dead, the other being under sentence of penal servitude,[1] or suffering permanently from mental disease, or being permanently bedridden or disabled and an inmate of a Workhouse, or being out of England; and the term "deserted child" means a child deserted by both parents; or deserted by one parent, the other being dead, or under sentence of penal servitude, or suffering permanently from mental disease, or being permanently bedridden or disabled and an inmate of a Workhouse, or being out of England; or a child, one of whose parents is under sentence of penal servitude, or suffering permanently from mental disease, or is permanently bedridden or disabled and an inmate of a Workhouse, or is out of England, the other parent being likewise in one of those conditions.

When applied to an illegitimate child, the term "orphan child"

[1] Notice the words "penal servitude." These words do not include any lesser punishment such as imprisonment for a term with or without hard labour, as the case may be.

means a child whose mother is dead; and the term "deserted child" means a child deserted by its mother, or whose mother is under sentence of penal servitude, or suffering permanently from mental disease, or is permanently bedridden or disabled and an inmate of a Workhouse, or is out of England.

The term "foster-parent" means the persons or person with whom any child is boarded under the provisions of this Order.

All words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural, and the plural the singular, unless the contrary as to gender or number is expressly provided.

Art. 16.—This Order may be cited as "The Boarding of Children in Unions Order, 1889."

SCHEDULE A.

Form No. 1.

N.B.—In the case of a proposed addition to the Committee, substitute for the words in [ ] the following:—"I, the undersigned, being desirous of becoming a Member of the Boarding-out Committee formed," and also omit the words in italics.

[We, the undersigned, being desirous of being constituted a Boarding-out Committee] for the purpose of finding and superintending homes for orphan or deserted pauper children in the Parish [*or* Parishes] of , in the Union, in the County of , do hereby, *in the event of our obtaining the requisite authority of the Local Government Board to act as a Boarding-out Committee*, engage truly and faithfully to observe the Regulations which are prescribed in the Orders of the Local Government Board dated the day of , 18 , or which may from time to time be prescribed by the Local Government Board with respect to the Boarding-out of Pauper Children.

And We [*or* I] do also hereby undertake to furnish to the Local Government Board, or to any of the Inspectors of that Board, all such reasonable information respecting pauper children who may be boarded-out under the superintendence of the Committee, as the said Board or Inspectors may from time to time require.

Signatures in full. *Addresses.*

Dated this day of , 18 .

FORM No. 2.

_____ UNION [*or* SEPARATE PARISH].

I, the undersigned, having this day personally examined *C.D.*, residing at , and alleged to be an orphan [*or* deserted] child of the age of years, hereby certify that he is not suffering from any contagious or infectious disease, and that h bodily health is good [with the exception that *].

(*Signed*) _____
Medical Officer of the Union
[*or* Parish of].
Dated this day of , 18 .

* Here state the particulars of any exceptions.

FORM No. 3.

Undertaking of Foster-Parent.

BOARDING of CHILD in a HOME within the limits of the UNION [*or* SEPARATE PARISH] to which such Child is chargeable.

_____ Union [*or* Separate Parish].
[_____ Boarding-out Committee].†
_____ Name of Child.
_____ Religious Creed of Child.
_____ Name of Foster-Parent.

I, *A.B.*, of , do hereby engage with the Guardians of the above-named Union [*or* Parish], in consideration of my receiving the sum of per week, to bring up *C.D.*, aged years on the day of last, as one of my own children, and to provide h with proper food, lodging, and washing, and to endeavour to train h in habits of truthfulness, obedience, personal cleanliness, and industry, as well as in suitable domestic and out-door work, so far as may be consistent with the law; to take care that the child shall attend duly at church [*or* chapel],* and shall attend school according to the provisions of the law for the time being; that I will provide for the proper repair and renewal of the child's clothing; and that, in the case of the child's illness, I will forthwith report such illness to the [above-named Boarding-out Committee and also to the]† Relieving Officer in whose District I reside, or to the Guardians of the above-named Union [*or* Parish]; that I will at all times permit the child to be visited and the house to be inspected by [any member of the

* Insert "church" or "chapel" according to the religious creed which the child belongs.

† The references in this Form to a Boarding-out Committee are to be retained only where the child is boarded under the superintendence of a Committee. *See* Article IX. 3.

‡ Any other matter which may be agreed upon may here be added.

Boarding-out Committee, by]† the Relieving Officer[or the Medical Officer of the District, and by any Guardian or other person specially appointed for that purpose by the Guardians or by the Local Government Board; and that I will produce the child for examination by the Guardians when required by them to do so. I do also hereby engage, upon the demand of a person duly authorised in writing by the [Boarding-out Committee or by the]† Guardians to give up possession of the child.

‡

Dated this day of , 18 .

_____ *Signature (in full) of Foster-Parent.*

_____ *Address of Foster-Parent.*

_____ *Witness to the signature of the Foster-Parent.*

_____ *Address of Witness.*

N.B.—Communications to the Guardians to be addressed_____
[Communications to the Boarding-out Committee to be addressed].†_____

FORM NO. 4.

_____ UNION [*or* SEPARATE PARISH].

I, *A.B.*, of , hereby acknowledge that I have this day received *C.D.*, aged years, from the Guardians of the Poor of the above-named Union [*or* Parish], on the terms and conditions contained in the annexed undertaking; and that I have also received for the use of the said *C.D.* the articles of clothing set out in the list appended hereto.

Dated this day of , 18 .

(*Signed*) _____

(*Address*) _____

(*Witness*) _____

(*Address of Witness*) _____

LIST OF CLOTHING.

(*Here set out the Articles in detail.*)

Form No. 5.

_____ School.

Report for the Quarter ending _____

Name of Child	Age	Name and address of Foster-Parent	Days absent from School during the Quarter	Alleged Causes of Absence	Observations as to Appearance, Conduct, and Progress of Child	Books and Stationery supplied during the Quarter	School Fees and Cost of Books and Stationery		
							£	*s.*	*d.*

(*Signature*) _____

(*Address*) _____

(*Date*) _____

N.B.—This report may be arranged in any other manner which may be deemed more convenient, provided that all the particulars above-mentioned be included in it.

FORM No. 6.

Relieving Officer's Report on Children boarded with Foster-Parents.

_____ ending _____, 18____.

_____ UNION [*or* SEPARATE PARISH].

Name of Child _____

Age _____

Name and Address of Foster-Parent _____

Date when Child was last seen by me _____

Does the Child appear to be in good health? _____

Is it properly fed, lodged, and clothed? _____

Are the sleeping arrangements, as regards the separation of the sexes and otherwise, proper and sufficient? _____

Is the behaviour of the child good? _____

What is the domestic and out-door work in which it is employed, and is its general training properly attended to? _____

Does the Child duly attend Church or Chapel? _____

Does it attend School regularly? _____

Are any complaints made by or concerning the Child, against the Foster-Parent? _____

Are any complaints made by or concerning the Foster-Parent, against the Child? _____

General observations _____

Signed _____.

Relieving Officer of the _____ Union [*or* Parish].

To the Guardians of
_____ Union [*or* Parish].

FORM No. 7.

Medical Officer's Report of Visits made to the Homes of Foster-Parents with whom Children are boarded.

Quarter ending _____ 18 ____.

UNION [*or* PARISH of].

Date of Visit	Name of Child	Age	Name and Address of Foster-Parent	Date of last preceding visit	Observations as to the Appearance and Health of the child, the State of the House, and other Remarks

(*Signed*) _____

Medical Officer of the _____ *District.*

FORM No. 8.

_____ UNION (or SEPARATE PARISH).

Return of the Children boarded in Homes within the limits of the Union (or Separate Parish) under the superintendence of a Boarding-out Committee on the 1st day of April [or October, 18].

Name of Child	Age	Name of Foster-Parent	Address of Foster-Parent	Boarding-out Committee under whose superintendence the Child is boarded	Date of first Boarding	Date of Boarding-out with present Foster-Parent, if there has been a change
1	2	3	4	5	6	7

_____ *Clerk to the Guardians.*

_____ *Date.*

FORM No. 9.

RETURN of the CHILDREN BOARDED-OUT under the supervision of the BOARDING-OUT COMMITTEE on the 1st day of January [or July], 18 , with the Names and Addresses of the Foster-Parents.

Name of Child	Age	Name and Address of Foster-Parent	Union or Separate Parish to which chargeable

(*Signed*) _____.

Secretary of the Boarding-out Committee.

(*Address*) _____

Date _____

SCHEDULE B.

[The Unions included in this Schedule are those the names of which are contained in the Schedule to the General Consolidated Order of July 24, 1847, *ante*, p. 474, and also

Barton Regis.
Bristol.
Bury Saint Edmunds.
Cannock.
Canterbury.
Chichester.
East and West Flegg.
Exeter.
Forehoe.
Kingston-upon-Hull.
Mutford and Lothingland.
Norwich.
Oswestry.
Oxford.
Plymouth.
Strood.

But not:

City of London.
Clifton.
Fulham.
Hackney.
Holborn.
Kingswinford.
Lewisham.
North Aylesford.
Penkridge.
Poplar.
Presteigne.
Radford.
St. George's.
St. Saviour's.
Stepney.
Strand.
Wandsworth and Clapham.
Westminster.
Whitechapel.
Witham.
Woolwich.

SCHEDULE C.

SEPARATE PARISHES.

Alston with Garrigill.	East Stonehouse.	St. Mary and St. Andrew, Whittlesea.[3]
Alverstoke.	Great Yarmouth.[1]	Stoke Damerel.
Barrow-in-Furness.	Liverpool.	Stoke-upon-Trent.[4]
Birmingham.	Manchester.	Toxteth Park.
Brighton.	Saddleworth.[2]	

Given under the Seal of Office of the Local Government Board, this Twenty-eighth day of May, in the year One thousand eight hundred and eighty-nine.

L.S.

CHAS. T. RITCHIE, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, May 28, 1889.

The foregoing Order was applied to the following Unions by Orders of the Local Government Board issued on the dates placed opposite their names, viz.:—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

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[1] The Parish of Great Yarmouth was, with the Parish of Gorleston, formed into a Union by an Order dated January 17, 1891.

[2] The Parish of Saddleworth was made a Union by an Order dated November 19, 1894.

[3] The united Parishes of St. Mary and St. Andrew Whittlesea were formed into the Whittlesey Union by an Order dated November 28, 1894.

[4] The Parish of Stoke-upon-Trent was made a Union by an Order dated November 14, 1894.

GENERAL ORDER. — OUT-DOOR RELIEF TO ORPHAN AND DESERTED CHILDREN: BOARDING-OUT IN HOMES BEYOND THE LIMITS OF UNION OR SEPARATE PARISH. [THE BOARDING-OUT ORDER, 1889.]

(Dated 28th May, 1889.)

To the Guardians of the Poor of the several Unions and separate Parishes for the time being in England and Wales;—

And to all others whom it may concern.[1]

Whereas by a General Order dated the 25th day of November, 1870, addressed to the Guardians of the Poor of the several Unions and Separate Parishes named in the Schedules C. and D. to such Order, the Poor Law Board prescribed Regulations with reference to the boarding-out of pauper children chargeable to any such Union or Parish in homes beyond the limits of such Union or Parish;

And whereas by certain Orders dated the 11th day of September, 1872, the 9th day of August, 1873, the 24th day of April, 1882, the 12th day of June, 1882, the 12th day of February, 1884, the 23rd day of February, 1884, the 27th day of January, 1885, the 11th day of February, 1886, the 29th day of July, 1886, the 19th day of April, 1888, and the 26th day of July, 1888, We, the Local Government Board, prescribed similar Regulations with regard to the boarding-out of pauper children from the City of Oxford, the

[1] This Order was applied to the Great Yarmouth Union by an Order dated March 20, 1890, and to the Grimsby Union by an Order dated April 3, 1893.

Epsom, Weymouth, and Kidderminster Unions, the Town of Plymouth, and the Eastbourne, Carlisle, Kingsclere, Horsham, Cricklade and Wootton Bassett, and Headington Unions respectively ; and by an Order dated the 13th day of April, 1874, We made the said General Order dated the 25th day of November, 1870, applicable to the Coventry Union ;

And whereas it is expedient that the said Orders should be rescinded, and that Regulations should be made as hereinafter contained :

Now THEREFORE, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby rescind the above-cited Order dated the 13th day of April, 1874, so far as it refers to the said Order of the 25th day of November, 1870 ; and We also hereby rescind all the other Orders above cited.

And We do hereby Order that the following Regulations shall, except so far as We may assent to any departure therefrom in any particular case or cases, have effect with regard to the several Unions and Separate Parishes for the time being in England and Wales, that is to say,—

Art. 1.—Notwithstanding any provisions contained in any Orders issued by the Poor Law Commissioners or the Poor Law Board, or by Us, relating to the administration of relief to paupers not residing within the Union or Separate Parish to which they are chargeable, the Guardians of any Union or Separate Parish may, subject to the provisions of this Order, board out pauper children chargeable to the Union or Parish in homes beyond the limits thereof, under arrangements approved by Us with a Boarding-out Committee, constituted as hereinafter mentioned.[1]

Art. 2.—A Boarding-out Committee shall consist of three or more persons, to be approved by Us, who shall have signed an engagement in the Form No. 1 in the Schedule to this Order, and shall have obtained Our written authority to enter into arrangements with Boards of Guardians for the purpose of finding and superintending homes for pauper children.[2]

[1] See the note (1) to the Order of May 28, 1889, *ante*, p. 1098.
[2] With regard to the withdrawal by the Local Government Board from any

Art. 3.—Any person deriving any pecuniary or other personal profit from the boarding-out of any child shall be thereby disqualified from becoming or continuing to be a member of any such Boarding-out Committee.

Art. 4.—The Boarding-out Committee shall from time to time appoint one of their members to act as Secretary; and it shall be the duty of the Secretary punctually to inform Us of any vacancies which may be caused by death, resignation, or otherwise amongst the members of the Committee; and to report to Us as soon as practicable after the First day of January and the First day of July in every year the names and addresses of the members of the Committee.

Art. 5.—The Guardians of any Union or Separate Parish from which any child is sent to be boarded-out in any home found by a Boarding-out Committee may at any time withdraw such child from the said home, notice of their intention to do so being given at least one week beforehand to the Committee; and every foster-parent shall, upon the demand of a person duly authorised in writing by the Boarding-out Committee or by the Guardians, deliver up to such person any pauper child boarded-out with such foster-parent.

Art. 6.—The Regulations to be observed by the Guardians with respect to such boarding-out of pauper children shall be as follows:—

No. 1. No child shall be so boarded-out unless such child is an orphan or deserted child as defined by this Order.[1]

Boarding-out Committee of the authority to enter into arrangements with Boards of Guardians, see Art. 9, *post*, p. 1124. In their Circular Letter of May 29, 1889, issued with this Order the Local Government Board said that they had not considered it necessary to prescribe in the Order a form for the arrangements between Guardians and Committees; but that they had under revision a form which had been adopted with advantage in many cases when arrangements had been made between Guardians and Committees under the provisions of the Order of 1870, and a copy of this form could be supplied upon application.

See further with regard to this article the note to Art. 6 of the Order of May 28, 1889, *ante*, p. 1103.

[1] *I.e.* by Art. 16, *post*, p. 1126.

Art. 6.—No. 2. No child shall be first boarded-out at an earlier age than two years, and no child shall be first boarded-out at a later age than ten years, except in the case of a child above the age of ten years placed in the same home with a brother or sister under that age.

No. 3.—Not more than two children shall be boarded-out by the Guardians in the same home at the same time, unless all such children are brothers and sisters, and do not exceed four in number; not more than one child shall be boarded-out by the Guardians in a home in which any child is boarded-out by persons other than the Guardians, nor shall any child be boarded-out in a home in which there is more than one such child; and no child shall be boarded-out in a home in which, at the time when the child would first be placed in it, there would be with such child more than five children resident.

No. 4. No child shall be boarded-out with any person who is at the time, or who has been within twelve months preceding, in receipt of relief; and if the foster-parent [1] shall at any time become in receipt of relief, any child boarded-out with him shall be withdrawn from him.[2]

No. 5. In no case shall a child be boarded-out with a foster-parent of a religious creed different from that to which the child belongs. The child's creed shall be ascertained from the creed register, if it is entered therein.[3]

No. 6. No child shall be boarded-out without a certificate in the Form No. 2 in the Schedule to this Order, signed by one of the Medical Officers of the Union or Separate Parish from which such child is sent, stating the particulars of the child's health, such certificate to be forwarded by the Guardians to the Boarding-out Committee.

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[1] For the meaning of the expression "foster-parent," see Art. 16, *post*, p. 1127.
[2] See the note to Art. 1, No. 1, of the Order of May 28, 1889, *ante*, p. 1098.
[3] See the note to Art. 1, No. 3, of the Order of May 28, 1889, *ante*, p. 1100.

Art. 6.—No. 7. Before receiving any child to be boarded-out with him, the foster-parent shall sign an undertaking in duplicate,[1] which shall, in addition to any other matter which may be agreed upon, contain an engagement on the part of the foster-parent that, in consideration of a certain sum per week, he will bring up the child as one of his own children, and provide the child with proper food, lodging, and washing, and endeavour to train the child in habits of truthfulness, obedience, personal cleanliness, and industry, as well as in suitable domestic and out-door work, so far as may be consistent with the law; that he will take care that the child shall attend duly at church or chapel according to the religious creed to which the child belongs, and shall attend school according to the provisions of the law for the time being; that he will provide for the proper repair and renewal of the child's clothing, and that in case of the child's illness, he will forthwith report such illness to the Guardians and to the Boarding-out Committee; and that he will at all times permit the child to be visited, and the house to be inspected by any member of the Boarding-out Committee, and by any person specially appointed for that purpose by the Guardians or by the Local Government Board. The undertaking shall also contain an engagement on the part of the foster-parent that he will, upon the demand of a person duly authorised in writing by the Boarding-out Committee or by the Guardians give up possession of the child.

Such undertaking shall be made according to the Form No. 3 in the Schedule to this Order. One copy of it shall be kept by the foster-parent, and the other by the Guardians.

No. 8. On the delivery of the child to the foster-parent, an

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[1] See the note to Art. 1, No. 5, of the Order of May 28, 1889, *ante*, p. 110.

acknowledgment shall be given in the Form No. 4 in the said Schedule, or to the like effect.

Art. 6.—No. 9. In no case shall the sum to be paid to the foster-parent for the maintenance of a child, inclusive of lodging, but exclusive of clothing, school-fees, fees for medical attendance, medicines, and extras ordered by a medical attendant, exceed four shillings per week.[1]

No. 10. No child shall be boarded-out in a home distant more than two miles from a certified efficient school within the meaning of the Elementary Education Act, 1876, or any Act amending the same,[2] the Schoolmaster of which School is willing to undertake to send to the Guardians, at least once a quarter, a written report upon the child, in the Form No. 5 in the said Schedule.[3]

No. 11. The Guardians may allow an extra school-fee, not exceeding one penny per week, to be paid to the Schoolmaster of the School at which such boarded-out child attends, the same to be a remuneration to him for drawing up and sending the Quarterly Report upon such boarded-out child prescribed in the Regulation last preceding.

No. 12. No child shall be boarded-out in any home which is distant more than five miles by the nearest road of access from the residence of some member of the Boarding-out Committee.[4]

Art. 7.—Every boarded-out child shall be visited not less often than once in every six weeks by a member of the Boarding-out Committee at the home of the foster-parent, and the visitor shall thereupon make a report in writing to the Committee, stating the

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[1] See the extract from the Instructional Letter of November 25, 1870, in the note to Art. 1, No. 7, of the Order of May 28, 1889, *ante*, p. 1101.

[2] For what is a certified efficient school within the meaning of the Acts referred to, see the note to Art. 1, No. 8, of the Order of May 28, 1889, *ante*, p. 1102.

[3] See the note (2) to Art. 1, No. 8, of the Order of May 28, 1889, *ante*, p. 1102.

[4] See the extract from the Circular Letter which accompanied this Order in the note to Art. 9, No. 1, of the Order of May 28, 1889, *ante*, p. 1105.

apparent bodily condition and the behaviour of such child, and all reasonable complaints made by or concerning the child, against or by the foster-parent.[1]

These reports shall be forwarded by the Boarding-out Committee to the Guardians not less often than quarterly.

If in the case of any boarded-out child no such report shall be received by the Guardians for the space of four consecutive months the Guardians shall either provide for the visiting of such child at the home of its foster-parent by an officer of the Guardians at intervals of not more than six weeks until such reports are again received by them, or shall withdraw the child from the home with all reasonable expedition.

Art. 8.—(1.) The Clerk to the Guardians of every Union or Separate Parish from which any children are boarded-out under the provisions of this Order shall, as soon as practicable after the First day of April and the First day of October in every year, make a return to Us in the Form No. 6 in the Schedule to this Order, of the several children remaining so boarded out on those dates respectively.[2]

(2.) The Secretary to the Boarding-out Committee shall make a return to Us as soon as practicable after the first day of January and the First day of July in every year of the several children remaining boarded out under the supervision of the Committee on those days respectively under the provisions of this Order. Such return shall be made according to the form No. 7 in the Schedule to this Order.

Art. 9.—If We shall withdraw from any Boarding-out Com-

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[1] See the Circular Letter of November 25, 1870, referred to in the note to Art. 9, No. 5, of the Order of May 28, 1889, *ante*, p. 1106.

[2] In the Circular Letter of May 29, 1889, which accompanied this Order and was issued to the Metropolitan Guardians, the Local Government Board stated in reference to the provisions of Section 21 of the Metropolitan Poor Amendment Act, 1869 (32 & 33 Vict. c. 63), under which the Guardians are entitled to be repaid from the Metropolitan Common Poor Fund the cost of the maintenance and instruction of orphan or deserted children placed out by them, they were of opinion that, as regards children placed out under the superintendence of a Boarding-out Committee, it will be sufficient if the Board's consent be given on the receipt by them of the half-yearly returns required to be sent by the Clerk to the Guardians under Art. 8 (1) of the present Order.

mittee the authority to enter into arrangements with Boards of Guardians, the Guardians who have made arrangements with the said Committee for the boarding-out of pauper children shall, on receiving notice of such withdrawal, take back with all reasonable expedition all children boarded-out in homes found by such Committee. Provided that it shall not be necessary for the Guardians to take back such children if We declare that the withdrawal of authority from the Committee shall not apply to children already boarded-out under their superintendence, or if in a case in which We do not so declare, the Guardians, with our approval, cause the children to be visited by one of their own officers at intervals of not more than six weeks.

Art. 10.—The Guardians may pay the reasonable expenses incurred by them in conveying a child to and from the home in which such child is boarded-out, and, in the case of a Union, may charge the same to the Common Fund.

Art. 11.—Any relief given under the provisions of this Order by the Guardians to any deserted child under the age of sixteen years may, if the Guardians think fit, be given by way of Loan to the parent of such child.[1]

Art. 12.—Where the arrangements made by the Guardians with any Boarding-out Committee under the provisions of this Order include the payment of any sums by such Committee on behalf of the Guardians, the Guardians may, if they think fit, advance to the Boarding-out Committee quarterly a sum not exceeding three-fourths of the expenditure which, in pursuance of such arrangements, may reasonably be expected to be incurred by such Committee during the ensuing quarter.

Art. 13.—Any Boarding-out Committee duly formed under the provisions of any of the above-cited Orders, and in existence at the date of this Order, shall, in so far as the authority of such Committee extends at the date of this Order, be deemed to have been duly constituted under the provisions of this Order.

Art. 14.—Any arrangements made with our approval by the

[1] With regard to the giving of relief by way of loan see Art. 9 of the Outdoor Relief Regulation Order, December 14, 1852, *ante*, p. 517.

Guardians of any Union or Separate Parish with a Boarding-out Committee, under the provisions of any of the above-cited Orders, shall be deemed to be in force pending the making of arrangements under the provisions of this Order.

Art. 15.—In any case in which Guardians are, at the date of this Order, boarding-out children under the provisions of any of the above-cited Orders, it shall not be necessary, with regard to the children so boarded-out, that fresh undertakings shall be entered into by the foster-parents under the provisions of this Order; and any child may continue to be boarded-out with the foster-parent with whom such child is boarded-out at the date of this Order, if no Regulation in any of the above-cited Orders in pursuance of which the child was boarded-out is thereby contravened.

Art. 16.—In this Order—

The word "Union" includes any Union of Parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament.

The term "Separate Parish" means a Parish or Place which is under a separate Board of Guardians.

The word "Guardians" includes any Governors, Directors, Managers, Acting Guardians, Vestrymen, or other Officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the Poor Rates under any Act of Parliament.

When applied to a legitimate child, the term "orphan child" means a child, both of whose parents are dead; or one of whose parents is dead, the other being under sentence of penal servitude,[1] or suffering permanently from mental disease, or being permanently bedridden or disabled and an inmate of a Workhouse, or being out of England; and the term "deserted child" means a child deserted by both parents; or deserted by one parent, the other being dead, or under sentence of penal servitude, or suffering permanently from mental disease, or being permanently bedridden

[1] These words do not include any lesser punishment, such as imprisonment for a term with or without hard labour.

or disabled and an inmate of a Workhouse, or being out of England; or a child, one of whose parents is under sentence of penal servitude, or suffering permanently from mental disease, or is permanently bedridden or disabled and an inmate of a Workhouse, or is out of England, the other parent being likewise in one of those conditions.

When applied to an illegitimate child, the term "orphan child" means a child whose mother is dead; and the term "deserted child" means a child deserted by its mother, or whose mother is under sentence of penal servitude, or suffering permanently from mental disease, or is permanently bedridden or disabled and an inmate of a Workhouse, or is out of England.

The term "foster-parent" means the persons or person with whom any child is boarded-out under the provisions of this Order.

All words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural, and the plural the singular, unless the contrary as to gender or number is expressly provided.

Art. 17.—This Order may be cited as "The Boarding-out Order, 1889."

SCHEDULE.

Form No. 1.

[We, the undersigned, being desirous of being constituted a Boarding-out Committee] for the purpose of finding and superintending homes for orphan or deserted pauper children in the Parish [*or* Parishes] of , in the Union, in the County of , do hereby, *in the event of our obtaining the requisite authority of the Local Government Board to act as a Boarding-out Committee*, engage truly and faithfully to observe the Regulations which are prescribed in the Orders of the Local Government Board dated the day of , 18 , or which may from time to time be prescribed by the Local Government Board with respect to the Boarding-out of Pauper Children.

And We [*or* I] do also hereby undertake to furnish to the Local Government Board, or to any of the Inspectors of that Board, all such

N.B.—In case of a prop addition to Committee, stitute for words in [ ] following:— the undersig being desirou becoming a M ber of the Bo ing-out Com tee formed," also omit words in itali

reasonable information respecting pauper children who may be boarded-out under the superintendence of the Committee, as the said Board or Inspectors may from time to time require.

Signatures in full. *Addresses.*

Dated this day of 18 .

FORM No. 2.

_____ UNION (*or* SEPARATE PARISH).

I, the undersigned, having this day personally examined *C.D.*, aged years, residing at , hereby certify that he is not suffering from any contagious or infectious disease, and that h bodily health is good [with the exception that *].

(*Signed*) _____

A Medical Officer of the above-named Union (*or* Parish).

Dated this day of , 18 .

* State the particulars of any exceptions.

FORM No. 3.

Undertaking of Foster-Parent.

BOARDING-OUT of CHILD in a HOME beyond the limits of the UNION [*or* SEPARATE PARISH] to which such Child is chargeable.

_____ Union [*or* Separate Parish].
_____ Boarding-out Committee.
_____ Name of Child.
_____ Religious Creed of Child.
_____ Name of Foster-Parent.

I, *A.B.*, of , do hereby engage with the Guardians of the above-named Union [*or* Parish], in consideration of my receiving the sum of per week, to bring up *C.D.*, aged years on the day of last, as one of my own children, and to provide h with proper food, lodging, and washing, and to endeavour to train h in habits of truthfulness, obedience, personal cleanliness, and industry, as well as in suitable domestic and outdoor work, so far as may be consistent with the law; to take care that the child shall attend duly at church [*or* chapel*], and shall attend school according to the provisions of the law for the time being; that I will provide for the proper repair and

* Insert "church" or "chapel," according to the religious creed to which the child belongs.

renewal of the child's clothing, and that, in case of the child's illness, I will forthwith report such illness to the Guardians of the above-named Union [*or* Parish], and to the above-named Boarding-out Committee; and that I will at all times permit the child to be visited and the house to be inspected by any member of the Boarding-out Committee, and by any person specially appointed for that purpose by the Guardians or by the Local Government Board. I do also hereby engage, upon the demand of a person duly authorised in writing by the Boarding-out Committee or by the Guardians, to give up possession of the child.

†

† Any matter may be upon ma be added.

Dated this day of 18 .

_____ *Signature (in full) of Foster-Parent.*

_____ *Address of Foster-Parent.*

_____ *Witness to the signature of the Foster-Parent.*

_____ *Address of Witness.*

N.B.—1. Communications to the Guardians to be addressed _____

2. Communications to the Boarding-out Committee to be addressed _____

_____

FORM NO. 4.

_____ UNION (*or* SEPARATE PARISH).

I, *A.B.*, of , hereby acknowledge that I have this day received *C.D.*, aged years, from the Guardians of the Poor of the above-named Union [*or* Parish], on the terms and conditions contained in the annexed undertaking; and that I have also received for the use of the said *C.D.* the articles of clothing set out in the list appended hereto.

Dated this day of 18 .

(*Signed*) _____

Address _____

(*Witness*) _____

Address of Witness _____

LIST OF CLOTHING.

(*Here set out the Articles in detail.*)

FORM No. 5.

_____ SCHOOL. *Report for the Quarter ending* _____

Name of Child	Age	Name and Address of Foster-Parent	Days absent from School during the Quarter	Alleged Causes of Absence	Observations as to Appearance, Conduct, and Progress of Child	Books and Stationery supplied during the Quarter	School Fees and Cost of Books and Stationery		
							£	*s.*	*d.*

(*Signature*) _____

(*Address*) _____

(*Date*) _____

N.B.—This report may be arranged in any other manner which may be deemed more convenient, provided that all the particulars above-mentioned be included in it.

FORM No. 6.

_____ UNION (*or* SEPARATE PARISH).

Return of the Children boarded-out in Homes beyond the limits of the Union (*or* Separate Parish) on the 1st day of April [*or* October], 18 .

Name of Child 1	Age 2	Name of Foster-Parent 3	Address of Foster-Parent 4	Boarding-out Committee under whose superintendence the Child is boarded-out 5	Date of first Boarding-out 6	Date of Boarding-out with present Foster-Parent, if there has been a change 7

_____ *Clerk to the Guardians.*

_____ *Date.*

FORM No. 7.

RETURN of the CHILDREN BOARDED-OUT under the supervision of the BOARDING-OUT COMMITTEE on the 1st day of January [or July], 18 , with the Names and addresses of the Foster-Parents.

Name of Child	Age	Name and Address of Foster-Parent	Union or Separate Parish to which chargeable

(*Signed*)_____

Secretary of the Boarding-out Committee.

(*Address*)_____

*Date*_____

Given under the Seal of Office of the Local Government Board, this Twenty-eighth day of May, in the year One thousand eight hundred and eighty-nine.

L.S.

CHAS. T. RITCHIE, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, May 28, 1889.

GENERAL ORDER—LOCAL GOVERNMENT ACT, 1888—DAY FOR ASCERTAINING RATEABLE VALUES FOR THE PURPOSE OF GRANTS BY COUNCIL TOWARDS COSTS OF OFFICERS OF UNIONS NOT WHOLLY COMPRISED IN ONE COUNTY OR COUNTY BOROUGH.

(Dated September 9, 1889.)

To the County Councils for the several Administrative Counties in England and Wales ;—

To the Mayor, Aldermen, and Burgesses, acting by the Councils, of the several County Boroughs in England and Wales ;—

To the Guardians of the Poor of the several Unions and Separate Parishes in England and Wales which are not respectively comprised wholly in one Administrative County or County Borough ;—

And to all others whom it may concern.

WHEREAS by Section 26 of the Local Government Act, 1888, it is enacted as follows :—

"26.—(1.) After the Thirty-first day of March next after the "passing of this Act, every County Council, other than the "London County Council, shall grant to the Guardians of "every Poor Law Union wholly or partly in their County, an "annual sum for the costs of the officers of the Union and of "District Schools to which the Union contributes ; and, until "Parliament otherwise determine, the said annual sum shall be "such sum as the Local Government Board certify to have been

"expended by the Guardians of each Poor Law Union during "the financial year ending the Twenty-fifth day of March next "before the passing of this Act, on the salaries, remuneration, "and superannuation allowances of the said officers (other than "teachers in Poor Law Schools), and on drugs and medical "appliances."

"(2.) Where a Poor Law Union is situate in more Counties "than one, the payment under this Section to the Guardians of "the Union shall be borne by the Counties in which each portion "of such Union is situate, in proportion to the rateable value of "that portion, ascertained on such day as the Local Govern- "ment Board may fix."

And whereas by Sub-section (1) (*c*) of Section 43 of the said Act, it is enacted as follows :—

"43.—(1.) In the Administrative County of London the "County Council * * * * *

"(*c*) Shall pay to the Guardians of every Poor Law Union, "a portion of which only is situate in their County, such pro- "portion of the annual sum which is, under the other provisions "of this Act, payable by the County Council of a County to the "Guardians of that Union, as the rateable value of the portion "within the Administrative County of London bears to the rest "of the Union."

And whereas in pursuance of Section 34 of the said Act the Mayor, Aldermen, and Burgesses of each County Borough, acting by the Council, have and are subject to the powers, duties, and liabilities of a County Council under the above-cited Section 26 of the said Act, and the provisions of that Section accordingly apply to each County Borough with the necessary modifications :

Now We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do, by this Our Order, Direct as follows :—

Art. 1.—Where any Poor Law Union is not wholly comprised in one County or County Borough, the rateable values of the several portions thereof, situate in each County or County Borough, in proportion to which the payments under Section 26 and

Sub-section (1) (*c*) of Section 43 of the Local Government Act, 1888, are to be borne, shall, until We otherwise direct, be the rateable values of such portions on the Twenty-fifth day of March next preceding the financial year for which the payments are to be made.

Art. 2.—Expressions in this Order shall have the same meanings as in the Local Government Act, 1888.

Given under the Seal of Office of the Local Government Board, this Ninth day of September, in the year One thousand eight hundred and eighty-nine.

L.S.

CHAS. T. RITCHIE, *President.*

HUGH OWEN, *Secretary.*

LOCAL GOVERNMENT ACT, 1888—REGULATIONS AS TO INQUIRIES AND NOTICES UNDER SECTION 57.

(Dated 14th September, 1889.)

To the County Councils for the several Administrative Counties in England and Wales ;—

And to all others whom it may concern.

WHEREAS by Sub-sections (1), (2), and (3) of Section 57 of the Local Government Act, 1888, it is enacted as follows :—

"57.—(1.) Whenever a county council is satisfied that a "primâ facie case is made out as respects any county district "not a borough, or as respects any Parish, for a proposal for all "or any of the following things ; that is to say,—

"(*a*) the alteration or definition of the boundary thereof ;

"(*b*) the division thereof or the Union thereof with any other "such district or districts, Parish or Parishes, or the "transfer of part of a Parish to another Parish ;

"(*c*) the conversion of any such district or part thereof, if it "is a rural district, into an urban district, and if it is an "urban district, into a rural district, or the transfer of "the whole or any part of any such district from one "district to another, and the formation of new urban or "rural districts ;—

"(*d*) the division of an urban district into wards ; and

"(*e*) the alteration of the number of wards, or of the boun- "daries of any ward, or of the number of members of "any district council, or of the apportionment of such "members among the wards,

"the county council may cause such inquiry to be made in the "locality, and such notice to be given, both in the locality, and "to the Local Government Board, Education Department, or "other Government department as may be prescribed, and such "other inquiry and notices (if any) as they think fit, and if "satisfied that such proposal is desirable, may make an order for "the same accordingly.

"(2) Notice of the provisions of the order shall be given, and "copies thereof shall be supplied in the prescribed manner, and "otherwise as the county council think fit, and if it relates to "the division of a district into wards, or the alteration of the "number of wards or of the boundaries of a ward, or of the "number of the members of a district council, or of the appor- "tionment of the members among the wards shall come into "operation upon being finally approved by the county council.

"(3) In any other case the order shall be submitted to the "Local Government Board: and if within three months after "such notice of the provisions of the Order as the Local Govern- "ment Board determine to be the first notice, the council of any "district affected by the order, or any number of county "electors registered in that district or in any ward of that "district, not being less than one-sixth of the total number of "electors in that district or ward, or if the Order relates only to "a Parish, any number of county electors registered in that "Parish, not being less than one-sixth of the total number of "electors in that Parish, petition the Local Government Board "to disallow the Order, the Local Government Board shall "cause to be made a local inquiry, and determine whether the "Order is to be confirmed or not."

And whereas by Sub-section (4) of Section 87 of the said Act it is enacted that—

"Where any matter is authorised or required by this Act to "be prescribed, and no other provision is made, declaring how "the same is to be prescribed, the same shall be prescribed from "time to time by the Local Government Board."

And whereas in regard to the matters required by the said

Section 57 to be prescribed no provision other than that contained in the said Section 87 is made, declaring how such matters are to be prescribed :

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, do, by this Our Order, and until We shall otherwise Direct, Prescribe and Determine as follows with respect to the Inquiries to be made and the notices to be given for the purposes of the said Section 57 of the Local Government Act, 1888, the manner of giving such notices, and the several other matters to be prescribed and determined for the purposes of the said Section ; that is to say—

Art. 1.—(1) Prior to any Order being made by a County Council in regard to a proposal for all or any of the things specified in Sub-section (1) of Section 57 of the Local Government Act, 1888, a local Inquiry, at which all persons interested may attend and be heard, shall be held in regard to the proposal as the Council may direct, either by a Committee of the County Council, or by some Person appointed by the County Council to hold such Inquiry.

(2) If the proposal relate to one or more County Districts, the said Inquiry shall be held at some convenient place in such District or in one of such Districts ; and if the proposal relate to a Parish or Parishes, the said Inquiry shall be held either in such Parish or in one of such Parishes, or at such place in the neighbourhood as may, in the opinion of the Committee or Person by whom the Inquiry is to be held, be most convenient for the purpose.

(3) Before the day when the Inquiry is to be held, public notice of the purport of the proposal, and of the day, time, and place fixed for the Inquiry in regard to it, shall be given by the County Council by advertisement in two successive weeks in some local newspaper circulating in the locality to which the proposal relates.

Art. 2.—At least fourteen days before the day when the Inquiry is to be held, a printed Notice of the purport of the proposal, and of the day, time, and place for the Inquiry shall also be published in the manner hereinafter described, and shall be sent to

the several Government Departments and local or other Authorities hereinafter specified ; that is to say,—

Art. 2.—(1) A copy of the said Notice shall be posted as a bill or placard in such places in the County District or Districts or Parish or Parishes interested in the proposal as are ordinarily made use of for posting public or parochial notices.

(2) In any case where the proposal relates to the alteration of or other dealing with any Sanitary District, a copy of the Notice shall be sent by the County Council to the Sanitary Authority of such District.

(3) In any case where the proposal relates to the alteration of or other dealing with any Parish a copy of the Notice shall be sent by the County Council to the Overseers of the Poor of such Parish ; to the Guardians of the Poor of the Union in which such Parish is comprised ; to the School Board (if any) for such Parish or for any part thereof ; to the Highway Authority or Authorities of the Parish ; to the Burial Board (if any) for such Parish or for any part thereof ; and to the Urban Sanitary Authority (if any) in whose district such Parish or any part thereof is comprised.

(4) A copy of the Notice shall be sent by the County Council to any Local Authority which, in the opinion of the County Council, is specially interested in the proposal.

(5) A copy of every such Notice shall be sent by the County Council to the Local Government Board ; and in any case where the proposal relates to all or any of the things mentioned in paragraphs (*a*), (*b*), and (*c*) of Sub-section (1) of Section 57 of the said Act, a copy of the notice shall be sent by the County Council to the Public Works Loan Commissioners, the Director General of the Ordnance Survey at Southampton, and to the Registrar General ; and in any case where the proposal relates to the alteration or definition of the boundary of any Parish a copy of the Notice shall be sent to the Education Department.

Art. 3.—Public notice of the provisions of any Order made by a County Council under Sub-section (1) of Section 57 of the said Act shall be given by the County Council by advertisement in two successive weeks in some local newspaper circulating in each District or Parish affected by the Order; and the first of such advertisements shall be published within fourteen days after the making of the Order.

The said advertisement shall contain either a copy of the Order or a statement of the effect of the Order, and shall also contain a statement of the time and place or places during and at which copies of the Order may be inspected by any owner or ratepayer in any area affected by the Order during a period of one month from the date of the first publication of such advertisement, and the Order shall be open for such inspection during such period.

Art. 4.—A copy of any Order made as aforesaid by a County Council shall, at any time while copies of the Order are open to inspection as aforesaid, and in the case of an Order which requires to be confirmed by the Local Government Board at any time before the confirmation of the Order by the Local Government Board, be supplied by the Clerk to the Council to any owner or ratepayer in any area affected by the Order, upon payment by such owner or ratepayer of a sum not exceeding threepence for each hundred words of manuscript if the copy of the Order be in writing, or upon payment of a sum not exceeding threepence for a printed copy of the Order.

Art. 5.—On or before the date of the first publication of the advertisement in pursuance of Article 3 hereof of the provisions of any Order made as aforesaid, and, in the case of any such Order which does not require to be confirmed by the Local Government Board, one month at least before the Order is finally approved by the County Council under the said Sub-section (2) of Section 57 of the said Act, three copies of the Order shall be forwarded to the Local Government Board and to each of the other Government Departments to whom a copy of the Notice of the Inquiry relative to the proposed Order was, by Article 2 of this Order, required to be sent; a copy of the Order shall also be sent to each of the Local

or other Authorities to whom a copy of such Notice was so required to be sent, and a copy shall also be posted in like manner as the Notice of the Inquiry was, in pursuance of the same Article, required to be posted.

Art. 6.—The first advertisement in pursuance of Article 3 hereof of the provisions of any Order made by a County Council under the said Sub-section (1) of Section 57 of the said Act shall be deemed to be the "first notice" for the purposes of Sub-section (3) of that Section.

Art. 7.—The expression "County Council" in this Order shall include a Joint Committee appointed under Section 81 of the said Act by any County Councils of Administrative Counties for the purpose of dealing under Section 57 of the said Act with a matter in which such Councils are jointly interested.

Given under the Seal of Office of the Local Government Board, this Fourteenth day of September, in the year One thousand eight hundred and eighty-nine.

L.S.

CHAS. T. RITCHIE, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER: NON-METROPOLITAN UNIONS AND SEPARATE PARISHES.

(Dated 28th April, 1890.)

[*GENERAL ORDER: METROPOLITAN UNIONS AND SEPARATE PARISHES.*][1] FINANCIAL STATEMENT (STATUTORY). THE DISTRICT AUDITORS ACT, 1879.

(*Dated* 12*th December*, 1890.)

To the Guardians of the Poor of the several Unions and Separate Parishes *in England and Wales, except those* wholly comprised in the Administrative County of London.

To the District Auditors for the time being authorised to audit the Accounts of the said Unions and Separate Parishes respectively ;—

And to all others whom it may concern.

Whereas by Section 3 of the District Auditors Act, 1879, it is enacted as follows :—

"Where the accounts of the receipts and expenditure of a Local "Authority are audited by a District Auditor, the Local "Authority shall prepare and submit to the District Auditor "at every audit (other than an extraordinary audit, held in

[1] The Orders issued to non-Metropolitan and to Metropolitan Unions being almost identical, it has not been thought necessary to set them both out *in extenso*. The Order issued to non-Metropolitan Unions is set out with those portions of it which differ from the Order issued to Metropolitan Unions printed in italics, and the portions of the Metropolitan Order which should be substituted therefor printed after them within brackets.

"pursuance of Section 6 of the Poor Law Amendment Act, "1866), a Financial Statement in duplicate in the prescribed "Form and containing the prescribed particulars; one of "such duplicates shall have the stamp charged under this "Act affixed thereon, and the Auditor at the conclusion of "the audit shall cancel that stamp, and certify on each "duplicate, in the prescribed Form, the amount in words at "length of the expenditure so audited and allowed, and "further, that the regulations with respect to such state- "ment have been duly complied with, and that he has ascer- "tained by the audit the correctness of the statement."

And whereas, We, the Local Government Board, by Orders dated, respectively, the 25th day of April, 1879, and the 26th day of April, 1879, prescribed the Forms of the Financial Statement to be prepared and submitted to the District Auditor by the Guardians of the Poor of Unions and Separate Parishes respectively;

And whereas it is expedient that *a fresh form* [*fresh forms*] of Financial Statement should be prescribed as regards the several Unions and Separate Parishes *in England and Wales which are not* wholly comprised in the Administrative County of London, and that the said Orders should be rescinded as regards those Unions and Parishes:

NOW THEREFORE, We hereby rescind the above-cited Orders so far as regards the Unions and Separate Parishes *in England and Wales which are not* wholly comprised in the Administrative County of London, and We hereby Order and Prescribe as follows with respect to each of those Unions and Separate Parishes:—

Art. 1. The Financial Statement to be prepared and submitted to the District Auditor in duplicate by the Guardians of the Poor of each of the said Unions and Separate Parishes as a Local Authority,[1] in accordance with the provisions of the Section

[1] The expression "local authority" in the District Auditors Act of 1879, means "any person or body of persons who receive and expend any local rate, but does not include overseers of the poor," the costs to be borne by Guardians of the poor covers, therefore, the expense of auditing not only the Union accounts but also the overseers' accounts. "Local Rate" means in the Act,

above recited, shall, for the half-year ended the Twenty-*fifth* [*ninth*] day of *March* [*September*], One thousand eight hundred and ninety, and thenceforth, be in the form (A.) in the Schedule to this Order [*in the case of each of the said Unions, and in the form (B.) in the said Schedule in the case of each of the said Separate Parishes*], and shall contain the particulars therein specified or referred to so far as they are applicable, and except so far as We may assent to a departure from *such* [*the*] Form ; and the Certificate of the District Auditor to be appended to each such duplicate shall be in the Form set forth at the foot of the said Statement.[1]

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inter alia, the poor rate, and includes any sum which, though obtained in the first instance by a precept, certificate, or other instrument requiring payment from some authority, or officer, is or can be ultimately raised out of a rate as therein defined.

[1] The Order issued to non-Metropolitan Unions contains a proviso to this Article which it is unnecessary, however, to insert, inasmuch as it relates only to the form in which the financial statements for the half-year which ended March 25, 1890, were to be made. The forms prescribed for non-Metropolitan Unions will be found set out first, and then those prescribed for Metropolitan Unions.

In the circular letters of April 30, 1890, and December 13, 1890, issued with the respective Orders, the Local Government Board say that for the purpose of preservation and reference, it is desirable that the financial statements should be of uniform size, and request that the forms used under the Order now issued may be on foolscap paper of the usual size.

The following is the scale of Stamp duties prescribed by the Act:—

Where the Total of the Expenditure comprised in the Financial Statement is	The Sum shall be
Under £20	5*s*.
£20 and under £50	10*s*.
£50 and under £100	£1.
£100 and under £500	£2.
£500 and under £1,000	£3.
£1,000 and under £2,500	£4.
£2,500 and under £5,000	£5.
£5,000 and under £10,000	£10.
£10,000 and under £20,000	£15.
£20,000 and under £50,000	£20.
£50,000 and under £100,000	£30.
£100,000 and upwards	£50.

In the circular letter of the Local Government Board issued on April 28, 1879, that Board stated that it had been arranged by the Commissioners of Inland Revenue that there shall be appropriated adhesive stamps, bearing the words "district audit," representing the value of 5*s*., 10*s*., £1, £2, and £5 ; and such stamps had accordingly been provided, and would be supplied on application to any distributor or sub-distributor of stamps.

That the Commissioners required that where the duty exceeds £5, it should

AND WHEREAS it is expedient that certain information should from time to time be furnished to Us with reference to loans obtained by the Guardians of the Poor of the said Unions and Separate Parishes under the several Statutes in that behalf:

NOW THEREFORE, in pursuance of the powers given to Us, We hereby further Order, with respect to each of the said Unions and Separate Parishes as follows:—

Art. 2. The Clerk to the Guardians shall prepare at the close of each year ending at Lady Day a Loan Account, which shall be in the Form C. (*B.*) in the Schedule to this Order so far as it is applicable and except so far as We may assent to a departure from such Form and which shall be submitted to the District Auditor at the audit of the Accounts for the half year ending at that date.

Art. 3. The District Auditor shall transmit to *the Local Government Board* [*Us*] the said Loan Account, duly examined and signed by him, together with the stamped duplicate of the Financial Statement certified at the same audit as required by Article 1 of this Order.[1]

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be denoted by an impressed stamp, and any financial statement liable to duty above this amount would, on being presented to any distributor or sub-distributor, be forwarded by him free of expense to the Inland Revenue Department, in order that it might be impressed with the required stamp.

That where any doubt was felt as to the amount of expenditure upon which the stamp was to be assessed, the affixing of the stamp might be postponed until the question had been submitted to the district auditor and determined by him.

And that it must be specially borne in mind that Section 7 of the District Auditors Act, 1879, provides that if a local authority fail to comply with the provisions of the Act with respect to a financial statement, such local authority, or if a clerk to the local authority is appointed, that clerk, and if no clerk is appointed, but there is a treasurer or other officer keeping the accounts which should be comprised in such financial statement, that treasurer or other officer, shall be liable to a fine not exceeding twenty pounds for each offence, to be recovered by action on behalf of her Majesty in the High Court of Justice.

The Board added that the financial statement prescribed by the General or other Orders for Accounts, as well as the Annual Poor Rate Return, was to be transmitted to the Board as theretofore.

[1] With regard to the reports to be made by district auditors of irregularities in the books submitted to them, the Local Government Board, on September 12, 1882, addressed a circular to such auditors, stating that in dealing with the numerous reports which they receive from them of irregularities in the books of officers, arising from carelessness, inadvertence, or misapprehension of the regulations, the Board have frequently observed from the subsequent correspondence that the matter in question was explained at the time of the audit, and in many cases it would appear that the auditor gave such advice and

Art. 4. In this Order—

The word 'Union' includes any Union of Parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament;

The term 'Separate Parish' means a Parish or Place which is under a separate Board of Guardians.

The expression 'Guardians of the Poor' includes any Governors, Directors, Acting Guardians, Vestrymen, or other Officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the Poor Rates under any Act of Parliament.

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directions as would, if acted upon, prevent a repetition of the error complained of. The Board, therefore, stated that it was in strict conformity with the general tenor of the Board's instructions that the auditors should in such manner direct the attention of the officers concerned to defects which they may have to report to the Board, in cases where no suspicion arises of fraud or malpractices, and should endeavour by their advice and directions to bring about a more efficient performance of their duty to the public. And that the Board believed that such action on the part of the auditor in many instances fully met the circumstances of the case. The Board also stated that with the view of avoiding needless correspondence, they would be glad if the auditors would in future state in their reports whenever a specific defect or irregularity has been so explained and so dealt with at the time of the audit as, in the opinion of the auditor, to render a direct communication from the Board to the officer unnecessary.

In a circular letter dated June 4, 1896, to the District Auditors, the Local Government Board request that they will be careful that the requirement of the Commissioners of Inland Revenue as regards the stamp to be affixed to the statutory financial statement where the duty exceeds £5, being an impressed stamp, is strictly complied with. The circular further states as follows:—"It must be clearly understood that under no circumstances is any stamp, whether postage or otherwise, to be accepted in lieu of the 'district audit' stamp. As regards the cancellation of adhesive stamps, the Board are desirous that, with the view of ensuring such an effective cancellation as will render a stamp which has been affixed to a financial statement incapable of being again used, you will not only comply with the statutory requirements by writing on or across each stamp your name or initials and the date of your so writing, but that you will also write or cause to be written on each stamp cancelled the name of the local authority submitting the financial statement bearing such stamp. The Board consider that it will not be requisite to write the name of the authority in full, and that it will be sufficient in the case of a Union to specify the name of the Union, as, say, 'Amersham Union,' or in the case of such authorities as district or other councils, parish meetings and school boards, to make the requisite entry in some such form as the following:—Bishop Stortford U. D. C., Aylesbury R. D. C., Wensford P. C., Barham P. M., Skerne S. B. The Board request that you will be so good as to give your special attention to the matters referred to."

SCHEDULE.

Form (A.)

_____ Union [*or* Parish].

FINANCIAL STATEMENT (Statutory).

(Non-Metropolitan.)

'The District Auditors Act, 1879' (42 Vict. c. 6).

Statement of Receipts and Expenditure by the Guardians of the Poor of the above-named Union [*or* Parish] under the Poor Law, Public Health, Education and Highway Acts, for the half-year ended the day of , 18 .

RECEIPTS (POOR LAW).

Receipts other than from Loans.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance brought forward from last half-year, viz.:—					
In favour of Parishes	. .	. .			
Less against Parishes	. .	. .			
Less the following Balances, viz.:—					
Balance of Stock brought forward on the following Accounts, viz.:—					
Stone	. .				
Firewood	. .				
Oakum	. .				
Farm	. .				
	. .				
	. .				
Balances against other Unions on Non-settled Poor (In-door and Out-door) Account . . .	. .	. .			
Net Balance . . .	. .	. .			
Overseers' Contributions . . .	. .				
Sums received under Auditor's Certificates (Parochial)	. .				
Carried forward . . .	.				

SCHEDULE.

FORM (A.)

_____ UNION [*or* PARISH].

FINANCIAL STATEMENT (STATUTORY).

(NON-METROPOLITAN.)

'The District Auditors Act, 1879' (42 VICT. c. 6).

Statement of Receipts and Expenditure by the Guardians of the Poor of the above-named Union [*or* Parish] under the Poor Law, Public Health, Education and Highway Acts, for the half-year ended the day of , 18 .

EXPENDITURE (POOR LAW).

Expenditure other than out of Loans.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Net Balance against (if any) brought forward from last half-year, viz.:—				

RECEIPTS (POOR LAW)—*continued.*

Receipts other than from Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .					
FROM THE COUNCIL OF ANY COUNTY OR COUNTY BOROUGH OUT OF THE EXCHEQUER CONTRIBUTION ACCOUNT IN RESPECT OF—					
Teachers in Poor Law Schools . .					
School Fees for Workhouse Children attending Public Elementary School outside Workhouse					
Registrars of Births and Deaths .					
Lunatics					
Costs of Officers, and Drugs and Medical Appliances (Section 26, Local Government Act, 1888) . .					
FROM THE LONDON COUNTY COUNCIL IN RESPECT OF THE MAINTENANCE OF INDOOR PAUPERS					
OTHER COMMON FUND RECEIPTS:					
Repayment of Relief on Loan . .					
From Relatives or Property of Paupers, or other Sources, in respect of—					
Lunatics					
In-Maintenance					
Out-Relief					
Rents of Property					
Sales of Property					
Capital treated as Income . . .					
Dividends on Investments . . .					
Sales of Investments					
Capital treated as Income . . .					
Repayments by Officers of the Cost of the Maintenance of Members of their Family in the Workhouse . .					
Sales of—					
Old Stores, Rags, Bones, Waste, &c.					
Sales and transfers on the following Accounts, viz.:—					

	Sales	Transfers[1]
Stone . .		
Firewood . .		
Oakum . .		
Farm . .		

Carried forward . .					

[1] Specify in note the accounts to which the transfers are made.

EXPENDITURE (POOR LAW)—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward				
I.—EXPENDITURE FOR RELIEF TO THE POOR AND PURPOSES CONNECTED THEREWITH.				
COMMON CHARGES :—				
IN-MAINTENANCE (including Provisions, Clothing, Necessaries, Warming, Cleansing, Lighting, Apprentice Fees, Outfits, and Burials, but excluding Drugs and School Fees, and In-Maintenance charged to other Unions) at				
[1] Workhouse				
[1] Separate Workhouse School . . .				
[1] Infirmary				
[1] Vagrant Wards				
Workhouses, &c., belonging to other Unions and Parishes				
Drugs, Medicines, and Medical and Surgical Appliances				
School Fees for Workhouse Children attending Public Elementary School outside Workhouse				
In-Maintenance charged to other Unions . .				
Other Expenses, specifying them :—				
_____ £ s. d.				
_____				
_____				
_____				
OUT-DOOR RELIEF :				
Out-door Relief within the Union (including Relief by way of Loan, Clothing, further Relief as School Fees, Apprentice Fees, and Burials)				
Non-resident Relief				
Boarding-out of Children within the Union				
,, ,, ,, beyond the Union				
Drugs, Medicines, and Medical and Surgical Appliances				
Non-settled Poor				
Other Expenses, specifying them :—				
_____ £ s. d.				
_____				
_____				
_____				
LUNATICS :—				
Maintenance of Lunatics in—				
Asylums				
Registered Hospitals and Licensed Houses				
Carried forward . .				

[1] The expenditure in these Establishments may be given in the aggregate when more convenient.

RECEIPTS (POOR LAW)—*continued.*

Receipts other than from Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .					
OTHER COMMON FUND RECEIPTS—*cont.*					
Sums received in respect of In-door Paupers chargeable to other Unions, including Paupers under Orders of Removal					
The like in respect of Out-door Paupers					
The like in respect of Lunatics under Orders of Adjudication . . .					
Sums received under Auditor's Certificate (Union)					
From other Local Authorities (other than from the Council of any County or County Borough out of the Exchequer Contribution Account), specifying them :—					
_____					
_____					
_____					
From other Sources, specifying them :—					
_____					
_____					
_____					
TOTAL COMMON FUND RECEIPTS .	. .	. .	. .		
SEPARATE PAROCHIAL RECEIPTS :—					
Rents of Property	. .				
Sales of Property	. .				
Dividends on Investments . .	. .				
Sales of Investments . . .	. .				
From other Sources, specifying them :—					
_____	. .				
_____	. .				
_____	. .				
_____	. .				
TOTAL PAROCHIAL RECEIPTS .	. .	. .	. .		
Carried forward . .	. .	. .	. .		

EXPENDITURE (POOR LAW)—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
EXPENDITURE FOR RELIEF TO THE POOR AND PURPOSES CONNECTED THEREWITH—*continued.*				
LUNATICS :—*continued.*				
Fees for visiting Lunatics				
Other Expenses connected with Lunatics, specifying them :—				
_____				
_____				
_____				
_____				
LOANS (Repayment of, and Interest) apportioned on the Common Fund basis :—				
Principal repaid				
Interest (including Income Tax) . .				
UNION OFFICERS, ASSISTANTS, AND SERVANTS :—				
Salaries (including Poundage, Wages, Uniforms, &c.)				
Rations				
Extra Medical Fees				
Superannuation Allowances . . .				
OTHER EXPENSES OF, OR IMMEDIATELY CONNECTED WITH, RELIEF :—				
Purchases on the following Accounts, viz. :—				
Stone				
Firewood				
Oakum				
Farm				
_____				
_____				
Purchase of Property or Investments.				
Buildings—additions to, alterations, and repairs of				
Furniture and Property				
Rents, Rates, Taxes, and Insurance				
Stationery, Printing, Advertisements, &c.				
Payments to other Local Authorities, specifying them :—				
_____				
_____				
_____				
Maintenance of Paupers in Hospitals, in Institutions for the Deaf, Dumb, and Blind				
The like in Certified Schools . . .				
Carried forward . .				

RECEIPTS (POOR LAW)—*continued.*

Receipts other than from Loans—*continued.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Brought forward . .															
Carried forward . .															

EXPENDITURE (POOR LAW)—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
OTHER EXPENSES OF, OR IMMEDIATELY CONNECTED WITH, RELIEF :—				
Other Expenses, specifying them :—				
_____				
_____				
_____				
SEPARATE CHARGES :—				
Principal of Loans repaid apportioned on the averages in force when Loan was obtained				
Interest (including Income Tax) . . .				
Principal of Loans repaid apportioned upon rateable value				
Interest (including Income Tax) . .				
Other Expenses, specifying them :—				
_____				
_____				
Total				
Less value of Stock transferred to In-maintenance a/c				
EXPENDITURE FOR RELIEF TO THE POOR AND PURPOSES CONNECTED THEREWITH . .				
II.—EXPENDITURE FOR PURPOSES UNCONNECTED WITH RELIEF TO THE POOR.				
COMMON CHARGES :—				
Registration Expenses (including provision of Register Office)				
Vaccination Fees and Expenses . . .				
Payments to other Local Authorities, specifying them :—				
To the County Council of for County Rates				
_____				
_____				
_____				
_____				
Other payments, specifying them :—				
_____				
_____				
SEPARATE CHARGES :—				
School Fees for non-pauper Children . .				
Payments to other Local Authorities, specifying them :—				
_____				
_____				
Carried forward				

RECEIPTS (POOR LAW)—*continued.*

Receipts other than from Loans - *continued.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Brought forward . .					
Carried forward . .					

EXPENDITURE (POOR LAW)—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
SEPARATE CHARGES:—*continued.*				
Other Payments, specifying them:—				
_____				
_____				
_____				
TOTAL EXPENDITURE FOR PURPOSES UNCONNECTED WITH RELIEF TO THE POOR . .	. .	. .		

MEMORANDUM.

The amounts included above which were expended on the relief of paupers chargeable to other Unions were as follows[1]:—

Name of Union	In-Maintenance	Out-door Relief	Maintenance of Lunatics	Other charges	Total
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Totals . .					

[1] The money paid for maintenance of Paupers chargeable to the Union, but relieved in Workhouses belonging to other Unions, should be entered under the head of in-maintenance.

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
III.—EXPENDITURE FOR PURPOSES PARTLY CONNECTED AND PARTLY UNCONNECTED WITH RELIEF TO THE POOR.				
COMMON CHARGES:—				
Legal Proceedings				
Union Assessment Expenses . . .				
Election of Guardians				
Emigration				
Subscription to Hospitals, Institutions, &c. .				
Cost of Audit Stamp				
Payments to other Local Authorities, specifying them:—				
_____				
_____				
_____				
_____				
Other Payments, specifying them:—				
_____				
_____				
_____				
_____				
Carried forward				

RECEIPTS (POOR LAW)—*continued.*

Receipts other than from Loans—*continued.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Brought forward . .															
TOTAL RECEIPTS OTHER THAN FROM LOANS (POOR LAW)															
Net balance against (if any) at end of half-year . . .															
TOTAL															

EXPENDITURE (POOR LAW)—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
SEPARATE CHARGES:—				
Contested Elections of Guardians				
Salaries or Remuneration of Collectors of Poor Rates and Assistant Overseers appointed by Guardians				
Superannuations of Parochial Officers				
Assessment or Valuation Expenses				
Other Payments, specifying them:—				
_____				
_____				
_____				
TOTAL EXPENDITURE FOR PURPOSES PARTLY CONNECTED AND PARTLY UNCONNECTED WITH RELIEF TO THE POOR				
TOTAL EXPENDITURE OTHER THAN OUT OF LOANS (Poor Law)				
Balances (if any) at end of half-year, viz.:—				
In favour of Parishes				
Less against Parishes				
Less the following Balances, viz.:—				
Balances of Stock at end of half-year on the following Accounts, viz.:—				
Stone				
Firewood				
Oakum				
Farm				
_____				
_____				
Balances against other Unions on Non-settled Poor (In-door and Out-door) Account				
Net Balance				
TOTAL				

RECEIPTS (EDUCATION—SCHOOL ATTENDANCE).[1]

RECEIPTS	£ s. d.	£ s. d.	£ s. d.
Balance brought forward from last half-year, viz.:—			
In favour of Parishes and contributory places . . .			
Less against Parishes and contributory places . . .			
From Rates (under Contribution Orders) for expenses of School Attendance Committee			
From all other sources, specifying them:—			
_____			
_____			
_____			
_____			
Total Receipts			
TOTAL			

[1] See with regard to the educational expenses of the Guardians the note to Art. 41 of the General Consolidated Order, July 24, 1847, *ante*, p. 222.

Receipts from Loans	£ s. d.	£ s. d.
POOR LAW		
Balance brought forward		
Loans raised this half-year in respect of—		
_____		
_____		
_____		
TOTAL RECEIPTS FROM LOANS (Poor Law) .		
TOTAL		

EXPENDITURE (EDUCATION—SCHOOL ATTENDANCE).

EXPENDITURE	£ s. d.	£ s. d.	£ s. d.
Salaries			
Other Expenses, specifying them :—			
_____			
_____			
_____			
_____			
Total Expenditure . . .	. .	. .	
Balance at end of half-year, viz. :—			
In favour of Parishes and contributory places .	. .		
Less against Parishes and contributory places .	. .		
TOTAL			

The portions of the Form which relate to Receipts and Expenditure in respect of Public Health and Highways are omitted, having regard to the effect of the Local Government Act, 1894.

Expenditure out of Loans	£ s. d.	£ s. d.
POOR LAW		
Expended in respect of—		
_____		
_____		
_____		
TOTAL EXPENDITURE OUT OF LOANS (Poor Law) .		
BALANCE AT END OF HALF-YEAR		
TOTAL		

SUMMARY OF THE RECEIPTS AND EXPENDITURE SHOWN IN THE FOREGOING STATEMENTS

	£ s. d.	£ s. d.
RECEIPTS OTHER THAN FROM LOANS:—		
Poor Law		
Education. School Attendance		
RECEIPTS FROM LOANS:—		
Poor Law.		
TOTAL RECEIPTS		
EXPENDITURE NOT DEFRAYED OUT OF LOANS:—		
Poor Law		
Education. School Attendance		
EXPENDITURE DEFRAYED OUT OF LOANS:—		
Poor Law		
TOTAL EXPENDITURE . . .		
DEDUCT:—		
Payments under Precept to other Local Authorities, viz.:—		
NET EXPENDITURE ON WHICH STAMP DUTY IS PAYABLE . .		

I HEREBY CERTIFY that I have compared the entries in this Financial Statement with the Vouchers and other Documents relating thereto, and that the Regulations with respect to such Statement have been duly complied with.

I hereby further certify that I have ascertained by Audit the correctness of such Statement, and that the expenditure of the Guardians during the half-year ended the day of , 189 , included in such Statement and allowed by me at the Audit is

As WITNESS my hand this day of , 189 .

Stamp

District Auditor.

FORM B.

LOAN ACCOUNT.

FORM B. LOAN

_____ UNION [*or* PARISH].

Statement with reference to Loans obtained by the Guardians

Year ended the _____

Amount sanctioned	Date of Sanction	Amount originally borrowed	Date of original borrowing	For what Object	For what Period borrowed	Rate of Interest	Mode of Repayment, whether by Annuity or otherwise	Amount of Principal owing at the commencement of the Year
1.	2.	3.	4.	5.	6.	7.	8.	9.
£		£				£		£ *s.* *d.*

_____ Clerk to the Guardians.

_____ day of _____, 189—.

Examined by me in connection with the Financial Statements (Statutory) for the half-years ended the _____ day of _____, 189—, and the _____ day of _____, 189—, and with the Loan Account for the year preceding the year to which this Account relates, and found correct.

_____ District Auditor.

_____ day of _____, 189—.

NOTE.—Explanatory notes should be appended to this Account in all cases where the outstanding balance of Loan has been temporarily increased by re-borrowings which had not been devoted to the repayment of Loans prior to the close of the year, or where the balance has been temporarily reduced by repayments out of current Rates pending re-borrowings. The amount of this increase or decrease should be clearly stated in the notes.

ACCOUNT. FORM B.

of the Poor of the above-named Union [or *Parish*].
*day of*_____, 189__.

Principal repaid during the Year otherwise than by Sinking Fund	Amount of Interest paid during the Year	Amount of Principal owing at the end of the Year	SINKING FUND						Rate of Interest payable thereon
			Rate of Interest on which Fund is based	Amount set apart during the Year	Amount taken out during the Year, and applied to Repayment of Principal	Total Sum in Fund at the end of Year		Securities in which Fund is invested	
						Invested	Uninvested		
10.	11.	12.	13.	14.	15.	16.	17.	18.	19.
£ s. d.	£ s. d.	£ s. d.	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£

Given under the Seal of Office of the Local Government Board, this twenty-eighth day of April, in the year One thousand eight hundred and ninety.

L.S.

CHAS. T. RITCHIE, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, April 29, 1890.

SCHEDULE.

FORM (A.)

_____ UNION.

FINANCIAL STATEMENT (STATUTORY).

(METROPOLIS.)

'The District Auditors Act, 1879' (42 VICT. c. 6).

Statement of Receipts and Expenditure by the Guardians of the Poor of the above-named Union for the half-year ended the day of , 189 .

RECEIPTS.

Receipts other than from Loans.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance brought forward from last half-year, viz.:—					
In favour of Parishes	. .	. .			
Less against Parishes	. .	. .			
Less the following Balances, viz.:—					
Balance of Stock brought forward on the following Accounts, viz.:—					
Stone	. .				
Firewood	. .				
Oakum	. .				
Farm	. .				
_____	. .				
_____	. .				
Balances against other Unions or Separate Parishes on Non-settled Poor (In-door and Out-door) Account	. .	. .			
Net Balance . . .	. .	. .	. .	. .	
Overseers' Contributions . . .	. .				
Sums received under Auditor's Certificates (Parochial)	. .				
Carried forward . . .	. .				

SCHEDULE.

FORM (A.)

_____ UNION.

FINANCIAL STATEMENT (STATUTORY).

(METROPOLIS.)

'The District Auditors Act, 1879' (42 VICT. c. 6).

Statement of Receipts and Expenditure by the Guardians of the Poor of the above-named Union for the half-year ended the day of , 189 .

EXPENDITURE.

Expenditure other than out of Loans.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Net Balance against (if any) brought forward from last half-year, viz.:—												
Carried forward . . .												

RECEIPTS—*continued.*

Receipts other than from Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . . .					
FROM THE LONDON COUNTY COUNCIL OUT OF THE EXCHEQUER CONTRIBUTION ACCOUNT IN RESPECT OF—					
Teachers in Poor Law Schools . .					
School Fees for Workhouse Children attending Public Elementary School outside Workhouse					
Registrars of Births and Deaths .					
Lunatics					
Remuneration of Poor Law Medical Officers					
Cost of Drugs and Medical Appliances					
FROM THE LONDON COUNTY COUNCIL IN RESPECT OF THE MAINTENANCE OF INDOOR PAUPERS					
FROM THE METROPOLITAN COMMON POOR FUND					
OTHER COMMON FUND RECEIPTS:					
Repayment of Relief on Loan . .					
From Relatives or Property of Paupers, or other Sources, in respect of—					
Lunatics					
In-Maintenance					
Out-Relief					
Rents of Property					
Sales of Property					
Dividends on Investments . . .					
Sales of Investments					
Repayments by Officers of the Cost of the Maintenance of Members of their Family in the Workhouse . .					
Sales of—					
Old Stores, Rags, Bones, Waste, &c.					
Sales[1] on the following Accounts, viz.:—					
Stone					
Firewood					
Oakum					
Farm					
Carried forward . . .					

[1] As to transfers, see page 1169.

EXPENDITURE—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
I.—EXPENDITURE FOR RELIEF TO THE POOR AND PURPOSES CONNECTED THEREWITH.				
COMMON CHARGES :—				
IN-MAINTENANCE (including Provisions, Clothing, Necessaries, Warming, Cleansing, Lighting, Apprentice Fees, Outfits, and Burials, but excluding Drugs and School Fees, and In-Maintenance charged to other Unions or Separate Parishes) at				
[1] Workhouse				
[1] Separate Workhouse School . . .				
[1] Infirmary				
[1] Vagrant Wards				
Workhouses, &c., belonging to other Unions and Separate Parishes . .				
Drugs, Medicines, and Medical and Surgical Appliances				
School Fees for Workhouse Children attending Public Elementary School outside Workhouse				
In-Maintenance charged to other Unions or Separate Parishes				
Other expenses, specifying them :—				
_____ £ s. d.				
_____				
_____				
_____				
OUT-DOOR RELIEF :				
Out-door Relief within the Union, including Clothing, further Relief as School Fees, Apprentice Fees, and Burials . . .				
Non-resident Relief				
Boarding-out of Children beyond the Union				
Drugs, Medicines, and Medical and Surgical Appliances				
Non-settled Poor				
Other Expenses, specifying them :—				
_____ £ s. d.				
_____				
_____				
_____				
LUNATICS :—				
Maintenance of Lunatics in—				
Asylums				
Carried forward . . .				

[1] The expenditure in these establishments may be given in the aggregate when more convenient.

RECEIPTS—*continued.*

Receipts other than from Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .					
OTHER COMMON FUND RECEIPTS—*cont.*					
Sums received in respect of In-door Paupers chargeable to other Unions or Separate Parishes, including Paupers under Orders of Removal .					
The like in respect of Out-door Paupers					
The like in respect of Lunatics under Orders of Adjudication . . .					
Sums received under Auditor's Certificate (Union)					
From other Local Authorities (other than from the London County Council and from the Guardians of other Unions or Separate Parishes for the relief of Paupers chargeable thereto), specifying them:—					
_____					
_____					
_____					
From other Sources, specifying them:—					
_____					
_____					
_____					
TOTAL	. .	. .	. .		
SEPARATE PAROCHIAL RECEIPTS:—					
Rents of Property	. .				
Sales of Property	. .				
Dividends on Investments . . .	. .				
Sales of Investments	. .				
From other Sources, specifying them:—					
_____	. .				
_____	. .				
_____	. .				
_____	. .				
TOTAL	. .	. .	. .		
Carried forward . .	. .	. .	. .		

EXPENDITURE—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ . d.	£ s. d.
Brought forward . .				
EXPENDITURE FOR RELIEF TO THE POOR AND PURPOSES CONNECTED THEREWITH—*continued.*				
COMMON CHARGES—*continued.*				
LUNATICS:—*continued.*				
Registered Hospitals and Licensed Houses				
Fees for visiting Lunatics:				
Under Section 201 of the Lunacy Act, 1890				
Under Section 202 (4) of the Lunacy Act, 1890				
Expenses of Removal to and from Asylums, Registered Hospitals, and Licensed Houses				
Other Expenses connected with Lunatics, specifying them:—				
_____				
_____				
_____				
_____				
LOANS (Repayment of, and Interest) apportioned on the Common Fund basis:—				
Principal repaid				
Interest (including Income Tax) . .				
UNION OFFICERS, ASSISTANTS, AND SERVANTS:—				
Salaries (including Poundage, Wages, &c.)				
Uniforms				
Rations				
Extra Medical Fees				
Superannuation Allowances . . .				
PAYMENTS TO METROPOLITAN COMMON POOR FUND . .				
OTHER EXPENSES OF, OR IMMEDIATELY CONNECTED WITH, RELIEF				
Purchases on the following Accounts, viz.:—				
£ s. d.				
Stone				
Firewood . . .				
Oakum				
Farm				
_____ . .				
_____ . .				
Less Transfers—				
From Stone to _____ Account				
,, Firewood to ____ ,,				
Carried forward . . .				

RECEIPTS—*continued.*

Receipts other than from Loans—*continued.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Brought forward . . .															
Carried forward . .															

EXPENDITURE—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
OTHER EXPENSES OF, OR IMMEDIATELY CONNECTED WITH, RELIEF :—*continued.*				
Less transfers— £ s. d.				
From Oakum to —— Account				
„ Farm to —— „				
„ —— to —— „				
„ —— to —— „				
Buildings—additions to, alterations, and repairs of				
Furniture and Property				
Rents, Rates, Taxes, and Insurance . .				
Stationery, Printing, Advertisements, &c. .				
Payments to other Local Authorities :—				
Managers of the Metropolitan Asylum District				
Managers —— —— Sick Asylum District				
Managers —— —— School District				
Other Local Authorities (except Guardians of other Unions or Separate Parishes for relief of Paupers chargeable to this Union), specifying them :—				
——				
——				
——				
Maintenance of Paupers in Hospitals, or in Institutions for the Deaf, Dumb, and Blind				
The like in Certified Schools . . .				
Other Expenses, specifying them :—				
——				
——				
——				
——				
SEPARATE CHARGES :—				
Principal of Loans repaid apportioned upon rateable value in force when Loans were obtained				
Interest (including Income Tax) . . .				
Other Expenses, specifying them :—				
——				
——				
TOTAL EXPENDITURE FOR RELIEF TO THE POOR AND PURPOSES CONNECTED THEREWITH				
Carried forward				

RECEIPTS—*continued.*

Receipts other than from Loans—*continued.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Brought forward . .					
Carried forward . . .					

EXPENDITURE—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
II.—Expenditure for purposes UNCONNECTED with Relief to the Poor.				
Common Charges:—				
Registration Expenses (including provision of Register Office)	. .			
Vaccination Fees and Expenses . . .	. .			
Payments to other Local Authorities, specifying them:—				
_____				
_____				
_____				
_____				
Other payments, specifying them:—				
_____				
_____				
_____				
Separate Charges:—				
Payments to other Local Authorities, specifying them:—				
To the London County Council for County Rates				
_____				
_____				
_____				
School Fees for non-pauper Children . .	. .			
Other Payments, specifying them:—				
_____				
_____				
_____				
Total Expenditure for purposes unconnected with Relief to the Poor . .	. .	. .		
III.—Expenditure for purposes partly connected and partly unconnected with Relief to the Poor.				
Common Charges:—				
Legal Proceedings				
Union Assessment Expenses . . .				
Election of Guardians				
Emigration				
Subscription to Hospitals, Institutions, &c. .				
Cost of Audit Stamp				
Carried forward . . .				

RECEIPTS—*continued.*

Receipts other than from Loans – *continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . . .	. .				
TOTAL RECEIPTS OTHER THAN FROM LOANS . .					
Net Balance against (if any) at end of half-year . .					
TOTAL					

EXPENDITURE—*continued.*

Expenditure other than out of Loans—*continued.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward . .				
COMMON CHARGES—*continued.*				
Payments to other Local Authorities, specifying them :—				
_____				
_____				
_____				
_____				
Other Payments, specifying them :—				
_____				
_____				
_____				
_____				
SEPARATE CHARGES :—				
Contested Elections of Guardians . .				
Salaries or Remuneration of Collectors of Poor Rates and Assistant Overseers appointed by Guardians				
Superannuations of Parochial Officers . .				
Assessment or Valuation Expenses . .				
Other Payments, specifying them :—				
_____				
_____				
_____				
TOTAL EXPENDITURE FOR PURPOSES PARTLY CONNECTED AND PARTLY UNCONNECTED WITH RELIEF TO THE POOR				
TOTAL EXPENDITURE OTHER THAN OUT OF LOANS				
Balances (if any) at end of half-year, viz. :—				
In favour of Parishes				
Less against Parishes				
Less the following Balances, viz. :—				
Balances of Stock at end of half-year on the following Accounts, viz. :—				
Stone				
Firewood				
Oakum				
Farm				
_____				
_____				
Balances against other Unions or Separate Parishes on Non-settled Poor (In-door and Out-door) Account				
Net Balance				
TOTAL				

RECEIPTS—*continued.*

Receipts from Loans	£ s. d.	£ s. d.
Balance brought forward		
Loans raised this half-year in respect of—		
_____		
_____		
_____		
TOTAL RECEIPTS FROM LOANS . . .		
TOTAL		

SUMMARY OF RECEIPTS.

	£ s. d.
TOTAL RECEIPTS OTHER THAN FROM LOANS	
TOTAL RECEIPTS FROM LOANS	
TOTAL RECEIPTS . . .	

EXPENDITURE—*continued.*

Expenditure out of Loans	£ s. d.	£ s. d.
Expended in respect of—		
_____		
_____.		
_____		
TOTAL EXPENDITURE OUT OF LOANS . .		
BALANCE AT END OF HALF-YEAR		
TOTAL		

SUMMARY OF EXPENDITURE.

	£ s. d.	£ s. d.	£ s. d.
TOTAL EXPENDITURE OTHER THAN OUT OF LOANS .	. .	. .	
TOTAL EXPENDITURE OUT OF LOANS	. .	. .	
TOTAL EXPENDITURE . . .	. .	. .	
DEDUCT:—			
Payments to Metropolitan Common Poor Fund .	. .		
Payments under precept to—			
Managers of the Metropolitan Asylum District .			
,, ——— ——— Sick Asylum District .			
,, ——— ——— School District . .			
Other Local Authorities, specifying them:—			
_____			
_____			
_____			
_____			
_____			
NET EXPENDITURE ON WHICH STAMP DUTY IS PAYABLE .			

_____ Clerk to the Guardians.

_____ day of _____, 189 .

	£ s. d.
TOTAL EXPENDITURE AS ABOVE . . .	
DEDUCT—	
AMOUNT DISALLOWED	
AMOUNT ALLOWED AT AUDIT . . .	

I HEREBY CERTIFY that I have compared the entries in this Financial Statement with the vouchers and other Documents relating thereto, and that the Regulations with respect to such Statement have been duly complied with.

I hereby further certify that I have ascertained by Audit the correctness of such Statement, and that the expenditure of the Guardians during the half-year ended the day of , 189 , included in such Statement and allowed by me at the Audit is _____

AS WITNESS my hand this _____ day of , 189 .

_____ Stamp _____ District Auditor.

FORM C. LOAN

_____ UNION [*or* PARISH].

Statement with reference to Loans obtained by the Guardians

Year ended the _____

Amount sanctioned	Date of sanction	Amount borrowed	Date of borrowing	By whom advanced	For what Object	For what Period borrowed	Rate of Interest	Mode of Repayment, whether by Annuity or otherwise	Amount of Principal owing at the commencement of the Year
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
£		£					£		£ *s.* *d.*

_____ Clerk to the Guardians.

_____ day of _____, 189—.

Examined by me in connection with the Financial Statements (Statutory) for the half-years ended the _____ day of _____, 189—, and the _____ day of _____, 189—, and with the Loan Account for the year preceding the year to which this Account relates, and found correct.

_____ District Auditor.

_____ day of _____, 189—.

NOTE.—Explanatory notes should be appended to this Account in all cases where the outstanding balance of Loan has been temporarily increased by re-borrowings which had not been devoted to the repayment of Loans prior to the close of the year, or where the balance has been temporarily reduced by repayments out of current Rates pending re-borrowings. The amount of this increase or decrease should be clearly stated in the notes.

ACCOUNT. FORM C.

of the Poor of the above-named Union [or *Parish*].
*day of*_____, 18—.

Principal repaid during the Year otherwise than by Sinking Fund	Amount of Interest paid during the Year	Amount of Principal owing at the end of the Year	SINKING FUND					Rate of Interest payable thereon
			Rate of Interest on which Fund is based	Amount set apart during the Year	Amount taken out during the Year, and applied to Repayment of Principal	Total Sum in Fund at the end of Year	Securities in which Fund is invested	
						Invested / Uninvested		
11.	12.	13.	14.	15.	16.	17. / 18.	19.	20.
£ s. d.	£ s. d.	£ s. d.	£	£ s. d.	£ s. d.	£ s. d. / £ s. d.		£

Given under the Seal of Office of the Local Government Board, this Twelfth day of December, in the year One thousand eight hundred and ninety.

L.S.

CHAS. T. RITCHIE, *President.*

S. B. PROVIS, *Assistant Secretary.*

GENERAL ORDER.—APPOINTMENT OF DISTRICT NURSES BY BOARDS OF GUARDIANS.

(Dated 27th January, 1892.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES for the time being in England and Wales ;—

And to all others whom it may concern.

WHEREAS by certain General and other Orders the Poor Law Commissioners, the Poor Law Board, and We, the Local Government Board, have from time to time prescribed Regulations in regard to the administration of relief in the several Unions and Separate Parishes in England and Wales, and as to the appointment, remuneration, and duties of Officers of such Unions and Separate Parishes ;

And whereas it is expedient that the said Guardians should be empowered, subject to the Regulations hereinafter contained, to appoint Nurses to attend upon the Sick Poor relieved by the Guardians out of any Workhouse :

NOW THEREFORE, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby Order as follows :—

Art. 1.—The Guardians of the Poor of any Union or Separate Parish in England or Wales may from time to time as they may think fit, with Our approval, appoint one or more persons to act as Nurse or Nurses of the Sick Poor relieved by the Guardians out of any Workhouse, such persons to be termed District Nurses.[1]

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[1] With regard to the appointment of nurses in the workhouse, see Art. 153 of the General Consolidated Order of July 24, 1847, *ante*, p. 343, and the Nursing in Workhouses Order, 1897, *post*.

Art. 2.—The provision in force in the Union or Separate Parish applicable to the mode of appointment, remuneration, and tenure of office of a Nurse at any Workhouse shall apply to any District Nurse appointed under the provisions of this Order.

Art. 3.—No person shall be appointed to the office of District Nurse who has not undergone, for one year at the least, a course of instruction in the Medical and Surgical Wards of a Hospital or Infirmary being a Training School for Nurses and maintaining a Resident Physician or House Surgeon.

Art. 4.—The duties to be performed by a District Nurse shall be—

1. To attend duly and punctually as a nurse upon any poor person or persons in receipt of medical relief when directed by the Guardians, or upon receipt of a written or printed order from any Relieving Officer in any case in which such officer may be authorised, by regulations to be prescribed by the Guardians, to give such order.
2. To obey any directions of the District Medical Officer in attendance upon any poor person in regard to the nursing and treatment of such person.
3. To keep a record, in such form and containing such particulars as may be prescribed by the Guardians, in regard to cases which she attends.
4. To perform such other duties in relation to her office as the Guardians may from time to time direct.

Art. 5.—No District Nurse shall undertake the duties of a midwife.

Art. 6.—Subject to the provisions of this Order, the Guardians of any Union or Separate Parish by whom any District Nurse is appointed under this Order shall make Regulations in regard to—

1. The duties of a District Nurse.
2. The duties of any District Medical Officer or Relieving Officer in relation to the office of District Nurse or to any person holding that office.
3. Any other matters which may from time to time appear

necessary for the efficient performance of the duties of any District Nurse.

Art. 7.—In this Order—

The word "Union" includes any Union of Parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament;

The term "Separate Parish" means a Parish or Place which is under a separate Board of Guardians;

The expression "Guardians of the Poor" includes any Governors, Directors, Acting Guardians, Vestrymen, or other Officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the Poor Rates under any Act of Parliament.

Given under the Seal of Office of the Local Government Board, this Twenty-seventh day of January, in the year One thousand eight hundred and ninety-two.

L.S.

CHAS. T. RITCHIE, *President.*

S. B. PROVIS, *Assistant Secretary.*

Date of publication in the *London Gazette*, 29th January, 1892.

GENERAL ORDER.—AMENDING REGULATIONS WITH RESPECT TO DISCHARGE OF CASUAL PAUPERS.

(Dated 11th June, 1892.)

To the Guardians of the Poor of the several Unions in England and Wales for the time being ;—

And to all others whom it may concern.

WHEREAS by a General Order dated Dec. 18, 1882, We, the Local Government Board, prescribed Regulations with reference to Casual Paupers ;

And whereas Article 9 of the said General Order,[1] after reciting Section 4 of the Casual Poor Act, 1882, directs as follows, viz., "A "Casual Pauper shall not be allowed to discharge himself at an "earlier period than that at which he is entitled to discharge himself under the Section above-cited :

"Provided as follows :

"(1) The Guardians may give any directions to the Master of "the Workhouse, or to the Superintendent of the Casual "Ward, with respect to the discharge of any class or classes "of Casual Paupers before the expiration of the respective "periods specified in the Section above-cited, and such "directions shall be followed by the Master or Superinten- "dent.

"(2) If in the opinion of the Master of the Workhouse, or the "Superintendent of the Casual Ward, any special circum-

---

[1] *Ante*, p. 1044.

"stances shall require that a Casual Pauper shall be dis-
"charged before the expiration of either of the periods
"mentioned in the Section above-cited, he may discharge
"such pauper accordingly, and shall report the facts of the
"case to the Guardians at their next meeting."

And whereas it is expedient that the said General Order should be amended as hereinafter mentioned :

NOW THEREFORE, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby Order as follows :

Art. 1.—The above-cited Article 9 of the said General Order of the Eighteenth day of December, One thousand eight hundred and eighty-two, shall be amended by the addition thereto of the following proviso ; that is to say,—

(3) A Casual Pauper, who has been detained for more than one night, and who represents to the Master of the Workhouse or the Superintendent of the Casual Ward that he is desirous of seeking work, shall, if he has to the best of his ability performed the prescribed Task of Work, be allowed to discharge himself at the time hereinafter mentioned on the day upon which he is discharged ; that is to say,—

During the period between Lady Day and Michaelmas Day . . . Half-past Five o'clock in the morning.

During the period between Michaelmas Day and Lady Day . . . Half-past Six o'clock in the morning.

The request of such Casual Pauper shall not be refused except on the ground that he has not performed the prescribed Task of Work to the best of his ability, and every such refusal shall be reported to the Guardians at their next ordinary meeting by the Master of the Workhouse or the Superintendent of the Casual Ward, as the case may be.

Art. 2. Nothing in this Order shall be deemed to prevent the Guardians, or the Master of the Workhouse, or the Superintendent of the Casual Ward, from exercising the powers conferred upon them, respectively, by paragraphs (1) and (2) of the proviso to the above-cited Article of the said General Order with respect to the discharge of Casual Paupers.

Art. 3.—This Order shall take effect from the Seventh day after the date hereof.

Given under the Seal of Office of the Local Government Board, this Eleventh day of June, in the year One thousand eight hundred and ninety-two.

L.S.

CHAS. T. RITCHIE, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—ALLOWANCE OF TOBACCO AND SNUFF TO CERTAIN PAUPERS IN THE WORKHOUSE.

(Dated 3rd November, 1892.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in England and Wales ;—

And to all others whom it may concern.

WHEREAS by certain General and other Orders the Poor Law Commissioners, the Poor Law Board, and the Local Government Board, have made Rules and Regulations with regard to the government of the Workhouses of the said several Unions and Separate Parishes ;

And whereas it is expedient that further provision should be made as hereinafter mentioned :

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, hereby Order that, from and after the date hereof, the following Regulations shall be in force in the said several Unions and Separate Parishes :—

Art. 1.—Tobacco or snuff may be allowed to such of the inmates of the Workhouse, who are not able-bodied or are employed upon work of a specially disagreeable character, as the Guardians may consider should be supplied with the same, the quantity to be allowed in each case, or in any class of cases, to be such as the Guardians may by Resolution prescribe.

Art. 2.—So much of each of the said Orders as provides that no

pauper shall smoke in any room in the Workhouse,[1] except by the special direction of the Medical Officer, shall be rescinded, but the Guardians may from time to time, by Resolution, determine in what rooms and at what times smoking shall be allowed, and no pauper shall smoke in the Workhouse in any other room or at any other time than is so allowed.

Art. 3.—In this Order,—

The word "Union" includes any Union of Parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament;

The term "Separate Parish" means a Parish or Place which is under a separate Board of Guardians;

The word "Guardians" includes any Governors, Directors, Managers, Acting Guardians, Vestrymen, or other Officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the Poor Rates under any Act of Parliament.

Given under the Seal of Office of the Local Government Board, this Third day of November, in the year One thousand eight hundred and ninety-two.

L.S.

HENRY H. FOWLER, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, Nov. 4, 1892.

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[1] Art. 121 of the General Consolidated Order of July 24, 1847, *ante*, p. 366, prohibits paupers from smoking in any room of the workhouse except by the special direction of the medical officer.

GENERAL ORDER.—VISITATION OF WORKHOUSES.

(Dated 26th January, 1893.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES for the time being in England and Wales ;—

And to all others whom it may concern.

WHEREAS by certain General and other Orders from time to time issued by the Poor Law Commissioners, the Poor Law Board, and by Us, the Local Government Board, regulations have been prescribed with respect to Workhouses ;

And whereas it is expedient to make further provision on the subject as hereinafter mentioned :

NOW THEREFORE, in pursuance of the powers conferred upon Us by the Statutes in that behalf, We hereby Order that notwithstanding anything contained in the General or other Orders above referred to, the following provisions shall have effect ; that is to say,—

Art. 1.—Any Guardian of the Poor may, at any time, visit and examine any part of any Workhouse of the Union or Separate Parish of which he is a Guardian.[1]

Art. 2.—Any Board of Guardians may, if they think fit, from time to time by Resolution appoint one or more Committee or

[1] Previously to the date of this Order individual Guardians were not entitled as a matter of right to visit the workhouse, except when especially authorised by the Board of Guardians. The Local Government Board in the Circular Letter issued with this Order on January 28, 1893, stated that "the term 'workhouse' as used in the Order is intended to include any infirmary, school, or other similar establishment in the occupation of the Guardians."

Committees, consisting of persons of the female sex, whether members of the Board of Guardians or not, whose duty it shall be to visit and examine the parts of the Workhouse or Workhouses of the Union or Separate Parish in which female paupers or pauper children are maintained, and to report to the Board of Guardians any matter which may appear to the Committee to need attention.

Provided that the proceedings, term of office, and duties of any such Committee shall be subject to such Rules and Regulations as the Board of Guardians may from time to time prescribe.

Provided also that the appointment of such a Committee shall not in any way affect the duty of the Board of Guardians to appoint one or more Visiting Committees as required by the Orders now in force, nor the powers and duties of any such Visiting Committee.

Given under the Seal of Office of the Local Government Board, this Twenty-sixth day of January, in the year One thousand eight hundred and ninety-three.

L.S.

HENRY H. FOWLER, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, Jan. 27, 1893.

GENERAL ORDER. — WORKHOUSE REGULATIONS. ALLOWANCE OF TEA, &c., TO CERTAIN PAUPERS IN THE WORKHOUSE.

(Dated 8th March, 1894.)

To the Guardians of the Poor of the several UNIONS and SEPARATE PARISHES in England and Wales ;—

And to all others whom it may concern.

WHEREAS by certain General and other Orders the Poor Law Commissioners, the Poor Law Board, and the Local Government Board have made Rules and Regulations with regard to the government of the Workhouses of the said several Unions and Separate Parishes ;

And whereas it is expedient that further provision should be made as hereinafter mentioned :

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, hereby Order that, from and after the date hereof, the following Regulations shall be in force in the said several Unions and Separate Parishes :—

Art. 1.—Notwithstanding anything contained in any of the Orders above referred to, the Guardians may, if they think fit, cause dry tea, with sugar and milk, to be supplied to such of the female inmates of the Workhouse as they may consider should be supplied with the same, the quantity to be allowed in each case, or in any class of cases, to be such as the Guardians may by Resolution prescribe.[1]

[1] The allowances authorised by the Guardians under the provisions of the Order will of course be in addition to the tea prescribed by the dietary in force at the workhouse. Circular Letter, March 20, 1894.

Art. 2.—In this Order,—

The word "Union" includes any Union of Parishes incorporated or united for the relief or maintenance of the Poor under any Act of Parliament ;

The term "Separate Parish" means a Parish or Place which is under a separate Board of Guardians ;

The word "Guardians" includes any Governors, Directors, Managers, Acting Guardians, Vestrymen, or other Officers appointed or entitled to act in the distribution or ordering of relief to the Poor from the Poor Rates under any Act of Parliament.

Given under the Seal of Office of the Local Government Board, this Eighth day of March, in the year One thousand eight hundred and ninety-four.

L.S.

HENRY H. FOWLER, *President.*

HUGH OWEN, *Secretary.*

The foregoing Order was applied to the Saddleworth Union by an Order dated Dec. 22, 1894 ; and to the Stoke-upon-Trent and the Whittlesey Unions by Orders dated Dec. 19, 1894, respectively.

LONDON (EQUALISATION OF RATES) ACT, 1894. PRESCRIBING FORM OF PRECEPT UNDER SECTION 2.

(Dated 19th October, 1894.)

To the County Council of the Administrative County of London;—

To the Guardians of the Poor of the several Poor Law Unions comprised in the said County;—

To the Treasurer and Masters of the Bench of each of the Honourable Societies of the Inner Temple, the Middle Temple, Lincoln's Inn, and Gray's Inn;—

And to all others whom it may concern.

WHEREAS We, the Local Government Board, are required by Section 2 of the London (Equalisation of Rates) Act, 1894, by Order to prescribe the Forms of contribution orders, precepts, demand notes, and receipts so far as seems to Us to be necessary for stating therein as a separate item any equalisation charge, and any credit in respect of a receipt under the Act, which affects the sum named therein:

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers conferred upon Us in that behalf, hereby Order as follows:—

The Precepts which the London County Council from time to time issue for contributions for County purposes, and which include any Equalisation Charge for the purposes of the Equalisation Fund formed under the authority of the above-cited Act, shall be in the Forms (1), (2), or (3) set forth in the Schedule to this Order, or in Forms to the like effect.

SCHEDULE.

FORM (1).

FORM OF PRECEPT (UNION).

Administrative County of London, to wit.

To the Guardians of the Poor of the Union.

THESE are to require you, the Guardians of the Poor of the said Union, from and out of the moneys paid into the hands of the Treasurer of the said Union for the uses and purposes of the said Union, to pay or cause to be paid into the hands of *A.B.*, Treasurer of the said County appointed to receive the same, the sum of _____ Pounds _____ Shillings and _____ Pence, being the aggregate of the amounts assessed and charged as set out in the Schedule hereto on the several Parishes comprised in the said Union for or in respect of a County Rate made at a Meeting of the London County Council held this day at the County Hall, Spring Gardens.

And these are further to require you to pay or cause to be paid the said sum of _____ in manner aforesaid * [by the instalments and within the periods following; that is to say, the sum of _____ (being the whole of the total amount of the Equalisation Charge together with one-half of the total of the Contributions for General and Special County purposes as respectively set out in the said Schedule) on or before the day of , 189 , and the remainder of the said sum of], on or before the day of , 189 .

* If the Precept is issued in respect of Equalisation Charges only, omit the words in brackets, and the second, third, and fourth columns in the Schedule.

Given under the Seal of the London County Council, this day of , 1894.

L.S.

Sealed by Order.

Clerk of the London County Council.

THE SCHEDULE.

General and Special County Contributions				Equalisation Fund under the London (Equalisation of Rates) Act, 1894			Total Amount of Precept
Names of Parishes	Contribution for General County purposes at —— in the Pound	Contribution for Special County purposes at —— in the Pound	Totals	Contribution for Fund at 3*d.* in the Pound	Grant due from Fund	Equalisation Charge	
	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
TOTALS							

FORM (2).

FORM OF PRECEPT. (PARISH.)

Administrative County of London, to wit.

To the Guardians of the Poor of the Parish of

THESE are to require you, the Guardians of the Poor of the Parish of , from and out of the moneys paid into the hands of the Treasurer of the Guardians for the uses and purpose of the said Parish, to pay or cause to be paid into the hands of *A.B.*, , Treasurer of the said County appointed to receive the same, the sum of _____ Pounds _____ Shillings and _____ Pence, being the aggregate of the amounts assessed and charged as set out in the Schedule hereto on the said Parish

for in respect of a County Rate made at a Meeting of the London County Council held this day at the County Hall, Spring Gardens.

And these are further to require you to pay or cause to be paid the said sum of _____ in manner aforesaid * [by the instalments and within the periods following; that is to say, the sum of _____ (being the whole of the Equalisation Charge, together with one-half of the total of the Contributions for General and Special County purposes as respectively set out in the said Schedule) on or before the day of , 189 , and the remainder of the said sum of] on or before the day of 189 .

* If the Precept is issued in respect of an Equalisation Charge only, omit the words in brackets, and the first three columns in the Schedule.

Given under the Seal of the London County Council, this day of , 1894.

Sealed by Order.

L.S.

Clerk of the London County Council.

THE SCHEDULE.

General and Special County Contributions			Equalisation Fund under the London (Equalisation of Rates) Act, 1894			Total Amount of Precept
Contribution for General County purposes at—— in the Pound	Contribution for Special County purposes at—— in the Pound	Totals	Contribution for Fund at 3*d.* in the Pound	Grant due from Fund	Equalisation Charge	
£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

FORM (3).

FORM OF PRECEPT.

Administrative County of London, to wit.

To the Treasurer and Masters of the Bench of the Honourable Society of , and to the Overseers of the Poor of .

THESE are to require you, the said Treasurer and Masters of the Bench, and Overseers, from and out of the moneys paid into the hands of the said Treasurer for the uses and purposes of the said Society, to pay or cause to be paid into the hands of *A.B.*, , Treasurer of the said County, appointed to receive the same, the sum of Pounds Shillings and Pence, being the aggregate of the amounts assessed and charged as set out in the Schedule hereto on the said Society for or in respect of a County Rate made at a Meeting of the London County Council held this day at the County Hall, Spring Gardens.

And these are further to require you to pay or cause to be paid the said sum of in manner aforesaid * [by the instalments and within the periods following, that is to say, the sum of (being the whole of the Equalisation Charge together with one-half of the total of Contributions for the General and Special County Purposes as respectively set out in the said Schedule) on or before the day of , 189 , and the remainder of the said sum of] on or before the day of , 189 .

* If the Precept is issued in respect of an Equalisation Charge only, omit the words in brackets, and the first three columns in the Schedule.

GIVEN under the Seal of the London County Council, this day of , 1894.

L.S.

Sealed by Order.

Clerk of the London County Council.

THE SCHEDULE.

General and Special County Contributions			Equalisation Fund under the London (Equalisation of Rates) Act, 1894			Total Amount of Precept
Contribution for General County purposes at —— in the Pound	Contribution for Special County purposes at —— in the Pound	Totals	Contribution for Fund at 3*d.* in the Pound	Grant due from Fund	Equalisation Charge	
£ *s.* *d*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

Given under the Seal of Office of the Local Government Board, this Nineteenth day of October, in the year One thousand eight hundred and ninety-four.

L.S.

G. SHAW LEFEVRE, *President.*

S. B. PROVIS, *Assistant Secretary.*

GENERAL ORDER.—VISITATION OF DISTRICT SCHOOLS.

(Dated 26th November, 1894.)

To the Boards of Management of the several SCHOOL DISTRICTS named in the Schedule to this Order ;—

And to all others whom it may concern.

WHEREAS by certain Orders issued by the Poor Law Board, and by Us, the Local Government Board, Regulations have been prescribed with respect to the government of the Schools belonging to the Boards of Management of the several School Districts named in the Schedule to this Order ;

And whereas it is expedient to make further provisions on the subject as hereinafter mentioned ;

NOW THEREFORE, in pursuance of the powers conferred upon Us by the statutes in that behalf We hereby Order that, notwithstanding anything contained in the Orders above referred to, the following provisions shall have effect ; that is to say,—

Art. 1.—Any Member of a Board of Management of a School District named in the Schedule to this Order may at any time visit and examine any part of any School belonging to the Board of Management of which he is a Member.

Art. 2.—Any Board of Management of a School District named in the Schedule to this Order may, if they think fit, from time to time by Resolution appoint one or more Committee or Committees, consisting of women, whether members of such Board or not, whose duty it shall be to visit and examine the parts of the School or Schools belonging to such Board of Management in which pauper

children are maintained, and to report to the Board of Management any matter which may appear to the Committee to need attention.

Provided that the proceedings, term of office, and duties of any such Committee shall be subject to such Rules as the Board of Management may from time to time prescribe.

Provided also that the appointment of such a Committee shall not in any way affect the duty of the Board of Management to appoint a visiting Committee as required by the Orders now in force, nor the powers and duties of any such Visiting Committee.

SCHEDULE.

Central London School District.
Farnham and Hartley Wintney School District.
Forest Gate School District.
Kensington and Chelsea School District.
North Surrey School District.
Reading and Wokingham School District.
South-east Shropshire School District.
South Metropolitan School District.
Walsall and West Bromwich School District.
West London School District.

Given under the Seal of Office of the Local Government Board, this Twenty-sixth day of November, in the year One thousand eight hundred and ninety-four.

L.S.

G. Shaw Lefevre, *President.*

Hugh Owen, *Secretary.*

Date of publication in the *London Gazette*, 27 November, 1894.

LOCAL GOVERNMENT ACT, 1894.—PARISH COUNCILS.—PRESCRIBING FORMS OF NOTICE OF APPOINTMENT OF OVERSEERS.

(Dated 9th February, 1895.)

To the Parish Council of every Parish in England and Wales having a Parish Council ;—

To the Guardians of the Poor of the several Poor Law Unions in England and Wales in which such Parishes are comprised ;—

And to all others whom it may concern.

WHEREAS by Section 5 of the Local Government Act, 1894, it is, amongst other things, enacted as follows :—

"5.—(1.) The power and duty of appointing overseers of the "poor, and the power of appointing and revoking the appoint- "ment of an assistant overseer for every rural parish having a "parish council, shall be transferred to and vested in the parish "council, and that council shall in each year, at their annual "meeting, appoint the overseers of the parish, and shall as soon "as may be fill any casual vacancy occurring in the office of over- "seer of the parish, and shall in either case forthwith give "written notice thereof in the prescribed form to the board of "guardians.

"(2.) As from the appointed day—

"(*a*) the churchwardens of every rural parish shall "cease to be overseers, and an additional number "of overseers may be appointed to replace the "churchwardens."

And whereas by Section 75 (2) of the said Act the expression "prescribed" means prescribed by Order of the Local Government Board :

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers conferred on Us in that behalf, hereby Order as follows :—

Art. 1.—The appointment of Overseers of the Poor of the Parish made at the annual meeting of any Parish Council shall be notified to the Board of Guardians of the Poor Law Union in which such Parish is comprised in the Form A. in the Schedule to this Order, or in a Form to the like effect.

Art. 2.—Whenever any Parish Council shall appoint an Overseer of the Poor of the Parish in consequence of a casual vacancy having occurred in the office, the appointment shall be notified to the Board of Guardians of the Poor Law Union in which such Parish is comprised in the Form B. in the Schedule to this Order, or in a Form to the like effect.

Art. 3.—If any Parish Council shall appoint an additional number of Overseers of the Poor of the Parish to replace the Churchwardens, the appointment shall be notified to the Board of Guardians of the Poor Law Union in which such Parish is comprised in the Form C. in the Schedule to this Order, or in a Form to the like effect.

SCHEDULE.

FORM A.

PARISH OF _____,
in the County of _____.

To the Board of Guardians of the _____ Union.

APPOINTMENT OF OVERSEERS.

We hereby give notice that at the Annual Meeting of the Parish Council of the above-named Parish held on the _____ day of _____, 189 , *A.B.*, of _____, and *C.D.*, of _____

were duly appointed to the office of Overseers of the Poor of the Parish for the ensuing year.

_____

Presiding Chairman.

_____ } Two members of the
_____ } Parish Council.

Countersigned by _____

Clerk to the Parish Council.

_____

FORM B.

PARISH OF _____,
in the County of _____.

To the Board of Guardians of the _____ Union.

APPOINTMENT OF OVERSEER TO FILL A CASUAL VACANCY.

Whereas a vacancy in the office of Overseer of the Poor of the above-named Parish has occurred by reason of the * of *A.B.*, of :

* State here "death" or other cause of the vacancy.

Now therefore, we hereby give notice that at a Meeting of the Parish Council of the above-named Parish held on the day of , 189 , *C.D.*, of , was duly appointed to the office of Overseer of the Poor of the Parish for the remainder of the term of office of the said *A.B.*

_____

Presiding Chairman.

_____ } Two Members of the
_____ } Parish Council.

Countersigned by _____

Clerk to the Parish Council.

_____

FORM C.

PARISH OF _____,
in the County of _____.

To the Board of Guardians of the _____ Union.

APPOINTMENT OF OVERSEERS TO REPLACE CHURCHWARDENS.

Whereas *A.B.* and *C.D.*, Churchwardens of the above-named Parish, have ceased to be Overseers of the Poor thereof:

Now therefore, we hereby give notice that at a Meeting of the Parish Council of the above-named Parish held on , the day of , 189 , *E.F.*, of , and *G.H.*, of , were duly appointed to the office of Overseers of the Poor of the Parish to replace the said *A.B.* and *C.D.*

_____

Presiding Chairman.

_____ } Two Members of the
_____ } Parish Council.

Countersigned by _____

Clerk to the Parish Council.

Given under the Seal of Office of the Local Government Board, this Ninth day of February, in the year One thousand eight hundred and ninety-five.

L.S.

G. Shaw Lefevre, *President.*

Hugh Owen, *Secretary.*

LOCAL GOVERNMENT ACT, 1894.—PARISH MEETINGS.—PRESCRIBING FORMS OF NOTICE OF APPOINTMENT OF OVERSEERS.

(Dated 9th February, 1895.)

To the Parish Meeting of every Parish in England and Wales not having a Parish Council ;—

To the Guardians of the Poor of the several Poor Law Unions in England and Wales in which such Parishes are comprised ;—

And to all others whom it may concern.

Whereas by Section 5 of the Local Government Act, 1894, it is, amongst other things, enacted as follows :—

(The Order here sets out Section 5 (1) and (2) as in the Order of the 9th February, 1895, *ante*, p. 1200).

And whereas by sub-section (5) of Section 19 of the said Act it is enacted that, in a Rural Parish not having a separate Parish Council, "the power and the duty of appointing the Overseers, and "of notifying the appointment * * * shall be trans-"ferred to and vest in the Parish Meeting * * * ;"

And whereas by Section 75 (2) of the said Act the expression "prescribed" means prescribed by Order of the Local Government Board :

Now therefore, We, the Local Government Board, in pursuance of the powers conferred on Us in that behalf, hereby Order as follows :—

Art. 1.—The appointment of Overseers of the Poor of the

Parish made at the Annual Assembly of any Parish Meeting shall be notified to the Board of Guardians of the Poor Law Union in which such Parish is comprised in the Form A. in the Schedule to this Order, or in a form to the like effect.

Art. 2.—Whenever any Parish Meeting appoint an Overseer of the Poor of the Parish in consequence of a casual vacancy having occurred in the Office, the appointment shall be notified to the Board of Guardians of the Poor Law Union in which such Parish is comprised in the Form B. in the Schedule to this Order, or in a Form to the like effect.

Art. 3.—If any Parish Meeting shall appoint an additional number of Overseers of the Poor of the Parish to replace the Churchwardens, the appointment shall be notified to the Board of Guardians of the Poor Law Union in which such Parish is comprised in the Form C. in the Schedule to this Order, or in a Form to the like effect.

SCHEDULE.

Form A.

Parish of _____,
in the County of _____.

To the Board of Guardians of the _____ Union.

Appointment of Overseers.

We, the undersigned, hereby give notice that at the Annual Assembly of the Parish Meeting of the above-named Parish held on the day of , 189 , *A.B.*, of , and *C.D.*, of , were duly appointed to the office of Overseers of the Poor of the Parish for the ensuing year.

_____
Presiding Chairman.

_____ } Two Parochial
_____ } Electors.

FORM B.

PARISH OF _____,
in the County of _____.
To the Board of Guardians of the _____ Union.

APPOINTMENT OF OVERSEER TO FILL A CASUAL VACANCY.

Whereas a vacancy in the office of Overseer of the Poor of the above-named Parish has occurred by reason of the * of *A.B.*, of :

* State here "death" or other cause of the vacancy.

Now therefore, we, the undersigned, hereby give notice that at the Assembly of the Parish Meeting of the above-named Parish held on the day of , 189 , *C.D.*, of , was duly appointed to the office of Overseer of the Poor of the Parish for the remainder of the term of office of the said *A.B.*

_____
Presiding Chairman.

_____ } Two Parochial
_____ } Electors.

FORM C.

PARISH OF _____,
in the County of _____.
To the Board of Guardians of the _____ Union.

APPOINTMENT OF OVERSEERS TO REPLACE CHURCHWARDENS.

Whereas *A.B.* and *C.D.*, Churchwardens of the above-named Parish, have ceased to be Overseers of the Poor thereof:

Now therefore, we, the undersigned, hereby give notice that at the Assembly of the Parish Meeting of the above-named Parish held on the day of , 189 , *E.F.*, of , and *G.H.*, of , were duly appointed to the office of Overseers of the Poor of the Parish to replace the said *A.B.* and *C.D.*

_____
Presiding Chairman.

_____ } Two Parochial
_____ } Electors.

Given under the Seal of Office of the Local Government Board, this Ninth day of February, in the year One thousand eight hundred and ninety-five.

L.S.

G. SHAW LEFEVRE, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—PARISH COUNCILS.—FORM OF PRECEPT.

(Dated 11th February, 1895.)

To the Parish Council of every Parish in England and Wales having a Parish Council ;—

To the Overseers of the Poor of every such Parish ;—

And to all others whom it may concern.

Whereas by sub-section (4) of Section 11 of the Local Government Act, 1894, it is enacted that—

"11.—(4.) Subject to the provisions of this Act, the expenses "of a parish council and of a parish meeting, including the "expenses of any poll, shall be paid out of the poor rate ; and "where there is a parish council that council shall pay the said "expenses of the parish meeting of the parish ; and the parish "council, and where there is no parish council the chairman of "the parish meeting, shall, for the purpose of obtaining payment "of such expenses, have the same powers as a board of guardians "have for the purpose of obtaining contributions to their "common fund" ;

And whereas it is expedient that a form should be prescribed in which every Parish Council may issue precepts to the Overseers of the Parish for the payment of such expenses :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, Do hereby Order that any precept which may hereafter be issued by a Parish Council for the payment of any sum which they may be entitled to require to be paid out of the Poor Rate in respect of their expenses, other than their expenses under any of the adoptive Acts, shall be in the following form ; namely,— [1]

[1] In the Circular Letter issued by the Local Government Board on February 12, 1885, with this Order, the Board say :—

"As regards the remedy if the precept is not complied with the Board

may refer to the powers conferred on a Board of Guardians by section 1 of the Poor Rate Act, 1839 (2 & 3 Vict. c. 84), as applied by sub-section (4) of section 11 of the Local Government Act, 1894. Under these enactments, if the payment required by the precept is in arrear, it will be lawful for any two justices acting within the district in which the parish is situate, on application under the hand of the Chairman of the Parish Council, to summon the Overseers to show cause why the payment has not been made. After hearing the complaint, the justices may, if they think fit, cause the amount in arrear, together with the costs occasioned by the arrear, to be levied and recovered from the Overseers in like manner as moneys assessed for the relief of the poor may be levied and recovered. The amount of the arrear, together with the costs, when levied and recovered, are to be paid to the Parish Council.

"The Board are not empowered to prescribe a form of precept for the payment of expenses incurred under any of the adoptive Acts; but they think that the form in the Order may be used for this purpose, with the necessary adaptations, if any of these Acts are in force in the Parish.

"The Board have been requested by the Charity Commissioners to take an opportunity of forwarding to Parish Councils copies of a Circular and Memorandum which the Commissioners have issued relative to Parochial Charities. In compliance with this request, a copy of each of the documents referred to is now enclosed. Any correspondence to which they may give rise should be addressed to the Charity Commissioners, and not to the Board."

The Circular referred to, which was dated January 1, 1895, and was issued to the Clerks of Parish Councils, was as follows:—

"I am directed by the Charity Commissioners to request that, in order to secure the due payment to Trustees of Charities of the Dividends on Stock vested in the Official Trustees of Charitable Funds, you will be good enough to cause to be transmitted to me at this Office, as soon as conveniently may be after its adoption, a copy of every Resolution of the Parish Council, appointing Trustees of a Charity in the place of Overseers or Churchwardens in pursuance of Section 14 (2) of the above-mentioned Act."

The Memorandum referred to, dated January 22, 1895, was prepared with the view of correcting certain misapprehensions of the scope and effect of the Local Government Act, 1894, which the official correspondence of the Charity Commissioners on the working of the Act showed to be widely prevalent. It was as follows:—

"1. Except in certain special cases, the Act does not, by its own operation, effect any change in the constitution of the trustees or governing bodies of charities, the action of the Parish Council (or in certain cases of the Parish Meeting) being generally required to give effect to the changes contemplated by the Act.

"2. The position of the incumbent of a Parish as *ex-officio* trustee of a Charity, whether ecclesiastical or not, is not affected by the Act; nor is the position of any other *ex-officio* trustee, except a churchwarden or an overseer, so affected.

"3. The Act empowers a Parish Council to appoint trustees of charities of a particular class, and in certain specified cases, Section 14 (2), (3), (4). Some, but not all, of these powers are given to the Parish Meeting of a Rural Parish in which there is no Parish Council, Section 19 (5).

"4. In certain cases, indicated in Section 14 (1), the trustees of charitable trusts are empowered to transfer, with the approval of the Charity Commissioners, the property of their trust to the Parish Council, if the Council accept the transfer, or to persons appointed by the Parish Council. But property so transferred will remain subject to the same trust as heretofore.

"5. Except in the special cases referred to in paragraph 1, the only direct change effected by the Act in the administration or management of charities

PRECEPT.

PARISH OF .

To *A.B.* and *C.D.*, Overseers of the Poor of the Parish of .

YOU are hereby directed to pay to *F.G.*, of

*[Treasurer of the Parish Council of the above-named Parish], at , on the day of , 189 , the sum of Pounds Shillings and Pence [*or* on the following days, that is to say, on the day of , 189 , the sum of Pounds Shillings and Pence; and on the day of , 189 , the sum of Pounds Shillings and Pence] from the Poor Rate of the Parish to meet the expenses payable by the Parish Council under the Local Government Act, 1894, other than any expenses under any of the adoptive Acts, and to take the Receipt of the said *F.G.* endorsed upon this Paper, for the said sum (*or* sums).

* If there is no Treasurer, omit these words.

Signed at a Meeting of the Parish Council held on the day of , 189 .

_____ Presiding Chairman.

_____ } Two Members of the
_____ } Parish Council.

Countersigned,

_____, Clerk to the Parish Council.

Given under the Seal of Office of the Local Government Board, this Eleventh day of February, in the year One thousand eight hundred and ninety-five.

L.S.

G. SHAW LEFEVRE, *President.*

HUGH OWEN, *Secretary.*

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by trustees is that enacted by Section 14 (6) in respect of the publication of the accounts of charities and of the names of the beneficiaries of dole charities.

"6. Subject to the provision mentioned in the last foregoing paragraph, the law which regulates the administration of their trust by trustees of charities is not varied by the Act, and trustees, whether appointed in pursuance of the Act or not, are bound to administer their trust in accordance with that law.

"7. The approval or allowance of the Charity Commissioners is required in proceedings taken under sub-sections (1) and (3) of Section 14 of the Act, but it is *not* required for proceedings taken under sub-sections (2) and (4).

"8. The appointment under Section 14 (2), of Trustees by the Parish Council or Parish Meeting in the place of overseers or churchwardens, may be made either before or after the expiration of the term of office of the Overseers or Churchwardens holding office at the date of the first constitution of the Parish Council, or Parish Meeting, as the case may be."

GENERAL ORDER.—PARISH MEETINGS.—FORM OF PRECEPT.

(Dated 11th February, 1895.)

To the Chairman for the time being of the Parish Meeting of every Rural Parish in ENGLAND and WALES not having a Parish Council ;—

To the Overseers of the Poor of every such Parish ;—

And to all others whom it may concern.

WHEREAS by sub-section (4) of Section 11 of the Local Government Act, 1894, it is enacted that—

(The Order here sets out sub-section 4 as in the Order of the 11th February, 1895, *ante*, p. 1207.)

And whereas it is expedient that a form should be prescribed in which the Chairman of the Parish Meeting of every Parish not having a Parish Council may issue precepts to the Overseers of the Parish for the payment of such expenses :

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, Do hereby Order that any precept which may hereafter be issued by the Chairman of the Parish Meeting of a Parish not having a Parish Council for the payment of any sum which he may be entitled to require to be paid out of the Poor Rate in respect of the expenses of the Parish Meeting, other than expenses under any of the adoptive Acts, shall be in the following form ; namely,— [1]

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[1] See the note to the Order of February 11, 1895, *ante*, p. 1207. A similar circular to that therein referred to with similar inclosures was issued with this Order.

PRECEPT.

PARISH OF .

To *A.B.* and *C.D.*, Overseers of the Poor of the Parish of

YOU are hereby directed to pay to *F.G.*, of , on behalf of the Parish Meeting of the above-named Parish, at , on the day of , 189 , the sum of Pounds Shillings and Pence [*or* on the following days, that is to say, on the day of , 189 , the sum of Pounds Shillings and Pence ; and on the day of , 189 , the sum of Pounds Shillings and Pence], from the Poor Rate of the Parish to meet the expenses of the Parish Meeting under the Local Government Act, 1894, other than any expenses under any of the adoptive Acts, and to take the Receipt of the said *F.G.*, endorsed upon this Paper, for the said sum (*or* sums).

Signed at a Parish Meeting of the Parish held on the day of , 189 .

_____ Chairman of the Parish Meeting.

_____ } Two Parochial Electors of the

_____ } Parish.

Given under the Seal of Office of the Local Government Board, this Eleventh day of February, in the year One thousand eight hundred and ninety-five.

L.S.

G. SHAW LEFEVRE, *President.*

HUGH OWEN, *Secretary.*

LONDON (EQUALISATION OF RATES) ACT, 1894. PRESCRIBING FORMS OF CONTRIBUTION ORDERS, DEMAND NOTES, AND RECEIPTS UNDER SECTION 2.

(Dated 5th September, 1895.)

To the Guardians of the Poor of the several Poor Law Unions wholly or partly comprised in the Administrative County of London ;—

To the Overseers of the Poor of the several Parishes comprised in the said County ;—

To the several Sanitary Authorities in the said County ;—

And to all others whom it may concern.

Whereas We, the Local Government Board, are required by Section 2 of the London (Equalisation of Rates) Act, 1894, by Order to prescribe the Forms of contribution orders, precepts, demand notes, and receipts so far as seems to Us to be necessary for stating therein as a separate item any equalisation charge, and any credit in respect of a receipt under the Act, which affects the sum named therein : [1]

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[1] Section 1 of the London (Equalisation of Rates) Act, 1894 (57 & 58 Vict. c. 53), directs that the London County Council shall, in every year, form a fund, called the Equalisation Fund, equal to a rate of sixpence in the pound on the rateable value of London, and shall half-yearly determine the contribution from each Parish in London to one-half of the fund, and the grant due from that one-half of the fund to each Parish.

In cases where the contribution from a Parish is less than the grant due, the difference is to be paid out of the Equalisation Fund to the Sanitary Authority of the District forming the Parish. A similar payment is to be made to the Sanitary Authority of a District comprising two or more parishes where the aggregate of the contributions from those parishes is less than the grant apportioned to the District. In cases where the contribution from a Parish exceeds the grant due, a special rate, called the Equalisation Charge, is

NOW THEREFORE, We, the Local Government Board, in pursuance of the powers conferred upon Us in that behalf, hereby Order as follows :

CONTRIBUTION ORDERS.

Art. 1.—Any Contribution Order hereafter made by the Guardians of the Poor of any of the said Poor Law Unions on the Overseers of any Parish for any sum which shall include an Equalisation Charge for the purposes of the Equalisation Fund formed under the authority of the above-cited Act shall contain a Note in the following Form, or in a Form to the like effect :—

Note.—The sum of £ directed by this Order to be paid on the day of , includes a sum of £ in respect of the Equalisation Charge for the purposes of the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894. The sum is computed as follows :—

	£	*s.*	*d.*
Contribution to Equalisation Fund at 3*d.* in the Pound			
Deduct grant from Equalisation Fund			
Equalisation Charge . . . . £			

Art. 2.—Any Order hereafter made by any of the said Sanitary Authorities on the Overseers of any Parish, or on any other persons authorised to make and collect or cause to be collected the Rate for the Relief of the Poor in the Parish, for any sum which shall be required by the Sanitary Authority in respect of the expenses incurred by them :

(*a*) under the Public Health (London) Act, 1891, or
(*b*) in respect of lighting, or
(*c*) in respect of streets,

shall, if such sum is less by reason of any amount paid to the

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to be levied on the Parish for the purpose of meeting the excess, unless the Parish is comprised in a Sanitary District where the aggregate of the contributions is less than the grant due.

Sanitary Authority from the said Equalisation Fund, contain a Note in one of the following Forms, or in a Form to the like effect :—

FORM A.

Where the District of the Sanitary Authority comprises one Parish only.

Note.—In computing the sum of £ directed by this Order to be paid on the day of , credit has been given for the sum of £ received on the day of , 18 , by the [*insert the name of the Sanitary Authority*] from the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894.

FORM B.

Where the District of the Sanitary Authority comprises two or more Parishes.

Note.—In computing the sum of £ directed by this Order to be paid on the day of , credit has been given for the sum of £ , being the amount apportioned to the Parish by the [*insert the name of the Sanitary Authority*] in respect of the sum of £ received by them from the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894, on the day 18 .

DEMAND NOTES.

Art. 3.—Any Demand Note for any Poor Rate levied wholly or partly to meet any such contribution Order as aforesaid made by the Guardians of the Poor of any of the said Poor Law Unions shall contain a Statement as to the Equalisation Charge in the following Form, or in a Form to the like effect :—

	£	*s.*	*d.*
Total Amount levied on the Parish for the purposes of the Equalisation Charge			

and there shall be appended to the said Statement a Note in the following Form, or in a Form to the like effect :—

	£	s.	d.
Note.—The contribution from the Parish to the Equalisation Fund, authorised by the London (Equalisation of Rates) Act, 1894, is . .			
Deduct grant from Equalisation Fund			
Net Amount levied by the London County Council for the purposes of the Equalisation Charge . .			

The amount of the Rate hereby demanded is, by reason of such charge, greater to the extent of in the £ than it otherwise would have been.

Art. 4.—Any Demand Note for any Rate levied wholly or partly to meet any such Order as aforesaid made by any of the said Sanitary Authorities who have received any payment from the Equalisation Fund which affects the sum for which the Rate is levied shall contain a Note in one of the following Forms, or in a Form to the like effect.

FORM C.

Where the District of the Sanitary Authority comprises one Parish only.

Note.—The sum of £ has been received by the [*insert the name of the Sanitary Authority*] from the London County Council out of the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894. The amount of the Rate hereby demanded is, by reason of such receipt, less to the extent of in the £ than it otherwise would have been.

FORM D.

Where the District of the Sanitary Authority comprises two or more Parishes.

Note.—The sum of £ has been received by the [*insert the name of the Sanitary Authority*] from the London County Council out of the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894, of which sum £ have been credited to the Parish. The amount of the Rate hereby demanded is, by reason of the sum so credited to the Parish, less to the extent of in the £ than it otherwise would have been.

RECEIPTS.

Art. 5.—Any Receipt given for any such Poor Rate as is mentioned in Article 3 of this Order shall, if the amount received includes any sum in respect of an Equalisation Charge, contain a Statement as to the Equalisation Charge in the following Form, or in a Form to the like effect :—

	£	*s.*	*d.*
Total Amount levied on the Parish for the purposes of the Equalisation Charge			

Given under the Seal of Office of the Local Government Board, this Fifth day of September, in the year One thousand eight hundred and ninety five.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER. LOCAL GOVERNMENT ACT, 1894, SECTION 11 (5). FORM OF DEMAND NOTE FOR PAYMENT OF POOR RATE.

(Dated 21st September, 1895.)

To the Overseers of the Poor

of every RURAL PARISH in ENGLAND and WALES ;—
And to all others whom it may concern.

WHEREAS by sub-section (5) of Section 11 of the Local Government Act, 1894, it is enacted that the Demand Note for any rate levied for defraying the expenses of a Parish Council or a Parish Meeting, together with other expenses, shall state in the prescribed form the proportion of the rate levied for the expenses of the Council or Meeting, and the proportion (if any) levied for the purpose of any of the adoptive Acts as defined by sub-section (1) of Section 7 of the said Act ;

And whereas under the provisions of Section 75 of the said Act the expression "prescribed form" in the above cited sub-section means such form as may be prescribed by Order issued by Us, the Local Government Board ;

And whereas by a General Order dated the 14th day of June, 1875, and by certain General and other Orders issued by the Poor Law Commissioners, the Poor Law Board, and by Us, provision was made with regard to the form of the Demand Note for the payment of any Poor Rate ;

And whereas We, the Local Government Board, deem it expedient that every Demand Note for a Poor Rate levied within any Parish within a Rural District (hereinafter called a "Rural" Parish) should be in the form hereinafter prescribed :

NOW THEREFORE, in pursuance of the powers given to Us

in that behalf, We do hereby Order that notwithstanding anything contained in the above-cited Order dated the Fourteenth day of June, One thousand eight hundred and seventy-five, or in any other Order issued by the Poor Law Commissioners, the Poor Law Board, or by Us, every Demand Note for the payment of a Poor Rate hereafter made by the Overseers of the Poor of any Rural Parish in England and Wales, whether or not it includes any rate raised with and as part of the Poor Rate, shall, subject to any departure which may be assented to by Us, be in the following form ; namely,—

_____ UNION. ASSESSMENT No. _____.

DEMAND NOTE.

PARISH OF _____.

Mr. _____

(Address) _____.

The Overseers of the Poor demand payment of the Poor Rate, made the day of , 18 , to meet expenses which will be incurred before the day of next, whether or not it includes any Rate raised with and as part of such Rate, and of the arrears of former Rates as below, now due from you, in respect of the premises , of which the rateable value is assessed at £

	£	s.	d.
Amount of Rate at in the Pound . .			
Arrears			
Total . . £			

Amount payable by Owner, provided it be paid within the time prescribed by the Statute 32 & 33 Vict. Cap. 41, Sect. 5. . . £

Purposes for which the above-mentioned Rate was made, and amount in the Pound levied for each purpose :—

	Amount in the £. s.	d.
Relief of the Poor and other Expenses of the Guardians		
General Expenses of Rural District Council (including Highways)		
County Contributions		
Expenses of Highway Board		
Expenses of School Board		

	Amount in the £ s. d.
Expenses under Adoptive Acts, viz.,—	
The Baths and Washhouses Act, 1846 to 1882 .	
The Burial Acts, 1852 to 1885 . . .	
The Public Libraries Act, 1892 (subject to allowance of two-thirds on land)	
Expenses (other than under Adoptive Acts) of Parish Council (*or where no Parish Council*) of Parish meeting	
Expenses of the Overseers	
Total . £	

(Signed)_____,
Collector *or* Assistant Overseer
or Overseer.

Provided that in the Demand Note the words "Amount payable by Owner, provided it be paid within the time prescribed by the Statute 32 & 33 Vict. Cap. 41, Sec. 5," may be omitted in any case where such words are not required, and it shall not be necessary to include in the Demand Note a reference to expenses other than those in respect of which the Rate was made.

Given under the Seal of Office of the Local Government Board, this Twenty-first day of September, in the year One thousand eight hundred and ninety-five.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER—AGRICULTURAL RATES ACT, 1896—PRESCRIBING REGULATIONS.[1]

(Dated 28 July, 1896.)

To the County Councils of the several Administrative Counties in England ;—

To the other Spending Authorities, as defined by the Agricultural Rates Act, 1896 ;—

To the Union Assessment Committees and the Assessment Committees in the Metropolis ;—

To the Overseers of the Poor of every Parish in England ;—

And to all others whom it may concern.

WHEREAS by the Agricultural Rates Act, 1896 (hereinafter called "the Act"), it is enacted that during the continuance of the Act the occupiers of agricultural land in England shall be liable in the case of every rate to which the Act applies to pay one half only of the rate in the pound payable in respect of buildings and other hereditaments ; and provision is made for the annual payment of such a sum to the Local Taxation Account, and for the half-yearly payment out of that account of such amounts to Spending Authorities as may be certified in manner hereinafter recited ;

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[1] It has not been considered necessary to set out any of the provisions of this Order which were temporary and related solely to the mode in which Assessment Committees, Overseers, &c., were to make the statements required by the Agricultural Act, 1896, such statements being made in order to enable the Local Government Board to determine the amount of the annual grant which each of the spending authorities is to be entitled to receive in respect of the deficiencies to arise from the partial exemption from rates conferred by the Act upon the occupiers of agricultural land.

And whereas by Sections 4, 6 and 9 of the Act it is enacted that—[1]

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[1] The Order here sets out the sections referred to. The provisions of Section 6 (3) will be found in the preamble to the Agricultural Rates Order Amendment Order, 1897, which Order is to be read as one with the present Order; see Art. 6 of the later Order. It is not considered necessary to include the amending Order in the present work as its provisions are transitory only and relate to what is to be the valuation list in force for any parish from March 31, 1897. The purpose and effect of the Order is sufficiently stated in the Circular Letter of the Local Government Board issued to Assessment Committees on February 16, 1897, therewith, which was as follows :—

"*Alteration of Valuation List in accordance with Overseers' Statements.*

"Section 6 (3) of the Act requires that the Board's Regulations shall provide for the alteration of the Valuation List in accordance with the overseers' statement as finally settled, and Art. 15 of the Order of 1896 directs the Assessment Committee to make out a List with respect to all the hereditaments included in the overseers' statement as corrected and altered by the Committee, and as altered in accordance with any decision on appeals then decided.

"The List so made by the Assessment Committee is to be in the form shown in Schedule W. to the Order of 1896. The form differs from that in the Schedule to the Union Assessment Committee Act, 1862, in that there are two columns in which rateable value is to be entered, one for the rateable value of agricultural land and the other for the rateable value of buildings and other hereditaments not being agricultural land. An exemplification is given in Schedule X. to the Order of the manner in which hereditaments consisting partly of agricultural land and partly of buildings and other hereditaments not being agricultural land are to be entered in the List, both as regards gross estimated rental and rateable value.

"The List will not require to be signed by the Overseers, nor is it to be dealt with as provided in Sections 17 to 19 of the Union Assessment Committee Act, 1862; but on or before March 1 next it is to be approved by the Assessment Committee in manner provided by Section 20 of that Act. From and after the 31st of that month, the List is to be deemed a Supplemental Valuation List and is to be substituted for so much of the Valuation List as relates to the same hereditaments. For the purpose, however, of estimating the contributions of the several parishes to the Common Fund of the Union, or any other contribution to be raised after March 31 next, according to the assessable value of the Parishes, the List is to be deemed to be in force from and after its being approved.

"A copy of the List duly signed and countersigned is to be delivered to the Overseers, in accordance with Section 30 of the Poor Law Amendment Act, 1868.

"Some amendments have, however, now been made by the Agricultural Rates Order Amendment Order, 1897, with regard to Art. 15 of the Order of 1896 :—

"1. That Article contemplated that in all cases the gross estimated rental and rateable value of any hereditament included in the List made by the Assessment Committee would be the amounts shown in the overseers' statement as corrected and altered. But Art. 1 of the new Order provides that the Assessment Committee may, if they think fit, as regards any hereditament which is included in that statement as finally settled and the valuation of which either alone or with any

And whereas the Treasury have concurred in these Regulations so far as is required by Section 6 (3) (*a*) of the Act:

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other hereditament has been altered in the Valuation List subsequently to July 20 last, cause the same to be entered in the List required by Art. 15, according to the valuation as so altered. If, however, in any such case the values of agricultural land and of the buildings and other hereditaments have not been stated separately in the Valuation List, they must, in the List required by Art. 15, be divided as nearly as possible in the same proportion as in the overseers' statement as finally settled.

"2. The Assessment Committee are enabled by Art. 2 of the new Order, if they think fit, to include in the List required by Art. 15 not only the hereditaments comprised in the overseers' statement, but also all the other rateable hereditaments in the Parish. So far as the List relates to these last-mentioned hereditaments it must be in accordance with the Valuation List in force when it is approved by the Committee.

"This List is, after March 31 next, to be in force as the Valuation List of the Parish in substitution for the previous List, and for the purpose of estimating the contributions to the Common Fund of the Union, or any other contributions to be raised after March 31 next, according to the assessable value of the parishes, the List is to be deemed to be in force from and after its approval by the Assessment Committee.

"A copy of the List, duly signed and countersigned, is to be delivered to the Overseers in accordance with Section 30 of the Poor Law Amendment Act, 1868.

"*Form of New and Supplemental Valuation Lists.*

"In every Valuation List made after March 31 next, it will be necessary, under Section 5 of the Act, that the value of agricultural land shall be stated separately from that of any building or other hereditament; and that in every case the total rateable value of the agricultural land in each parish shall be stated separately from the total rateable value of the buildings or other hereditaments in such parish. Whenever a copy of the total of the rateable value of any parish is required to be sent to any person, the copy is to state both the above-mentioned totals.

"Moreover the section requires that, where any hereditament consists partly of agricultural land and partly of buildings, the gross estimated rental of the buildings, when valued separately in pursuance of the Act from the agricultural land, shall, while the buildings are used only for the cultivation of the said land, be calculated not on structural cost, but on the rent at which they would be expected to let to a tenant from year to year, if they could only be so used; and that the total gross estimated rental of the hereditament shall not be increased by this separate valuation.

"The form in which any new or supplemental Valuation List made after March 31, 1897, is required to be made in any Parish in which there is agricultural land, is prescribed by Art. 16 of the Order of 1896. This form is shown in Schedule W. to the Order, and is the same as the form in which the List to be made by the Assessment Committee under Art. 15 is to be made out.

"The new form may, if the Assessment Committee think fit, be used in making out any new or Supplemental Valuation List before March 31 next in any Parish where there is any agricultural land. Where a new Valuation

NOW THEREFORE, in pursuance of the powers given to Us by the Act, and by any other Statutes in that behalf, We, the Local Government Board, Do by this Our Order make and prescribe the following Regulations for the purposes of the Act.

Art. 1.—In these Regulations, unless the context otherwise requires,—

The expression "Rate" means a rate the proceeds of which are applicable to public local purposes, and which is leviable on the basis of an assessment in respect of the yearly value of property, and which is not a rate—

(*a*) which the occupier of agricultural land is liable, as compared with the occupier of buildings or other hereditaments, to be assessed to or to pay in the proportion of one half or less than one half, or

(*b*) which is assessed under any commission of sewers or in respect of any drainage, wall, embankment, or other work for the benefit of the land;

and includes any sum which, though obtained in the first instance by a precept, certificate, or other instrument requiring payment from some authority or officer, is or can be ultimately raised out of a rate as before defined.

The expression "Valuation List" means a Valuation List under the Union Assessment Committee Acts, 1862 and 1864.

The expression "Agricultural Land" means any land used as arable, meadow, or pasture ground only, cottage gardens exceeding one quarter of an acre, market gardens, nursery grounds, orchards or allotments, but does not include land occupied together with a house as a park, gardens other than as aforesaid, pleasure-grounds, or any land kept or preserved mainly or

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List for a parish or a Supplemental Valuation List comprising all the hereditaments in the overseers' statement as finally settled has been made out in that form and approved by the Assessment Committee on or before March 1 next, Art. 15 of the Order of 1896 will not apply to the Parish. See Art. 3 of the new Order."

exclusively for purposes of sport or recreation, or land used as a racecourse.

The expression "Cottage" means a house occupied as a dwelling by a person of the labouring classes.

As to adapting the Statutory Form of the Valuation List and of the Poor Rate.

Art. 16.—In every Parish in which there is any agricultural land as defined by the Act, any new or Supplemental Valuation List made after the Thirty-first day of March, One thousand eight hundred and ninety-seven, shall be made out in the Form shown in the Schedule W. hereto, instead of being made in the Form shown in the Schedule to the Union Assessment Committee Act, 1862, and every rate made after that date which is now required to be made in the Form shown in the Schedule to the Parochial Assessments Act, 1836, shall in every such Parish be made in the form shown in Schedule Y. hereto.

Application of Regulations to Metropolis.

Art. 18.—These Regulations and the forms in the Schedule thereto, in their application to parishes within the Metropolis as defined by the Valuation (Metropolis) Act, 1869 (hereinafter in this Article called the said Act) shall have the following and any other necessary modifications:—

(1) "Gross value" shall be substituted for "gross estimated rental."

(3) The forms shown in Schedules W. 2 and Y. 2 shall be substituted for those shown in Schedules W. and Y. respectively.

Short Title of Order.

Art. 23.—This Order may be cited as the "Agricultural Rates Order, 1896."

SCHEDULE W.

Form of Valuation List.

VALUATION LIST for [*The Parish or Place for which the List is made*] in the County of _____

Name of Occupier	Name of Owner	Description of Property	Name or Situation of Property	Estimated Extent	Gross Estimated Rental	Rateable Value of Agricultural Land	Rateable Value of Buildings and other Hereditaments not being Agricultural Land
1	2	3	4	5	6	7	8
				A. R. P.	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

Signed this _____ day of _____

A.B.
C.D. } Overseers of the Poor of the Parish aforesaid

SCHEDULE W 2.

Form of Valuation List, in Parishes in Metropolis in which there is any Agricultural Land as defined by the Agricultural Rates Act, 1896.

Valuation List for [*the Parish or Place for which the List is made*] in the Metropolitan Union of [*or* not being in Union], in the County of London.

Number	Name of Occupier	Name of Owner	Description of Property	No. of Class	Name or Situation of Property	Extent	Gross Value as estimated by Overseers	Gross Value as estimated by Surveyor of Taxes	Rate of Deduction per Cent	Gross Value as finally determined by Assessment Committee	Rateable Value as finally determined by Assessment Committee	Rateable Value of Agricultural Land	Rateable Value of Buildings and other Hereditaments not being Agricultural Land
1	2	3	4	5	6	7	8	9	10	11	12	13	14
							£ *s.* *d.*	£ *s.* *d.*		£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

[To be signed and approved as required by the Valuation (Metropolis) Act, 1869.]

SCHEDULE X.

Exemplification of Valuation List.

Name of Occupier 1	Name of Owner 2	Name of Property 3	Name or Situation of Property 4	Estimated Extent 5	Gross Estimated Rental 6	Rateable Value of Agricultural Land 7	Rateable Value of Buildings and other Hereditaments, not being Agricultural Land 8
				A. R. P.	£ s. d.	£ s. d.	£ s. d.
John Jones	David Smith	Agricultural Land	Whiteacre Farm	230 0 0	219 5 0	205 0 0	—
Ditto .	Ditto .	Buildings . .	Ditto . .	1 2 23	46 15 0	—	35 0 0
Ditto . .	Ditto .	Agricultural Land	Outfields Farm	70 0 0	140 0 0	130 0 0	—
Thomas Brown	Ditto	House .	Blackacre Farm	—	25 0 0	—	18 15 0
Ditto . .	Ditto .	Buildings . .	Ditto . .	0 2 0	50 15 0	—	39 5 0
Ditto . .	Ditto .	Agricultural Land	Ditto .	420 0 0	369 5 0	345 0 0	—

The whole of Whiteacre Farm, both Land and buildings, and the whole of Blackacre Farm, including House, Buildings, and Land, are each supposed to have been rated as one hereditament in the Valuation List in force at the passing of the Act, the gross estimated rental and rateable value of the former being £266 and £240, and of the latter £445 and £403 respectively.

SCHEDULE Y.

Form of Rate to be substituted for the form in the Schedule to the Parochial Assessment Act, 1836.

AN ASSESSMENT for the relief of the Poor of the Parish of _____, in the County of _____ and for other purposes chargeable thereon according to law, made this _____ day of _____ in the year of our Lord _____, after the rate of _____ in the £ on Buildings and other Hereditaments not being Agricultural Land, and at one half of the said Rate on Agricultural Land, which is estimated to meet all the expenses for the above purposes which will be incurred before the _____ day of _____ next.[1]

Number	Name of Occupier	Name of Owner	Description of Property	Name or Situation of Property	Estimated Extent	Gross Estimated Rental	Rateable Value of Agricultural Land	Rateable Value of Buildings and other Hereditaments, not being Agricultural Land	Rate at *d.* in the £ on Agricultural Land and at *d.* in the £ on other Hereditaments
1	2	3	4	5	6	7	8	9	10
					A. R. P.	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

[1] If a Rate is made payable by instalments the amount of each instalment and the date at which each instalment is payable are also to be set forth in the heading.

SCHEDULE Y 2.

Form of Rate to be substituted for the form in the Schedule to the Valuation (Metropolis) Act, 1869, *in Parishes in the Metropolis where there is any Agricultural Land as defined by the Agricultural Rates Act*, 1896.

Rate for the Relief of the Poor of the Parish of _____, in the _____ Union, and for other purposes chargeable thereon according to law, made this _____ day of _____, in the year of our Lord 18____, after the rate of _____ in the Pound, on Buildings and other Hereditaments not being Agricultural Land, and at one-half of the said Rate on Agricultural Land, which is estimated to meet all the expenses for the above purposes which will be incurred before the _____ day of _____ next.

Number	Name of Occupier	Name of Owner	Description of Property rated	Name or Situation of Property	Rateable Value of Agricultural Land	Rateable Value of Buildings and other Hereditaments not being Agricultural Land	Rate at *d.* in the £ on Agricultural Land and at *d.* in the £ on other Hereditaments
1	2	3	4	5	6	7	8
					£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

[Add Declaration as required by the Valuation (Metropolis) Act, 1869.]

GENERAL ORDER.—VACCINATION: AMENDING INSTRUCTIONS TO PUBLIC VACCINATORS.

(Dated 7th January, 1897.)

To the Guardians of the Poor of the several Poor Law Unions in England and Wales :—
And to all others whom it may concern.

WHEREAS by an Order issued by Us, the Local Government Board, and dated the 28th day of February, 1887,[1] it was provided that all vaccinations and inspections under Contract should be performed in accordance with the "Instructions for Vaccinators under Contract" contained in the Schedule appended to such Order ;

And whereas by paragraphs (5) and (6) of the Instructions contained in the said Schedule certain directions were given to Vaccinators with regard to lymph to be used or furnished for vaccination ;

And whereas it is expedient that further provision should be made in the matter as hereinafter mentioned :

NOW THEREFORE, We hereby Order and Direct that the said Order dated the Twenty-eighth day of February, One thousand eight hundred and eighty-seven, shall be amended by the substitution for the above-cited paragraphs (5) and (6) of the Instructions to Vaccinators contained in the Schedule to such Order of the following paragraphs ; namely,—

"(5) Endeavour to maintain in your district such a succession of "cases as will enable you to vaccinate with liquid lymph "directly from arm to arm at each of your Contract "attendances. When stored lymph, whether humanised

[1] *Ante*, p. 1071. See also the note on p. 878 with reference to the amendment of the law relating to vaccination.

"lymph or calf lymph, is used, it should be preserved "either *dry* on ivory points, thickly charged and con- "stantly well protected from damp ; or *liquid* in tubes, "hermetically sealed at both extremities. With all "stored lymph caution is necessary, lest in time it have "become inert, or otherwise unfit for use.

"(6.) Consider yourself strictly responsible for the quality of "whatever lymph you use or furnish for vaccination. "In storing lymph, be careful to keep separate the "charges obtained from different subjects, and to affix "to each set of charges the name, or the number in your "Register, of the subject from whom the lymph was "derived. Keep such note of all supplies of lymph, "whether humanised lymph or calf lymph, which you "use or furnish as will always enable you to identify the "origin of the lymph. Do not employ lymph supplied "by any person who does not keep exact record of its "source."

Given under the Seal of Office of the Local Government Board, this Seventh day of January, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—INSTRUCTION OF CHILDREN IN WORKHOUSES AND IN SEPARATE AND DISTRICT SCHOOLS.

(Dated 30th January, 1897.)

To the Guardians of the Poor of the several Poor Law Unions for the time being in England and Wales ;—

To the Boards of Management of the several District Schools formed under the Poor Law Amendment Act, 1844, and the Acts amending the same ;—

And to all others whom it may concern.

Whereas by certain General and other Orders issued by the Poor Law Commissioners, the Poor Law Board, and by Us, the Local Government Board, provision has from time to time been made as regards the instruction and school attendance of children in the Workhouses and Separate Workhouse Schools of Poor Law Unions in England and Wales, and in District Schools provided by Boards of Management constituted under the provisions of the Poor Law Amendment Act, 1844, and the Acts amending the same ;

And whereas it is expedient that further provision as hereinafter mentioned should be made in regard to the instruction and school attendance of children in Workhouses, Separate Workhouse Schools, and District Schools :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, hereby Order as follows :—

Art. 1.—From and after the First day of March, One thousand eight hundred and ninety-seven, the following Regulations shall

apply to all children who are inmates for the time being of any Workhouse or any Poor Law School as defined by this Order; and from and after the said date any provision in any of the Orders above referred to which is inconsistent with this Order shall be rescinded.

Provided that these Regulations shall not apply to any child who is receiving instruction at a Public Elementary School.

Art. 2.—Except on Sundays, Christmas Day, and Good Friday, and during the holidays fixed by the Board of Guardians or Board of Management, as the case may be, including any day fixed as a weekly holiday, and subject as hereinafter mentioned in Article 3, every child in good health between the ages of three and seven years shall receive, during the ordinary school hours, at least three hours of instruction in every day, and every child in good health between the ages of seven and fourteen years shall receive, during the ordinary school hours, at least four hours of instruction in every day: Provided—

(1.) That, if two half-days shall have been fixed as weekly half-holidays instead of one whole day as a weekly holiday, every child shall on such days receive instruction for half the time only hereinbefore prescribed by this Article.

(2.) That instruction shall be given, in the case of children between the ages of three and seven years in equal periods in the morning and afternoon, or during not less than two hours in the morning and one hour in the afternoon, and in the case of children between the ages of seven and fourteen years in equal periods in the morning and afternoon, or during not less than three hours in the morning and one hour in the afternoon.

(3.) That of the time occupied in any week in the instruction in needlework which may be included in the instruction of girls, at least two-thirds shall be occupied in plain needlework, knitting, and cutting out and making garments, and not more than one-third in mending.

Art. 3.—A child over the age of eleven years, or such older age as may hereafter be fixed by law as the age at which a child may obtain partial exemption from the obligation to attend school, who

shall have passed the Fourth Standard of examination under the Code of Regulations of the Education Department for the time being in force may be withdrawn from instruction during half of the time for which under Article 2 such instruction is to be received; but no child shall be entirely withdrawn from instruction unless such child shall have attained the age of fourteen years.[1]

Art. 4.—In every case where a child may be receiving instruction for half only of the time fixed for the ordinary school hours, the attendance of such child for the purposes of instruction shall be for not less than two consecutive hours; provided that if two half-days shall have been fixed as weekly half-holidays instead of one whole day as a weekly holiday, the attendance of the child on such days shall be for not less than one undivided hour.

Art. 5.—(1.) No child under the age of eleven years shall be employed in industrial training or manual or industrial work for more than one hour in any day.

(2.) No child over the age of eleven years receiving instruction for the whole time required by Article 2 shall be employed in industrial training or manual or industrial work for more than three hours in any day.

(3.) No child who may be receiving instruction for half only of the time fixed for the ordinary school hours shall be employed in industrial training or manual or industrial work for more than five hours in any day.

(4.) No child wholly withdrawn from instruction shall be employed in industrial training or manual or industrial work for more than eight hours in any day.

Art. 6.—The time in every case for attendance at classes for instruction may include an interval for recreation of not more than fifteen minutes in an attendance of three hours and of not more than ten minutes in an attendance of a shorter period of time. An

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[1] In the Circular Letter of February 1, 1897, issued with this Order, the Local Government Board say that they consider it very desirable that in the case of children who attend school half-time, the school attendance should be in the morning and the industrial training in the afternoon, when the arrangements will admit of this.

attendance of two hours or more shall include an interval for recreation of not less than ten minutes.

Art. 7.—The Board of Guardians or Board of Management shall cause the children in the Workhouse or Poor Law School to receive the religious instruction required by the Orders in force in the Poor Law Union or District, and the time occupied in such instruction shall not be included in the time occupied in instruction in pursuance of this Order.[1]

Art. 8.—The Board of Guardians or Board of Management, as the case may be, shall fix one day in each week as a weekly holiday, or two half-days in each week as weekly half-holidays, and may, if they think fit, cause the School to be closed for all purposes of instruction for a period not exceeding six weeks, inclusive of public holidays, in any year, or for periods not exceeding in the whole six weeks in the year, for holidays, in addition to the weekly holiday or half-holidays.

Art. 9.—The Board of Guardians or Board of Management, as the case may be, shall prepare separate Time Tables for the infants, boys, and girls, in which shall be stated the division of each day of the week, except Sunday, into the hours of instruction, religious instruction, industrial training, manual or industrial work, recreation, and meals, for the children. The hours of religious instruction on Sunday, and the weekly holiday or half-holidays, shall also be entered. Each Time Table shall be hung up in some conspicuous place where it will be open to the inspection of the children to which it relates.

Art. 10.—Nothing in this Order shall be deemed to relieve any Board of Guardians or Board of Management or any child from any duty or liability imposed by the Elementary Education Acts, or by any byelaws made under those Acts and in force in the School District in which the Workhouse or Poor Law School is situate.

Art. 11.—In this Order the expression "Poor Law School" includes any School belonging to a Poor Law Union which is under

[1] See Art. 114 of the General Consolidated Order of July 24, 1847, *ante*, p. 310; and the Religious Instruction Order of August 23, 1859, *ante*, p. 540.

distinct management from that of the Workhouse, whether the school buildings are part of the Workhouse Premises or, being separate from the Workhouse, are situated either within or without the limits of the Poor Law Union ; or any District School belonging to a Board of Management formed under the Poor Law Amendment Act, 1844, and the Acts amending the same ; the expression "Instruction," except in the term "Religious Instruction," means instruction in any of the subjects for which grants may be made under the Code of Regulations of the Education Department for the time being in force except cookery, laundry work, dairy work, or cottage gardening.

Given under the Seal of Office of the Local Government Board, this Thirtieth day of January, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—RATE RECEIPT CHECK BOOK AND DEMAND NOTE PRESCRIBING FORMS.

(Dated 13 April, 1897.)

To the Guardians of the Poor of every PARISH in ENGLAND and WALES in which is comprised Agricultural Land as defined by the Agricultural Rates Act, 1896 ;—

And to all others whom it may concern.

WHEREAS by certain General and other Orders issued by the Poor Law Commissioners, the Poor Law Board, and by Us, the Local Government Board, provision was made with regard to the form of the Rate Receipt Check Book and of the Demand Note for the payment of any Poor Rate ; [1]

And whereas in order to meet the requirements of the Agricultural Rates Act, 1896,[2] it is expedient that, as regards every Parish comprising Agricultural Land as defined by that Act, other Forms should be prescribed for the Rate Receipt Check Book and for the Demand Note to be printed therein :

NOW THEREFORE, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby Order as follows with regard to every Parish in England and Wales in which is comprised Agricultural Land as defined by the Agricultural Rates Act, 1896, and in which a Rate Receipt Check Book shall be in use ; that is to say,—

1. From and after the Thirty-first day of March, One thousand eight hundred and ninety-eight, or where the Overseers of the Poor so direct, from and after the date hereof, the Rate Receipt Check

[1] See Art. 3 of the General Order for Accounts of January 14, 1867, *ante*, p. 583, and the General Order as to the Form of the Demand Note of June 14, 1875, *ante*, p. 912.

[2] See the Agricultural Rates Order, 1896, *ante*, p. 1220.

Book and the Demand Note to be printed therein shall, subject to any departure which may be assented to by Us, be in the Form set forth in the Schedule to this Order :

Provided that in the Demand Note the words " Amount payable " by Owner, provided it be paid within the time prescribed by " Section 5 of the Poor Rate Assessment and Collection Act, 1869," and in the Receipt and Counterfoil the words " Allowance to owner at per cent.," and " Received from Owner " may be omitted in any case where such words are not required, and it shall not be necessary to include in the Demand Note a reference to expenses other than those in respect of which the Rate was made :

Provided also that in the Demand Note the purposes for which the Rate was made may, if the Overseers so direct, be printed on the back of the Demand Note, subject to the following conditions ; namely,—

(1.) The words "See back for particulars of Rate" must be printed in bold type at the bottom of the front page.

(2.) The words " (Signed)_____
" Collector *or* Assistant Overseer "
must be inserted on the front page immediately above the words mentioned in condition (1).

(3.) The words " Purposes for which the Rate mentioned on the other side " must be substituted for the words " Purposes for which the above-mentioned Rate."

2. In any Parish comprising Agricultural Land as defined by the Agricultural Rates Act, 1896, in which a Demand Note without a Rate Receipt Check Book shall be in use, the above provisions, so far as they refer to the Demand Note, shall apply.

Given under the Seal of Office of the Local Government Board, this Thirteenth day of April, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, 16th April, 1897.

SC

(Form of Rate Receipt

RECEI

COUNTERFOIL.

_____ UNION.

PARISH OF _____.

The _____ day of _____, 18—.

Mr. _____.

This part to be retained by the Overseers.

Assessment Number		£	s.	d.
	Poor Rate made the _____ day of _____, 18—.			
	At ____ in the £ on Buildings and other Hereditaments not being Agricultural Land			
	At ____ in the £ on Agricultural Land . . .			
	Arrears . . .			
	Total . . £	—	—	—
	Allowance to Owner at per cent.			
	Received from Owner . £	—	—	—

PARISH OF _____

The _____ day of _____

RECEIVED of Mr. _____

pounds _____ shillings

respect of the Poor Rate of the

Assessment Number	
	Rate made the day of _____
	At ____ in the Rateable Valu and other not being Agr
	At ____ in th Rateable Val tural Land .
	Arrears of forme
	Tot

Allowance to Owner at ____

Received from Owner

Signed _____

Collec

Form of Certif

We, the Overseers of the Poor of the Parish aforesaid, do hereby certify that we have d ence of the sums and names in such receipts with the Rate Book, and we certify that th

* Here st

d Demand Note.)

DEMAND NOTE.

____ _____ Union.

Parish of _____,
Mr. _____,
Address _____.

The Overseers of the Poor demand payment of the Poor Rate, made the _____ day of _____, 18—, to meet expenses which will be incurred before the _____ day of _____ next, and of the arrears of former Rates as below, now due from you in respect of the Hereditaments of which the Assessment Numbers and the Rateable Value are stated below:—

Assessment Number	Description of Property	Rateable Value	Amount of Rate at *d.* in the £ on Agricultural Land and at *d.* in the £ on other Hereditaments		
		£	£	*s.*	*d.*
	Buildings and other Hereditaments not being Agricultural Land .				
	Agricultural Land . .				
	Arrears . .	. . .			
	Total . £				
Amount payable by Owner, provided it be paid within the time prescribed by Section 5 of the Poor Rate Assessment and Collection Act, 1869 £					

Purposes for which the above-mentioned Rate was made, and amount in the Pound levied for each purpose, half the amount being levied on Agricultural Land.

	Amount in the £. *s.* *d.*
Relief of the Poor and other Expenses of the Guardians . . .	
General Expenses of Rural District Council (including Highways) .	
County Contributions	
Borough Rate	
Expenses of Highway Board	
Expenses of School Board	
Expenses under Adoptive Acts, viz.:	
The Baths and Washhouses Acts, 1846 to 1882	
The Burial Acts, 1852 to 1885	
The Public Libraries Act, 1892 (subject to allowance of two-thirds on Land)	
Expenses (other than under Adoptive Acts) of Parish Council, *or* (*where no Parish Council*) of Parish Meeting	
Expenses of the Overseers	
Total	

_____
Collector *or* Assistant Overseer.

by the Overseers.

*ipt Check Book, and have ascertained the correctness of the numbering and the correspon-ts in this Book so filled up for this Rate is**

Dated this *day of* , 18 .

Signed _____

_____
Overseers.

Union.

____ .

_pence in

£ : :—

£ | *s.* | *d.*

erseer.

ds at length.

GENERAL ORDER.—CASUAL PAUPERS: AMENDING REGULATIONS WITH RESPECT TO DIET OF CHILDREN UNDER SEVEN YEARS OF AGE.

(Dated 4th May, 1897.)

To the Guardians of the Poor of the several Poor Law Unions in England and Wales for the time being;—

And to all others whom it may concern.

Whereas by a General Order dated the 18th day of December, 1882, We, the Local Government Board, prescribed Regulations with reference to Casual Paupers;

And whereas by Article 10 of the said General Order it was directed that Casual Paupers received into Casual Wards should, subject as provided in such Article, be dieted as prescribed in the Table in the Schedule B. annexed to the said Order;[1]

And whereas it is expedient that the said General Order should be amended as hereinafter mentioned:

Now, therefore, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby Order as follows:—

The Dietary Table contained in Schedule B. annexed to the said General Order dated the Eighteenth day of December, One thousand eight hundred and eighty-two, shall be amended by the omission therefrom of all words relating to the diet of children under seven years of age, and by the addition thereto of the following words; that is to say,—

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[1] *Ante*, p. 1053.

"CHILDREN UNDER SEVEN YEARS OF AGE.

"The Master of the Workhouse or the Superintendent of the "Casual Ward, as the case may be, shall supply for each child under "the age of seven years in respect of every period, or part of a "period, of eight hours that such child shall be resident in the "Casual Ward, an allowance of food as hereinafter specified; that "is to say,—

"For each child under the age "of seven months .	Half a pint of Milk and half an ounce of Sugar.
"For each child between the "ages of seven months "and two years . .	Half a pint of Milk, half an ounce of Sugar, and two ounces of Bread.
"For each child between the "ages of two years and "seven years . . .	Half a pint of Milk, four ounces of Bread, and half an ounce of Cheese.

"Provided as follows :—

"(1) The allowance may, at the discretion of the Matron of the "Workhouse, or the Female Superintendent of the Casual "Ward, as the case may be, be given to the suckling "mother of a child instead of to the child.

"(2.) The Matron or Female Superintendent, as the case may "be, shall cause the food to be prepared in such manner "and to be given at such times and in such way as "shall be suitable to each child, and shall take care that "the milk, or bread and milk, is served warm.

"(3.) Unsweetened condensed milk suitably diluted may be "substituted for fresh milk in the proportion of four "ounces of condensed milk for half a pint of fresh milk."

Given under the Seal of Office of the Local Government Board, this Fourth day of May, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, 7th May, 1897.

GENERAL ORDER.—OUTFITS FOR CHILDREN SENT TO SERVICE.

(Dated 10th July, 1897.)

To the Guardians of the Poor of the several Poor Law Unions for the time being in England and Wales ;

And to all others whom it may concern.

Whereas by certain General and other Orders, addressed by the Poor Law Commissioners, the Poor Law Board, and by Us, the Local Government Board, respectively, to the Boards of Guardians of Poor Law Unions in England and Wales, provision is made with respect to the grant of relief to paupers chargeable to any of the said Unions, and with respect to the boarding or boarding-out of pauper children ; [1]

And whereas it is expedient to made further provision as hereinafter mentioned with respect to the relief which may be given to children who have been boarded or boarded-out by a Board of Guardians, or are otherwise chargeable to a Poor Law Union, on their going to service :

Now therefore, in pursuance of the powers given to Us by the Statutes in that behalf, We hereby Order that, from and after the date hereof, the following provisions shall have effect, notwithstanding anything to the contrary in any of the aforesaid Orders ; that is to say,—

The Guardians of any Poor Law Union may, when they deem it expedient, incur a reasonable expenditure in providing an outfit

[1] See Art. 3 (6) of the Out-door Relief Prohibitory Order of December 21, 1844, *ante*, p. 500 ; the Boarding-out Order, 1889, *ante*, p. 1118 ; and the Boarding of Children in Unions Order, 1889, *ante*, p. 1097.

for any child chargeable to such Union, on such child being sent to service by the Guardians, or, if the child is boarded or boarded-out under the supervision of a Boarding-out Committee in accordance with the Regulations from time to time applicable to the boarding or boarding-out of pauper children, on such child being sent to service by the Guardians or otherwise.[1]

Given under the Seal of Office of the Local Government Board, this Tenth day of July, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, 13th July, 1897.

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[1] In the Circular Letter of the Local Government Board issued with this Order and dated July 14, 1897, the Board say as follows:—"Under certain of the Orders regulating the administration of out-relief it has been necessary that the Board's sanction should be obtained in order that expenditure might be legally incurred in providing outfits for children sent to service, except where, in the case of any child sent from the workhouse, the outfit was supplied from the workhouse stores. The present Order removes any necessity for such sanction, and confers on the Guardians full discretion as to incurring such expenditure, subject of course to the amount expended being reasonable in the circumstances of the particular case.

"The Board may state that it has been their practice, in cases where their sanction has been required, to object to a child being sent to service without money wages, or to an inn or public-house (unless in exceptional circumstances) or to any place of service the conditions of which seemed unsatisfactory; and they have required to be satisfied that the child has attained the standard or made the attendances qualifying for employment under the Education Acts, or the byelaws in force in the particular school district.

"The Board do not doubt that the Guardians will satisfy themselves in each individual case, before sending a child to service, that the home and conditions of service will be satisfactory, and that the child is properly qualified for employment."

GENERAL ORDER.—NURSING OF THE SICK IN WORKHOUSES.

(Dated 6th August, 1897.)

To the Guardians of the Poor of the several Poor Law Unions for the time being in England and Wales ;—

And to all others whom it may concern.

Whereas by certain General and other Orders the Poor Law Commissioners, the Poor Law Board, and the Local Government Board have made Rules and Regulations with regard to the government of the Workhouses of the said several Poor Law Unions, the nursing of the sick poor relieved therein, and as to the appointment of persons to certain offices therein, including the office of Nurse, and the qualification, remuneration, and duties of such persons ; [1]

And whereas it is expedient that further provision should be made in the matter as hereinafter mentioned :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that, from and after the Twenty-ninth day of September, One thousand eight hundred and ninety-seven (hereinafter referred to as "the commencement of this Order"), the following Regulations shall, except in so far as We may assent to a departure therefrom, be in force in the said several Poor Law Unions :—[2]

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[1] See Art. 213 of the General Consolidated Order of July 24, 1847, *ante*, p. 434, and the General Order of January 27, 1892, *ante*, p. 1180.

[2] The Local Government Board issued with this Order a Circular Letter dated August 7, 1897, in which they stated as follows :—"The Board have frequently drawn the attention of Boards of Guardians to the question of the nursing

Art. 1.—(1.) Notwithstanding anything contained in any of the Orders above referred to, no pauper inmate of the Workhouse

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arrangements in workhouses, and they may refer particularly to the circular which they issued on January 29, 1895 (*ante*, p. 435), on workhouse administration. The Board in that circular quoted a passage from a previous circular, in which they had pointed out that the office of nurse was one of very serious responsibility and labour, and that it required to be filled by a person of experience in the care of the sick, and they stated that they considered it of the highest importance that the assistants to the nurse should also be paid officers. They further expressed their opinion that the services of pauper inmates as attendants in sick wards, as distinguished from nurses, should only be used with the approval of the medical officer, and under the supervision at all times of paid officers.

"The Board are aware that the employment of pauper nurses in workhouses has generally been discontinued, but this is not so in all cases, and they have, therefore, thought it right to provide by Art. 1 of the new Order, that no pauper inmate of the workhouse shall be employed to perform the duties of a nurse in the sick or lying-in wards, or be otherwise employed in nursing any pauper in the workhouse who requires nursing. The Article further requires that any pauper who is employed as an attendant in the sick or lying-in wards, or upon any pauper in the workhouse who requires nursing shall be approved by the medical officer of the workhouse for the purpose, and shall act under the immediate supervision of a paid officer of the Guardians.

"Where the staff of female nurses and assistant nurses in the workhouse consists of three or more persons, there must, under Art. 3 of the Order, be a superintendent nurse, whose duty it will be to superintend and control the other nurses and assistant nurses in the performance of their duties. This superintendence and control will, in all matters of treatment of the sick, be subject to the directions of the medical officer of the workhouse, and in all other matters to the directions of the master or matron of the workhouse, so far as the Orders in force in the Union and the lawful directions of the Guardians may require or permit.

"With a view of providing for existing cases where there is no need for an increase in the staff, and one of the present nurses is in all respects a suitable person to hold the office of superintendent nurse, the Order enables the Guardians, with the consent of the Board, to direct that one of these nurses shall be a superintendent nurse. But, subject to this provision, it will be the duty of the Guardians in all cases in which there is a staff of three or more female nurses and assistant nurses in the workhouse to appoint a superintendent nurse who, unless the Board dispense with the requirement, must be a person qualified for the appointment by having undergone, for three years at least, a course of instruction in the medical and surgical wards of any h spital or infirmary being a training school for nurses and maintaining a resident physician or house surgeon.

"If the Guardians, with the consent of the Board, direct one of the existing nurses to act as a superintendent nurse, the requirements of the Order as to the appointment of a superintendent nurse with the prescribed qualification will still apply when a vacancy takes place in the office.

"Under Art. 2 of the Order it will in future be necessary that every person appointed by the Guardians to the office of nurse or assistant nurse in the workhouse shall have had such practical experience in nursing as may render him or her a fit and proper person to hold the office. With a view, however, of enabling young women to be instructed as assistant nurses under a superinten-

shall be employed to perform the duties of a Nurse in the Sick or Lying-in Wards of the Workhouse, or be otherwise employed in nursing any pauper in the Workhouse who requires nursing.

Art. 1.—(2.) No pauper inmate of the Workhouse shall be employed as an attendant in the Sick or Lying-in Wards of the Workhouse, or upon any pauper in the Workhouse who requires nursing, unless such inmate shall be approved by the Medical Officer of the Workhouse for the purpose, and shall act under the immediate supervision of a paid officer of the Guardians.

Art. 2.—No person shall be appointed by the Guardians to the office of Nurse or Assistant Nurse in the Workhouse without having had such practical experience in nursing as may render him or her a fit and proper person to hold such office :

Provided that this Article shall not apply in the case of a female Assistant Nurse in a Workhouse where there is a Superintendent Nurse as required by Article 3 of this Order.

Art. 3.—(1.) Where at the commencement of this Order the staff of female Nurses and Assistant Nurses in the Workhouse consists of three or more persons, the Guardians shall either appoint a Superintendent Nurse, or, with Our consent, direct that one of the Nurses shall be a Superintendent Nurse.

(2.) Where at the commencement of this Order there is not a Staff of three female Nurses and Assistant Nurses in the Workhouse, but the Guardians subsequently propose that there should be such a

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dent nurse, it is provided that the requirement above referred to shall not apply in the case of a female assistant nurse in any workhouse where there is a superintendent nurse as required by Article 3 of the Order.

"Provision is made by Art. 5 for the employment of a temporary nurse in the case of an emergency.

"The new regulations will come into force from and after September 29 next, and the Board are desirous that the Guardians should at once take them into consideration, so that such arrangements as may be necessary may be made immediately the Order takes effect,

"The Order will not apply to any infirmary or school which is under administration separate from that of the workhouse.

"I am, Sir,

"Your obedient Servant,

"Hugh Owen,

"Secretary.

"The Clerk to the Guardians."

staff, and also where any Superintendent Nurse ceases to hold office, the Guardians shall appoint a Superintendent Nurse.

Art. 3.—(3.) Any Superintendent Nurse appointed after the commencement of this Order shall, unless We dispense with the requirement, be a person qualified for the appointment by having undergone, for three years at least, a course of instruction in the Medical and Surgical Wards of any Hospital or Infirmary being a Training School for Nurses, and maintaining a Resident Physician or House Surgeon.

Art. 4.—(1.) It shall be the duty of the Superintendent Nurse to superintend and control the other Nurses and Assistant Nurses in the Workhouse in the performance of their duties, but such superintendence and control shall, in all matters of treatment of the sick, be subject to the directions of the Medical Officer of the Workhouse, and in all other matters to the directions of the Master or Matron of the Workhouse, so far as the Orders in force in the Poor Law Union and the lawful directions of the Guardians may require or permit.

(2.) The provisions of the Orders in force in the Poor Law Union applicable to the mode of appointment, remuneration, and tenure of office of a Nurse at the Workhouse shall apply to every Superintendent Nurse appointed under this Order :

Provided that no such Superintendent Nurse shall be dismissed without Our consent.

Art. 5.—If in an emergency it appears to the Medical Officer of the Workhouse that the employment of a temporary Nurse is required for the proper treatment of any case or cases in the Workhouse, and he informs the Master of the Workhouse in writing accordingly, it shall be the duty of the Master to engage a person to act as Nurse until the next Meeting of the Guardians, and the Guardians shall pay the reasonable remuneration of the person so engaged :

Provided that where there is no Superintendent Nurse appointed under Art. 3 of this Order, no person shall be engaged under this Article without having had such practical experience in nursing as

may render him or her a fit and proper person to hold the office of Nurse.

Art. 6.—This Order shall not apply to any Infirmary or School which is under administration separate from the Workhouse.

This Order may be cited as "The Nursing in Workhouses Order, 1897."

Given under the Seal of Office of the Local Government Board this Sixth day of August, in the year One thousand eight hundred and ninety-seven.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

GENERAL ORDER.—PAUPERS' CONVEYANCE EXPENSES (RESCINDING PREVIOUS ORDER).

(Dated 7th February, 1898.)

To the Guardians of the Poor of the several Poor Law Unions for the time being in England and Wales ;—

And to all others whom it may concern.

Whereas in pursuance of the provisions of The Paupers' Conveyance (Expenses) Act, 1870, We, the Local Government Board, by an Order dated the 26th day of February, 1880, defined and directed in what cases (other than those expressly provided for by law) and under what regulations the Guardians of the Poor of any Poor Law Union might pay the reasonable expenses incurred by them in conveying any person chargeable to such Union from one place to another ; [1]

And whereas it is expedient that the said Order should be rescinded, and that further provision should be made in the matters aforesaid :

Now therefore, in pursuance of the powers given to Us by the

[1] By Section 1 of the Paupers' Conveyance (Expenses) Act, 1870 (33 & 34 Vict. c. 48), it is enacted that the Poor Law Board (now the Local Government Board) "may, by order, define and direct in what cases (other than those expressly provided for by law), and under what regulations, the Guardians of any union or parish may pay the reasonable expenses incurred by them in conveying any person chargeable to such union or parish from one place to another i England, and may charge such expenses upon the common fund of the union or other like fund under their control."

In the Circular Letter of February 10, 1898, issued with this Order, the Local Government Board stated that they had had under consideration the desirability of extending the powers conferred by the Order of February 26, 1880, to cases where visits are paid by poor persons to any of their relatives who may be in institutions registered under the Idiots Act, 1886, or in institutions for lunatics as defined by the Lunacy Act, 1890 ; and that they had thought it advisable in so doing to rescind the Order of 1880, and to issue a fresh Order in its place.

Statutes in that behalf, We do hereby rescind the said Order dated the Twenty-sixth day of February, One thousand eight hundred and eighty, and do by this Our Order define and direct as follows :—

Art. 1.—Subject to the regulations hereinafter contained, the Guardians of the Poor of any Poor Law Union may pay the reasonable expenses incurred by them in conveying any person chargeable to such Union from the Union to any Institution specified in this Article, for the purpose of visiting the husband, wife, child, or other relative of such person, who shall be an inmate of such Institution, and in conveying such person back to the Union ; namely,—

(1.) Any Workhouse, or Separate Workhouse Infirmary, or Separate Workhouse School, belonging to or occupied by the Guardians of the Union, whether situated within or beyond the boundaries of the Union.

(2.) Any Workhouse, or Separate Workhouse Infirmary, or Separate Workhouse School, belonging to or occupied by the Guardians of any other Union, with whom an agreement shall have been entered into under the following enactments, or any of them, viz., Section 14 of the Poor Law Amendment Act, 1849 ;[1] Section 6 of the Poor Law Amendment Act, 1851 ;[2] Section 16 of the Poor Law

[1] Under Section 14 of the Poor Law Amendment Act, 1849 (12 & 13 Vict. c. 103), where the workhouse of any parish or union is overcrowded or any epidemic or contagious disease prevails, or may be reasonably apprehended therein, or where it is necessary for carrying out any legal resolution for the emigration of poor persons, the Guardians of another parish or union may, with the consent of the Poor Law Board (now the Local Government Board), receive, lodge, and maintain in their workhouse upon such terms as may be mutually agreed upon by the respective Boards of Guardians any poor person belonging to the first-mentioned parish or union. This provision is extended to the managers of a district or other asylum for the reception of paupers, and to every case where the Local Government Board shall deem it expedient and shall give their consent until such consent shall be withdrawn. See Section 22 of the Divided Parishes and Poor Law Amendment Act, 1876 (39 & 40 Vict. c. 61).

[2] Section 6 of the Poor Law Amendment Act, 1851 (14 & 15 Vict. c. 105) as amended by Section 16 of the Poor Law Amendment Act, 1866 (29 & 30 Vict. c. 113), now repealed by the Statute Law Revision Act, 1893 ; and as amended by the Statute Law Revision Act, 1875, enables Guardians, where there is more accommodation in their workhouse than they require for the reception, maintenance, and education of the poor children of their own union or parish, with the consent of the Poor Law Board (now the Local Government Board) to contract with the Guardians of any other union or parish for the reception, maintenance, and instruction therein of any poor children under 16 who are chargeable to the other union or parish, being orphans or deserted by their parents, or whose parents or surviving parent shall consent.

Amendment Act, 1866; Section 50 of the Metropolitan Poor Act, 1867;[1] Section 17 of the Metropolitan Poor Amendment Act, 1869;[2] and Section 22 of the Divided Parishes and Poor Law Amendment Act, 1876.[3]

Art. 1.—(3.) Any School belonging to the Board of Management of a School District which shall have been formed under the Poor Law Amendment Act, 1844, and the Acts amending the same, and within which the Union is comprised.

(4.) Any School belonging to the Board of Management of a School District which shall have been formed as aforesaid, but within which the Union is not comprised, and with the Board of Management of which an agreement shall have been entered into under Section 51 of the Poor Law Amendment Act, 1844, or Section 16 of the Poor Law Amendment Act, 1866.[4]

(5.) Any school certified under the provisions of Section 2 of the Poor Law (Certified Schools) Act, 1862; and any School

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[1] Under Section 50 of the Metropolitan Poor Act, 1867 (30 & 31 Vict. c. 6) the Local Government Board have power when, in their opinion, the workhouse of a union or parish in the Metropolis is adapted only for the reception of poor persons of a particular class or particular classes, but is capable of accommodating poor persons of that class or those classes from any other union or parish within the Metropolis, by order to direct the Guardians of the union or parish to which the workhouse belongs to receive, lodge, and maintain therein poor persons of that class or those classes or any of them, and the Guardians shall receive, lodge, and maintain such poor persons accordingly on terms to be agreed on, with the approval of the Board, by the respective Boards of Guardians of the unions or parishes concerned, or, in default of such agreement, to be prescribed by the Board by order.

[2] The Guardians of any union or parish in the Metropolis, with the approval of the Local Government Board, may, under Section 17 of the Metropolitan Poor Amendment Act, 1869 (32 & 33 Vict. c. 63), set apart any ward or portion of their workhouse for the reception of particular classes or descriptions of poor persons, and receive and maintain therein persons of the same class or description chargeable to any other union or parish upon such terms as shall be mutually agreed upon by the respective Boards of Guardians.

[3] Section 22 of the Divided Parishes and Poor Law Amendment Act, 1876 (39 & 40 Vict. c. 61), extends the provision of Section 14 of the Poor Law Amendment Act, 1849. See Note 1, *supra*.

[4] By Section 51 of the Poor Law Amendment Act, 1844 (7 & 8 Vict, c. 101) as amended by Section 16 of the Poor Law Amendment Act, 1866 (29 & 30 Vict. c. 113) it is enacted that in any case where a parish or union is not combined in a school district, the Board of Guardians of such parish or union may, with the consent of the Board of such district, send to such district school any infant poor not above the age of sixteen years, being chargeable to any such parish or union, who are orphans, or are deserted by their parents, or whose parents or surviving parent or guardians are consenting thereto.

for the reception of poor deaf and dumb or blind children, not so certified, but coming within the provisions of Section 42 of the Poor Law Amendment Act, 1868.[1]

Art. 1.—(6.) Any Asylum provided under the authority of the Metropolitan Poor Act, 1867, or of any Act amending the same.[2]

(7.) Any Asylum established for the reception and relief of idiots maintained at the charge of the County Rate or by public subscription, within the meaning of Section 13 of the Poor Law Amendment Act, 1868.[3]

(8.) Any Hospital, Institution, or Licensed House registered under the Idiots Act, 1886.[4]

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[1] Under Section 2 of the Poor Law (Certified Schools) Act, 1862 (25 & 26 Vict. c. 43), the Local Government Board have power upon the application of the managers of any school, supported wholly or partially by voluntary subscriptions, to certify such school to be fitted for the reception of such children or persons as may be sent there by the Guardians of any parish or union in pursuance of Section 1 of the Act. Under Section 42 of the Poor Law Amendment Act, 1868 (31 & 32 Vict. c. 122), the Guardians of any union or parish could, with the approval of the Poor Law Board (now the Local Government Board), send any poor deaf and dumb or blind child to any school fitted for the reception of such, though such school shall not have been certified under Section 2 of the Poor Law (Certified Schools) Act, 1862. But this power has been limited by s. 13 of 56 & 57 Vict. c. 42 to the case of children who are (a) imbeciles, (b) resident in a workhouse or in an institution to which they have been sent by a Board of Guardians from a workhouse, or (c) boarded out by Guardians.

[2] That is to say asylums for the reception and relief of the sick, insane, or infirm, or other class or classes of the poor chargeable in unions and parishes in the Metropolis. See Section 5 of the Metropolitan Poor Act, 1867 (30 Vict. c. 6). The provisions of the Act of 1867 which relate to the procuring of buildings for the purposes of an asylum under that Act are applied by Section 1 of the Metropolitan Poor Act, 1871 (34 Vict. c. 15), to any ship, vessel, hut, tent, or other temporary erection used by the Managers of an asylum, with the approval of the Poor Law Board (now the Local Government Board), for the reception of paupers or otherwise for the purposes of the asylum.

[3] Under Section 13 of the Poor Law Amendment Act, 1868 (31 & 32 Vict. c. 122) the Guardians of any union or parish may, with the consent of the Poor Law Board (now the Local Government Board), send an idiotic pauper to an asylum or establishment for the reception and relief of idiots maintained at the charge of the county rate or by public subscription, and they may, with the like consent, send any idiotic, imbecile, or insane pauper who may lawfully be detained in a workhouse to the workhouse of any other union or parish.

[4] The commissioners in lunacy are empowered by Sections 7 & 8 of the Idiots Act, 1886 (49 & 50 Vict. c. 25), to issue certificates of registration of hospitals, institutions, or licensed houses in which idiots or imbeciles are received, neither of which terms includes "lunatics." The terms "hospital" and "institution" are defined by Section 17 of the Act to mean "any hospital "or institution or part of a hospital or institution (not being an asylum for "lunatics) wherein idiots and imbeciles are received and supported wholly or "partly by voluntary contributions, or by any charitable bequest or gift, or by

Art. 1.—(9.) Any Institution for Lunatics as defined by the Lunacy Act, 1890.[1]

(10.) Any Hospital or Institution established for blind or deaf and dumb persons, within the provisions of Section 21 of the Poor Law Amendment Act, 1867.[2]

(11.) Any House or Establishment, not being a Workhouse, with respect to which the Local Government Board shall have issued rules, orders, and regulations under the provisions of Section 1 of the Poor Relief Act, 1849.[3]

Art. 2.—The expenses of conveyance as aforesaid shall not be payable unless permission for the visit is given by the Guardians of the Union to which the person seeking such permission is chargeable as aforesaid, nor unless such permission is duly recorded in the Minutes of the Guardians :

"applying the excess of payments of some patients for or towards the support, "provision, or benefit of other patients." The term "licensed house" is defined by the same section as meaning "any house licensed by the Commissioners "in Lunacy, or by the Justices of any county or borough, for the reception, care, "education, and training of idiots and imbeciles."

[1] *I.e* "An asylum, hospital, or licensed house." See Section 341 of the Lunacy Act, 1890 (53 & 54 Vict. c. 5). The term "asylum" is defined by the same section as meaning "an asylum for lunatics provided by a county or "borough, or by a union of counties or boroughs," and the term "hospital" as meaning "any hospital or part of a hospital or other house or institution (not "being an asylum) wherein lunatics are received and supported wholly or partly "by voluntary contributions, or by any charitable bequest or gift, or by applying "the excess of payments of some patients for or towards the support, provision, "or benefit of other patients." The term "lunatic" means an "idiot or person "of unsound mind."

[2] The Guardians are empowered by Section 21 of the Poor Law Amendment Act, 1867 (30 & 31 Vict. c. 106), to "provide for the reception, maintenance, and "instruction of any adult pauper, being blind or deaf and dumb, in any hospital "or institution established for the reception of persons suffering under such "infirmities, and may pay the charges incurred in the conveyance of such pauper "to and from the same, as well as those incurred in his maintenance, support, "and instruction therein."

[3] Under Section 1 of the Poor Relief Act, 1849 (12 & 13 Vict. c. 13), the Local Government Board are empowered and required from time to time as they shall see occasion, to make and issue all such rules, orders, and regulations for the management and government of any house or establishment wherein any poor person shall be lodged, boarded, or maintained, for hire or remuneration, under any contract or agreement entered into by the proprietor, manager or superintendent of such house or establishment, or on his behalf, with any Guardians, overseers, or other persons having the ordering or management of the poor in any union or parish, or for the education of any poor children therein, in like manner and to the same extent as they are by law empowered to do in the case of any workhouse belonging to any union or parish.

Provided that in order to meet any cases of urgency which may occur between the Meetings of the Guardians, the Guardians may, if they think fit, authorise the Master of the Workhouse, as regards in-door paupers, and the Relieving Officer, as regards out-door paupers, to pay in such cases the reasonable expenses of conveyance as aforesaid, subject to such regulations as may be prescribed by the Guardians; and the Master of the Workhouse or the Relieving Officer shall report each case so dealt with by him to the Guardians at their next Meeting, and a record of such report shall be entered in the Minutes of the Guardians.[1]

Art. 3.—The visits to any such person as aforesaid in any of the Institutions described in the several paragraphs of Article 1 of this Order shall at all times be subject to such regulations as may be made in that behalf by the Guardians, Board of Management, or other authority having the control of such Institutions respectively.

Art. 4.—The amount allowed for the expenses of conveyance shall be paid by the Guardians of the Union out of the Fund or Rate applicable by the Guardians to their general expenses under the Acts relating to the relief of the Poor.[2]

Art. 5.—This Order may be cited as the "Paupers' Conveyance (Expenses) Order, 1898."

Given under the Seal of Office of the Local Government Board, this Seventh day of February, in the year One thousand eight hundred and ninety-eight.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

Date of publication in the *London Gazette*, 8th February, 1898.

[1] The Local Government Board, in a Circular Letter dated February 28, 1880, with reference to Art. 2 of the Order which is rescinded by the present Order, the provisions of which were identical with those of Art. 2 of the present Order, said that it was desirable that very explicit instructions should be given by the Guardians to masters of workhouses and relieving officers as to the exceptional circumstances which would justify those officers in acting under the Order. The Board did not, however, indicate what was the nature of the "very explicit instructions" or the "exceptional circumstances" to which they referred.

[2] That is to say out of the Common Fund of the union and the rates levied in aid thereof. See 4 & 5 Will. IV. c. 76, s. 28; 24 & 25 Vict. c. 55, s. 9, and 25 & 26 Vict. c. 103, s. 30.

GENERAL ORDER.—APPRENTICESHIP OF PAUPER CHILDREN: AMENDING ORDERS.

(Dated 15th February, 1898.)

To the Guardians of the Poor of the several Poor Law Unions for the time being in England and Wales;—

And to all others whom it may concern.

Whereas by certain General and other Orders, the Poor Law Commissioners, the Poor Law Board, and We, the Local Government Board, prescribed Regulations to be observed by the Guardians of the Poor of the several Poor Law Unions in England and Wales with regard to the Apprenticeship of pauper children;[1]

And whereas by certain Orders We have altered, so far as regards the Unions named in such Orders, the Orders aforesaid, so as to enable Us to assent, in any case where it may seem to Us necessary or expedient, to a departure from any of the Regulations contained in such Orders with regard to the Apprenticeship of pauper children;

And whereas it is expedient that further provision should be made in the matter as hereinafter mentioned:

Now therefore, in pursuance of the powers given to Us by the Statutes in that behalf, We do hereby alter the Orders above referred to, prescribing Regulations to be observed with regard to the Apprenticeship of pauper children, so as to provide that We may assent, in any case where it may seem to Us necessary or expedient, to a departure from any of the Regulations contained in

[1] Regulations with regard to the apprenticeship by Guardians of pauper children were prescribed by Arts. 52 to 74 of the General Consolidated Order of July 24, 1847, *ante*, pp. 242 *et seq.*

the said Orders with regard to the Apprenticeship of pauper children.

And We do hereby rescind the Orders secondly above referred to, except so far as such Orders may have been acted upon.

Given under the Seal of Office of the Local Government Board, this Fifteenth day of February, in the year One thousand eight hundred and ninety-eight.

L.S.

HENRY CHAPLIN, *President.*

HUGH OWEN, *Secretary.*

APPENDIX

APPENDIX.

INSANE PERSONS AND STRAYED CHILDREN ORDER.

(Dated 3rd December, 1841.)

To the Guardians of the Poor of the several UNIONS and PARISHES under a Board of Guardians named in the Schedule hereunto annexed ;—

To the Churchwardens and Overseers of the several Parishes and Places comprised within the said Unions, and of the several other Parishes named in the said Schedule ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and Places comprised within the said Unions and the other Parishes named in the said Schedule are situate ;—

And to all others whom it may concern.

IN pursuance of the authorities vested in Us by an Act of Parliament, passed in the fifth year of the reign of King William the Fourth, entitled "An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales," We, the Poor Law Commissioners, do hereby order and direct, as follows :—

Art. 1.—Whenever any child supposed to have strayed, or any insane person wandering abroad whose friends or relations are un-

known, shall have been received into any workhouse belonging to any of the unions or parishes mentioned in the Schedule hereunto annexed, the master or other person having charge of such workhouse shall properly fill up four notices in the Forms marked A. or B. respectively, hereto annexed, and shall forthwith cause one of such notices to be affixed on the outer gate of the said workhouse, and shall forward one other of the same so filled up to each of the three police stations, whether of the Metropolitan or City Police, nearest to the place where such child or insane person shall be understood to have been found.

Art. 2.—If at the expiration of twenty-four hours from the reception of such child or insane person into such workhouse, no claim or inquiry respecting the same shall have been made at the workhouse in which such child or insane person shall have been received, the master or other person having charge of such workhouse shall send a copy of the notice already filled up as hereinbefore directed, to the clerk to the Guardians of the parish or union to which such workhouse may belong, and such clerk shall immediately cause to be prepared forty-eight copies of the notice so filled up and forwarded to him, and shall forthwith transmit thirty-six copies of such notice to the Commissioners of the Metropolitan Police, at their chief office, and twelve copies of such notice to the Commissioner of Police for the City of London, at his office.

Art. 3.—In the construction of this present Order—

1.—The word "*Child*" shall be taken to signify every person being or appearing to be under twelve years of age.

2.—The words "*Insane person*" shall be taken to signify any idiot or other person of unsound mind.

FORM A.

CHILD FOUND.

Where _____
When _____
Sex _____
Name (if known) _____
Apparent Age _____
Complexion _____
Hair (Colour of) _____
Particular marks on the person _____
Dress and marks thereon _____
Any Statement made by the child as to its abode _____
_____
_____
Now in _____ Workhouse.
_____ Day of _____ 18 .

FORM B.

INSANE PERSON FOUND.

Where _____
When _____
Sex _____
Name (if known) _____
Apparent Age _____
Complexion _____
Hair (Colour of) _____
Particular marks on the person _____
Dress and marks thereon _____
Any Statement made by the Insane Person as to his or her abode _____
_____
_____
Now in _____ Workhouse _____
_____ Day of _____ 18 .

SCHEDULE.

Containing the Names of the Unions and Parishes to which the present Order belongs.

LIST OF UNIONS AND PARISHES		
UNIONS	PARISHES	
Hackney. Holborn. Kensington. London, City of. Olave's, St. Poplar. Saviour's, St. Stepney. Strand. Wandsworth and Clapham. Whitechapel.	George, St., in the East. Matthew, St., Bethnal Green.	in the County of Middlesex.
	Giles, St., Camberwell. Mary, St., Lambeth.	in the County of Surrey.

Given, &c., this Third day of December, 1841.

DUTIES OF OVERSEERS ORDER.

(Dated 22nd April, 1842.)

To the Guardians of the Poor of the several Unions named in the Schedules hereunto annexed;—

To the Churchwardens and Overseers of the several Parishes and places comprised within the said Unions;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and places comprised within the said Unions are situate;—

And to all others whom it may concern.

We, the Poor Law Commissioners, in pursuance of the authorities vested in us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "An Act for the amendment and better administration of the laws relating to the poor in England and Wales," do hereby order, direct, and declare, with respect to each and every of the unions named in the Schedule hereunto annexed, as follows:—

Duties of the Overseers.

Art. 1.—If any overseer of the poor of any parish shall, in any case of sudden and urgent necessity,[1] have given temporary relief to any poor person in articles of necessity, or, in any case of sudden and dangerous illness, shall have given an order for medical relief, the said overseer shall forthwith report such case in writing to the relieving officer of the district or to the Board of Guardians of the

[1] See 4 & 5 Will. IV. c. 76, s. 54.

union, and the amount of such relief, or the fact of having made such Order.[1]

Art. 2.—If any overseer of the poor of the parish receive an Order under the hands and seal of two Justices, according to the provisions of the said Act,[2] directing relief to be given to any aged or infirm person, without such person being required to reside in any workhouse, he shall forthwith transmit the same to the relieving officer of the district to be laid before the Guardians at their next meeting, that they may be enabled without delay to give to the relieving officer the necessary directions as to the nature and amount of relief to be given.

Art. 3.—If any overseer receive an order for medical relief from any Justice in case of sudden and dangerous illness,[3] he shall, as soon as may be after complying with such order, report the fact of his having received the same, and the manner in which he has complied with it, in writing to the relieving officer of the district, or to the Board of Guardians of the union.

Art. 4.—To perform such duties in connection with the election of Guardians for the union as may be imposed upon the overseers by any regulations of the Poor Law Commissioners in force at the time.

Art. 5.—And we do further order and direct the overseers of the poor of every parish in the union—

Firstly.—From time to time to provide *Rate Books* according to the Form (A.) hereunto annexed ;[4] and daily and punctually to make the entries therein of the several matters mentioned

[1] In cases coming within the sec. 54 of 4 & 5 Will. IV. c. 76, relief granted by overseers should be charged in their own accounts, and the auditor will then have to decide upon its legality with reference to the circumstances under which it was given. The overseers will have to satisfy him in each case not only that it was urgent, but that it was also sudden, for an overseer is only justified in granting medical or other relief in cases which are both sudden *and* urgent.

[2] See 4 & 5 Will. IV. c. 76, s. 27 ; *Reg.* v. *Totnes*, 14 L. J. M. C. 148 ; 7 Q. B. 690 ; 2 New Sess. Cas. 82, and *Reg.* v. *Durham*. 4 N. S. C. 437, and "Glen's Poor Law Statutes," vol. 1, p. 546.

[3] See 4 & 5 Will. IV. c. 76, s. 54, and Art. 215, No. 7, of the General Consolidated Order of July 24, 1847, p. 454, *ante*.

[4] See now with regard to the form of the Rate Book the note to Art. 1 of the General Order for Accounts of January 14, 1867, *ante*, p. 579.

in the headings of the several columns of the said Form ; and to cause every rate for the relief of the poor in the parish, and the allowance of such rate by the Justices, to be recorded in the said Rate Book.[1]

Secondly.—To pay over from time to time, out of the poor rates collected, all such sums as by any Order by the Guardians expressed to them in writing, according to the Form set forth in the Order of the Poor Law Commissioners, bearing date the twentieth day of April instant, shall be directed to be provided from the poor rates of the parish ; and to pay over such sums to such person or persons, at such times and places as by the same Order shall be directed, and to take the receipt of such person or persons : and to produce such order and such receipt as their vouchers for such payments before the auditor of the said union in passing the quarterly accounts.[2]

Thirdly.—(*This had reference to the accounts of the Overseers, and it is not now in force.*)

Fourthly.—(This had reference to the sending of names and addresses of owners and proxies sending statements of their claims to vote, and the assessment of the poor rate on the property in respect whereof they respectively claim to vote. It has been rendered unnecessary by the Provisions of the Local Government Act, 1894, as to elections of Guardians.)

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[1] The Form of Rate Book prescribed by this Order was altered by the Poor Law Accounts Order of March 17, 1847 ; and again by an Order of November 18, 1850, to meet the requirements of the Small Tenements Rating Act. The Order of Accounts of January 14, 1867, *ante*, pp. 579 and 632, prescribes the form of Rate Book now to be used ; see, however, the note to Art. 1 of that Order, *ante*, p. 579.

[2] The Order here referred to was rescinded by the General Consolidated Order of July 24, 1847, Arts. 81, 82, and 83 of which, *ante*, p. 261, contain provisions regarding making of Contribution Orders on the overseers. The form in which the Contribution Order is required to be made is now prescribed by the Order of the Poor Law Board, dated February 26, 1866, *ante*, p. 571. The overseers should be careful to pay money in obedience to an Order of the Guardians of the union, to the treasurer of the union upon his receipt alone. Otherwise, if the money be misapplied before it comes into the hands of the treasurer, the overseers may be held personally responsible for the amount ; besides which, no other receipt than that of the treasurer will suffice at the audit.

Explanation of Terms.

Art. 6.—Whenever the word "Union" is used in this Order, it shall be taken to include not only any union of parishes formed under the provisions of the hereinbefore-recited Act, but also any union of parishes incorporated or united for the relief or maintenance of the poor under any local Act of Parliament.

Art. 7.—Whenever the word "Guardian" is used in this Order, it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the said hereinbefore-recited Act, but also any governors, directors, managers, or acting Guardians entitled to act in the ordering of relief to the poor from the poor rates under any local Act of Parliament.[1]

Art. 8.—Whenever the word "Parish" is used in this Order, it shall be taken to include any place maintaining its own poor, whether parochial or extra-parochial.[2]

Art. 9.—Whenever the word "Overseer" is used in this Order, it shall be taken to include any person acting or legally bound to act in the discharge of any of the duties usually performed by overseers of the poor, so far as such duties are referred to in this Order.

Form A.

[This form is now superseded; see Art. 1 of the General Order for Accounts; see *ante*, pp. 579 and 632. Schedule A. thereto also.]

Form B.

[This form was that of the Book for Registry of Owners of Property and Proxies, the keeping of which has been rendered unnecessary by the provisions of the Local Government Act, 1894, with respect to elections of Guardians.]

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[1] This latter definition of the word Guardian has reference to the Incorporations mentioned in the Schedule.

[2] See 20 Vict. c. 19, as to places which were formerly extra-parochial, but which are now parishes for the purposes mentioned in that Act; also 52 & 53 Vict. c. 63, s. 5.

SCHEDULE.

Containing the names of the unions to which the present Order applies.

[The unions in this Schedule are those specified in the Schedule to the General Consolidated Order of July 24, 1847, *ante*, p. 474 (excepting the Ashbourne, Ashton-under-Lyne, Farnham, Fulham, and Rochdale Unions), but with the addition of Bury St. Edmunds, East and West Flegg, Forehoe, and Mutford and Lothingland Incorporations.][1]

Given &c., this Twenty-second day of April, 1842.

A General Order similar to the foregoing was issued on May 11, 1842, to the following single parishes :—

Alston-with-Garrigill.
East Stonehouse.
Liverpool.
St. George-in-the-East.
St. Giles, Camberwell.
St. Luke, Chelsea.
St. Mary, Lambeth.
St. Matthew, Bethnal Green.

On February 22, 1852, a General Order, nearly similar to the foregoing, was issued by the Poor Law Board to the following parishes, townships, and hamlet :—

Parish of Paddington.
Parish of St. John, Hampstead.
Parish of St. Mary Abbotts, Kensington.
Township of Leeds.
Township of Manchester.
Township of Toxteth Park.
Hamlet of Mile End Old Town.

And on April 28, 1858, a General Order similar to that of February 22, 1858, was issued to the following unions which were declared subsequently to the issue of the General Order of April 22, 1842 ; namely,—

Ashbourne.
Barnsley.
Barton-upon-Irwell.
Bedwellty.
Farnham.
Fulham.
Gower.
Great Ouseburn.

[1] The Mutford and Lothingland Incorporation was made a union by an Order dated February 21, 1893, and the foregoing Order was applied to such union by an Order dated March 18, 1893.

Hawarden.
Hemsworth.
Holyhead.
Kirkby Moorside.
Knaresborough.
North Bierley.
Oldham.
Penistone.
Prestwich.
Ripon.
Rochdale.
Samford.
Whitchurch (Salop).

On April 9, 1875, a further similar General Order was issued to the following unions, viz. :—

Aysgarth.
Chester.
East Preston.
Forden.
Holbeck.
Hunslet.
Isle of Wight.
Leeds.
Lunesdale.
Norwich.
St. George's.
Smallburgh.
Westminster.
Woolwich.

Also separate Orders to the Middlesborough Union, dated July 16, 1875, the Pontardawe Union, dated April 12, 1875, and to the parish of Barrow-in-Furness, dated April 15, 1876.

The Order of April 22, 1842, has been applied to the following unions by orders issued on the dates set opposite their names, viz. :—

Great Yarmouth	March 20, 1891.
Grimsby	April 3, 1890.
Mutford and Lothingland	March 18, 1893.
Saddleworth	December 22, 1894.
Stoke-upon-Trent	December 19, 1894.
Whittlesey	December 19, 1894.

COLLECTOR OF POOR RATES ORDER.

To the Guardians of the Poor of the ——— Union, in the County of ——— ;—

To the Churchwardens and Overseers of the poor of the parish of ——— in the said union ;

And to all others whom it may concern.

We, the Local Government Board, acting under the authority of the several statutes in that behalf made and provided, having received an application from the Guardians of the poor of the ——— Union, in the county of ———, to direct the appointment of a paid collector of the poor rates in the parish of ——— within the said union, hereby order and direct the said Guardians, *within one calendar month from the date hereof*, to appoint a fit and proper person to collect the rates assessed for the relief of the poor in the said parish, to be termed Collector of the Poor Rates.

And we further order with respect to such appointment, as follows ; that is to say,[1]—

MODE OF APPOINTMENT.

Art. 1.—Every officer to be appointed under this Order shall be appointed by a majority of the Guardians present at a meeting of the Board, and voting on the question of such appointment.

Every such appointment shall, as soon as the same has been made, be reported to the Local Government Board by the clerk.

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[1] In many instances the Order for the appointment of a collector of poor rates, and prescribing his duties, &c., varies from the present form of Order. In each case it is therefore necessary that the Order actually issued should be consulted. The above Form is inserted only to show the nature of the Order.

Art. 2.—Previous to an appointment to the aforesaid office being made under this Order, a notice that the question of making such appointment will be brought before the Board of Guardians shall be given and entered on their minutes, at one of the two ordinary meetings of the said Board next preceding the meeting at which the appointment is made, or an advertisement giving notice of the consideration of such appointment, shall be inserted in some public newspaper, by the direction of the Guardians, at least seven days before the day on which such appointment is made. Provided that no such notice or advertisement shall be necessary for the appointment of a temporary substitute.

QUALIFICATION.

Art. 3.—Every person who shall be appointed to the office of collector under this Order shall agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted, as liquidated damages, from the amount of salary due at the time of such resignation.

DUTIES OF THE OFFICER.

Art. 4.—The duties of the collector shall be—

No. 1. To assist the churchwardens and overseers in making, assessing, and levying the poor rates of the said Parish.

No. 2. To collect the poor rates from the parties assessed thereto in the said Parish.[1]

No. 3. To assist the said churchwardens[2] and overseers in filling

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[1] It is the duty of a collector on his appointment to collect all arrears of poor rates then remaining to be collected, and to make all the requisite entries in his account book and in the poor rate books, so far as the information he possesses or can obtain will enable him.

The collector is not bound to take the rate book with him when he collects the rate; but any ratepayer can obtain an inspection of the books in the manner provided for by 17 Geo. II. c. 3, s. 2; 17 Geo. II. c. 38, s. 1; 6 & 7 Will. IV. c. 96, s. 5; and 6 & 7 Vict. c. 18, s. 16. The duties of the collector under this Order are confined to the collection of the poor rate; and therefore it forms no part of his duty to make and collect a gas rate under 3 & 4 Will. IV. c. 90. As regards the collection of the county rate in a Parish situate partly within and partly without a borough, see the provision in 15 & 16 Vict. c. 81, s. 32.

[2] The churchwardens having by virtue of Section 5 (2) of the Local Government Act, 1894, ceased to be overseers, have now no duties to perform as such in which they will require the assistance of the collector.

up receipts, keeping all books, and making all returns which relate to any matter concerning the poor rates of the said parish.

Art. 4.—No. 4. At all times, when required by such churchwardens and overseers to produce to them respectively the rate books and other account books in his custody relating to the said parish, and to balance the said rates, and to furnish the said churchwardens [1] and overseers of the poor and the Board of Guardians with a true list of all defaulters in the payment of poor rates due to such parish, and under their direction to institute and attend to proceedings against such defaulters.[2]

No. 5. To attend the meetings of the Guardians of the said union, when required by them, and to obey all lawful orders and directions of such Guardians and of the majority of the said churchwardens and overseers of the poor.[3]

No. 6. To perform all the duties prescribed by the Poor Law

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[1] See the note (2) to Art. 4, No. 3, *ante*, p. 1272.

[2] The collector, it will be perceived, is to institute and attend to proceedings against defaulters under the direction of the overseers. He should therefore do so under the direction of the majority of the overseers (see 7 & 8 Vict. c. 101, s. 61). According to the Form in 12 & 13 Vict. c. 14, the summons should, however, be in the names of the overseers.

Warrants of distress for the recovery of poor rates are not directed to the collector, and he is therefore not obliged to execute them nor to see to their execution. The overseers are to see that this is done, but as they are not the proper persons to seize and sell the goods, it is competent for them to employ a proper broker to make the levy. If he recovers the rate, it will be his duty to pay the amount over to the churchwardens and overseers. The collector, however, as he will not have collected the amount, will not be entitled to claim poundage on the amount that the broker recovers.

By statute 39 & 40 Vict. c. 61, s. 38, in all cases where a warrant of distress is issued for the recovery of a poor rate, the person against whom the same is issued shall be liable to pay the cost of such warrant and of the broker or other officer for his attendance to make the levy, although such person may tender the amount of the rate before any levy is made.

A person to whom a warrant of distress for poor rates is issued has no power to delegate his authority to levy the distress to another person. If, therefore, he hands the warrant over to another person who executes it, the latter person will, in executing it, commit a trespass; and if, in the execution of the warrant, he commits an assault, he will be liable to be convicted. *Symonds* v. *Kurtz*, 61 L. T. N.S. 559; 53 J. P. 727.

[3] With reference to this regulation, the Poor Law Board say that a direction of the Guardians to the collectors to produce their rate and other books when they attend before the Guardians, appears to be a "lawful Order" within the meaning of the regulation (56 O. C. N.S. 67).

Board in their General Order, dated the fourteenth day of January, One thousand eight hundred and sixty-seven,[1] so far as the same relates to the office of collector of poor rates, and all rules, Orders, and regulations to be hereafter issued by the Local Government Board applicable to his office.[2]

REMUNERATION OF THE OFFICER.

Art. 5.—The Board of Guardians shall pay to the officer appointed to the office of collector under this Order a salary of _____ pounds per annum, and charge the same to the said parish.[3]

Art. 6.—The salary of such officer shall be payable from the day on which he commences the performance of his duties up to the day on which he ceases to hold such office, and no longer, and shall be paid by quarterly payments at the several quarters ending at the usual feast days in the year, namely, Christmas Day, Lady Day, Midsummer Day, and Michaelmas Day, with a proportionate sum to be paid to his executors or administrators in case he shall die while holding such office; but it shall be competent for the Guardians to defer, in whole or in part, the payment of the salary of such collector until his accounts shall have been audited and allowed by the auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall forthwith be paid.[4]

Art. 7.—No collector who may be suspended, and who shall, upon

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[1] See the General Order for Accounts, *ante*, p. 585.

[2] With regard to other duties of a collector of poor rates, the following provision in the Watching and Lighting Act may be quoted:—"Where any persons other than the overseers of the poor shall by virtue of any office or appointment be authorised and required to make and collect or cause to be collected the rate for the relief of the poor in any Parish to which all or any of the provisions of this Act shall be extended such persons, by whatever title they may be called, shall be deemed to be overseers of the poor within the meaning of this Act and to be included under and denoted by the words 'Overseers of the Poor' for all the purposes of this Act as fully as if they were commonly called or known by the title of overseers of the poor" (3 & 4 Will. IV. c. 90, s. 37).

[3] Sometimes the Order provides that the collector shall be paid by a poundage on the poor rates collected. It may be stated here that the salary or other remuneration of the collector appointed under this Order must be paid by the Guardians, and charged by them to the particular Parish, and not by the overseers of the Parish.

[4] This must now be read with reference to the Accounts Order of January 14, 1867, *ante*, p. 615.

such suspension, resign, or be removed by the Poor Law Board shall be entitled to any salary from the date of such suspension ; and no such officer who shall be temporarily suspended from his office, by reason of his services not being required, shall be entitled to any salary pending such temporary suspension.

SECURITY.

Art. 8.—The person appointed to such office shall give a bond in such penal sum as the said Guardians shall think fit, in the names of himself and two sufficient sureties, not being officers of the aforesaid union, conditioned for the due and faithful performance of the duties of the office ; and every such collector shall give immediate notice to the said Guardians of the death, insolvency, or bankruptcy of either of such sureties, and shall, when required by the said Guardians, produce a certificate, signed by two householders, that his sureties are alive and believed by them to be solvent, and shall supply a fresh surety in the place of any such surety who may die, or become bankrupt or insolvent. Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorised by statute to guarantee or secure the faithful discharge of the duties of any Poor Law officer.[1]

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[1] See the General Order, dated January 21, 1871, *ante*, p. 803 ; also the General Order of February 2, 1872, *ante*, p. 831, as to the Guarantee Societies being accepted as security for Poor Law officers. As to the liability of sureties of a collector of poor rates for loss occasioned by his neglect of duty, see *Mansfield Union* v. *Wright*, L. R. 9 Q. B. D. 683 ; 47 L. T. N.S. 602 ; 47 J. P. 228 ; and the *Mayor of Durham* v. *Fowler* in the note on p. 374, *ante*.

With regard to the appointment of assistant overseers under 59 Geo. III. c. 12, sec. 7, the Poor Law Board, in a circular dated March 17, 1871, addressed to the overseers of the poor, stated that their attention had been directed to the fact that in some parishes the assistant overseer appointed under 59 Geo. III. c. 12, s. 7, in pursuance of an arrangement with the vestry, devoted a part of his salary in payment of remuneration or compensation to the elected Guardian of the parish for his attendance at the Board of Guardians. The Board directed inquiries to be held by a Poor Law inspector into the practice as alleged to prevail in the Holyhead and Conway Unions. The result had been to establish that it did prevail very extensively in those unions ; and the Board had reason to believe that it also existed elsewhere. The Board considered it right to express their strong condemnation of the practice in question, and to warn any assistant overseer who might make himself a party to such proceedings, that they would deem him guilty of a breach of duty if he should thenceforth pay over any part of his salary to any Guardian and would further

CONTINUANCE IN OFFICE AND SUSPENSION OF OFFICER—SUPPLY OF VACANCY.

Art. 9.—Every Collector shall hold the said office until he shall die or resign or be removed by the Local Government Board, or be proved to be insane by evidence which such Board shall deem sufficient : and upon such death, resignation, removal, or insanity of any such officer, the said Guardians shall give notice thereof to the Local Government Board, and proceed to appoint some person in his place, according to the provisions of this Order ; and in every case of a resignation, the said Guardians shall transmit to the Local Government Board a statement of the cause of such resignation, so far as it may be known to them.

Art. 10.—The said Guardians may, at their discretion, suspend from the discharge of his duties any such collector, and shall in case of every such suspension, forthwith report the same, together with the cause thereof to the Local Government Board, for their decision thereon ; and if the Local Government Board remove the suspension of such collector by the Guardians, he shall forthwith resume the performance of his duties.

Art. 11.—If the said Guardians, having regard to the state of any parish or parishes in the union shall at any time deem it necessary to make any change in the appointment of any collector under this Order, or if there shall be any alteration in the general law or rating which may render a change in the appointment or remuneration of the collector expedient, but the collector shall refuse to acquiesce therein, the Guardians may, with the consent of the Local Government Board, but not otherwise, and after six months' notice in writing, signed by their clerk, given to such collector, determine his office.

Art. 12.—If any such collector be at any time prevented, by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his

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deem him to be unfit for his office, and deal with him accordingly under the powers which had been conferred upon them in that behalf.—First Report of the Local Government Board, page 4.

temporary substitute, and may pay such person a reasonable compensation for his services; and every such appointment, with a statement of the circumstances which have led to it shall be reported to the Local Government Board, as soon as the same shall have been made, by the clerk to the Guardians.

Given under our Hands and Seal of Office, &c.

*** *The unions and parishes to which Orders for the appointment of collectors of poor rates have been issued by the Poor Law Commissioners, Poor Law Board, and Local Government Board are very numerous, and would occupy too much space to state them in detail. Local information would supply the necessary particulars as to any such Orders; but see the Order of the* 15*th November*, 1867, *ante*, *p.* 762.

PAY-CLERK OF THE POOR ORDER.[1]

To the Guardians of the Poor of the Parish of ———, in the County of ——— ;—

To the Churchwardens and Overseers of the Poor of the said Parish ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Parish is situate ;—

And to all others whom it may concern.

We, the Local Government Board, acting under the authority of the several statutes in this behalf made and provided, do hereby order and direct the Guardians of the poor of the——— in the county of ——— *within one calendar month from the date hereof*, to appoint a fit and proper person for the distribution of relief to the poor of the said ———, to be termed the Pay-clerk of the poor of the said .

And we do further Order, with respect to such appointment as follows ; that is to say,—

Qualification.

Art. 1.—Every person who shall be appointed to the office of Pay-clerk under this Order shall agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted, as liquidated damages, from the amount of salary due at the time of such resignation.

[1] This form of Order is in accordance with the Order issued to a particular parish under a Board of Guardians ; but the Order differs in some of the unions, and should be referred to in practice.

MODE OF APPOINTMENT.

Art. 2.—Every person who shall be appointed to the office of Pay-clerk under this Order, shall be appointed in like manner, and subject to the same rules and regulations as are required for the appointment of officers under an Order of the Poor Law Board, bearing date the ——— day of ———, One thousand eight hundred and ———, and addressed to the Guardians of the poor of the said ———.[1]

DUTIES OF THE OFFICER.[2]

Art. 3.—The duties of the Pay-clerk shall be as follows, namely :

No. 1. To attend at the office provided by the said Guardians for the distribution of relief to paupers, at such times as the said Guardians shall require, and to distribute from the funds and stores under his care the relief ordered by them to be given to the paupers of the said ———, on receiving from the several relieving officers of the said ——— tickets according to the Form (A.) hereunto annexed, in which the relief ordered by the said Guardians to be given to the poor persons presenting the same at such office shall have been properly entered.

No. 2. To keep punctually and accurately a book, to be called "The Pay book," in the form (B.) hereunto annexed, and enter therein the sums of money given in relief, and the value of relief in kind given by him to every person presenting a ticket for relief as aforesaid, such entry to be made after, and not before, the relief shall have been actually given ; and to keep a separate account in such book of relief paid to the non-settled poor.

No. 3. To keep punctually and accurately a book, to be called "The Pay-clerk's Receipt and Expenditure Book," in the Form (C.)

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[1] See Art. 155, &c., of the General Consolidated Order, *ante*, p. 348.

[2] The duties of the pay-clerk must be strictly confined to those prescribed by the Order ; and he must not be employed in any of the duties which appertain to the other officers. He is not empowered to give orders for relief, and must therefore abstain from doing so ; and the books which he is to keep do not supersede in any way the books to be kept by any other officer.

hereunto annexed, and to enter therein all moneys received and disbursed by him, and all tickets for relief discharged by him ; and to balance such account weekly.

Art. 3.—No. 4. To present his accounts weekly to the clerk to the Guardians of the said _____ for his inspection and authentication, before every ordinary meeting of the Guardians, and to the Guardians, at such meeting, for their approval.

No. 5. To submit to the auditor all his books, accounts, and vouchers, at the time and place of audit.

No. 6. To attend the meetings of the Guardians of the said _____ when required by them.

No. 7. To observe and execute all lawful orders and directions of the Guardians applicable to his office.

No. 8. To perform all the duties prescribed by any rules, orders, and regulations which may be issued by the Poor Law Board applicable to his office.

Remuneration of the Officer.

Art. 4.—The Board of Guardians shall pay to the officer appointed under this order to the office of Pay-clerk, an annual salary of _____ pounds, and charge the same to the said _____ .

Art. 5.—The salary of such an officer shall be payable up to the day on which he ceases to hold such office, and no longer, and shall be paid by quarterly payments at the several quarters ending at the usual Feast Days in the year, namely, Christmas Day, Lady Day, Midsummer Day, Michaelmas Day, with a proportionate sum to be paid to his executors or administrators in case he shall die while holding such office ; but it shall be competent for the Guardians to defer in whole or in part the payment of the salary of such Pay-clerk until his accounts shall have been audited and allowed by the auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall forthwith be paid.

No Pay-clerk who may be suspended, and who shall, upon such suspension, resign or be removed by the Poor Law Board, shall be entitled to any salary from the date of such suspension ; and no such officer who shall be temporarily suspended from his office by reason

of his services not being required, shall be entitled to any salary pending any such temporary suspension.

Art. 6.—The said officer shall not, directly or indirectly, receive or bargain to receive any gratuity, percentage, or allowance of any kind with reference to any contract with the Guardians, or in respect of any payment made or to be made for goods supplied or work executed according to the order of such Guardians, or on their behalf.

SECURITY.

Art. 7.—The person appointed to such office shall give a bond in such penal sum as the said Guardians shall think fit, in the names of himself and two sufficient sureties, not being officers of the aforesaid ——, conditioned for the due and faithful performance of the duties of the office; and he shall give immediate notice to the said Guardians of the death, insolvency, or bankruptcy of either of such sureties, and shall, when required by the said Guardians, produce a certificate, signed by two householders, that his sureties are alive, and believed by them to be solvent, and shall supply a fresh surety in the place of any such surety who may die, or become bankrupt or insolvent: Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorised by statute to guarantee or secure the faithful discharge of the duties of any Poor Law Officer.[1]

CONTINUANCE IN OFFICE AND SUSPENSION OF OFFICER.—SUPPLY OF VACANCY.

Art. 8.—Every officer appointed under this Order shall hold the said office until he shall die, or resign, or be removed by the Poor Law Board, or be proved to be insane, by evidence which such Board shall deem sufficient; and upon such death, resignation, removal, or insanity of any such officer, the said Guardians shall give notice thereof to the Poor Law Board, and proceed to appoint some person in his place, according to the provisions of this Order,

[1] See Art. 185 of the General Consolidated Order, *ante*, p. 373.

and in every case of resignation, the said Guardians shall transmit to the Poor Law Board a statement of the cause of such resignation, so far as it may be known to them.

Art. 9.—The said Guardians may, at their discretion, suspend from the discharge of his duties any such Pay-clerk, and shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to the Poor Law Board for their decision thereon; and if the Poor Law Board remove the suspension of such Pay-clerk by the Guardians, he shall forthwith resume the performance of his duties.

Art. 10.—If any officer appointed under this Order be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay such person a reasonable compensation for his services; and every such appointment, with a statement of the circumstances which have led to it, shall be reported to the Poor Law Board, as soon as the same shall have been made, by the Clerk to the Guardians.

Art. 11.[1]—The auditor of the district comprising the said——— shall, in the statement required by the General Order of the Poor Law Board, dated the 14th day of January, 1867, to be transmitted to the Poor Law Board of the securities of the officers of the said ———, include the name of the Pay-clerk for the time being appointed under the authority hereof, together with the particulars in the said General Order required, and shall report thereon to the Board of Guardians of the said——— in like manner as therein set forth with reference to the securities of other officers.

Art. 12.—Provided, that if at any time hereafter the Guardians should deem it advisable to discontinue the employment of a Pay-clerk for the parish, and shall give three months' notice of such their intention to the person for the time being holding such office, and the Poor Law Board shall consent to rescind this Order, the office shall terminate at the expiration of such notice.

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[1] This Article, however, is not in all the Orders issued authorising the appointment of a Pay-clerk.

FORM A.

Out-Relief Ticket.

Parish of _____.

Mr. _____ pay to _____

the following Relief, viz.

18 .

Week	Money	Loaves	Week	Money	Loaves	Week	Money	Loaves
1 (Date)			1 (Date)			1 (Date)		
2 (Date)			2 (Date)			2 (Date)		
3 (Date)			3 (Date)			3 (Date)		

_____ Signature of Relieving Officer.

FORM B.

Pay Book.

_____ of _____ .

Half-year ending _____.

_____, Pay-clerk.

Name of the Pauper	Where resident	1st Week, ending		2nd Week, etc. to 13th Week	Totals for the First Quarter		1st Week, ending		2nd Week, etc. to 13th Week	Totals for the Second Quarter		Totals for the Half-year	
		In Money	In Kind		In Money	In Kind	In Money	In Kind		In Money	In Kind	In Money	In Kind
Weekly Totals .													
					£ s. d.					£ s. d.		£ s. d.	
							Initials of Clerk			Correct		Correct	

Instructions as to filling up this Form.

1. The same person is on no account to be entered twice in the half-year.
2. In the Column headed "Name of the Pauper," the name of the head of the family alone is to be inserted.
3. For relief in kind enter its equivalent value in money.

FORM C.

The Pay-clerk's Receipt and Expenditure Book.

_____of_____.

_____Week of the Quarter ending_____18 .

Pay-clerk in account with the Board of Guardians of the _____of_____.

Dr.				*Cr.*		
Date	Money received, and Tickets discharged			Charge to the_____.		

Given under our Hands and Seal of Office, &c.

Orders authorising the appointment of Pay-clerks have been issued to the following places, on the dates undermentioned :—

Birmingham	January 10, 1850.
Bradford (Yorkshire)	June 23, 1853.
Bedwellty	April 9, 1878.
Chorlton	July 18, 1862.
Church Stretton	November 27, 1866.
Cirencester	July 18, 1862.
Hackney	November 12, 1868.
Halifax	January 14, 1875.
Holborn	March 19, 1870.
Leeds [1]	October 11, 1869.
Manchester [2]	May 31, 1850.

[1] Altering Form of Accounts by Order dated March 30, 1870.

[2] The Order here referred to is the Consolidated Order issued to Manchester (*ante*, p. 482) which contains the Articles and Forms relating to the Pay-clerk.

Merthyr Tydvil	September 5, 1873.
Pontardawe	May 12, 1875.
Portsea Island	October 10, 1876.
Preston (for the Township of Preston only	March 9, 1860.
Saint Giles-in-the-Fields and St. George, Bloomsbury	August 17, 1868.
Saint George-in-the-East	September 20, 1869.
Saint Leonard, Shoreditch	August 14, 1860.
Saint Marylebone	March 12, 1869.
Saint Mary, Islington	January 22, 1869.
Saint Matthew, Bethnal Green	December 12, 1867.
Toxteth Park	November 19, 1866.
West Derby (two Townships) and the municipal part of the Township of West Derby	June 26, 1861.

*** In acting upon these Orders, the originals, in the possession of the respective Boards of Guardians, should be consulted.

APPOINTMENT OF STOCKTAKER ORDER.

(Dated 26th September, 1876.)

To the Guardians of the Poor of the Cardiff Union, in the Counties of Glamorgan and Monmouth ;— [1]

And to all others whom it may concern.

Whereas by General Orders of the Poor Law Board, dated respectively the 14th day of January, 1867, and the 16th day of February, 1869, addressed (among others) to the Guardians of the poor of the Cardiff Union, it is required that certain accounts relating to the provisions, clothing, and other stores in the workhouse, when made up and balanced, shall be submitted to the visiting committee, or to some member thereof, who shall enter a memorandum at the foot of such accounts, certifying to the same having been submitted, and to the correctness or otherwise of such accounts as regards the stock remaining in store :

And whereas it is expedient to empower the said Guardians to appoint a competent person or persons to examine the stores at the workhouse and school belonging to the said union, and to perform the other duties hereinafter set forth :

Now, therefore, We, the Local Government Board, in pursuance of the powers given by the statutes in that behalf hereby Order as follows :

Art. 1.—The Guardians of the poor of the Cardiff Union may, as and when they shall think fit to do so, appoint a competent person

[1] This Order is, it will be seen, issued to a single union. It is given as an example of such an Order having been issued.

or persons to perform the duties of a Stocktaker, as hereinafter set forth.

Art. 2.—Every such appointment shall be made in the manner prescribed by the regulations as to the appointment of officers in force in the said union for the time being.

Art. 3.—The Guardians shall pay to the person or persons appointed under this Order such salary or remuneration as the Local Government Board shall from time to time direct or approve.

Art. 4.—Every person appointed under this Order shall hold office until he shall die, or resign, or be removed by the Local Government Board, or by the Guardians with the assent of the Local Government Board, or be proved to be insane by evidence which the Local Government Board shall deem sufficient ; and upon such death, resignation, removal, or insanity of any such officer, the Guardians shall give notice thereof to the Local Government Board, and in every case of a resignation state the cause of such resignation, so far as it may be known to them.

Art. 5.—The Stocktaker shall, on the day next after the termination of each quarter, and at any other time when required by the Guardians to do so, examine the stores at the workhouse and at the school, and compare the same with the quantities of stock remaining in store as shown by the entries in the proper columns in the accounts termed respectively the "Quarterly Balance of the Provisions Account" and the "Quarterly Balance of the Necessaries and Miscellaneous Account."

He shall also, on the day next after the termination of each half-year, and at any other time when required by the Guardians to do so, examine the stock of clothing at the workhouse and at the school, and compare the same with the balance appearing in the accounts termed respectively the "Clothing Materials Receipt and Conversion Account" and the "Clothing Receipt and Expenditure Account."

Art. 6.—After making the examination and comparison referred to in Article 5, the Stocktaker, if he find the stock to be correct, shall sign a certificate at the foot of each of the aforesaid accounts in the following form :—

"Submitted to me this day of 18 , and "found to be correct as regards the quantities of stock remaining in "store.

"Signed _____

"Stocktaker."

If he find the stock to be in any respect incorrect, he shall make such addition to the said certificate as he may deem necessary, specifying the particulars in which he finds the quantities of stock to be incorrectly stated.

Art. 7.—The master of the workhouse and the master of the school shall, when required by the Stocktaker to do so, on the days and at the times referred to in Article 5, submit to him the stores and accounts therein mentioned, and render to him such assistance as may be necessary for the purpose of such examination and comparison as aforesaid.

Art. 8.—The master of the workhouse and the master of the school shall lay each of the said books of account before the Guardians, at their next meeting after the date of the entry therein of any such certificate as aforesaid.

Art. 9.—Where a Stocktaker is appointed it shall not be necessary for the visiting Committee to examine the stores or to enter in any account the memorandum required by the first-recited Order.

Given, &c., the Twenty-sixth day of September, 1876.

This Order was published in the *London Gazette* of Friday, the Twenty-ninth day of September, 1876 on which day the same came into operation.

RELIEF COMMITTEES ORDER.

(Form of Order.)

To the Guardians of the Poor of the ——— UNION, in the County of ——— ;

To the Churchwardens and Overseers of the Poor of the several Parishes, Townships, and Places comprised in the said Union ;—

And to all others whom it may concern.

WHEREAS by a General Order, addressed (amongst others) to the Guardians of the poor of the ——— union, in the county of ——, bearing date the 24th day of July, in the year 1847, the Poor Law Commissioners made certain provisions to regulate the meetings of the Guardians of the poor of the said union, and the proceedings of the Board of such Guardians, by reason whereof the relief to all the paupers belonging to the said union is exclusively controlled and managed by the whole of the said Guardians sitting as one Board :

And whereas in the said union the number of paupers requiring relief is at this time very large, and it is expedient that other provisions should be made in such behalf :

Now, therefore, in pursuance of the powers given in and by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales," We, the Poor Law Board, do hereby Order and direct as follows :—[1]

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[1] The Order contemplates that the determination of the Relief Committee in the cases adjudicated upon shall be reported to the Board of Guardians at the earliest convenient period. When a committee is sitting at the same time as the General Board, the report should be made then and there. On receiving the report, it would be competent to the Guardians to reverse or modify the

First.—That the Guardians of the poor of the said union may, at any ordinary meeting, form committees of themselves, and may from time to time assign to any one of such committees the whole or part of the district of any of the relieving officers of the said union in order that such committee may hear and determine all applications for relief on account of poor persons residing or being in the district which may have been so assigned to such committee, and may give all directions respecting the continuance of relief to poor persons belonging to such district, in such manner as the Guardians acting as a Board may now, or shall hereafter, be authorised to do.

Secondly.—That all the proceedings of such committee shall be entered into the Application and Report Book of the relieving officer of the district, and into some other book to be kept for this purpose, by the presiding chairman thereof, and such book shall be laid before the Board of Guardians at the same or at their next ordinary meeting, after each sitting of the said committee as may be the more convenient; and thereupon the clerk to the said Guardians shall enter on the minutes of the said Board of Guardians the fact of the same having been so laid before them.[1]

Provided that nothing in this Order contained shall at any time prevent the Guardians acting as a Board from rescinding or altering any Order of such committee in regard to relief not previously administered, or from considering and deciding on any application from any poor person, or determining on the continuance or cessation of any weekly or other allowance which shall not have been actually given.

Given under our Hand and Seal of Office, this_____ day of _____, in the year 18 .

_____, *President.*

_____, *Secretary.*

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decision of the committee in any case in which the relief ordered had not already been given; but the revision of the decisions of the committee should not take place until the committee have gone through and reported upon the whole of the cases.

[1] This Article, in so far as it affects unions and parishes in the Metropolis, is rescinded by the General Order of July 29, 1874, *ante*, p. 875.

Relief Committee Orders have been issued to the following Unions and Parishes :—

Altrincham	November 30, 1849.
Ashton-under-Lyne	November 24, 1847.
Aston	June 19, 1878.
Axbridge	June 24, 1880.
Barnsley	October 23, 1850.
Barnstaple	April 6, 1880.
Barrow-on-Soar	August 21, 1877.
Barton Regis	May 7, 1870.
Barton-upon-Irwell	January 10, 1880.
Basford	November 12, 1852.
Beaminster	March 11, 1880.
Bedminster	March 19, 1873.
Belper	October 26, 1863.
Biggleswade	January 28, 1870.
Birkenhead	July 15, 1881.
Birmingham	December 10, 1861.
Blackburn	January 30, 1862. February 18, 1862.
Blything	October 24, 1856.
Bodmin	August 15, 1857.
Bolton	January 6, 1848.
Boston	August 27, 1885.
Bradford (York)	November 27, 1847.
Bramley	May 19, 1870.
Brampton	August 28, 1884.
Bridgend and Cowbridge	April 21, 1884.
Burnley	April 7, 1870.
Burton-upon-Trent	August 26, 1874.
Bury	November 17, 1859. June 16, 1862.
Caistor	July 20, 1882.
Cambridge	March 7, 1856.
Cardiff	May 7, 1859.
Carlisle	March 19, 1853.
Chelmsford	February 22, 1858.
Chester	May 15, 1876.
Chesterfield	December 13, 1878.
Chesterton	March 22, 1856.
Chippenham	March 26, 1873.
Chorley	June 22, 1872.
Chorlton	December 29, 1858.
Clitheroe	October 3, 1857.
Cockermouth	August 18, 1855.
Cosford	March 11, 1856.

Croydon	July 3, 1885.
Cuckfield	April 30, 1884.
Depwade	June 17, 1856.
Dudley	June 4, 1883.
Durham	
Edmonton	November 30, 1869.
Ely	July 23, 1856.
Epsom	June 6, 1883.
Fulham	February 7, 1855.
Fylde	August 25, 1859.
Gainsborough	July 3, 1883.
Glanford Brigg	October 31, 1860.
Glossop	October 7, 1862.
Great Yarmouth	January 17, 1877.
Greenwich	October 22, 1856.
Hackney	December 17, 1866.
Halifax	March 2, 1847.
Haslingden	March 19, 1862.
Hexham	November 8, 1862.
Hitchin	November 13, 1856.
Holborn	August 8, 1873.
Holyhead	July 17, 1886.
Horsham	January 3, 1884.
Huddersfield	May 10, 1853.
Huntingdon	July 17, 1877.
Keighley	December 2, 1857.
Kingston	August 11, 1870.
Lancaster	January 9, 1847.
Leicester	December 1, 1883.
Leigh	January 26, 1848.
Lexden and Winstree	March 18, 1866.
Lincoln	January 7, 1882.
Linton	September 6, 1856.
Loughborough	September 2, 1874.
Luton	December 27, 1875.
Maidstone	July 11, 1861.
Malling	December 10, 1875.
Manchester	June 19, 1850.
Mansfield	May 21, 1862.
Monmouth	June 21, 1867.
Morpeth	June 9, 1869.
Newcastle-upon-Tyne	May 3, 1869.
Newmarket	April 19, 1856.
Newport (Monmouth)	March 18, 1869.
Newtown and Llanidloes	August 20, 1874.
Northwich	June 14, 1882.
Nottingham	November 29, 1856.

Oldham	November 22, 1847.
Paddington	June 25, 1869.
Peterborough	March 9, 1871.
Plymouth	December 23, 1867.
Plympton St. Mary	May 17, 1884.
Pontefract	May 12, 1870.
Poplar	October 29, 1866. November 7, 1868.
Prescot	July 14, 1886.
Preston	May 6, 1848.
Prestwich	June 27, 1862.
Pwllheli	August 1, 1848.
Restbridge	August 13, 1877.
Rochdale	January 29, 1859.
Runcorn	June 14, 1876.
Saffron Walden	February 18, 1856.
St. Asaph	June 14, 1856.
St. George's	April 30, 1870.
St. George's, Bloomsbury St. Giles-in-the-Fields	April 20, 1868.
St. Leonard, Shoreditch	January 15, 1868.
St. Mary Abbotts, Kensington	January 3, 1871. January 13, 1871. May 3, 1871. May 13, 1871.
St. Mary, Islington	July 4, 1867.
St. Mary, Lambeth	March 2, 1855.
St. Marylebone	July 31, 1867.
St. Matthew, Bethnal Green	February 29, 1868.
St. Olave's	June 20, 1872.
St. Pancras	June 8, 1867.
St. Saviour's	April 8, 1873.
Salford	May 8, 1883.
Sheffield	February 23, 1854.
South Shields	January 22, 1857.
Steyning	March 30, 1882.
Stockton	June 4, 1883.
Stourbridge	June 16, 1869.
Strand	May 15, 1868.
Stratford-upon-Avon	July 27, 1883.
Sudbury	March 22, 1856.
Sunderland	February 13, 1868.
Taunton	May 11, 1876.
Tendring	August 26, 1870.
Thingoe	July 14, 1856.
Thrapstone	April 30, 1870.
Tiverton	March 18, 1875.

Todmorden	July 10, 1848.
Tonbridge	November 26, 1870.
Toxteth Park	August 20, 1857.
Tynemouth	March 11, 1857.
Wandsworth and Clapham	March 16, 1855.
Wangford	April 16, 1856.
Warrington	May 4, 1861.
Warwick	August 30, 1858.
Watford	March 15, 1883.
Wells	June 9, 1882.
West Derby	November 13, 1856.
West Ham	April 14, 1859.
Westminster	May 15, 1868.
Wetherby	January 8, 1886.
Weymouth	March 16, 1882.
Wharfedale	August 24, 1872.
Whitehaven	January 21, 1884.
Wigan	May 15, 1848.
Wigton	January 16, 1856.
Wisbeach	November 4, 1852.
Wolverhampton	September 5, 1884.
Wycombe	May 28, 1866.

Further, with regard to duties of relief committees, see the General Order of September 5, 1877, regarding school fees, *ante*, p. 946. See also the form of Order with regard to Relief Committees and School Fees, *post*.

RELIEF COMMITTEES: SCHOOL FEES.

(Form of Order.)

To the Guardians of the Poor of the Holyhead Union in the County of Anglesey ;—
To the churchwardens and overseers of the poor of the several parishes comprised in the said union ;—
And to all others whom it may concern.

Whereas it is expedient that the Guardians of the poor of the said Holyhead Union should be empowered to appoint a committee or committees for the purpose of hearing and determining applications for relief by paupers belonging to that union, and that the committee or committees so appointed should be authorised to deal with the applications made by parents, not being paupers, for payment of school fees, whether such last-mentioned applications are made directly to the Guardians of the poor of that union or through an inquiry officer :

Now therefore, We, the Local Government Board, in pursuance of the powers given to us by the statutes in that behalf, hereby Order as follows, that is to say :—

Art.1.—The Guardians of the poor of the said union may at any ordinary meeting form one or more committee or committees, hereinafter termed the relief committee or relief committees, each consisting of not less than three Guardians, and may from time to time assign to any such relief committee the whole or part of the district of any of the relieving officers of the said union.

Art. 2.—Every relief committee shall meet at the same place as is appointed for the meetings of the Guardians, or at such other place

as the Guardians may appoint with our approval, and at such times as the Guardians shall appoint.

Art. 3.—Every relief committee shall at every meeting appoint one of themselves to preside as chairman at that meeting, and shall cause minutes of their proceedings to be kept in a book to be provided for that purpose by the Board of Guardians. The minute book shall be laid before the said Board of Guardians at each of their ordinary meetings.

Art. 4.—Any relief committee so appointed may hear and determine all applications for relief on account of poor persons residing or being in the district or part of the district which may have been so assigned to them, and may give all directions respecting the continuance of relief to poor persons belonging to such district or part of the district, in such manner as the Guardians of the union, acting as a Board, are now or may hereafter be authorised to do.

Art. 5.—The Guardians of the union may, if they think fit to do so, authorise any relief committee appointed as aforesaid, to deal with all applications for payment of school fees on account of parents, not being paupers, resident or being in the district or part of the district which may have been so assigned to such committee; and such committee shall thereupon hear and determine all such applications and give all directions respecting the continuance of the payment of the fees in such manner as the Guardians, acting as a Board, are now or may hereafter be authorised to do.[1]

Art. 6.—Nothing in this Order contained shall at any time prevent the Guardians, acting as a Board, from rescinding or altering any order of a relief committee in regard to relief not previously administered or to school fees not previously paid, or from considering and deciding on any application for relief from any poor person or any application for payment of school fees on account of any parent as aforesaid, or determining on the continuance or cessation of any weekly or other allowance of relief which shall not have been

[1] See now with regard to the payment of school fees by Guardians the note to Art. 41 of the General Consolidated Order of July 24, 1847, *ante*, p. 220.

actually given or any weekly or other fee which shall not have been actually paid.

Art. 7.—Every relieving officer or inquiry officer, as the case may be, whose district, or any part thereof, is assigned to a relief committee, shall submit to the committee at every meeting :—

In the case of an application for relief, the Application and Report Book, which he is required to keep by the General Order of the Poor Law Board, dated January 14, 1867 ;[1] and

In the case of an application for the payment of school fees as aforesaid, the School Fees Application and Report Book,[2] which he is required to keep by the General Order of the Local Government Board, dated March 22, 1877.

And with respect to every such application either for relief or for payment of school fees, a note of the decision or direction of the committee thereon, whether the application be made directly to the committee or through a relieving officer or inquiry officer, shall be inserted at the meeting of the committee in the proper columns of the Application and Report Book or the School Fees Application and Report Book, as the case may be, and authenticated in the proper column by the initials of one of the members of the committee or of the clerk or the assistant clerk to the Board of Guardians.

Art. 8.—A Relief Order Book according to the Form prescribed by the said General Order of the Poor Law Board, dated January 14, 1867, and a School Fees Order Book according to the Form prescribed by the said General Order of the Local Government Board, dated March 22, 1877, shall be kept for the use of each relief committee, and the first four columns in each of such books shall, as far as practicable, be entered up by the clerk or the assistant clerk before each meeting of the committee, and the remaining columns in each book, containing the particulars of the decisions or directions of the committee, shall be filled up at the meeting by one of the members of the committee or by the clerk or the assistant clerk, and be signed by the presiding chairman of the committee.

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[1] See Art. 23 (1) of the General Order for Accounts of January 14, 1867, *ante*, p. 605.

[2] See Art. 6, No. 4, of the Order of March 22, 1877, *ante*, p. 925.

Art. 9.—The Relief Order Book and the School Fees Order Book, filled up as above required, and signed by the clerk or the assistant clerk, shall be laid before the Board of Guardians at each of their ordinary meetings, and thereupon the clerk shall enter on the minutes of the Board of Guardians the fact of such books having been so laid before them.

Given, &c., this Seventeenth day of July, 1886.

Orders in the form of the foregoing Order have been issued to the Wetherby Union, dated January 8, 1886, the Prescot Union, dated July 14, 1886, and the Holyhead Union, dated July 17, 1886. The Order issued to the Prescot Union rescinded a previous Order issued to that union on May 28, 1877.

DISTRICT RELIEF COMMITTEES ORDER.[1]

(Form of Order.)

To the Guardians of the Poor of the ——— Union, in the County of ———;—

To the Churchwardens and Overseers of the Poor of the Parishes of ———, in the said Union;—

And to all others whom it may concern.

Whereas the Parishes of ——— are comprised in the ——— Union, in the County of ———, and are situated at a greater distance than four miles from the place of meeting of the Board of Guardians of the said Union.

Now, We, the Poor Law Board, by virtue of the powers given in and by the statutes in that behalf made and provided, and on the application of the said Board of Guardians, do hereby form the said parishes into a district for the purposes hereinafter mentioned, with reference to relief to the poor persons therein requiring the same.

And we do hereby direct the said Guardians, from time to time, to appoint a committee of their members for such district, to receive applications of poor persons therein requiring relief, and to examine into the cases of such poor persons, and to report to the said Guardians thereon.

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[1] With respect to this Order, see 5 & 6 Vict. c. 57, s. 7, which enacts that whenever the whole of any parish or parishes is situated at a greater distance than four miles from the place of meeting of the Board of Guardians of the union of which such parish or parishes may form part, it shall be lawful for the commissioners, on the application of the Board of Guardians, to form such parish or parishes into a district, and to direct the said Guardians from time to time to appoint a committee of their members to receive applications of poor persons requiring relief in such districts, to examine into the cases of such poor persons, and to report to the said Guardians thereon.

And we do hereby further order and direct that the said committee shall, when formed, appoint some convenient time and place within the said district, whereat all applications to such district committee shall be made and heard, and shall communicate the same to the clerk of the Guardians of the said Union, who shall cause notice thereof to be published in the said Parishes.

And we do further direct that the said committee shall, at every meeting appoint some one of themselves to preside thereat, as chairman, during that meeting, and shall take means to have minutes of their proceedings kept, so that the same may be duly reported to the Board of Guardians of the said Union.

And we do hereby further order and direct :

First.—That the relieving officers of the said Union within whose district the said Parishes or either of them shall be situated, shall attend upon the said committee, as and when the said committee shall hold their meetings, and shall examine into the cases for relief which shall be brought before the said committee, and shall report thereon to such committee in like manner, as prescribed by the Poor Law Commissioners, in their General Order, dated the seventeenth day of March, One thousand eight hundred and forty-seven, and in their General Order, dated the twenty-fourth day of July, One thousand eight hundred and forty-seven, in regard to all applications for relief made to the Board of Guardians.[1]

Secondly.—That each relieving officer shall enter into his Application and Report Book the recommendations of the said District Committee and report the same, with the cases, to the next meeting of the Board of Guardians.

Provided, nevertheless, that the examination or recommendation of any case by the said committee, shall not exonerate or discharge any such relieving officer from the duty imposed upon him, to relieve, or otherwise deal with every case occurring within his district, requiring relief, according to the manner prescribed by the said last-mentioned General Order.

And we hereby further order and direct, that the clerk to the

[1] See Art. 215, No. 2, of the General Consolidated Order of July 24, 1847, *ante*, p. 443.

said Guardians shall enter upon the minutes of the Board the reports of the said committee, and shall also enter the recommendations of such committee, contained in the Application and Report Book of the said relieving officer, in the Relief Order Book.

Given under our hand and seal of office, &c.

Orders similar to the foregoing have been issued to the following unions :—

Altrincham	November 30, 1849.
Ashton-under-Lyne	February 13, 1862.
Bootle	July 8, 1882.
Cardiff	April 12, 1862.
Cockermouth	August 18, 1855.
Colchester	January 15, 1870.
Congleton	August 1, 1846.
Holywell	February 14, 1856.
Ormskirk	June 27, 1869.
Runcorn	July 14, 1860.
Stockton	June 30, 1849.
Teesdale	July 12, 1848.
Ulverstone	August 20, 1874.
Williton	January 13, 1843.

MEMORANDUM. LOANS.—GUARDIANS OF UNIONS AND PARISHES NOT IN THE METROPOLIS.

(Dated 1st February, 1878.)

Loans for Workhouse purposes can now be obtained by Guardians of Unions and Parishes not in the Metropolis, under the following statutes :—

I.—The Poor Law Acts.
II.—The Public Works Loans Act, 1875.
III.—The Local Loans Act, 1875.

An explanation is given below as to the general effect of these statutes, and the course of proceedings to be adopted in each case.

I.—The Poor Law Acts.

The general powers of borrowing which were originally conferred upon Guardians by "The Poor Law Amendment Act, 1834" (4 & 5 Will. IV. c. 76, ss. 23 and 24), have been modified or extended by many subsequent Poor Law Statutes, the principal points in which alterations have been made being the following :—

(*a.*) The incidence of charge ;
(*b.*) The limitation of the amount of the loan ;
(*c.*) The period over which the repayment is extended, and the mode of repayment.

(*a.*) In the case of a union, all loans now obtained are, by the operation of section 4 of "The Unions Loans Act, 1869" (32 & 33 Vict. c. 45), chargeable upon the common fund of the union instead of upon the poor rates of the several parishes therein.

[*By section* 2 (2) *of the Poor Law Act*, 1889 (52 & 53 *Vict. c.* 56),

the amount which the Guardians may borrow is limited to an amount which does not exceed, or which does not make the total debt of the Guardians under the Acts relating to the relief of the poor exceed, one-fourth of the total annual rateable value of the Union.]

(c.) "The Union Loans Act, 1869" (32 & 33 Vict. c. 45, s. 5), taken in connection with "The Poor Law Loans Act, 1872" (35 & 36 Vict. c. 2, s. 3), gives the Guardians the option, with the consent of the Local Government Board, to adopt one of the two following modes of repayment, viz. :—[1]

1. By equal annual payments, not exceeding thirty, of the

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[1] Section 5 of the Union Loans Act, 1869, was amended by section 12 of the Poor Law Act, 1879. Both the sections are, however, now repealed by section 3 of the Poor Law Act, 1897 (60 & 61 Vict. c. 29). By section 1 of the last mentioned Act it is enacted :—

(1.) A loan raised after the passing of this Act under section 2 of the Poor Law Act, 1889, shall be repaid within such period, not exceeding sixty years, as the guardians or managers with the sanction of the Local Government Board may determine, either by equal yearly or half-yearly instalments of principal or principal and interest, or by means of a sinking fund.

(2.) The sinking fund shall be set apart, invested, and applied in accordance with the Local Loans Act, 1875, and the Acts amending that Act, and for the purpose of such application the prescribed rate shall be a rate not exceeding three per cent. per annum. Provided that the Guardians or managers shall not invest in their own securities.

(3.) Where any such loan has been contracted to be repaid by annual instalments, it may, with the consent of the lenders, be repaid by half-yearly instalments.

(4.) Guardians and managers may borrow money under the said section 2, without the consent of the Local Government Board for the purpose of repaying any outstanding part of any loan borrowed, either before or after the passing of the Poor Law Act, 1889, which they have power to repay.

(5.) Any money so borrowed shall be repaid in the manner directed by this Act and within the same period as that originally sanctioned for the repayment of the loan, unless the Local Government Board consent to the period for repayment being enlarged, but that period shall not exceed sixty years from the date of the original borrowing.

(6.) For the purposes of that section the expression "outstanding" means not repaid by instalments, or by means of a sinking fund, or out of capital money properly applicable to the purpose of repayment other than money borrowed for that purpose.

According to a decision of the Irish courts, the general principle as regards statutes which authorise the borrowing of money upon the security of public rates is that where there is a statutory power of charging existing and future rates, direction to repay the loan within a fixed period or by certain instalments, is directory only and not mandatory. But that where the only charge is upon a rate to be specially made for the purpose, or upon the rates for certain years only, the statutory provisions as to repayment must be followed strictly, otherwise the debt will be lost. *Hill* v. *the Guardians of Clonmel Union* (1897), 1 Ir. R. 272.

principal sum borrowed, with the interest on the balance remaining unpaid each year;

2. By such equal annual payments as, reckoning principal and interest together, will repay the sum borrowed within any period not exceeding thirty years.

"The Poor Law Loans Act, 1871" (34 & 35 Vict. c. 11, s. 3), provides for the repayment of loans by half-yearly instalments.[1]

It appears to be advisable that a notice should be sent to all the Guardians of the unions, appointing a day for deciding as to the period over which the repayment is to extend, and the mode of repayment to be adopted. A copy of the notice, and of the resolution of the Guardians on the subject, should be forwarded to the Local Government Board.

The draft security, when settled on behalf of the parties concerned, should be transmitted to the Local Government Board for approval before the advance is made. The form of security prescribed by section 6 of "The Union Loans Act, 1869" (32 & 33 Vict. c. 45), should be adopted in each case, so far as the circumstances will permit; and when the security has been executed, it should be forwarded to the Board for sealing and registration, accompanied by the draft.

II.—The Public Works Loans Act, 1875.
(38 & 39 Vict. c. 89.)

This Act applies to loans by the Public Works Loan Commissioners. So far as the Guardians are concerned, the observations under the head of Poor Law Acts apply, subject to the following modifications:—

(1.) The Commissioners cannot now make advances for Poor

[1] Section 3 of the Poor Law Loans Act, 1871, is repealed by section 3 of the Poor Law Act, 1897 (60 & 61 Vict. c. 29). For the substituted provisions see section 1 of that Act. With regard to the power of repayment which was conferred by the Act of 1871, it was held that:—

Guardians of the poor who had since April 24, 1871 (the date of the passing of the Poor Law Loans Act, 1871), borrowed moneys, to be repaid at stipulated times, could not even with the authority of an Order of the Local Government Board under section 2 of the Act, compel the lender to accept against his will repayment of the loan otherwise than in accordance with the contract. *The Guardians of the West Derby Union* v. *The Metropolitan Life Assurance Society and others* (1897), A. C. 647; 66 L. J. Ch. 726; 77 L. T. N.S. 284; 45 W. R. 388; 61 J. P. 820.

Law purposes for a longer period than twenty years, unless the Treasury, upon a recommendation of the Commissioners, stating special circumstances, extend the term for repayment (see section 11 of the Act).[1]

(2.) [*This paragraph related to the annual statements of probable applications for loans which section* 13 *of the Act formerly required to be submitted to the Loan Commissioners. Section* 13 *has, however, been repealed by section* 9 *of the Public Works Loans Act*, 1882 (45 *&* 46 *Vict. c.* 62), *and it is no longer necessary that such statements should be submitted.*]

The Commissioners are precluded by the Act (section 10) from advancing money for Poor Law purposes at a lower rate of interest than £5 per cent. per annum.[2]

The application for the loan should be made to the Commissioners through the Local Government Board, and the Board will supply the Guardians with a proper form for that purpose.

It will not be necessary to forward the draft security to the Board.[3]

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[1] The advances which the Public Works Loan Commissioners are authorised to make under any one Act, in any one financial year, to one borrower, are limited in amount to £100,000 by section 3 of the Public Works Loans Act, 1879 (42 & 43 Vict. c. 77).

Under section 9 of the Public Works Loans Act, 1881 (44 & 45 Vict. c. 38), the unapplied balance of any loan advanced by the Commissioners on the security of a rate, may, with the consent of the Commissioners, and of the central authority or department, if any, with whose sanction or consent such loan was authorised to be raised, be applied to any purpose to which moneys borrowed on the security of such rate are properly applicable.

[2] Now four per cent. See section 2 of the Public Works Loans Act, 1892 (55 & 56 Vict. c. 61). It is provided by section 10 of the Public Works Loans Act, 1886 (49 & 50 Vict. c. 45), that where a loan is granted by the Public Works Loan Commissioners for the purpose of any workhouse or poor house, or any work for which Guardians of the poor are authorised to borrow under the general Acts, relating to the relief of the poor, and the loan is required to be repaid within a period not exceeding fifteen years from the date of the advance thereof, such loan shall bear interest at a rate not less than three pounds ten shillings per centum per annum, or such other rate as may be necessary in the judgment of the Commissioners of Her Majesty's Treasury, in order to enable the loan to be made without loss to the exchequer.

[3] Under section 8 of the Public Works Loans Act, 1882, where money is advanced by the Public Works Loan Commissioners on the security of a rate, as defined by the Public Works Loans Act, 1875, the borrowers are required to cause their treasurer to keep a separate account under the title of Public Works Loan Commissioners Loan Account, or such other title as may be approved by the Local Government Board, and shall cause all the said advances to be carried to the credit of that account; and all orders and other documents directing payments out of such account shall show on the face of them that the payment is to

III.—The Local Loans Act, 1875.
(38 & 39 Vict. c. 83.)

Under section 31 of this Act, taken in connection with sections 4 and 5, any loan which the Guardians (who are a "Local Authority" within the terms of section 34) are authorised to borrow, may be raised by them by the issue of debentures, or annuity certificates, or partly in one way and partly in the other. Section 4 also mentions debenture stock; but as the Guardians have no power under any other Act to issue debenture stock, the money could not be borrowed by them in this manner, regard being had to the terms of the first paragraph of section 6.

The 13th section specifies four ways in one or more of which loans obtained under the Act must be discharged; the fourth being by means of a sinking fund, where such a fund is prescribed. As, however, a sinking fund is not prescribed with respect to loans for Poor Law purposes, that method of repayment would not apply in the present case. The third mode, viz., the annual appropriation in the manner mentioned in section 14 of the Act, of a fixed sum to the discharge of a certain portion of the loan, is one which could not be conveniently adopted by the Guardians, so that the only available modes are the first and second—the issue of annuity certificates or debentures.

No sanction, on the part of the Local Government Board, beyond the Order authorising the Guardians to borrow, will be necessary to enable the loan to be obtained under the Local Loans Act, unless it is wished to make general rules under section 30 of the Act, or to borrow under official sanction under section 26. This sanction (which is required to be authenticated by an official stamp on the securities, or otherwise, as the Local Government Board may direct) is made by the Act conclusive evidence that the authority issuing the securities had power to issue them, that they have been duly issued, and are, as to form and otherwise, in conformity with the Act.

John Lambert, *Secretary.*

Local Government Board, February 1, 1878.

be made out of that account, and an order or other document for a payment out of the said account shall not be made or given, except the payment is for a purpose for which the said advances were made.

MEMORANDUM.
LOANS—GUARDIANS OF METROPOLITAN UNIONS AND PARISHES.

(Dated 31st December, 1878.)

Loans for workhouse purposes can now be obtained by Guardians of Metropolitan Unions and Parishes under the following statutes :—

I.—The Poor Law Acts.

II.—The Public Works Loans Act, 1875.

III.—The Metropolitan Board of Works (Money) Acts, 1875 to 1878.[1]

IV.—The Local Loans Act, 1875.

An explanation is given below as to the general effect of these statutes, and the course of proceeding to be adopted in each case.

I.—The Poor Law Acts.

[*The explanation under this head is the same as that given under the corresponding head to Guardians of non-Metropolitan Unions and Parishes, ante, p.* 1303. *Section* 2 *of the Poor Law Act,* 1889, *referred to in the note to par.* (*a*) *under such heading applies to the Managers of any school district and to the managers of any asylum district, not being the Metropolitan Asylum district, in like manner as if they were Guardians, ib.* (5).]

II.—The Public Works Loans Act, 1875.
(38 & 39 Vict. c. 89.)

[*The explanation under this head is the same as that given under the corresponding head to Guardians of non-Metropolitan Unions and Parishes, ante, p.* 1305.]

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[1] See now the London County Council (Money) Act, 1897 (60 & 61 Vict. c. ccxx.).

III.—The Metropolitan Board of Works (Money) Act, 1878.
(41 & 42 Vict. c. 37.)

Under section 11 of this Act, with which is incorporated "The Metropolitan Board of Works (Money) Act, 1875," the Metropolitan Board of Works are empowered from time to time, up to the 31st of December, 1879, to lend sums of money, not exceeding in the aggregate £200,000, to the Guardians of unions or parishes wholly or for the greater part in the metropolis, as defined in the "Metropolis Management Act, 1855." [1]

The section provides that money lent under it shall, notwithstanding anything in any other Act, be repaid with interest within such time after the borrowing as the Metropolitan Board of Works and the borrowers, with the approval of the Treasury, agree, not exceeding thirty years.

So far as the Guardians are concerned the observations under the head of Poor Law Acts apply, with the exception that the consent of the Local Government Board to the *period* of repayment does not appear to be required.

The rate of interest is at present £3 15*s.* per cent. per annum.

IV.—The Local Loans Act, 1875.
(38 & 39 Vict. c. 83.)

[*The explanation under this head is the same as that given under the corresponding head to Guardians of non-Metropolitan Unions and Parishes, ante, p.* 1307.]

Local Government Board,
31*st December*, 1878.

John Lambert,
Secretary.

[1] Similar provisions are contained in each of the London County Council (Money) Acts, passed annually, enabling the London County Council to lend during each year to Guardians of Unions or Parishes, wholly or for the greater part in the Metropolis, sums not exceeding a specified amount, under similar conditions to the one mentioned. For the powers of the London County Council to lend money during the year 1897, see the London County Council (Money) Act, 1897 (60 & 61 Vict. c. ccxx.).

MEMORANDUM.
LOANS—MANAGERS OF METROPOLITAN DISTRICT SCHOOLS.[1]

(Dated 31st December, 1878.)

Loans can now be obtained by Managers of Metropolitan District Schools under the following statutes :—

I.—The Poor Law Acts.
II.—The Public Works Loans Act, 1875.
III.—The Metropolitan Board of Works (Money) Acts, 1875 to 1878.[2]
IV.—The Local Loans Act, 1875.

An explanation is given below as to the general effect of these statutes and the course of proceeding to be adopted in each case.

I.—The Poor Law Acts.

The general powers of borrowing which were originally conferred upon managers by "The Poor Law Amendment Act, 1844" (7 & 8 Will. IV. c. 101, s. 44), have been modified or extended by many subsequent Poor Law Statutes, the principal points in which alterations have been made being the following :—

(*a.*) The limitation of the amount of the loan ;
(*b.*) The period over which the repayment is extended ;
(*c.*) The mode of repayment.

[(*a.*) *By section* 2 (2) (*s*) *of the Poor Law Act*, 1889 (52 & 53 Vict. c. 56), *the amount which the managers may borrow is limited to an*

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[1] A Memorandum similar to the present was issued to the Managers of non-Metropolitan District Schools on the same date.

[2] See now the London County Council (Money) Act, 1897, and see note (1), *post*, p. 1315.

amount which does not exceed, or which does not make the total debt of the managers under the Acts relating to the relief of the poor exceed, one-sixteenth of the annual rateable value of the district.]

(*b.*) By Section 35 of the 31 & 32 Vict. c. 122 ("The Poor Law Amendment Act, 1868"), the period of repayment has been extended to thirty years.

(*c.*) Instead of the managers being limited as formerly, to repayment by annual instalments of principal, with the interest due on the balance each year, they are now by "The Poor Law Loans Act, 1871" (34 & 35 Vict. c. 11, s. 3), enabled to make the repayment by half-yearly instalments.

The draft security, when settled on behalf of the parties concerned, should be transmitted to the Local Government Board for approval before the advance is made. The form of security prescribed by Section 6 of "The Union Loans Act, 1869" (32 & 33 Vict. c. 45), should be adopted in each case, so far as the circumstances will permit; and when the security has been executed, it should be forwarded to the Board for sealing and registration, accompanied by the draft.

II.—The Public Works Loans Act, 1875.
(38 & 39 Vict. c. 89).

This Act applies to loans by the Public Works Loan Commissioners. The Commissioners, however, consider that they are precluded by the terms of the statutes from advancing money for the purpose merely of making alterations and additions to school buildings.

So far as the managers are concerned, the observations under the head of Poor Law Acts apply, subject to the following modifications:—

(1.) The Commissioners cannot now make advances for Poor Law purposes for a longer period than twenty years, unless the Treasury, upon a recommendation of the Commissioners, stating special circumstances, extend the term for repayment (see Section 11 of the Act).[1]

[1] See *ante*, p. 1306, note (1).

(2.) [*See the note as to a similar paragraph in the Memorandum of* 1*st February, ante, p.* 1306.]

The Commissioners are precluded by the Act (Section 10) from advancing money for Poor Law purposes at a lower rate of interest than £5 per cent. per annum.[1]

The application for the loan should be made by the Commissioners through the Local Government Board, and the Board will supply the Guardians with a proper form for that purpose.

It will not be necessary to forward the draft security to the Board.[2]

Letters to the Public Works Loan Commissioners should be addressed to

The Secretary,
Public Works Loan Board,
3 Bank Buildings,
London, E.C.

III.—The Metropolitan Board of Works (Money) Act, 1878. (41 & 42 Vict. c. 37.)

Under Section 12 of this Act, with which is incorporated "The Metropolitan Board of Works (Money) Act, 1875," the Metropolitan Board of Works are empowered from time to time, up to the 31st day of December, 1879, to lend sums of money, not exceeding in the aggregate £100,000, to managers of Metropolitan District Schools.[3]

The section provides that money so lent under it shall, notwithstanding anything in any other Act, be repaid with interest within such time after the borrowing as the Metropolitan Board of Works and the borrowers, with the approval of the Treasury, agree, not exceeding thirty years.

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[1] Now four per cent. See *ante*, p. 1306, note (2).

[2] See *ante*, p. 1306, note (3).

[3] Similar provisions are contained in each of the London County Council (Money) Acts passed annually, enabling the London County Council to lend during each year to managers of Metropolitan District Schools sums not exceeding a specified amount, under similar conditions to those mentioned. For the powers of the Council to lend money during the year, 1897 see the London County Council (Money) Act, 1897 (60 & 61 Vict. c. ccxx.).

So far as the managers are concerned, the observations under the head of Poor Law Acts apply.

The rate of interest is at present £3 15*s.* per cent. per annum.

IV.—The Local Loans Act, 1875.
(38 & 39 Vict. c. 83.)

[*The explanation under this head is the same as that given under the corresponding head to Guardians of non-Metropolitan Unions and Parishes, ante, p.* 1307.]

John Lambert, *Secretary.*

Local Government Board, 31*st December*, 1878.

MEMORANDUM.
LOANS—GUARDIANS—MANAGERS OF SCHOOL AND ASYLUM DISTRICTS.

(Dated 30th September, 1889.)

Borrowing by Boards of Guardians.

Section 2 of the Poor Law Act, 1889, simplifies and consolidates the enactments in the Poor Law Acts relating to the purposes for which, and the amount to which Boards of Guardians[1] may borrow, and has repealed the previous enactments relating to this subject without prejudice to anything done thereunder. The section, however, provides that every loan under the provisions of the Act shall be made on the like security *and be paid off in the like time and manner and be borrowed and re-borrowed in like manner*[2] as is provided by the enactments in force at the passing of the Act with respect to loans to the Guardians.

The following are the provisions of the section which will for

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[1] Sub-section 5 of section 2 of the Poor Law Act, 1889 (52 & 53 Vict. c. 56) enacts that:—"This section shall apply to the managers of any school district *and to the Managers of any asylum district, not being the Metropolitan Asylum district*, in like manner as if they were guardians and this section were in terms made applicable thereto, but with the substitution of one-sixteenth of the annual rateable value of the district." By sub-section 6 it is enacted that:—"All enactments in the Acts relating to the relief of the poor touching the purposes for which and the amount to which Guardians of Unions and Managers of any chool or asylum district to whom this section applies may borrow, shall be repealed without prejudice to anything done thereunder, but every loan under this section shall be made on the like security and be paid off in the like time and manner, and be borrowed and re-borrowed in the like manner as is provided by the enactments in force at the passing of this Act with respect to loans of such guardians and managers." The words printed in italics have been repealed by section 3 of the Poor Law Act, 1897 (60 & 61 Vict. c. 29).

[2] The words printed in italics have been repealed by section 3 of the Poor Law Act, 1897 (60 & 61 Vict. c. 29).

the future regulate the raising and application of loans by the Guardians :—

(1.) The Guardians may, with the sanction of the Board, borrow for the purpose of raising the expenses incurred or proposed to be incurred for any permanent work or object, or any other thing the costs of which ought, in the opinion of the Board, to be spread over a term of years.[1]

(2.) A loan shall not be of such amount as exceeds, or will make the total debt of the Guardians under the Acts relating to the relief of the poor exceed, one-fourth of the total annual rateable value of the Union.

(3.) The Board may, by Provisional Order, extend this maximum to double the amount above authorised, and Sections 297 and 298 of the Public Health Act, 1875, will apply to every such Provisional Order in like manner as if they were re-enacted in the Act and the Guardians were a local authority.

(4.) The unapplied balance of any loan raised by any Guardians may, with the consent of the Board, be applied to any purpose for which a loan can be raised under the Act by such Guardians.

I am, Sir,

Your obedient Servant,

HUGH OWEN, *Secretary.*

To the Clerk to the Guardians.

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[1] Loans raised since the passing of the Poor Law Act, 1897 (August 6, 1897), may be repaid within sixty years, see section (1) of that Act, *ante*, p. 1304. By section 7 of the Poor Law Act, 1889, it is enacted that :—"The provision by the Asylum Managers of buildings for the purposes of section 16 of the Poor Law Act, 1879, shall be a purpose for which the managers are authorised to borrow in pursuance of the Metropolitan Poor Act, 1867, and any Acts altering and amending the same."

Section 2 of the Poor Law Act, 1897, enacts that :—"The power to provide lands and buildings under the Metropolitan Poor Act, 1867, is hereby declared to include power to provide any land or building, which may, in the opinion of the Local Government Board, be required for the purposes of that Act, and the provisions of section 2 of the Poor Law Act, 1889, with respect to loans by Guardians of Unions as amended by this Act, shall apply for the purpose of borrowing under the Metropolitan Poor Act, 1867, instead of section 17 of the last-mentioned Act, but with the substitution of 'one-tenth of the rateable value of the district' for 'one-fourth' of the rateable value of the Union."

INSTRUCTIONS OF POOR LAW BOARD AS TO ARRANGEMENTS FOR VACCINATION.[1]

(Dated 20th February, 1869.)

The Poor Law Board in a Circular Letter dated the 20th February, 1869, say that they have received communications from the Lords of Her Majesty's Council, representing that unsatisfactory arrangements have been proposed to be made by the Guardians of several Unions, in reference to the attendances of the vaccinators at the different stations for the performance of vaccination. The Board, therefore, think it right to draw the attention of the Guardians to the subject.

The Board are informed that it is of essential importance to the success and efficacy of the operation, that vaccination should, as far as possible, be performed from arm-to-arm of the children, instead of by the means of preserved lymph. Under ordinary circumstances, the arm of a child on which the operation has been performed is, at the end of a week, in a state in which the lymph can be taken from it to vaccinate another child; and the Board further learn, that the lymph used in vaccination should be carefully selected from the best formed vesicles upon the healthiest children. The best vaccination is, therefore, to be obtained when attendances are given at weekly intervals, and when the children brought to be vaccinated are met by a sufficient number of other children vaccinated the week before, from whom some can be selected to furnish lymph.

In proceeding to make arrangements for these weekly attendances it is essential for the Guardians to consider whether the circumstances of the district to which a station is assigned are such as to permit of vaccination being performed there in every week of the

[1] See the note to the General Order of October 31, 1874, *ante*, p. 878.

year, or only in certain series of weeks. This generally is a question as to the number of children who may be brought for vaccination, which again is principally a question depending upon the amount of population. It is only in very populous districts that efficient vaccination can be maintained at weekly intervals throughout the whole year. The Regulations of Her Majesty's Council provide that no town shall be divided into districts for vaccination, unless each district contain a population of, at least, 25,000 persons; that there shall be only one station in each town district; and that vaccination shall not be performed oftener than once a week; and in towns sufficiently populous, their Lordships think it desirable that a population of 40,000 or 50,000, or even more, should be assigned to each station. Stations which are appointed for such populations as these can doubtless maintain continuous weekly vaccination throughout the year.

But in the less populous districts of the country, the object of procuring arm-to-arm vaccination with the due selection of lymph cannot be obtained, if weekly attendances throughout the whole year are appointed. The limit of population at which it becomes expedient to restrict attendances for vaccination to certain periods of the year, will vary in different cases according to various circumstances; such as the amount of private vaccination performed in the district; and the frequency with which the district is exposed to chances of small-pox infection. But at all events it may be said that, when the district which can supply cases to any station has a smaller population than 10,000 persons, the Guardians ought to consider whether the number of applicants for vaccination at that station will be such that weekly vaccination throughout the whole year ought to be attempted. In proportion as the population attached to a station falls below 10,000, so it will be found more and more probable that vaccination cannot be satisfactorily performed there at weekly intervals throughout the whole year.

When vaccination cannot be performed at weekly intervals throughout the year, it is recommended by the Lords of Her Majesty's Council that the attendances for vaccination should be given either quarterly (in January, April, July, and October), or half-yearly (in

April and October) for so many successive weeks as the circumstances of the distrlct may seem to require. Section 12 of the Vaccination Act of 1867 permits Guardians, with the consent of the Poor Law Board, to fix attendances in places with a scanty population at longer intervals than three months ; and the Board will always be ready to consider any proposal submitted by the Guardians to give effect, when required, to the provisions of this section.

The Board are also of opinion that, in districts in which there is more than one station, it may be desirable to arrange that, so far as practicable, the attendances at the several stations, instead of being appointed for different days in the same week, should be appointed for the same day in successive weeks, but at different hours, as for instance—

For Vaccination.			For Inspection.	
At Station A.	1st, 2nd, 3rd	Monday in April.	2nd, 3rd, 4th	Monday in April.
At Station B.	2nd, 3rd, 4th	Monday in April.	3rd, 4th, 1st	Monday in April. Do. in May.
At Station C.	3rd, 4th	Monday in April.	4th, 1st, 2nd	Monday in April. Do. May. Do. do.
	1st	Do. in May.		

By this means the vaccinator might take the lymph fresh from the arms of the children inspected at station A. to vaccinate the children at station B., and so on.

The Board are not unaware of the difficulty which there may sometimes be on the part of parents in bringing their children to be vaccinated when the days for vaccination are few in the course of the year. To obviate this, as far as possible, care should be taken that in addition to the printed notice, which the registrar of births and deaths is required by the 30 & 31 Vict. c. 84, s. 15, to give to every person registering a birth, printed notices of the times and places at which the vaccinator will attend should be kept continually exposed at the places in each parish where parish notices are affixed.

The Board request that these observations may receive the con-

sideration of the Guardians, and that they will endeavour to make such arrangements for the union as may, at the same time that they promote the practice of vaccination, and secure its performance in the most efficient manner, be also most convenient to the medical practitioner contracting for its performance.

The Board desire to add that persons living within two miles of a station cannot, under the regulations of Her Majesty's Council, be vaccinated by the public vaccinator elsewhere than at a station, "unless for some special reason" (to be noted in the Vaccinator's Register), "the person whom the vaccinator proposes to vaccinate cannot properly be vaccinated at the station," but that persons residing at a greater distance than two miles from the station may, when circumstances require it, be vaccinated at their own homes.

In conclusion, the Board request that the Guardians, before they proceed to enter into any new contracts for vaccination, will communicate with the Board as to any alterations which they may propose to make in the existing arrangements.

The Board will, upon receipt of such information, transmit to the Guardians a form in which the arrangements may be clearly set forth for the final decision of the Board before the contracts are executed.

On October 17, 1871, the Local Government Board issued a Circular Letter of Instruction with reference to the Vaccination Act, 1871 (34 & 35 Vict. c. 98), which may be consulted in the Report of that Board for the year 1872.

REGULATIONS OF THE PRIVY COUNCIL AS TO VACCINATION.

The following Regulations in reference to Vaccination were issued by the Lords of Her Majesty's Most Honourable Privy Council, at the Council Chamber, Whitehall, on December 1, 1859, February 18, 1868, and July 29, 1871.

December 1, 1859.

To the Guardians of the poor of all Unions and Parishes, to the Churchwardens and Overseers of all Parishes, Townships, and Places in which the Relief to the Poor is not administered by Guardians, in England and Wales, and to all Medical Practitioners.

Whereas by the Public Health Act, 1858, and by an Act since passed to perpetuate the same, it is enacted that the Privy Council may from time to time issue such regulations as they think fit, for securing the due qualification of persons to be thereafter contracted with by Guardians and overseers of unions and parishes in England for the vaccination of persons resident in such unions and parishes, and for securing the efficient performance of vaccination by the persons already or thereafter to be contracted with as aforesaid:

Now, therefore, it is hereby ordered, by the Lords and others of Her Majesty's Most Honourable Privy Council (of whom the Vice-President of the Committee of the said Privy Council on Education is one) that on and after the 1st day of January, 1860, the following regulations shall be in force; viz.:—

1. Except where the Privy Council, for reasons brought to their notice, see fit in particular cases otherwise to allow, no person shall in future be admitted as a contractor for vaccination unless he possess the same qualifications as are required by the Orders of the Poor Law Commissioners as qualifications for a district medical officer, and produce a special certificate, given under such conditions as the Privy Council from time to time fix, by some public vaccinator whom the Privy Council authorise to act for the purpose,[1] and by whom he has been duly instructed or examined in the practice of vaccination, and all that relates thereto.

But the production of this special certificate on occasion of the contract being made may be dispensed with, if the certificate, or some other which the Privy Council judge to be of like effect, have been among the certificates or testimonials necessary for obtaining any diploma, licence, or degree, which the candidate possesses;—

And also, in respect of persons legally admitted to practise before this regulation comes into effect, the special certificate may be dispensed with on condition that the contract, during one year from its making, continue subject to the approval of the Poor Law Board;—

And all persons now contracted with shall be deemed to be qualified to be again contracted with.

[1] See list of vaccinators as authorised, *post.*

2. Under the same conditions as are appointed for the admission of a contractor any person qualified to be a contractor may, on the contractor's application, be admitted by the Guardians or overseers to act as his occasional deputy;—

But, if this admission be not part of the original contract, it must be notified by indorsement upon the contract; and at least fifteen days before it is intended to take effect, a copy of the proposed indorsement, together with all requisite evidence of the qualification of the person whom it is proposed to admit, must be transmitted to the Poor Law Board.

3. All vaccinations and inspections under contract shall be performed by the contractor in person, or by some other contractor of the same Union or Parish acting for him, or by a deputy duly admitted as above;—

But at a station where the contractor is authorised (as above) to grant certificates, pupils and other candidates, aged not less than eighteen years, may, in his presence and under his direction, take part in vaccinating.

All vaccinations and inspections under contract shall be performed in accordance with the annexed "Instructions for Vaccination under Contract."[1]

4. Until some new form of Vaccination Register be duly prescribed, the person who performs any vaccination under contract shall, on the day when he performs it, legibly write in his Register (as now provided) the letter R (for re-vaccination) against the name of every person, adult, or adolescent, who, having in early life been successfully vaccinated, is re-vaccinated; and shall also enter into some column, or in the margin of the Register, the source whence the lymph used in the vaccination was obtained,—

Thus: the name, or number (if any) in the Register, of the subject from whom the lymph was taken; or "N. V. E.," if the lymph was sent by the National Vaccine Establishment; or the name or description of any other source;—

And where the vaccination or the inspection is done by a person acting as deputy for the contractor, the deputy shall write the initials of his name in the Register side by side with the entry of the case: viz., in the left margin of the page, if it be a vaccination which he performs, or in the right margin of the page, if it be an inspection which he performs.

5. Guardians and overseers, in their respective Unions and Parishes, shall forthwith take measures to bring the performance of public vaccination into conformity with these regulations.

February 18, 1868.

To the Guardians of the Poor of all Unions and Parishes, to all Public Vaccinators, and to all others whom it may concern.

The Lords and others of Her Majesty's Most Honourable Privy Council (of whom the Vice President of the Committee of the said Privy Council on Education is one), acting under the authority of the Vaccination Act of 1867, and all other authorities in this behalf, do hereby make and issue the following regulations, in addition to those already in force, for securing the efficient performance of public vaccination, and in respect of the re-vaccination of persons who apply to be re-vaccinated, that is to say:—

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[1] For these instructions, see the Order of the Privy Council of July 29, 1871, *post*, p. 1323.

I.—Places and Times for Vaccination under Contract.

1. Except where the Privy Council, for reasons brought to its notice, sees fit in regard of any particular district to sanction a system of domiciliary vaccination, every vaccination district shall have in it at least one public station appointed for the performance of the vaccinations under contract; and where any such station has been provided for a district, no person resident within two miles thereof, and not being an inmate of the workhouse, shall be vaccinated under contract elsewhere than at such station,[1] unless the vaccinator in the particular case be of opinion (which, if so, he is hereby required to note in his register) that, for some special reason, the person whom he purposes to vaccinate cannot properly be vaccinated at the station.

2. Except under special authorisation from the Privy Council as aforesaid, or in so far as may be expedient at times when there is immediate danger of small-pox, vaccination under contract shall not be appointed to be performed at any station oftener than once a week.[2]

3. And in any future contract concerning a vaccination district, which is partly or wholly within a town, there shall not, except under special authorisation as aforesaid, be appointed within the town more than a single station for the performance of the vaccination of the District.

II.—Vaccination Districts in Towns.[3]

No part of the Metropolis, or of any City, or Municipal Borough, or Town Corporate, or other Town, shall, in respect of any future contract, form by itself, or with any rural place, a separate district for vaccination, except with the approval of the Privy Council, unless it contain an estimated population of at least 25,000 persons or else be as much of the Metropolis, City, Borough, or Town, as is for purposes of vaccination under the control of one Board of Guardians.

III.—Office of Public Vaccinator.

After the expiration of the month of June next, no two or more persons shall be allowed to act severally as vaccinators under contract in any one and the same part or district of any union or parish.[4]

IV.—Re-Vaccination.

(The Regulations contained in Part iv are repealed by the General Order of the Local Government Board of February 3, 1888, by Art. 2 of which it is provided that

"From and after the date of this Order the following Regulations shall apply to re-vaccinations by Public Vaccinators under their Contracts:—

Such re-vaccinations shall only be performed when—

(1.) The applicant, so far as the Public Vaccinator can ascertain, has attained the age of twelve years, or in case there be any immediate danger of small-pox, the age of ten years, and has not before been successfully re-vaccinated;

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[1] This regulation does not place any restriction on the vaccination of persons resident within the district, but beyond two miles from the station.

[2] This regulation will apply to future contracts only.

[3] With reference to the words "other town," this Article is to be read "no part . . . of any . . . town shall . . . form by itself, or with any other rural place, a separate district for vaccination . . ." Therefore if a "town" in a union be not divided, the rest of the union may be formed into any number of districts.

[4] This Article will not apply to the deputy of the contractor.

(2.) In the judgment of the Public Vaccinator the proposed re-vaccination is not for any sufficient medical reason undesirable; and

(3.) The Public Vaccinator can afford lymph for the purpose without interfering with the performance of primary vaccination in his District.

Provided that in the case of children in a Workhouse the Public Vaccinator may, in any case in which he deems the primary vaccination to have been inadequate, re-vaccinate any child under the age hereinbefore specified who has not before been successfully re-vaccinated; but he shall in every such case enter in his Vaccination Register a statement of the circumstances which render such re-vaccination desirable.

In this Order the expression 'Workhouse' includes separate Workhouse Schools and Infirmaries, and the expression 'Public Vaccinator' includes the Medical Officer of any Workhouse who under a Contract performs vaccination therein.")

July 29, 1871.

Whereas by "The Public Health Act, 1858," and by an Act since passed, to perpetuate the same, it is enacted that the Privy Council may from time to time issue such regulations as they shall think fit for (among other things) securing the efficient performance of vaccination by the persons already or thereafter to be contracted with; and whereas their lordships, on the first day of December, One thousand eight hundred and fifty-nine, ordered (among other things) that all vaccinations and inspections under contract should be performed in accordance with certain "Instructions to Vaccinators under Contract" annexed to the Order now in recital; and whereas by "The Vaccination Act, 1867," the Lords of Her Majesty's Council are authorised (among other things) to make regulations to secure the efficient performance of vaccination:—

Now, therefore, it is hereby ordered by the Lords and others of Her Majesty's Most Honourable Privy Council (of whom the Vice-President of the Committee of the said Privy Council on Education is one), that:—

1. The Order of the first day of December, One thousand eight hundred and fifty-nine, is hereby repealed, so far as the same required vaccinations and inspections under contract to be performed in accordance with the "Instructions to Vaccinators under Contract" annexed thereto.

(This Order was rescinded by the Order dated February 28, 1887, *ante*, p. 1071, except so far as it rescinded the provisions referred to in it of the Order of the Privy Council of December 1, 1859.)

Memorandum issued from the office of the Local Government Board on the subject of Vaccination.

I. On Re-Vaccination.

Dated October 17, 1876.

By vaccination in infancy, if thoroughly well performed and successful, most people are completely insured, for their whole life-time, against an attack of small-pox; and in the proportionately few cases where the protection is less complete, small-pox, if it be caught, will, in consequence of the vaccination, generally be so mild a disease as not to threaten death or disfigurement. If, however, the vaccination in early life have been but imperfectly performed, or have from any other cause been but imperfectly successful, the protection against small-pox is

much less satisfactory; neither lasting so long, nor, while it lasts, being nearly so complete as the protection which first-rate vaccination gives. In consequence of the large amount of imperfect vaccination which has till very recent years existed, the population contains very many persons who, though nominally vaccinated and believing themselves to be protected against small-pox, are really liable to infection, and may in some cases contract as severe forms of small-pox as if they had never been vaccinated. Partly because of the existence of this large number of imperfectly vaccinated persons, and partly because also even the best infantine vaccination sometimes in process of time loses more or less of its effect, it is advisable that *all persons who have been vaccinated in infancy should, as they approach adult life, undergo* RE-VACCINATION. Generally speaking, the best time of life for re-vaccination is about the time when growth is completing itself, say from 15 to 18 years of age; and persons in that period of life ought not to delay their re-vaccination till times when there shall be special alarm of small-pox: first, because they can never tell how soon, or by what chance, they may (even at times when there is little prevalence of that disease), be exposed to its infection; and secondly, because of the much more advantageous conditions under which the re-vaccination can be performed when it can be done leisurely, than when it has to be done under the pressure caused by a panic. When, however, small-pox becomes epidemic, not only should all persons above 15 years of age who had hitherto neglected to have themselves re-vaccinated be very careful to neglect it no longer, but in proportion as there is prevalence of small-pox in any neighbourhood, or as individuals are from personal circumstances likely to meet chances of infection, even the age of 15 should not be waited for, especially not by young persons whose marks of previous vaccinations are unsatisfactory. *The rule applicable to circumstances of special danger is this: that every one past childhood on whom re-vaccination has not before been successfully performed, should without delay be re-vaccinated.*

Re-vaccination, once properly and successfully performed, *does not appear ever to require repetition.* The nurses and other servants of the London Small-Pox Hospital, when they enter the service (unless it be certain that they have already had small-pox), are invariably submitted to vaccination, which in their case generally is re-vaccination, and is never afterwards repeated; and so perfect is the protection, that though the nurses live in the closest and most constant attendance on small-pox patients, and though also the other servants are in various ways exposed to special chances of infection, the resident surgeon of the hospital, during his forty-one years of office there, has never known small-pox affect any one of these nurses or servants.

MEMORANDUM

On the Steps Specially Requisite to be Taken by Boards of Guardians under the Vaccination Acts, 1867 and 1871, in Places where Small-pox is Prevalent.

(Dated November, 1880.)

As it is by vaccination that the spread of small-pox can most effectually be prevented, Boards of Guardians, as soon as any case of that disease is brought into or occurs in their respective unions or parishes, should see that measures are promptly taken to secure, as far as necessary, the vaccination (or, as the case may be, re-vaccination) of all such persons as are especially exposed to the danger of the infection.

Under the Order of Privy Council of February 18, 1868 (*Reg. I. Art.* 1), *the public vaccinator is authorised to vaccinate elsewhere than at the public station cases in which there exists a special reason (to be noted by him in his register) for taking this exceptional course*;[1] *and section* 13 *of* 34 *&* 35 *Vict. c.* 98, *provides that any district medical officer in attendance as such medical officer upon a person suffering from small-pox shall be entitled to payment from the Guardians for vaccinating or (as the case may be) re-vaccinating any person who is resident in the same house as such sick person, and who could lawfully be vaccinated or (as the case may be) re-vaccinated by a public vaccinator at the public expense.*

These provisions, promptly applied on the occurrence of any isolated case or cases of small-pox, will in general be found adequate to stop the further spread of the disease; but if from

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[1] The Order will be found *ante*, p. 1321.

neglect of them, or from any other circumstance, cases of small-pox shall have become numerous, special means (as below explained) should be taken to expedite, as far as practicable, the vaccination of all unvaccinated persons in the district, and to promote the re-vaccination of adults and adolescents who have not already been successfully re-vaccinated; and special arrangements (as below explained) may also be requisite to facilitate the performance of public vaccination and re-vaccination.

This Memorandum is intended to afford information on those measures and arrangements.

I.—Special Instructions to Vaccination Officers.

1. On the occurrence of any special prevalence of small-pox, the vaccination officer should give his first and special attention to the particular localities in which the infection exists.

2. In order that for this purpose he may have the earliest possible information of the occurrence of cases of the disease, the Guardians should instruct their district medical officers to give him immediate notice of every fresh case of small-pox which comes under their treatment, and should also arrange with the registrars of deaths to forward to him immediate notice of each death registered from small-pox. For convenience of transmitting such notices, each district medical officer and registrar should be supplied with forms duly stamped for post, or with post-cards adapted for the purpose. Private medical practitioners should also be invited to give similar information.

3. In each locality in which the infection exists, the vaccination officer should, with the utmost possible despatch, personally ascertain what children are unprotected by vaccination, and should use his utmost exertions to obtain the prompt vaccination of all such children. Generally speaking, his own judgment and local knowledge will guide him as to the manner in which his inquiries can best be made; but in infected courts or alleys, as well as in certain kinds of streets, inquiries from house to house, and, in tenement houses, from room to room, will be indispensable. In order that speedy

discovery may be made of all unvaccinated persons, whether born in the district, or newly arrived there, it will frequently be desirable in populous places that some temporary assistance be given to vaccination officers in the manner provided in the General Order of the Local Government Board, dated October 31, 1874 (section 1, Art. 1).[1] With the same object, the co-operation of the officers of the sanitary authority and of others who visit among the poor should be invited.

4. Where any child (between the ages of three months and fourteen years) is found illegally unvaccinated, the vaccination officer should give a notice requiring the vaccination to be done within a specified period. This period, when there is small-pox in the house, or other special risk of exposure to the contagion, should not exceed twenty-four hours : but in other cases some days, not exceeding a week, may be allowed. A second visit from the vaccination officer will, of course, afterwards be necessary, in order to see that his notice has been complied with.

With regard to unvaccinated children not yet three months old, who may be in infected localities, the vaccination officer should advise the parents not to incur the unnecessary risk of waiting for the child to complete that age before having its vaccination performed, for vaccination is perfectly well borne by children even immediately after birth. In no house in which there is small-pox ought a child, however young, on any account to remain unvaccinated, unless on medical examination it be pronounced unfit to be vaccinated.

5. The vaccination officer should make it well known in infected localities that the public vaccinator is at liberty to re-vaccinate grown-up and young persons (not under twelve years of age) who have not before been successfully re-vaccinated, and who apply to him for that purpose ; and that persons not vaccinated since childhood, who are likely to be exposed to contagion, ought to be re-vaccinated without delay. Above all, this is necessary for persons whose original marks of vaccination are imperfect.

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[1] The Order referred to will be found at p. 880, *ante*.

6. All notices given and representations made as above should be accompanied with information as to the provisions made for public vaccination in the district. If any case requiring prompt vaccination by the public vaccinator cannot, in the judgment of the vaccination officer, properly be taken to the station or to the residence of the public vaccinator, the vaccination officer should give to the public vaccinator immediate information of the case.

7. Besides the above described special proceedings in localities already infected, the vaccination officer should take every means to ensure that the vaccination of his district generally is as complete as possible. He should make frequent examination of his birth lists, and deal, as soon as practicable, with every default as it arises; and he should be prompt and diligent in his inquiries respecting the other children to whom his duties extend under section 12 of his "instructions" as issued by the Local Government Board.

8. The vaccination officer should give immediate information to the local sanitary authority of any house in which small-pox has appeared, in order that needful means of isolation and disinfection may be taken.

II.—Supplementary Arrangements for Special Public Vaccination.

1. In the case, first, of towns which have regular weekly attendances for the performance of public vaccination, it cannot be too clearly understood that the appearance of small-pox gives extra reason for scrupulousness in maintaining systematic primary vaccination and all practicable re-vaccination AT THE APPOINTED DAY AND HOUR, AND NOT AT OTHER PERIODS.

It is on the regular weekly attendances that the vaccinator has to depend for the means of adequately meeting the demands for vaccination; and the experience of every recent epidemic of small-pox has shown that to attempt at such times an indiscriminate daily performance of vaccination and re-vaccination only leads to difficulties and disadvantages. There are two reasons indeed for which at such times an adherence to systematic arrangements is of more

than ordinary consequence; first, because it is then peculiarly important that each primary vaccination should be done under conditions which scarcely admit of failure; and, secondly, because without system it is not possible properly to meet the large demands for re-vaccination which at such times are sure to arise, nor yet to have trustworthy lymph for use in such exceptional primary vaccinations as may really need to be done under circumstances of urgency. Re-vaccinations, unless of persons residing in houses in which there is small-pox, or under other exceptional circumstances, should ordinarily be reserved for the regular vaccinating days.

Nevertheless there are conditions justifying certain additional attendances besides those of the ordinary day and hour; these are:—

(*a.*) In the case of a town district of particularly large population, it may be convenient that during the stress of the epidemic the station should be open for the general performance of vaccination on two days (instead of one day) in each week.

(*b.*) In the case of many artisans requiring re-vaccination, and being unwilling to lose part of their working day with the object of securing the desired protection, it may be expedient to appoint for their attendance some evening hour of the day appointed for systematic vaccination, when the public vaccinator possesses abundance of fresh lymph.

(*c.*) And, thirdly, in order to meet cases of emergency, special daily attendances at the station may be appointed to take place at a fixed hour, not for vaccination or re-vaccination generally, but for giving protection to the particular persons who are running exceptional risk of exposure to small-pox infection.

2. In districts (whether of town or country) which ordinarily have their public vaccinations performed at quarterly or half-yearly or other intervals, should small-pox break out at a time of year when vaccination is not going on, it will be necessary that the station for the district or part of district in which the disease is prevailing

should at once be opened, and that a WEEKLY ATTENDANCE should be given thereat for a limited period; during which period the vaccination officer should take steps as above directed for making the vaccination of the district or part of district as complete as possible. In districts of the kind now under consideration, it will probably be more convenient that CASES OF EMERGENCY should be vaccinated at their own homes under the exceptional provisions of Regulation 1, Art. 1, of the Order of February 18, 1868 (above referred to)[1], than that daily attendances should be given at the station.

3. Any exceptional vaccination arrangements made as above by the Guardians with reference to epidemics of small-pox should be for some fixed period, not exceeding six weeks; at the end of which period they can, in case of need, be renewed by a further order of the Guardians; but every such making or renewal of the exceptional arrangements should be reported without delay to the Local Government Board.

N.B.—The isolation of the sick, the disinfection of infected houses, and the disinfection or destruction of infected things, are very important means of checking the spread of small-pox; and in order that such measures may be enforced, The Public Health Act, 1875, besides imposing penalties on the exposure of infected persons, the letting of infected houses, the sale of infected things, and other acts similarly dangerous to the public health, gives very important powers to sanitary authorities. These are stated in the official "Memorandum on the duties of sanitary authorities in reference to epidemics of small-pox." It is also to be observed that, so far as the destitute classes are visited by small-pox, Boards of Guardians as Poor Law authorities, have opportunities, which it is desirable they should fully use, for securing disinfection and the isolation of the sick.

GEORGE BUCHANAN,
Medical Officer.

Local Government Board, *November*, 1880.

[1] The Order will be found *ante*, p. 1321.

MEMORANDUM ON RE-VACCINATION.[1]

THE protection against small-pox conferred by vaccination in infancy becomes diminished as age advances, and the protection against attack appears to more rapidly diminish than the protection against death by the disease. Even before puberty a portion of the original protection is often lost; and this is particularly the case when the vaccination in infancy has been incomplete, having produced one vesicle instead of several, small vesicles instead of large.

Before vaccination was discovered, small-pox was for the most part a disease of children. Among the unvaccinated members of a community it is so to this day. But among vaccinated people, owing to the protection of the children and the decline of this protection as life advances, such small-pox as now prevails is principally seen in adolescents and adults.

Thus it is of importance that the protection which vaccination affords to children should be renewed for them as they are growing up; and the law has provided gratuitous re-vaccination by public vaccinators for every one on reaching the age of 12 years who has not before been successfully re-vaccinated.

A properly performed re-vaccination gives a second measure of protection at least equal to the first. Whether the protective

[1] This Memorandum was issued to the Guardians accompanied by a Circular Letter dated June 1, 1888, with which were transmitted copies of a leaflet (see *post*, p. 1334), for distribution by vaccination officers with the formal notices, which it is their duty to issue to parents, as to the requirements of the Vaccination Acts. In requesting that a copy of this leaflet may be handed to each public vaccinator and vaccination officer in the Union, the Board stated that they would, on application from any vaccination officer, furnish gratuitous supplies of the leaflet. The Board also requested that in the event of its becoming necessary, at any future time, to modify the current vaccination arrangements in view of an outbreak of small-pox, the recommendations contained in the Memorandum which accompanied the Circular Letter might be held in view by the Guardians.

influence of this second vaccination becomes impaired, and, if so, under what conditions, is not known.

Evidence of the additional protection against small-pox given by a re-vaccination can be found abundantly by anyone who chooses to seek for it. It can be got from the experience of re-vaccinated communities living in the midst of communities not re-vaccinated, as in the case of the permanent officials of the postal service living in London ; or it can be got from the experience of nations, differing in their small-pox death-rates as their laws for re-vaccination differ : witness the contrast between the German and Austrian rates of small-pox mortality since the time when Germany, but not Austria, enforced re-vaccination upon children of school ages. Or evidence to the same effect is to be had by observing the immunity from small-pox, for year after year, secured to nurses in small-pox hospitals by re-vaccinating them before entering on their service. This last is perhaps the most obvious of all such examples ; and in the few instances where there has seemed to be exception to the rule of their immunity it has almost always turned out that the requisite re vaccination had been by some chance omitted.

The re-vaccination which is proper to be done for every child ought to be a matter of regular system ; done as regularly, it were to be wished, as primary vaccinations are done for infants. There should be no waiting until an alarm about small-pox is raised. The importance of these considerations will be obvious to anyone who considers the conditions for the proper performance of re-vaccination. The lymph has to be obtained from cases of primary vaccination : it must not be taken from cases of re-vaccination ; it ought to be used in the freshest possible state, and, whenever practicable, direct from the primary vaccine vesicle. With such lymph at least 96 per cent. of re-vaccinations ought to be successful, in the sense of producing the best local result that the individual can obtain, and of giving him his full measure of additional security against small-pox.

If, on the other hand, people will defer re-vaccination until there is actual alarm of small-pox, and multitudes then present themselves for the operation at one and the same time, they must remember that the vaccinator has a first duty to infants whom the law requires

to be vaccinated, and that he may at the particular moment be without lymph for re-vaccinations. Or, alternatively, the applicants may have to be re-vaccinated with stored lymph, and then failures and uncertain results are likely to ensue; in the hands of some practitioners, indeed, as many as a third of the attempts at re-vaccination with such lymph have proved unsuccessful. And this disappointment in obtaining proper vaccination will be encountered just at the time when it is of special importance that the applicants should have the full measure of protection that vaccination and re-vaccination can give.

Medical and sanitary officers and the medical profession generally are therefore invited to urge upon parents and guardians the importance of having their children re-vaccinated at the age of 12 *years or thereabouts, and to urge upon all persons beyond this age who have not yet been successfully re-vaccinated the duty of obtaining for themselves the additional protection which may be had by this means.*

GEORGE BUCHANAN, Medical Officer.

Local Government Board, Medical Department, March 1888.

Public vaccinators are authorised to afford re-vaccination gratuitously to all persons over 12 years of age who have not previously been successfully re-vaccinated. Under circumstances of exceptional danger from small-pox they have authority, if they see fit, to re-vaccinate applicants over 10 years of age.

LEAFLET.—VACCINATION.

CHILDREN are vaccinated for the purpose of protecting them against small-pox. The law requires this protection to be given them in the first months of life.

Hundreds of children nowadays die of small-pox for want of vaccination, just as thousands used to die before vaccination was discovered. Vaccinated children, even if they should take the disease, hardly ever die of it. They recover without the blindness and scarring so common after small-pox in unvaccinated children.

Parliament has provided the means for vaccination being everywhere properly done. When it is so done, "there need be no apprehension that vaccination will injure health or communicate any disease." These are the words of the Select Committee of the House of Commons in 1871, and they are as true to-day as when they were written.

Vaccination ought to be repeated for children of twelve years old, so that they may get fresh protection against small-pox, and under some circumstances this "re-vaccination" should be done at an even earlier age. The protection given by a recent re-vaccination is such that "re-vaccinated" persons can even live in small-pox hospitals without catching the disease.

Vaccinations and re-vaccinations are done by Public Vaccinators without cost to parents.

LOCAL GOVERNMENT BOARD,
February, 1888.

MEMORANDUM

Of Conditions upon which the Local Government Board assent to the Emigration of Orphan and Deserted Pauper Children to Canada.

(Dated April, 1888.)

The Local Government Board have been furnished with a copy of a despatch from the Governor-General of Canada, forwarding a copy of a report of a Committee of the Privy Council, from which it appears that the Minister of Agriculture will cause an inspection of pauper children brought to Canada by voluntary agencies, "to be "made annually by the immigration officers of the Department of "Agriculture, or such other persons as he shall instruct." The Minister, however, requires, "as a condition of undertaking the "responsibility of such inspection, and in order to enable it to be "made, that all persons in the United Kingdom entrusted with the "care of children from workhouses to bring to Canada, shall be "informed that it will be their duty to furnish to the Department "of Agriculture at Ottawa a report containing the name and age of "each child, and the name and post office address of each person "with whom the child is placed." It is also required that the name of the nearest post office, the name of the lot, the concession, and the name of the township in which the person with whom the child is placed resides shall be given as part of the address.

With a view to give effect to this arrangement, and, as far as possible, to provide for the due care and welfare of the children, the Local Government Board must require as a condition to their sanction being given to the emigration of pauper children to Canada that the following conditions shall be observed :—

1. The Guardians shall in each case obtain an undertaking in

writing from any person entrusted by them with the care of taking children to Canada, and of placing them in homes, that immediately after a child is placed out, the Department of Agriculture at Ottawa shall be furnished with a report containing the name and age of the child, and the name and the address (with the particulars stated above) of the person with whom the child is placed, and that a report containing similar information shall be furnished to the Guardians of the union from which the child is taken.

2. The Guardians on receipt of such report shall cause a copy of it to be furnished to the Local Government Board.

3. The person proposed to be entrusted by the Guardians with the emigration of a child shall have notice from the Guardians whether the child is a Protestant or Roman Catholic, and he shall give an undertaking if the child is a Protestant that he shall be placed with a family of the Protestant faith, or if the child is a Roman Catholic that he shall be placed in a Roman Catholic home.

4. A child before being sent to Canada shall have been under previous instruction at least six months.

(*a*) In a workhouse or separate school under the guardians, or a district school, or at a public elementary school at the cost of the guardians ; or

(*b*) In a school certified by the Board under the 25 & 26 Vict. cap. 43. It will not be regarded as essential that such period of instruction shall immediately precede the emigration.

5. The Guardians shall instruct one of their medical officers personally to examine each child proposed to be sent to Canada, and to report in writing as to its health, both of body and mind, and to certify whether, in his opinion, the child is in all respects a suitable subject for emigration to that country. A copy of this report and certificate must be forwarded to the Local Government Board.

6. The Guardians must have such evidence as they deem satisfactory that the person taking out the children has a reasonable prospect of finding suitable homes for them in Canada.

The Board consider that as a general rule girls should not be

sent out above the age of 10 years, and in no case, except under very special circumstances, above the age of 12 years.

The Board have been informed by the High Commissioner of Canada that the assisted passages hitherto granted by the Dominion Government are to be withdrawn after the 27th April, 1888.

With a view to guide the Guardians in determining what would be a reasonable amount to pay to the persons entrusted with the children for the cost of taking them from Liverpool to homes in Canada, the Board have obtained from the High Commissioner for Canada the particulars of the charges at present made by the steamship companies for passages to Quebec and Halifax, which are as follows :—

	£	*s.*	*d.*
Adults	4	0	0
Children under 12 years of age . . .	2	0	0

The rates vary from time to time, but the current rates can always be ascertained from the various steamship companies.

In addition to the above rates a kit and bedding have to be obtained by the emigrant at a cost of a few shillings.

The railway fares, which have now in every case to be paid from Quebec to places in Ontario, in which province most of the homes for the children are situated, range from £1 to £1 15*s.* per adult, according to distance. Children between 5 and 12 years of age are conveyed at half fares.

Local Government Board,
April, 1888.

MEMORANDUM

As to the Legality of Expenses incurred by Local Authorities in purchasing Periodical Publications.

(Dated 16th June, 1884.)

The Local Government Board have recently had under consideration the question of the legality of the purchase by local authorities, at the cost of the funds under their control, of periodical publications which contain reports of decisions of the courts of law, or other information connected with matters subject to their jurisdiction.

Hitherto the Board have generally considered that the local rates could not legally be expended in the purchase of the publications referred to.

Recently, however, they have seen reason to doubt whether this view could be supported, and they have therefore consulted the law officers of the Crown upon the point. The effect of the opinion given by the law officers is, that if the publications referred to contain information so immediately connected with the discharge of their duties by the local authorities as to be likely to enable them to discharge those duties more efficiently than they could without such publications, the local authorities may legally make the purchase at the cost of the rates.

The Board think it desirable to communicate this opinion to the auditors for their future guidance. It will, of course, be for the auditor, subject to appeal to the Board, to decide, in regard to any particular publication, whether it does or does not contain information of the character described; and he should satisfy himself, with reference to the special circumstances of each case, that not more copies of any periodical are purchased than are reasonably necessary.

Hugh Owen, *Secretary.*

Local Government Board, Whitehall, June 16, 1894.

MEMORANDUM.

PARLIAMENTARY GRANT. — PAYMENTS TO TEACHERS IN WORKHOUSE AND DISTRICT SCHOOLS.

LOCAL GOVERNMENT BOARD, WHITEHALL, S.W.,
August 9, 1884,

Sir,—I am directed by the Local Government Board to inform you that they have had under their consideration the course which should be followed in calculating the grants payable upon the certificates awarded to teachers in workhouse and district schools in those cases in which the schoolmaster or schoolmistress has the assistance of one or more assistant teachers.

The Board have determined that in future the following rules shall be adopted in these cases :—

1. That when the number of children in the boys or girls or infants' department of a school is not larger than is sufficient to admit of the payment in respect of the head teacher of the maximum allowance according to the grade of his or her certificate, no payment shall be made on account of an assistant teacher beyond the minimum allowance payable under the certificate of such assistant teacher.

2. That when the number of children in the boys or girls or infants' department of a school exceeds that which is required for the payment in respect of the head teacher of the maximum allowance according to his or her certificate, the children in excess of that number shall be taken into account for the purpose of an allowance in respect of an assistant teacher according to the usual scale, in addition to the minimum sum payable under the certificate awarded to such assistant teacher.

3. That when there are two or more assistant teachers in the boys or girls or infants' department of a school, no payment other than the minimum allowance under the certificate awarded to the officer shall be made in respect of any assistant teacher other than the first, unless the number of children in the department is more than sufficient to admit of the payment in respect of the head teacher and the first assistant teacher of the maximum allowances which are payable under their certificates, and that when the children are in excess of that number, the number in excess shall be taken into consideration for the purpose of an allowance in respect of a second, and if the number is such as to admit of it, of a third or fourth assistant teacher, in addition to the minimum allowance payable under the certificates of such assistant teachers.

These arrangements will not apply to assistant teachers now in office, but only to such as may be appointed after the date of this communication.

I am, &c.,

HUGH OWEN,

Secretary.

To

The Clerk to the Guardians [*Managers*].

MEMORANDUM.

PARLIAMENTARY GRANTS IN AID OF THE SALARIES OF POOR LAW MEDICAL OFFICERS AND TEACHERS IN POOR LAW SCHOOLS.

Local Government Board, Whitehall, S.W.
September 29, 1887.

Sir,—I am directed by the Local Government Board to state that they have decided that the returns which have hitherto been made to them half-yearly, for the purposes of the grant voted by Parliament in aid of the salaries of poor law medical officers, schoolmasters, and schoolmistresses, and industrial teachers, and the cost of drugs and surgical appliances, shall, in future, be made annually, and for the year terminating at Lady-day. No separate return need therefore be made by you for the purposes of this grant for the half-year ended at Michaelmas.

I am, &c.,

Hugh Owen, *Secretary.*

The Clerk to the Guardians.

CIRCULAR LETTER TO BOARDS OF GUARDIANS. PAYMENTS BY COUNTY COUNCILS IN RESPECT OF THE REMUNERATION OF TEACHERS IN POOR LAW SCHOOLS.

(Dated June 14, 1889.)

Sir,—I am directed by the Local Government Board to draw the attention of the Guardians to the provisions of the Local Government Act, 1888, relating to the payments to be made to them in substitution for the annual grants made out of the Exchequer in respect of the remuneration of teachers in poor law schools.

These grants will for the year ended the 25th March last, and in future, be paid in accordance with the following provisions which are contained in section 24 of the Act :—

"(2.) In substitution for local grants, the council of each county shall from time to time, as from the said day (*i.e.*, 31st March 1889), pay out of the county fund and charge to the Exchequer Contribution Account the following sums ; that is to say—

"(*a.*) They shall pay to the guardians for every poor law union or officer for any other area wholly or partly in the county (as the case may be) such sums as the Local Government Board from time to time certify to be due from the said council in substitution for the local grants towards the remuneration of teachers in poor law schools . . . . . .

"(5) Where a sum is payable under this section to the guardians, authority, or officer of a union or other area, and such union or area is situate in more administrative

counties than one, a proportionate part only of the sum otherwise payable shall be paid by the council of each of such counties to the guardians, authority, or officer, and the Local Government Board shall certify the proportionate part due from the council of each such county.

"(6.) The guardians or officer to whom a sum is payable under this section on the certificate of the Local Government Board, shall submit to the Board their claim to the payment in such manner, and produce such evidence and comply with such rules as the Board from time to time require or make, and the Board shall fix the amount due on the like principles, and may impose the like conditions for the payment thereof as before the passing of this Act.

"(7.) The Local Government Board may, if they think fit, vary a certificate granted for the purposes of this section, but unless so varied it shall be conclusive."

By section 34 (1) of the Act it is provided that the council of each county borough shall make the like payments in substitution for local grants as in the case of a county council, so far as the circumstances make such payments applicable, and the provisions of the Act are to apply accordingly.

In order that the Board may issue the prescribed certificate, they desire to be furnished, after the audit of the accounts for the half year ended March 25 in each year, with a statement in the accompanying form, showing as regards each teacher the amount expended by the guardians during the year ended March 25 on his or her salary, with the amount claimed under the Act in accordance with the certificate awarded to the schoolmaster or schoolmistress, and in the case of industrial teachers according to the proportion of salary certified to be repayable in the cases of those officers.

The Board do not propose to make any alteration in the principles which have hitherto guided them in awarding payments to boards of guardians in respect of the salaries of teachers, and on receipt of the claim from the board of guardians they will cause the same to be examined, and they will then fix the amount due and issue their certificate in accordance with section 24 (2) (*a*) of the Act.

With regard to industrial teachers, the Board desire to draw the attention of the guardians to the circular letter issued by the Poor Law Board on March 12, 1867, as to the proportion of the salary which should be repaid to the guardians in respect of these officers, and to state that the Board will not be prepared to include in their certificate any payment for an industrial teacher unless the conditions prescribed in that circular are fulfilled.

It will probably be convenient to the guardians for the Board to again point out the conditions which will guide them in certifying the payments to be made in respect of the salaries of industrial teachers.

The Board will not be prepared to certify any payment to be due to the guardians, except after the receipt of a satisfactory report from the Board's school inspector, nor unless an average of six children at least have received efficient industrial instruction. It will be necessary that the children should be employed not merely in assisting the officer in the performance of his work, but that they should be instructed and exhibit satisfactory proficiency or skill in some trade or handicraft or other industrial work which will be hereafter of advantage to them in earning their own livelihood.

When the guardians provide board and lodging two-thirds of the officer's salary will be allowed. When they do not provide board and lodging one-half the salary will be allowed. If, however, the teacher holds any other office under the guardians, a separate salary must be assigned to each office, and the repayment will only be in respect of his remuneration as industrial teacher.

In the case of a band or drill-master, whose services are given wholly for the instruction of the children, the whole of the salary will be allowed.

As regards the number of industrial teachers for whom payment will be made, the Board will not be prepared to allow repayment on account of more than one industrial teacher for every 30 children in average attendance in the school, except in cases in which, owing to the children being sent out to school, or being taught in a mixed school under a single teacher, an industrial teacher is employed in lieu of a schoolmaster or schoolmistress.

The claim in duplicate should be submitted to the district auditor at the audit, and when certified by him should be forwarded to the Board. Three copies of the form are enclosed, but the Board cannot undertake to supply the forms in future. They should be obtained by the guardians from the publishers as heretofore.

It will not be necessary that the claim for the year ended March 25, 1889, should be made in this form if the guardians have already transmitted to the Board a claim in the form previously in use for the purposes of the parliamentary grant.

At the same time, the Board may direct the attention of the guardians to sub-section (2) (*b*) of section 24 of the Local Government Act, which requires the county council to pay to the guardians the school fees paid for pauper children sent from a workhouse to a public elementary school outside the workhouse. This provision is rendered applicable to the councils of county boroughs by section 34 (1) of the Act. The claims for these payments should not be forwarded to the Board, but to the councils by whom the sums are payable.

I am, &c.,

HUGH OWEN,

Secretary.

The Clerk to the Guardians.

MEMORANDUM.

Payments by the County Council of London in Substitution for Annual Grants out of Exchequer in respect of the Remuneration of Teachers in Poor Law Schools and Poor Law Medical Officers, and towards the cost of Drugs and Medical Appliances.

Local Government Board, Whitehall, S.W.,
July 19, 1889.

Sir,—I am directed by the Local Government Board to draw the attention of the Guardians to the provisions of the Local Government Act, 1888, relating to the payments to be made to them in substitution for the annual grants made out of the Exchequer in respect of the remuneration of teachers in poor law schools.

These grants will in future be paid in accordance with the following provisions which are contained in the Act :—

[The circular letter here sets out the provisions of Section 24 which are set out in the circular letter of the 14th June, 1889, *ante*, p. 1342.]

"Section 43 (1). In the administrative county of London the county council :—

(*a.*) Shall pay to the guardians for every poor law union wholly in the county such sums as the Local Government Board from time to time certify to be due from the said council in substitution for the local grants towards the remuneration of poor law medical officers and towards the cost of drugs and medical appliances.

In order that the Board may issue the prescribed certificates, they desire to be furnished, after the audit of the accounts for the half-year ended the 25th March in each year, with a statement in the accompanying form, showing :—

(1.) As regards each teacher the amount expended by the guardians during the year ended on the 25th March as his or her salary, with the amount claimed under the Act in accordance with the certificate awarded to the schoolmaster or schoolmistress, and in the case of industrial teachers according to the proportion of salary certified to be repayable in the cases of those officers.

(2.) As regards medical officers, drugs, and medical appliances, the salary payable to each medical officer during the year ended as aforesaid, as sanctioned by the Local Government Board, exclusive of fees for midwifery and surgical operations, and the amount expended during such year on drugs and medical appliances.

The Board do not propose to make any alteration in the principles which have hitherto guided them in awarding payments to boards of guardians in respect of the salaries of teachers, and on receipt of the claim from the guardians they will cause the same to be examined, and they will then fix the amount due and issue their certificate in accordance with section 24 (2) (*a*) of the Act.

With regard to industrial teachers, the Board desire to draw the attention of the guardians to the circular letter issued by the Poor Law Board on March 12, 1867,[1] as to the proportion of the salary which should be repaid to the guardians in respect of these officers, and to state that the Board will not be prepared to include in their certificate any payment for an industrial teacher unless the conditions prescribed in that circular are fulfilled.

It will probably be convenient to the guardians for the Board to again point out the conditions which will guide them in certifying the payments to be made in respect of the salaries of industrial teachers.

[1] For this circular letter see the note to Art. 212 of the General Consolidated Order of July 24, 1847, *ante*, p. 431.

The Board will not be prepared to certify any payment to be due to the guardians, except after the receipt of a satisfactory report from the Board's School Inspector, nor unless an average of six children at least have received efficient industrial instruction. It will be necessary that the children should be employed not merely in assisting the officer in the performance of his work but that they should be instructed and exhibit satisfactory proficiency or skill in some trade or handicraft or other industrial work which will be hereafter of advantage to them in earning their own livelihood.

When the guardians provide board and lodging, two-thirds of the officer's salary will be allowed. When they do not provide board and lodging one half the salary will be allowed. If, however, the teacher holds any other office under the guardians, a separate salary must be assigned to each office, and the repayment will only be in respect of his remuneration as industrial teacher.

In the case of a band or drill-master, whose services are given wholly for the instruction of the children, the whole of the salary will be allowed.

As regards the number of industrial teachers for whom payment will be made, the Board will not be prepared to allow repayment on account of more than one industrial teacher for every 30 children in average attendance in the school.

The claim, in duplicate, should be submitted to the District Auditor at the audit, and when certified by him should be forwarded to the Board. Three copies of the form are enclosed, but the Board cannot undertake to supply the forms in future. They should be obtained by the guardians from the publishers as heretofore.

It will not be necessary that the claim in respect of the year ended March 25th, 1889, should be made in this form if the Guardians have already transmitted to the Board a claim in the form previously in use for the purposes of the parliamentary grants.

I am, Sir, Your obedient Servant,

HUGH OWEN, *Secretary.*

The Clerk to the Guardians.

MEMORANDUM.

Payments by County Councils in Substitution for Annual Grants out of the Exchequer in respect of the Remuneration of Teachers in District Schools.

Local Government Board, Whitehall, S.W.,
September 16, 1889.

Sir,—I am directed by the Local Government Board to draw the attention of the managers to the provisions of the Local Government Act, 1888, relating to the payments to be made in substitution for the annual grants made out of the Exchequer in respect of the remuneration of teachers in poor law schools.

These grants will for the year ended March 25 last, and in future, be paid in accordance with the following provisions which are contained in section 24 of the Act. [The circular letter here sets out the provisions of section 24 which are set out in the circular letter of June 14, 1889, *ante*, p. 1342.]

By section 34 (1) of the Act it is provided that the council of each county borough shall make the like payments in substitution for local grants as in the case of a county council, so far as the circumstances make such payments applicable, and the provisions of the Act are to apply accordingly.

Having regard to the terms of section 24, the Board are of opinion that the payments to be made by county councils or councils of county boroughs in respect of teachers in district schools should not be made to the managers, as the payments from the parliamentary grant have hitherto been made, but to the guardians of the unions comprised in the school district, and in proportion to the rateable value of each union.

In order that the Board may issue the prescribed certificates, it

will be necessary for the managers, before the audit of their accounts for the half-year ended March 25 in each year, to make out a statement in the accompanying form, showing as regards each teacher the amount expended by the managers during the year ended March 25, on his or her salary, and the amount due under the Act in accordance with the certificate awarded to the schoolmaster or schoolmistress, and in the case of industrial teachers according to the proportion of salary certified to be repayable in the cases of those officers.

The names of the unions comprised in the school district, the rateable value of each union at the commencement of the year in respect of which the claim is made, and the sum claimed on behalf of each union should also be entered in the proper columns, the apportionment being made in proportion to the rateable value. The statement in duplicate must be submitted to the district auditor at the audit of the accounts of the managers.

When the Board receive the claim from the managers, they will cause it to be examined, and will then fix the amounts due, and issue their certificates in accordance with section 24(2) (*a*) of the Act.

With respect to school teachers, the Board direct me to point out that if the amount specified in the certificate awarded to the officer exceeds the salary sanctioned by the Board, the excess should be paid to the officer by the managers in proportion to the period of service during the year ended March 25, and be charged to the unions included in the school district. The sum so charged to the unions will be repayable to the guardians in like manner as the charge borne by them in respect of the salary of the officer.

With regard to industrial teachers, the Board desire to draw attention to the circular letter issued by the Poor Law Board on March 12, 1867,[1] as to the proportion of the salary which should be repaid in respect of these officers, and to state that the Board will not be prepared to include in their certificate any payment for an industrial teacher unless the conditions prescribed in that circular are fulfilled.

[1] For this circular letter see the note to Art. 212 of the General Consolidated Order of July 24, 1847, *ante*, p. 431.

It will probably be convenient for the Board to again point out the conditions which will guide them in certifying the payments to be made in respect of the salaries of industrial teachers.

The Board will not be prepared to certify any payment to be due, except after the receipt of a satisfactory report from the Board's school inspector, nor unless an average of six children at least have received efficient industrial instruction. It will be necessary that the children should be employed not merely in assisting the officer in the performance of his work, but that they should be instructed and exhibit satisfactory proficiency or skill in some trade or handicraft or other industrial work which will be hereafter of advantage to them in earning their own livelihood.

When the managers provide board and lodging, two-thirds of the officer's salary will be allowed. When they do not provide board and lodging one half the salary will be allowed. If, however, the teacher holds any other office under the managers, a separate salary must be assigned to each office, and the repayment will only be in respect of his remuneration as industrial teacher. In the case of a band or drill master, whose services are given wholly for the instruction of the children, the whole of the salary will be allowed.

As regards the number of industrial teachers for whom payment will be made, the Board will not be prepared to allow repayment on account of more than one industrial teacher for every 30 children in average attendance in the school.

Three copies of the form are enclosed, but the Board cannot undertake to supply the forms in future. They should be obtained by the managers from the publishers as heretofore.

It will not be necessary that the claim in respect of the year ended March 25, 1889, should be made in this form if the managers have already transmitted to the Board a claim in the form previously in use for the purposes of the parliamentary grant.

The Board have forwarded a copy of this letter to the guardians of the unions comprised in the school district.

I am, Sir, Your obedient servant,

HUGH OWEN, *Secretary.*

The Clerk to the Managers.

CIRCULAR—REPRESENTATION OF THE PEOPLE ACT, 1884.

(48 Vict. c. 3.)

Local Government Board, Whitehall, S.W.,
February 7, 1885.

Gentlemen,—I am directed by the Local Government Board to draw your attention to certain provisions of the Representation of the People Act, 1884 (48 Vict. c. 3), which have reference to the duties of overseers of the poor in connection with the entry in the rate book of particulars relating to men entitled to be registered as voters in respect of their being inhabitant occupiers of dwelling-houses within the meaning of the Representation of the People Acts.

Sub-section 2 of section 9 of the Act of 1884 is in these terms :—

"In every part of the United Kingdom, it shall be the duty of the overseers annually, in the months of April and May, or one of them, to inquire or ascertain with respect to every hereditament which comprises any dwelling-house or dwelling-houses within the meaning of the Representation of the People Acts, whether any man, other than the owner or other person rated or liable to be rated in respect of such hereditament, is entitled to be registered as a voter in respect of his being an inhabitant occupier of any such dwelling-house, and to enter in the rate book the name of every man so entitled, and the situation or description of the dwelling-house in respect of which he is entitled, and for the purposes of such entry a separate column shall be added to the rate book."

With regard to this enactment, it may be pointed out that for the purposes of the Representation of the People Acts, the expression

"dwelling-house," according to the definition in section 5 of the Parliamentary and Municipal Registration Act, 1878, includes "any part of a house where that part is separately occupied as a dwelling." It may also be observed that the provisions above quoted clearly indicate that it is incumbent upon the overseers, where the information in their possession is not sufficient to enable them to make the requisite entries in the rate book, to take the necessary steps to obtain the particulars needed for this purpose. If the overseers cannot otherwise ascertain these particulars, it becomes their duty to inquire; and by sub-section 3 of section 9 it is provided that "the "overseers may serve on the person who is the occupier, or rated or "liable to be rated in respect of such hereditament" [*i.e.*, a hereditament which comprises any dwelling-house or dwelling-houses within the meaning of the Representation of the People Acts], "or "on some agent of such person concerned in the management of "such hereditament, the requisition specified in the Third Schedule "to this Act requiring that the form in that notice be accurately "filled up and returned to the overseers within twenty-one days after "such service." The sub-section further enacts that "any overseer "who fails to perform his duty under this section shall be deemed "guilty of a breach of duty in the execution of the Registration Acts, "and shall be liable to be fined accordingly a sum not exceeding forty "shillings for each default."[1]

The enactment contained in sub-section 2 refers to cases where the man entitled to be registered is "other than the owner or other person rated or liable to be rated" in respect of the hereditament. For cases where no person is rated for the qualifying premises in consequence of some ground of exemption being applicable to the premises, provision is made in sub-section 9. That sub-section enacts as follows :—

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[1] It has been held that an indictment will not lie against an overseer for wilful breaches of the duties imposed upon him by the Registration Act of 1843, in preparing and publishing voters' lists, inasmuch as for every such breach of duty (the duties being new duties created or re-created by statute) a special tribunal is created by section 51 of the Act, and a penal action given by section 97, which excludes the remedy by indictment.—*Reg.* v. *Hall*, 64 L. T. N.S. 394, (1891) 1 Q.B. 747, 60 L.J.M.C. 93, 17 Cox C.C. 278.

"In any part of the United Kingdom where a man inhabits a dwelling-house in respect of which no person is rated by reason of such dwelling-house belonging to or being occupied on behalf of the Crown, or by reason of any other ground of exemption, such person shall not be disentitled to be registered as a voter, and to vote by reason only that no one is rated in respect of such dwelling-house, and that no rates are paid in respect of the same, and it shall be the duty of the persons making out the rate book . . . to enter any such dwelling-house as last aforesaid in the rate book . . . together with the name of the inhabitant occupier thereof."

With regard to the entry in the rate book of the particulars required by the enactments referred to, the Board direct me to state that there will be an obvious convenience in the adoption by the overseers of a uniform practice in this matter, and that the Board would suggest that the separate column in which the particulars are to be entered should be added immediately after the last column in the present form of rate book, *i.e.*, after the last column relating to the collecting of the rate.

The Board in the form appended show the headings which they recommend should be adopted for the column to be added to the rate book.

As the overseers are aware, it does not devolve on the Board to advise on questions which arise as to the construction of the Acts relating to the Representation of the People. The Board, however, have thought it right to make the suggestions contained in this communication with regard to the additional column in the rate book, as the present form of rate book is prescribed by their regulations.

I am, &c.,

HUGH OWEN,

Secretary.

To the Overseers of the Poor.

NAME of every Man, other than the Owner or other Person rated or liable to be rated in respect of a Hereditament comprising a Dwelling-house or Dwelling-houses within the meaning of the Representation of the People Acts, who is entitled to be registered as a Voter in respect of his being an Inhabitant Occupier of any such Dwelling-house; and

NAME of every Man being an Inhabitant Occupier of a Dwelling-house in respect of which no Person is rated by reason of such Dwelling-house belonging to or being occupied on behalf of the Crown, or by reason of any other ground of exemption;

and

SITUATION or Description of the Dwelling-house.

Name of Man	Situation or Description of Dwelling-house

[A Welsh translation of this Circular was sent on March 27, 1885, to the overseers of parishes in Wales.]

CIRCULAR—APPEALS AGAINST DECISIONS OF DISTRICT AUDITORS.

LOCAL GOVERNMENT BOARD, WHITEHALL, S.W.,
May 18, 1885.

Sir,—I am directed by the Local Government Board to state that, in dealing with appeals against disallowances and surcharges by the district auditors, they find that a large amount of correspondence is occasioned by the fact that the parties affected by the auditors' decisions are often not aware of the proper mode of appeal, or of the particulars which the appeal should contain. In consequence of the want of information upon these points, the appeals, when first received, are frequently defective, and as much correspondence is thereby rendered necessary, the Board's decisions are delayed.

The Board think it desirable, therefore, that the person in whose accounts or upon whom a disallowance or surcharge is made, or from whom a sum of money is certified to be due, should be supplied with instructions as to the mode of appeal, so that, if he be desirous of appealing, he may be enabled to do so in such a form as will enable the Board to readily deal with the case.

With this view the Board have caused to be prepared the two papers of which copies are enclosed.[1] A supply will be forwarded to you, in order that when you make a disallowance or surcharge, or certify any money to be due, and an appeal is likely to be made to the Board, you may then and there hand to the person affected by your action, if he be present, a copy of the instructions applicable to his case. If the disallowance or surcharge or the certificate affects more than one person, and more than one of such persons be

[1] See *post*, pp. 1358 and 1361.

present, it will be sufficient if you hand a copy to one of them. If the person or persons affected be none of them present, then the paper may be handed to the person, if any, who attends on his or their behalf. In the case of a surcharge upon a member or members of a local authority, if he or they be not present, the copy may be given to the clerk or other officer of the authority attending the audit.

There are, however, many cases where the auditor has reason to believe that no appeal will be made to the Board, and in such cases the instructions need not be given.

The instructions headed "parish officers" apply to all parish officers whose accounts in respect of the rates mentioned in the paper are subject to audit by you.

As respects the other instructions, you will observe that some authorities (*e.g.*, joint hospital boards and port sanitary authorities), whose accounts may be subject to your audit, are not referred to. Instances of disallowance or surcharge in the accounts of authorities other than those named in these instructions are not numerous, and the Board have not thought it necessary to provide for such cases. Indeed, the instructions are intended to apply only to those cases in which disallowances, &c., most frequently occur.

The Board hope that the distribution of these instructions, by leading to the earlier making and decision of appeals, may be of some assistance to the auditors in the discharge of their duties.

I am, &c.,

HUGH OWEN,

Secretary.

The District Auditor.

INSTRUCTIONS FOR PARISH OFFICERS

As to the Mode of Appealing to the Local Government Board against Disallowances and Surcharges by a District Auditor.

(Dated April, 1885.)

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1. Parish officers from whom a district auditor certifies any money to be due, unless they appeal against the auditor's decision, are required by law to pay over the money certified within seven days from the date of the certificate, as hereinafter mentioned :—

Rates Levied by Overseers.

(*a.*) Money certified in the *poor rate* accounts must be paid to the *union treasurer*, except where an amount of less than £2 is certified to be due from overseers, in which case the money may be paid over with the balance to the succeeding overseers.

(*b.*) Money certified in the *separate sanitary rate* account must be paid to the *treasurer of the rural sanitary authority*.

(*c.*) Money certified in the *lighting rate* account to the *treasurer of the lighting inspectors*.

(*d.*) Money certified in the *separate burial rate* account to the *treasurer of the burial board*.

(*e.*) Money certified in the *separate school board rate* account to the *treasurer of the school board*.

(*f.*) Money certified in the *borough rate* account, *i.e.*, the account of the rate levied in a parish only partly included in a municipal borough to meet the precept of the town council, to the borough treasurer.

(*g.*) Money certified in the account relating to the *highway rate* levied in *South Wales*, to the treasurer of the highway board.

RATES LEVIED BY PARISH HIGHWAY OFFICERS.

(*h.*) Money certified to be due from *surveyors of highways* must be paid over to the surveyors in office at the date when the payment is made.

(*i.*) Money certified to be due from *collectors* appointed by the surveyors must be paid over to the surveyors in office at the time of payment.

(*j.*) Money certified to be due from *waywardens* of highway parishes within the districts of highway boards, or from *collectors* appointed by such waywardens, must be paid to the treasurer of the highway board.

2. Any parish officers aggrieved by the auditor's decision may appeal to the Local Government Board, who are empowered to decide as to the lawfulness of the reasons stated by the auditor for his decision; and where they uphold the disallowance or surcharge, they may, upon payment of the cost (if any) incurred by the auditor in taking steps to enforce payment of the money certified, remit the disallowance or surcharge, if they consider that the subject-matter of it was incurred under such circumstances as make it fair and equitable that this course should be taken.

3. When parish officers desire to appeal, they must, unless the auditor has already entered his reasons in the book of account in which the disallowance or surcharge was made, apply to the auditor to enter his reasons in that book; and for this purpose the book should be submitted to the auditor.

4. When the auditor has entered his reasons, an exact copy of them and also a copy of the auditor's certificate of disallowance or surcharge, including his signature and the date of the entry, should be forwarded to the Board with the appeal.

5. The appeal should be by letter (on foolscap paper), addressed to the secretary of the Local Government Board, Whitehall, London, and must be signed by the appellant in his own handwriting.

Where two or more persons are mentioned in the auditor's certificate, the appeal should be signed by each of those desirous of appealing.

6. The appeal should contain a full statement of the facts which the appellant may desire to lay before the Board, and the grounds upon which the appeal is made should be explicitly set out. If there are any

(1.) Bills,
(2.) Vouchers, or
(3.) Other papers or documents

bearing upon the matter, they should be forwarded to the Board with the appeal.

HUGH OWEN,
Secretary.

Local Government Board, Whitehall, April 1885.

INSTRUCTIONS FOR MEMBERS AND OFFICERS OF LOCAL AUTHORITIES

As to the mode of Appealing to the Local Government Board against Disallowances and Surcharges by a District Auditor.

(Dated April, 1885.)

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1. If a person affected by a district auditor's certificate of disallowance or surcharge, as the case may be, is aggrieved by the decision of the auditor, he may appeal against it to the Local Government Board.

2. The Board upon appeal being made to them, are empowered to decide as to the lawfulness of the reasons stated by the auditor for the disallowance or surcharge, and where they uphold his decision, they may, upon payment of the costs (if any) incurred by the auditor in taking steps to enforce payment of the money certified, remit the disallowance or surcharge, if they consider that the subject-matter thereof was incurred under such circumstances as make it fair and equitable that this course should be taken.

3. If the person aggrieved decides to appeal, he must, unless the auditor has already entered his reasons in the book of account in which the disallowance or surcharge was made, apply to the auditor to enter his reasons in that book, and for this purpose the book should be submitted to the auditor.

4. When the auditor has entered his reasons, an exact copy of them and also a copy of the auditor's certificate, including his signature and the date of the certificate, should be forwarded to the Board with the appeal.

5. The appeal should be by letter (on foolscap paper, addressed to the secretary of the Local Government Board, Whitehall, London,

and must be signed by the appellant in his own handwriting. Where two or more persons are mentioned in the auditor's certificate, the appeal must be signed by each of those desirous of appealing.

6. The appeal should contain a full statement of the facts which the appellant may desire to lay before the Board ; and the ground upon which the appeal is made should be explicitly set out. If there are any

(1.) Cheques,
(2.) Bills,
(3.) Vouchers, or
(4.) Other papers or documents

bearing upon the matter, they should be forwarded to the Board with the appeal ; and where there are resolutions of the local authority with reference to the subject-matter of the expenditure, copies of the resolutions should also be sent.

7. Unless an appeal be made against the auditor's decision, the sum certified by him to be due must be paid over as follows :—

(*a.*) Money certified to be due from a member or an officer of an *Urban Sanitary Authority* must be paid within *fourteen days* to the treasurer of the authority.

(*b.*) Money certified to be due from a member or an officer of a

(1.) *Board of Guardians*, or
(2.) *Board of Management* for a school or asylum district, or
(3.) *Rural Sanitary Authority*, or
(4.) *School Board*, or
(5.) *Highway Board* or a *Board for repair of the highways* in a highway parish, or from a
(6.) *Manager of a school* under a school board,

must be paid over within *seven days* to the treasurer of the authority.

HUGH OWEN,
Secretary.

Local Government Board, Whitehall, April, 1885.

THE LUNACY ACT, 1890.[1]

[53 Vict., Cap. 5.]

Local Government Board, Whitehall, S.W.,
April 23, 1890.

Sir,—I am directed by the Local Government Board to draw the attention of the Guardians to the Lunacy Act, 1890, which received the Royal Assent on the 29th ultimo, and which comes into operation on May 1 next.

The Act consolidates the law respecting lunatics, and repeals most of the previous enactments on the subject. Twenty-seven statutes are thus wholly or partially repealed and re-enacted; and on referring to the fifth schedule to the Act it will be seen that the repeal practically extends to all the enactments relating to pauper lunatics and to the powers and duties of boards of guardians and their officers in relation to them. The substituted provisions are contained in various parts of the new Act; but attention may be especially directed to sections 13 to 22, which deal with summary reception orders, to sections 24 to 26, which relate to lunatics in workhouses, to sections 55 to 82, which provide for the absence from asylums of lunatics on trial or for health, the boarding out of lunatics, and their removal and discharge, and to Part X. of the Act, which has reference to the expenses of pauper lunatics.

The measure embodies the provisions of an Act passed last year called the Lunacy Acts Amendment Act, 1889 (52 & 53 Vict. c. 41), by which important alterations were made in the law relating to pauper lunatics. These alterations have not yet taken effect, as the

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[1] See also the circular of September 18, 1891, *post*, p. 1382, with reference to the provisions of the Lunacy Act, 1891, by which the Act of 1890 was amended.

Act was not for the most part to come into operation until May 1 next. As it has now been superseded by the Act of the present session, the provisions of the latter Act, which correspond with those of the Act of 1889, must, for practical purposes, be regarded as new ; and the Board think it desirable to refer to them in detail, so far as they affect those lunatics with whom boards of guardians and their officers are concerned. Subject to this, the new Act does not substantially alter the law.

Lunatics not under Proper Care and Control or Cruelly Treated or Neglected.

By section 68 of the Lunatic Asylums Act, 1853, it was enacted that every constable, relieving officer, and overseer of any parish, having knowledge that any person in such parish, not a pauper, and not wandering at large, was deemed to be a lunatic, and was not under proper care and control, or was cruelly treated or neglected by any relative or other person having the care or charge of him, should, within three days after obtaining such knowledge, give information thereof upon oath to a justice.

The justice was thereupon required either himself to visit the alleged lunatic and to make inquiry into the matter, or to direct and authorise some medical man to do so, and to report to the justice his opinion thereon. If it was thus made to appear to the justice that the allegations in the information were correct, it was lawful for him to require any constable of the parish or place, or any relieving officer or overseer where the person was alleged to be, to bring such person before any two justices of the county or borough, who having called a medical man to their assistance, could then deal with the case.

The whole of the Act of 1853 is now repealed ; and the provisions which take the place of those above referred to will be found in section 13 of the new Act. Under that section it is necessary that the information should be given to a justice who is a judicial authority under the Act.

Any such justice, to whom the information on oath has been given, may himself visit the alleged lunatic, and must, whether

making such visit or not, direct and authorise any two medical practitioners, whom he thinks fit, to visit and examine the alleged lunatic, and to certify their opinion as to his mental state. The justice is to proceed in the same manner so far as possible, and to have, as to the alleged lunatic, the same powers as if a petition for a reception order had been presented by the person by whom the information with regard to the alleged lunatic has been sworn. (Section 13 (2).)[1] It is unnecessary to describe this procedure in detail. It will be found set forth in sections 6 and 7 of the Act.

The order or authority made or given for the reception of a lunatic, whether a pauper or not, in an institution for lunatics (*i.e.*, an asylum, hospital, or licensed house) is, in the new Act, termed a "reception order." (Section 341.)

In order that a justice may be a judicial authority within the meaning of the Act, it is necessary that he should have been specially appointed by the justices of the county or quarter sessions borough, or by the Lord Chancellor, to exercise within the county or borough the powers conferred by the Act upon the judicial authority. (Section 10.)[2]

It is the duty of the clerk of the peace of the county or borough to publish the names of the justices so appointed in each petty sessional division of the county and otherwise for the information of all persons concerned.

It is desirable that the Guardians should obtain from the clerk of the peace of each of the counties or quarter sessions boroughs in which the union is situate, lists of the justices who have been appointed as judicial authorities. If in any borough, not having a separate quarter sessions, which is wholly or partly included in the union, justices have been appointed as judicial authorities, lists of such justices should be obtained from the clerk to the justices.

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[1] So much of section 13 as would have been inconsistent with s. 24 of the Lunacy Act, 1891, has been repealed by s. 29 of that Act. See as to the effect of section 24 the circular letter of September 18, 1891, *post*, p. 1382.

[2] A justice of the peace specially appointed under section 10 may exercise the powers of a judicial authority under the Act, notwithstanding that he may not have jurisdiction in the place where the lunatic or alleged lunatic is; see section 24 of the Lunacy Act, 1891, referred to in the circular letter of September 18, 1891, *post*, p. 1382.

Orders for Reception of Pauper Lunatics in Institutions for Lunatics.

The Act of 1890 does not alter the law generally as regards the steps to be taken to remove a pauper lunatic to an institution for lunatics. But after the commencement of that Act no pauper can be received as a lunatic into any asylum, hospital, or licensed house, under an order under the hands of an officiating clergyman and overseer or relieving officer. It may, however, be pointed out that where notice is given to, or an information on oath is laid before, a justice that a pauper resident within the limits of his jurisdiction is deemed to be a lunatic, and a proper person to be sent to an asylum, or that a person, whether a pauper or not, wandering at large within such limits is deemed to be a lunatic, the justice may examine him at his own house or elsewhere, and may proceed in all respects as if the alleged lunatic had been brought before him. (Section 17.)

But a justice cannot now in any case act upon his own knowledge only for the purpose of making a reception order. He cannot proceed except upon the prescribed notice, or where an information has been laid.

A justice is forbidden, after May 1 next, to sign an order for the reception of any person as a pauper lunatic into an institution for lunatics, or workhouse, unless he is satisfied that the alleged pauper is either in receipt of relief, or in such circumstances as to require relief for his proper care. If it appears by the order that the justice is so satisfied, the lunatic is to be deemed to be a pauper chargeable to the union, county, or borough properly liable for his relief. A person who is visited by a medical officer of the union at the expense of the union is, for the purposes of this enactment, to be deemed to be in receipt of relief. (Section 18.)

Requirements of Reception Orders and Medical Certificates.

Some restrictions have been placed on the making of reception orders and the granting of medical certificates. Thus section 29 of the recent Act provides that a reception order shall not be made unless the medical practitioner who signs the medical certificate, or where two certificates are required, each medical practitioner who

signs a certificate, has personally examined the alleged lunatic, in such cases as those with which guardians or their officers have to deal, not more than seven clear days before the date of the order. Moreover, where two medical certificates are required, a reception order is not to be made unless each medical practitioner signing a certificate has examined the alleged lunatic separately from the other.

If an order or certificate for the reception of a lunatic is, after such reception, found to be in any respect incorrect or defective, the order or certificate may, within 14 days next after such reception, be amended by the person who signed the same. No amendment, however, is to be allowed unless it receives the sanction of the Commissioners in Lunacy, or of one of them. Every order and certificate so amended will take effect as if the amendment had been contained therein when it was signed. (Section 34.)

Where a reception order has been made, and the execution of the order has been suspended, or the lunatic has been temporarily taken to a workhouse, he may be received in the institution for lunatics named in the order at any time within 14 days after the date of the reception order. (Section 36 (1).)

If the removal of the lunatic has been suspended by reason of a medical certificate that he is not in a fit state for removal, he may be received in the institution for lunatics named in the order within three days after the date of a medical certificate that he is in a fit state to be removed. (Section 36 (2).)

In all other cases a reception order will cease to be of any force unless the lunatic has been received under it before the expiration of seven clear days from its date. (Section 36 (3).)

Lunatics in Workhouses.

Section 24 of the new Act [1] provides that except in the cases mentioned in the Act (viz., those coming within Section 20 or 21) no person is, after the 1st May next, to be allowed to remain in a

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[1] Amended by the Lunacy Act, 1891. See the circular letter of September 18, 1891, *post*, p. 1382.

workhouse as a lunatic unless the medical officer of the workhouse certifies in writing—

(*a*) that such person is a lunatic, with the grounds for the opinion ; and

(*b*) that he is a proper person to be allowed to remain in a workhouse as a lunatic ; and

(*c*) that the accommodation in the workhouse is sufficient for his proper care and treatment, separate from the inmates of the workhouse not lunatics, unless the medical officer certifies that the lunatic's condition is such that it is not necessary for the convenience of the lunatic or of the other inmates that he should be kept separate.

(Sub-section (1).)

A certificate under this section will be sufficient authority for detaining the lunatic therein named against his will in the workhouse for 14 days from its date. (Sub-section (2).)

No lunatic is to be detained against his will or allowed to remain in a workhouse for more than 14 days from the date of a certificate under this section without an order under the hand of a justice having jurisdiction in the place where the workhouse is situate. Such an order may be made upon the application of a relieving officer of the union to which the workhouse belongs, supported by a medical certificate under the hand of a medical practitioner, not being an officer of the workhouse, and by the certificate under the hand of the medical officer of the workhouse before mentioned. (Sub-sections (3) and (4).)

The guardians are to pay to the medical practitioner who, not being an officer of the workhouse, examines a person for the purpose of a certificate under this section such reasonable remuneration as they think fit. (Sub-section (5).)

No such certificate or order of a justice as is above referred to is required as regards a pauper in a workhouse at the date of the commencement of the Act, as to whom a certificate has been signed under section 20 of the Lunacy Acts Amendment Act, 1862. (Sub-section (8).)

If, in the case of a lunatic in a workhouse, the medical officer

thereof does not sign a certificate under section 24 (1) of the new Act, or if, at or before the expiration of 14 days from the date of the certificate, an order is not made under the hand of a justice for the detention of the lunatic in the workhouse, or, if after such an order has been made, the lunatic ceases to be a proper person to be detained in a workhouse, the medical officer of the workhouse is forthwith to give notice in writing to a relieving officer of the union that a pauper in the workhouse is a lunatic and a proper person to be sent to an asylum. The like proceedings must then be taken by the relieving officer and all other persons for the purpose of removing the lunatic to an asylum, and within the same time, as is provided in the case of a pauper deemed to be a lunatic and a proper person to be sent to an asylum. Pending such proceedings the lunatic may be detained in the workhouse. (Sub-section (6).)

Failure on the part of the medical officer of a workhouse to give such notice to a relieving officer will render the medical officer liable, for each day or part of a day during which his default continues, to a penalty not exceeding 10*l.* ; and if the relieving officer fails to perform his duty under the section he will be liable to a similar penalty. (Section 320.)

The provisions of section 24 of the new Act take the place of the enactments in section 45 of the Poor Law Amendment Act, 1834, which prohibited the detention in a workhouse of any dangerous lunatic for any longer period than 14 days ; of those in section 20 of the Lunacy Acts Amendment Act, 1862, which provided that no person should be detained in a workhouse being a lunatic or alleged lunatic beyond 14 days, unless in the opinion of the workhouse medical officer the person was a proper person to be kept in a workhouse, nor unless the accommodation in the workhouse was sufficient for his reception ; and of those in section 22 of the Poor Law Amendment Act, 1867, which provided for the detention in workhouses of poor persons suffering from mental disease if the medical officer of the workhouse reported that the person was not in a proper state to leave the workhouse without danger to himself or others. Accordingly these enactments have all been repealed, except that in the case of the last-mentioned section, the repeal does

not extend to persons suffering from delirium tremens. Moreover, this section is in no way interfered with so far as it relates to persons suffering from bodily disease of a contagious or infectious character.

It is scarcely necessary to point out the great importance of the proper observance in future of the requirements of section 24 of the new Act. It may at the same time be noticed that where a lunatic is sent to the workhouse by a justice under section 21 of the Act (which takes the place of section 3 of the Lunacy Acts Amendment Act, 1885), in a case where a summary reception order might be made, the justice's order will not authorise the detention of the lunatic in the workhouse for more than 14 days, after which period such detention will not be lawful except in accordance with the provisions of section 24.

The guardians may make an order for the removal or discharge of any lunatic detained in a workhouse belonging to their union. (Sections 62 and 81.) [1]

Where a pauper lunatic is discharged from an institution for lunatics, and the medical officer of the institution is of opinion that the lunatic has not recovered and is a proper person to be kept in a workhouse as a lunatic, the medical officer is to certify such opinion, and the lunatic may thereupon be received and detained against his will in a workhouse without further order, if the medical officer of the workhouse certifies in writing that the accommodation in the workhouse is sufficient for the lunatic's proper care and treatment, separate from the inmates of the workhouse who are not lunatics, or that the lunatic's condition is such that it is not necessary for the convenience of the lunatic, or of the other inmates, that he should be kept separate. (Section 25.)

Expenses of Lunatics. Powers as to Dealing with Estate.

Section 69 of the Lunatic Asylums Act, 1853, enabled the justice or justices causing any person to be examined by a medical

[1] Section 62 is repealed by the Lunacy Act, 1891; see the circular letter of September 18, 1891, *post*, p. 1381.

practitioner to make an order upon the guardians of the union or parish to which the person was chargeable for the payment of the reasonable remuneration of the medical man, and of all other reasonable expenses in or about the examination, the bringing him before the justice or justices, and in conveying him to an asylum. Some difficulties arose in connection with this section, as only the justice or justices causing the person to be examined could make an order under it, and the order could only be made on the guardians of the union or parish to which the person was chargeable. Hence, if he was not chargeable no order could be made. The section was repealed by the Act of 1889, and a provision was substituted for it which has been reproduced in section 285 of the Act of this year. Under this section the difficulties above referred to will not arise, as it provides that whenever a justice directs a lunatic or alleged lunatic, whether a pauper or not, to be examined by a medical practitioner under the provisions of the Act, the justice directing the examination, or any other justice having jurisdiction in the place where the examination took place, may make an order upon the guardians of the union named in the order for payment of such reasonable remuneration to the medical practitioner and of all such other reasonable expenses in and about the examination, and the inquiry whether an order for the reception of the alleged lunatic in an institution for lunatics or workhouse ought to be made, and also, if an order is made, for payment of such reasonable expenses of carrying the order into effect as the justice thinks proper. Any sums paid by the guardians under such an order may be recovered by the guardians against the lunatic or alleged lunatic and his estate, and the person or authority legally liable for his maintenance as in the case of orders for maintenance.

Under sections 94 and 104 of the Lunatic Asylums Act, 1853, orders might be made by certain justices for the purpose of making a lunatic's property applicable to his maintenance. The restrictions as to the justices who could make such orders have now been removed, for section 299 (1) of the new Act provides that if it appears to any justice that a lunatic, chargeable to any union, has any real or personal property more than sufficient to maintain his family, if

any, such justice may by order direct a relieving officer of the union to seize so much of any money, and to seize and sell so much of any other personal property of the lunatic, and to receive so much of the rents of any land of the lunatic as the justice may think sufficient to pay the expenses of maintenance and incidental expenses respectively incurred or to be incurred in relation to the lunatic. The expression "incidental expenses" is defined in section 289 to mean the expenses incurred in or about the examination of the lunatic, and the bringing him before a justice or justices, and his removal and conveyance to or from any institution for lunatics.

Section 299 (2) provides that if any trustee, or the Governor and Company of the Bank of England, or any other society or person having possession of any property of a lunatic, shall pay or deliver to a relieving officer of a union to which a lunatic is chargeable any money or other property of the lunatic, to repay the charges mentioned, whether pursuant to an order under the section, or without an order, the receipt of such relieving officer shall be a good discharge.

Where a reception order is made in the case of a lunatic the value of whose real and personal property is under 200*l*., and no relative or friend of the lunatic is willing to undertake the management of such property, any judge of county courts having jurisdiction in the place from which the lunatic is sent, may, upon the application of the clerk of the guardians, or a relieving officer, of the union from which the lunatic is sent, authorise the clerk or relieving officer, or such other person as the judge by his order appoints, to take possession of and sell and realise the real and personal property of the lunatic, and to exercise all the powers which could be exercised by the legal personal representative of the lunatic if he were dead. (Section 132 (1).)

The judge, by whom the order is made, may by the same or any subsequent orders give directions as to the application of the property of the lunatic for his benefit or in reimbursement of such sums as may have been or may be expended by the guardians of the union for his care or relief, or of the costs or expenses incurred in relation to the lunatic by the guardians, or by the person acting under

any such order. Moreover, the judge may order that the whole or any part of the proceeds of the lunatic's property shall be paid into the county court to the credit of an account intituled in the matter of such lunatic, and any sum so paid into court may either be invested in the manner provided by the county court rules in force for the time being, or be paid out of court from time to time to such person as the judge directs, to be held and applied for the benefit of the lunatic, or in or towards the reimbursement of the sums above referred to. (Section 132 (2).)

The person acting under any such order of a judge of county courts is to render an account of his dealings with the lunatic's property to the judge by whom the order was made. (Section 132 (3).)

An order may be made by a judge of county courts upon an application by the guardians of any union for payment of the expenses incurred by them in relation to a lunatic, and the order may be enforced against any property of the lunatic in the same way as a judgment of the county court. (Section 300.)

In connection with sections 132 and 299 (1), reference may also be made to the provisions of section 206 of the Act, to which attention will presently be drawn.

Chargeability of Lunatics in Asylums becoming Paupers.

Section 95 of the Lunatic Asylums Act, 1853, directed that where any pauper lunatic was confined under that Act, he should be chargeable to the parish from which, or at the instance of some officer or officiating clergyman of which, he had been sent to the asylum, until it had been established that he was settled in some other parish, or that it could not be ascertained in what parish he was settled. The section did not, however, deal with the case of a lunatic sent to an asylum who became a pauper after his admission. It is now provided by section 286 of the new Act,[1] that where a pauper lunatic is sent to an institution for lunatics, or where a lunatic in an institution for lunatics becomes a pauper, he is to be deemed to be chargeable to the union from which he was sent, until it has

[1] As to which see the circular letter of September 18, 1891, *post*, p. 1384.

been established in the manner provided by the Act (sections 288, 289, and 290) that he is settled in some other union, or that it cannot be ascertained in what union he was settled, and the manager of the institution is forthwith to give to the authority liable for his maintenance notice that the lunatic has become destitute.

Boarding out Lunatics.

In accordance with a recommendation of the Select Committee on Lunacy Law in 1878, provision is now made for the boarding out of pauper lunatics with their relatives. Section 57 of the Act of this session provides, as regards pauper lunatics chargeable to a union, that where application is made to the visiting committee of an asylum by any friend or relative of a lunatic confined therein, that he may be delivered over to the custody of such relative or friend, the committee may, upon being satisfied that the application has been approved by the guardians of the union to which the lunatic is chargeable, and, in case the proposed residence is outside the limits of such union, then also by a justice having jurisdiction in the place where the relative or friend resides, and that the lunatic will be properly taken care of, order the lunatic to be delivered over accordingly.

The term "relative" is defined by section 341 to mean a lineal ancestor or lineal descendant, or a lineal descendant of an ancestor not more remote than great-grandfather or great-grandmother.

Where an order is made for the delivery of a pauper lunatic chargeable to a union into the custody of a relative or friend, the guardians are to pay to the person to whom the lunatic is delivered such allowance for the maintenance of the lunatic, not exceeding the expenses which would be incurred on his account if he were in the asylum, as the guardians, on the recommendation of the visiting committee of the asylum from which the lunatic was delivered over, think proper. (Section 57 (2).)

The lunatic is to be visited, once in every quarter of a year, by the medical officer of the union or district in which the lunatic is resident, who must, within three days after each quarterly visit, send to the visiting committee a report stating whether, in his

opinion, the lunatic is properly taken care of, and may properly remain out of an asylum, and for every such report, the medical officer is to be paid two shillings and sixpence in addition to the sum of two shillings and sixpence for each quarterly visit. The payment is to be made by the same persons and to be charged to the same account as the relief of the pauper. (Section 202 (3) and (4).)

It is important to observe that for the purposes of section 24 (2) (f) of the Local Government Act, 1888, a lunatic boarded out by the authorities of any asylum is to be deemed to be a lunatic maintained in an asylum. (Section 57 (3).) Consequently it will be incumbent on every County Council to pay to the guardians of every union wholly or partly in the county a sum equal to 4*s*. a week for each pauper lunatic chargeable to the union who is boarded out, and for whom the net charge upon the guardians, after deducting any amount received by them for the maintenance of the lunatic from any source other than local rates, is equal to or exceeds 4*s*. a week throughout the period of maintenance for which the sum is paid. This requirement will of course be subject to sub-section (5) of section 24 of the Local Government Act, which provides for an apportionment of the sum otherwise payable by the County Council, where the union is situate in more than one administrative county.

Lunatics in Private Families, or in Charitable or other Establishments.

By section 206 of the new statute it is enacted that if it comes to the knowledge of the Commissioners in Lunacy, that any person appears to be, without an order and certificates, detained or treated as a lunatic, or alleged lunatic, by any person receiving no payment for the charge, or in any charitable, religious, or other establishment (not being an institution for lunatics), they may require the person by whom the patient is detained, or the superintendent or principal officer of the establishment, to send to them a report or periodical reports by a medical practitioner of the mental and bodily condition of the patient, with all such other particulars as to him and his property as they may think fit. Any one or more of the Commissioners may at any time visit any such patient and report the result of

the visit to the Commissioners, and may exercise, with respect to such patient, all the powers (except that of discharge) given to them as to persons confined in an institution for lunatics or as single patients. The Commissioners may transmit any reports received by them, or may report the results of any inquiries made by them under this section, to the Lord Chancellor, who may thereupon make an order for the discharge of the patient from the custody in which he is detained or for his removal to an institution for lunatics, or to such other custody as he may think fit, and the expenses properly incurred of carrying any such order into effect, and of maintaining the patient, if so removed, are, if the order so directs, to be paid by the guardians of the union in which the patient was found, until the authority legally liable for his maintenance has been ascertained. The guardians will have the same right to recover any such expenses paid by them against the lunatic and his estate, and the person or authority legally liable for his maintenance, as in the case of orders for maintenance under the Act.

Where an order is made by the Lord Chancellor under this section for removal of a lunatic to an asylum, any justice of the county or borough in which the asylum is may exercise all the authorities conferred upon a justice by the Act, for the purpose of making the lunatic's property applicable to his maintenance and for maintaining him as a pauper. (Section 206 (4).)

Discharge of Pauper Lunatic from Hospital or Licensed House.

The Guardians are empowered to make an order for the discharge of any pauper lunatic detained in a hospital or licensed house, for whose maintenance they are liable, and to direct the mode of discharge. (Section 73.)

When the Commissioners in Lunacy have made any order for the discharge of a pauper lunatic, which they are empowered to do in the case of a patient detained in any hospital or licensed house, they are to give notice of such order to the authority liable for the maintenance of the lunatic. (Section 76 (1).)

Mechanical Means of Restraint.

Some important restrictions have been placed by the recent Act on the use of mechanical means of restraint on lunatics. It is directed by section 40 that mechanical means of bodily restraint shall not be applied to any lunatic unless the restraint is necessary for purposes of surgical or medical treatment, or to prevent the lunatic from injuring himself or others, and in every case where such restraint is applied, a medical certificate must, as soon as it can be obtained, be signed, describing the mechanical means used, and stating the grounds upon which the certificate is founded.

The certificate is to be signed, in the case of a lunatic in a workhouse, by the medical officer of the workhouse. (Sub-section (3).)

A full record of every case of restraint by mechanical means must be kept from day to day ; and a copy of every such record and certificate is to be sent to the Commissioners in Lunacy at the end of every quarter. (Sub-section (4).)

In the case of a workhouse, the record is to be kept by the medical officer of the workhouse, and the copies of records and certificates to be sent are to be sent by the clerk to the guardians. (Sub-section (5).)

Sub-section (6) provides that in the application of this section "mechanical means" shall be such instruments and appliances as the Commissioners may, by regulations to be made from time to time, determine. The Board will furnish a copy of the regulations made by the Commissioners as soon as they are received by the Board.

Any person who wilfully acts in contravention of the section will be guilty of a misdemeanour. (Sub-section (7).)

Rating of Lunatic Asylums.

It was provided by section 35 of the Lunatic Asylums Act, 1853, that no lands or buildings purchased or acquired for the purposes of any asylum should, while used for these purposes, be assessed to any local rates at a higher value or more improved rent than the value or rent at which they were assessed at the time of the purchase or acquisition.

Complaint has frequently been made of the inequitable operation of this section. The injustice complained of has now been removed, for Section 263 of the new Act provides that lands and buildings already or to be hereafter purchased or acquired for the purposes of any asylum, and any additional building erected or to be erected thereon, shall, while used for those purposes, be assessed to county, parochial, district, and other rates made after the commencement of the Act, on the same basis, and to the same extent, as other lands and buildings in the same parish, township, or district.

In every case in which a parish contains lands or buildings purchased or acquired for asylum purposes, steps should be taken for the revision of the valuation list, so far as such lands or buildings are concerned.

Asylum to which Lunatic may be Removed from Workhouse in Certain Cases.

Section 72 of the Lunatic Asylums Act, 1853, provided that every lunatic should, under any order made by a justice or justices for his reception into an asylum, be sent to an asylum of the county or borough in which the parish or place from which he was sent was situate, unless there was no asylum, or there was a deficiency of room, or unless there were some special circumstances by reason of which he could not conveniently be taken to such asylum. To this rule an exception has now been made, where the union is in more than one county, and the workhouse of the union is in one county, and the place from which the lunatic was sent to the workhouse is in another county. Section 68 of the Act of 1890 provides that, in such a case, an order may be made by a justice for the county in which the workhouse is, or a justice for the county from which the lunatic was sent, for the removal of the lunatic, either to the asylum of the county in which the workhouse is, or to the asylum of the county from which the lunatic was sent, and such latter order may be made notwithstanding that there may be an asylum of the county in which the workhouse is, and there may not be a deficiency of room or any other special circumstances by reason whereof the lunatic cannot conveniently be taken to that asylum.

Abuse of Female Lunatic.

It is expressly provided by the new Act, that if any officer, nurse, attendant, or other person employed in any workhouse, carnally knows or attempts to have carnal knowledge of any female under care or treatment as a lunatic in the workhouse, he will be guilty of a misdemeanour, and, on conviction, will be liable to be imprisoned with or without hard labour for a term not exceeding two years. No consent or alleged consent of such female will be any defence to an indictment or prosecution for such offence. (Section 324.)

Rules and Forms.

By section 338 of the recent Act, the Commissioners in Lunacy are empowered, with the approval of the Lord Chancellor, by rules, to prescribe the returns, reports, extracts, copies, statements, notices, plans, documents, and information to be sent to the Commissioners or any authority or person, and the persons by whom, the times within which, and the manner in which they are to be made and sent; and also to prescribe forms for these purposes in addition to or in substitution for any forms now in use. The rules will have effect as if enacted by the Act. Subject to any rules made under the section, the existing rules are, so far as applicable, to continue in force.

The Commissioners have, with the approval of the Lord Chancellor, made certain rules under this section, which are to come into operation on the 1st proximo. The rules which concern guardians and their officers are those numbered 1 (5), 4, 28, and 29, and copies of these rules and of the forms referred to in them are enclosed. By the rules the Commissioners have prescribed a form of register of mechanical restraint which is to be kept in every workhouse, for the purposes of section 40 of the Act; and forms for the purposes of the quarterly return to be made by every poor law medical officer of all pauper lunatics visited by him, and of the annual list to be made by the clerk to the guardians of all lunatics chargeable to the union. These forms are to be used in lieu of those prescribed for the same purposes in Schedule B. of the Lunacy Acts Amendment Act, 1862, and in Schedule D. of the Lunatic Asylums Act, 1853, and the rules contain directions as to

the times when the returns and lists are to be made and the authorities and persons to whom copies are to be sent. The provisions on these subjects in sections 64 and 66 of the Act of 1853 have not been re-enacted, and are consequently superseded by these rules. Under section 202 (2) of the new Act, the Guardians must furnish the medical officers of the union with forms for the prescribed returns to be made by those officers. It is desirable that the attention of those officers should be specially drawn to the provision in rule 28 that where there is no pauper lunatic within the district or workhouse for which the medical officer is appointed, he is to make a return to that effect in the Form (No. 18) prescribed by the rules.

Subject to rules made by the Commissioners in Lunacy, or the Lord Chancellor, under section 338 of the Act, the forms in the Second Schedule may be used, wherever applicable, with such modifications as circumstances may require. If used, they are to be deemed to be sufficient. (Section 339.)

The Board have thus drawn attention to the chief points in which the law with regard to lunacy has been practically altered by the Act of 1890, so far as matters affecting guardians and their officers are concerned. It is evidently necessary that those officers of the Guardians who have specially to deal with lunatics, and particularly the relieving officers and the medical officers, should at once make themselves acquainted with the parts of the new Act affecting their duties, and the Board forward copies of this letter for distribution amongst such officers.

It should be added that the term "Guardians" as used in the Act includes guardians or other body of persons performing under any local Act the like functions as guardians under the Poor Law Amendment Act, 1834, and that "union" means any parish or union of parishes for which there is a separate board of guardians. (Section 341.)

I am, Sir,

Your obedient Servant,

HUGH OWEN, *Secretary.*

The Clerk to the Guardians.

THE LUNACY ACT, 1891.

(54 & 55 Vict. c. 65.)

Local Government Board, Whitehall, S.W.,
September 18, 1891.

Sir,—I am directed by the Local Government Board to draw the attention of the Guardians to the Lunacy Act, 1891, by which certain amendments have been made in the provisions of the Lunacy Act, 1890, affecting boards of guardians and their officers.

The Act is to be read as one with the Lunacy Act, 1890, which is referred to in it as the principal Act. (Section 1.)

Section 2 (1) empowers a constable, relieving officer, or overseer, whose duty it is under the principal Act to convey a lunatic to or from an asylum, to make proper arrangements for the performance of the duty by another person. It may be inconvenient or impracticable for a constable or overseer himself to convey a lunatic to an asylum, and it is undesirable that a relieving officer should frequently be called upon to leave his district for this purpose, and the new Act removes doubts which arose under the principal Act as to whether the constable, relieving officer, or overseer could legally make other arrangements for the performance of this duty. The Board are desirous that the Guardians should impress upon the relieving officers that, where they avail themselves of the power thus conferred upon them, they should use great care in selecting suitable persons to convey the lunatics to the asylum, and, in particular, should provide that a female patient is always accompanied by a woman.

Sub-section (2) of the same section provides that, with the sanction of the Board the guardians of any union or separate parish, in which there are two or more relieving officers, may direct one of them to discharge throughout the union or parish all the duties of a

relieving officer in respect of lunatics. When this is done, the other relieving officers in the union or parish will have to inform the officer so directed of any case of a lunatic with which it would otherwise devolve upon them to deal. It will then become his duty to attend to the case, and the other relieving officer will be discharged from any further duty in the matter. The arrangement contemplated was in operation in certain places for some years prior to the commencement of the Act of 1890; and the new Act makes it clear that the arrangement can still be legally carried out with the Board's sanction. The Board would only be prepared to give their sanction in the case of very populous unions or parishes not extending over a wide area.

Section 3 provides that if a lunatic is sent to an asylum or other institution for lunatics under sections 13 or 16 of the principal Act, which relate respectively to lunatics not under proper care or control, or cruelly treated or neglected, and to lunatics wandering at large, he shall be classified as a pauper, until it is ascertained that he is entitled to be classified as a private patient.

Some amendments are made in section 24 of the principal Act respecting lunatics in workhouses. Power to detain in a workhouse against his will a person suffering from mental disease or from bodily disease of an infectious or contagious character was given by section 22 of the Poor Law Amendment Act, 1867 (30 & 31 Vict. c. 106), provided that the workhouse medical officer had reported that the person was not in a proper state to leave the workhouse without danger to himself or others. This provision was repealed by the Lunacy Act, 1890, except as regards persons suffering from delirium tremens or from infectious or contagious disease. On May 1, 1890, when that Act came into operation, there were lunatics who were detained in workhouses under section 22 of the Act of 1867, but with respect to whom no certificate had been given under section 20 of the Lunacy Acts Amendment Act, 1862 (25 & 26 Vict. c. 111), that they were proper persons to be kept in a workhouse. Section 24 of the Act of 1890 made no exception for cases of this kind, and the question has arisen whether orders of justices ought not to be obtained under this section with respect to such cases.

Section 4 (1) of the new Act, however, provides that every pauper suffering from mental disease in a workhouse at the commencement of the Lunacy Act 1890, as to whom a report had before that time been made under section 22 of the Act of 1867, may be detained in the workhouse against his will, without an order under section 24 of the Act of 1890.

Another amendment has reference to the duty of the medical officer of the workhouse under section 24 of the principal Act. Sub-section (6) of that section provided that if in the case of a lunatic in a workhouse, the workhouse medical officer did not sign the certificate mentioned in sub-section (1), or if before the expiration of 14 days from the date of the certificate an order was not made by a justice for the detention of the lunatic in the workhouse, or if after the order had been made, the lunatic ceased to be a proper person to be detained in a workhouse, the medical officer should forthwith give notice to the relieving officer "that a pauper "in the workhouse is a lunatic and a proper person to be sent to an "asylum."

Hence the workhouse medical officer was required under certain circumstances to certify that a lunatic was a proper person to be sent to an asylum, although he had already certified that the lunatic was a proper person to be kept in a workhouse. The new Act has repealed the words quoted, so that in the cases mentioned the medical officer is now merely required to give notice of the facts to the relieving officer, without stating that the lunatic is a proper person to be sent to an asylum. (Section 29.)

Some doubt has existed as to whether the medical certificates upon which an order made by a justice under section 24 of the principal Act, authorising the detention of a lunatic in a workhouse, should be retained by the clerk to the justices or be handed over to the master of the workhouse with the order. Section 5 of the recent Act directs that these certificates shall be attached to the order.

Where a workhouse and the union to which it belongs are not in the same county, it would seem that under section 27 (2) of the principal Act a lunatic in the workhouse ordered to be sent to an

asylum would have to be sent to the asylum of the county or borough in which the workhouse is situate, instead of to that of the county comprising the union, unless there was no asylum for the county or borough containing the workhouse, or there was a deficiency of room in it, or there were some special circumstances by reason of which the lunatic could not conveniently be taken there. By section 6 of the new Act, however, it is provided that, in such a case, a summary reception order made by a justice of the county in which the workhouse is situate may direct the lunatic to be received in any asylum in which pauper lunatics chargeable to the union to which the workhouse belongs may legally be received.

By section 61 (1) of the Act of 1890 the guardians or other authority liable for the maintenance of a pauper lunatic detained in a hospital or licensed house are enabled to make an order for the removal of the lunatic. Section 11 of the Act of 1891 makes it clear that the power of removal thus conferred extends only to removal to the workhouse of the union to which the lunatic is chargeable, or if the lunatic is chargeable to a county or borough, to the workhouse of the union from which he was sent to the hospital or licensed house.

Section 62 of the Act of 1890, which provided that the guardians of the union to which a workhouse belonged might make an order for the removal of any lunatic detained therein, was considered to be rendered unnecessary by section 81 of the same Act, which enables the guardians to make an order for the discharge of any such lunatic. Section 62 has therefore been repealed, but section 81 still remains in force. (Section 29.)

Section 286 of the principal Act directs that where a lunatic in an institution for lunatics becomes a pauper, he shall be deemed to be chargeable to the union from which he was sent, until it has been established that he is settled in some other union or that it cannot be ascertained in what union he was settled. Section 22 of the recent statute makes it clear that the provisions of the principal Act for the payment of expenses in relation to pauper lunatics will be applicable with respect to lunatics in institutions for lunatics who become paupers, whilst section 19 prescribes the course to be

taken if it is desired that the lunatic should be removed from the institution. It provides that in such a case the manager of the hospital or licensed house may give notice to the authority liable for the maintenance of the lunatic that it is his intention to apply to a justice for an order for the lunatic's removal. After having given the notice, the manager may apply to a justice having jurisdiction in the place where the institution is situate, and such justice may, if he thinks fit, make an order for the removal of the lunatic to an institution for lunatics to which pauper lunatics for whose maintenance the authority are liable may legally be sent, and for the reception of the lunatic therein. The institution is to be named in the order, and the manager of the hospital or licensed house in which the lunatic is must forthwith cause the lunatic to be removed to the institution named in the order. In the case of such removal, the original reception order will remain in force, and will authorise the classification of the lunatic as a pauper lunatic in the institution to which he is removed.

It is provided that the costs of obtaining the order and of the removal of the lunatic shall be repaid to the manager of the hospital or licensed house by the authority liable for the maintenance of the lunatic, and that any justice having jurisdiction in the place where the hospital or house from which the lunatic was removed is situate shall have power to fix the amount of such costs and to make an order for payment. (Section 19 (2).)

By section 25 the Lord Chancellor is enabled, if he considers it desirable for the due administration of the Lunacy Acts, 1890 and 1891, in any union, to empower the chairman of the board of guardians to sign orders for the reception of persons as pauper lunatics in institutions for lunatics. Every order so signed is to have effect as if made by a justice of the peace under the principal Act. The intention appears to be to obviate inconvenience in procuring reception orders in places where there are no resident justices. It will be observed that the chairman cannot be empowered to sign orders for the detention of lunatics in workhouses under section 24 of the Lunacy Act, 1890, as the expression

"institution for lunatics," as defined by that Act, does not include a workhouse.

The only other provision of the new Act which it is necessary to bring under the notice of the Guardians is section 24, which provides that a justice specially appointed under section 10 of the principal Act may exercise the powers of a judicial authority under that Act, notwithstanding that he may not have jurisdiction in the place where the lunatic or alleged lunatic is. As the Guardians are aware, orders for the reception into asylums of lunatics not under proper care and control, or cruelly treated or neglected, who are not paupers and not wandering at large, can, under section 13 of the Act of 1890, only be made by a justice who is a judicial authority under that Act. So much of this section as would have been inconsistent with section 24 of the new Act has been repealed (section 29), and it will now be competent to a constable, relieving officer, or overseer, whose duty it is to give information to a justice under the section, to give such information to any justice who is a judicial authority. He will thus be enabled to give the information to a judicial authority who is a justice of a borough not having jurisdiction in the county where the alleged lunatic is, and *vice versâ*.

It will be seen that the several provisions to which the Board have drawn attention have been made with the object of facilitating the carrying out of the Act of last year by guardians and their officers, and the Board have no doubt that they will be found to have that effect. It is desirable that the master and the medical officer of the workhouse and also the relieving officers should be made acquainted with the provisions of the new Act affecting their duties, and the Board request therefore that you will be good enough to distribute copies of this letter amongst the officers referred to. Copies are enclosed for this purpose, and if additional copies are required, the Board, on being so informed, will forward you a further supply.

I am, Sir, Your obedient Servant,

HUGH OWEN, *Secretary.*

The Clerk to the Guardians.

INSTRUCTIONS WITH REGARD TO THE PREPARATION OF THE POOR RATE RETURN.

(Dated August 31, 1896.)

1. Column 1 should show the total amount raised by the Overseers by means of Poor Rates, for whatever purposes the rates may be made in addition to the relief of the Poor. It should not contain any separate rate levied by them which is not a Poor Rate, *e.g.*, a separate Rate levied for special expenses under Section 230 of the Public Health Act, 1875. Payments out of such separate rates should not be entered as expenditure in the Return.

2. Payments and Contributions made by Government in lieu of Rates should be included in Column 1, and the total amount so included should be stated in a note at the foot of the Form.

3. All sums which the guardians have received during the year to which the Return relates, under Sections 24 and 26 of the Local Government Act, 1888, should be entered as receipts in the spaces provided for that purpose under the head of "Common Fund Receipts." The sums entered in the Return as the expenditure for the purposes in respect of which these sums have been received, and for all other purposes, should be the total amounts expended by the Guardians, without deducting repayments.

4. The expenditure of the Guardians on account of the relief of paupers chargeable to the Union who are relieved in District Schools, or other similar establishments, should be apportioned, as far as possible, and entered under the heads of "In-maintenance," "Repayment of Loans," "Salaries of Officers," "Other Expenses of Relief," and "Cost of Legal Proceedings," respectively. The information necessary to enable the Guardians to make this apportionment will, in the case of District Schools, be obtained

from the half-yearly statements furnished to them by the Managers. The gross expenditure should be shown in the Return, irrespective of any repayments with which the Guardians may be credited by the Managers. The proportion of the sums received by the Managers, with which the Guardians may be credited, should be entered in Column 3, as receipts by the Guardians.

5. Sums received by way of Loan, and expenditure defrayed out of Loans during the year, should not be included in the body of the Return, but should be entered in the statement which has been provided for that purpose at the foot of the Return.

6. The sum entered in Column 5 as the amount expended on In-maintenance, should include all the expenses incurred in and about the maintenance, treatment, and relief of the paupers in Workhouses and other Poor Law institutions under the control of Boards of Guardians or Managers of Asylum or School Districts, exclusive of repairs and furniture, and the salaries, remuneration, and rations of the Officers and Servants, but inclusive of the charges for the apprentice fees, outfits, burials, and the necessary expenses incurred in warming, cleansing, and lighting the Workhouses or Institutions referred to, and otherwise keeping them fit for daily use. The cost of the maintenance of vagrants in the vagrant wards should also be entered in this column.

7. The sums actually received by the Guardians from the sale of wood, oakum, stone, &c., should be entered in Column 3. Notes may be added in each case to show the profit or loss made by the Guardians.

8. The amount paid by the Guardians of a Union in respect of the relief of a person chargeable to their Union, but resident in another Union, should be entered in Column 5, Column 6, or Column 7, according as the pauper has been receiving In-door or Out-door Relief, or has been relieved as a Lunatic in an Asylum. The amount received by the Guardians, and the amount expended by them in respect of the relief of paupers chargeable to other Unions, should also be included in the Return, but the sums so received and expended should be deducted from the total receipts and expenditure in the manner indicated at the foot of the Return,

so that the sums received and expended by the Guardians in respect of the relief of paupers chargeable to their own Union only may be shown as the net result. The same course should be followed in regard to receipts and payments under Orders of Removal and Adjudication. The cost of the funerals of In-door paupers should be entered in Column 5, and the relief granted to a person who is not an Inmate of the Workhouse in respect of the expenses of a funeral should be entered in Column 6; but the cost of funerals that do not come under either of these descriptions should be entered in Column 10. The school fees paid by the Guardians for children in the Workhouse, and for the children of Out-door paupers attending public elementary schools, should be entered in Columns 5 and 6 respectively.

9. Expenses incurred by the Guardians in respect of children boarded out, whether within or beyond the Union, should appear in Column 6.

10. The cost of drugs and medical and surgical appliances provided by the Guardians should, if possible, be entered in Columns 5 or 6, according as the drugs are dispensed or the appliances are supplied to In-door or Out-door paupers. If this cannot be done, the cost should be entered in Column 10.

11. The cost of the clothing of paupers and apprenticeship expenses should be charged to In-maintenance, or Out-relief, as the case may be, care being taken that the former is not entered in the return twice as expenditure, first when the clothing is bought, and again when it is issued to the In-door or Out-door poor.

12. The amount entered in Column 8 as interest on loans should include Income Tax on Interest. It should be the sum actually paid during the year for Interest and for Income Tax, whether the Tax was paid in respect of the Interest for the same or a previous year.

13. The salaries, remuneration, gratuities, rations, uniforms, and superannuation allowances of all Officers, Assistants, and Servants, other than Parochial Officers (whose salaries, &c., are to be included in Column 27), should be entered in Column 9. "Remuneration" will include the extra Medical and Surgical Fees, and Fees for

visiting and reporting quarterly on lunatics paid to Medical Officers under Section 202 (4) of the Lunacy Act, 1890.

14. Column 10 should not include any expenditure which is not wholly connected with relief. It should, however, include the following expenditure :—

(*a*) Expenses of Guardians or Committees of Guardians in visiting Workhouses and Schools under their charge, when situate outside the Union.

(*b*) Rent, rates, taxes, insurance, furniture, and repairs of Workhouse and relief pay-rooms.

(*c*) Maintenance of Paupers in Institutions for the Deaf, Dumb, and Blind, in Hospitals, and in Certified Schools.

(*d*) Fees paid under section 285 of the Lunacy Act, 1890, for certifying in cases of Lunacy.

(*e*) Sums expended in connection with the Stone, Firewood, Oakum, and Farm Accounts, excluding the proportion of such expenditure accounted for under the head of "In-maintenance" or in any other column. The proportion so accounted for should in no case exceed the actual expenditure.

(*f*) Cost of conveyance of Lunatics to and from Asylums.

15. The greater part of the expenditure of the Guardians for stationery, books, printing, advertisements, postages, &c., is probably incurred in connection with the relief of the poor, but a portion of it, in some cases, will have been incurred in connection with the transaction by the Guardians of that part of their business which is unconnected with the relief of the poor and the expenditure should therefore be apportioned, so far as possible—the estimated amount expended in connection with the relief of the poor being entered in Column 10, and the amount estimated to have been expended in connection with the other business of the Guardians in Column 24. This column should contain School Fees for non-pauper children under 39 & 40 Vict. c. 79, s. 10.

16. Any payments made by the Overseers for Borough Rate for the purpose of the expenditure of a Town Council as a Burial Board, or for the purpose of contributions by the Town Council to

the School Board or School Attendance Committee should be entered in Column 12.

17. Sums paid by Churchwardens and Overseers of urban parishes in respect of the repayment of principal and interest on account of loans raised for the erection of Vestry Rooms, &c., should be entered in Column 24 as expenses unconnected with the relief of the poor, the amount for each purpose being separately specified in the statement at the back of the Return.

18. Column 25, in addition to the cost of legal proceedings generally, should include expenditure for the following purposes :—

(*a*) Proceedings before Justices, including the expenses of Constables in connection therewith.

(*b*) Orders for removal of Lunatics to Asylums.

(*c*) Orders for removal of Paupers to their place of settlement.

(*d*) Orders upon Relatives of Paupers for Maintenance.

(*e*) Prosecution or Convictions for Desertion, Disorderly Conduct, &c.

19. It is intended that Column 27 should contain, in addition to the salaries, poundage, and superannuation allowances of Parochial Officers, all other expenditure which cannot properly be wholly included in any of the preceding columns, that is to say, any expenditure which must be regarded as partly connected and partly unconnected with relief. The following items, amongst others, should be entered in this column :—

(*a*) The cost of the election of Guardians.

(*b*) The cost of the Audit Stamp.

(*c*) The Rent of the Board Room and Union Offices, when rent is paid, and the cost of Furniture, Repairs, Alterations (when not paid out of Loans), rates, taxes, and insurance premiums in respect of the Board Room and Offices.

(*d*) Expenses incurred in connection with the settlement and removal of the poor, except the legal expenses.

(*e*) Emigration expenses.

(*f*) Subscriptions to Hospitals and other Institutions.

(*g*) Rewards paid for the apprehension of Deserters.

(*h*) Expenses of Overseers, including the cost of their journeys

to pay the amounts required by contribution orders, and to attend the Audit ; and the cost of their books, printing, and stationery.

(*i*) Expenses on account of Precepts, and Notices of Special Sessions for appeals against the Poor Rate, and the appointment of Overseers.

(*j*) Expenses of Conferences and Deputations.

HUGH OWEN, *Secretary.*

Local Government Board, August 31, 1896.

CIRCULAR TO GUARDIANS OUTSIDE LONDON AS TO THE INFANT LIFE PROTECTION ACT, 1897.

LOCAL GOVERNMENT BOARD, WHITEHALL, S.W.,
December 14, 1897.

Sir,—I am directed by the Local Government Board to draw the attention of the Guardians to the provisions of the Infant Life Protection Act, 1897 (60 & 61 Vict. c. 57), the object of which is to amend the law for the better protection of infant life. The Act comes into operation on January 1 next. (Section 19.)

LOCAL AUTHORITY.

In places in England and Wales outside the administrative county of London, the Board of Guardians will be the local authority under the new Act. (Section 15 and Schedule.) Town Councils and District Councils generally are at present the local authority for the purposes of the Infant Life Protection Act, 1872 (35 & 36 Vict. c. 38), but that Act will be wholly repealed from January 1 next. (Section 18.) The councils referred to will accordingly cease to exercise any jurisdiction in the matter to which the Act of 1872 related; but it would seem desirable that the Guardians should place themselves in communication with any of these councils whose district is wholly or partly comprised within the union, with the view of ascertaining the names and addresses of those persons whose houses appear on the register now kept by the council. Registration, however, will not be required in future, and the law has been materially amended in many other respects.

NOTICES TO GUARDIANS.

The new Act requires that any person retaining or receiving for hire or reward in that behalf more than one infant under the age of

5 years for the purpose of nursing or maintaining the infants apart from their parents for a longer period than 48 hours, shall within those 48 hours give notice of the retention or reception of the infants to the Guardians.

The notice must truly state the name, age, and sex of the infants, the name of the person receiving the infants, the dwelling within which the infants are being kept, and the name and address of the persons from whom the infants have been received. If an infant is removed from the care of the person who has received it, for the purpose referred to in these provisions, that person is required forthwith to give to the Guardians notice of the removal, and of the name and address of the person to whose care the infant has been transferred.

If any person who has retained or received any infant omits to give the required notices, or any of them, or knowingly or wilfully makes or causes or procures any other person to make any false statement in any notice, he will be guilty of an offence against the Act. (Section 2.)

It is only where more than one infant is retained or received under the conditions mentioned, that these provisions of Section 2 of the Act apply, but the following provisions of Section 5 are not so restricted.

Any person retaining or receiving an infant under the age of 2 years on consideration of a sum of money not exceeding £20 paid down, and without any agreement for further payment, as value for the care and bringing up of the infant until it is reclaimed or of an age to provide for itself, must within 48 hours from the time of receiving the infant give notice of the fact to the Guardians. If he does not give this notice, he will become liable to forfeit the amount of any sum received in respect of the infant, or such less sum as the court having cognizance of the case deem just.

The court are required to give directions as to the manner in which the sum forfeited is to be applied for the benefit of the infant, and if necessary, to cause the infant to be removed to a workhouse or place of safety, where it is to be maintained until it can be otherwise lawfully disposed of. The obligation to receive an infant

so removed to the workhouse is expressly laid upon the master of the workhouse. (Section 5.) For the purposes of the Act the term "place of safety" means any suitable place, the occupier of which is willing temporarily to receive such infant. (Section 15.)

FIXING THE NUMBER OF INFANTS TO BE KEPT.

It will be the duty of the Guardians to fix the number of infants under the age of 5 years which may be retained or received in any dwelling in respect of which notice has been received under the Act, and any person retaining or receiving any infant in excess of the number so fixed, will be guilty of an offence against the Act. (Section 4.)

REMOVAL OF INFANTS IMPROPERLY KEPT.

Should any infant, in respect of which notice is required to be given under the Act,—

(*a*) be kept in any house or premises which are so unfit or so overcrowded as to endanger its health ; or

(*b*) be retained or received by any person who, by reason of negligence, ignorance, or other cause, is so unfit to have its care and maintenance as to endanger its health ;

any inspector or other person appointed for the purposes of the Act may apply to the Guardians, under section 7 of the Act, for an order in writing directing him to remove the infant to a workhouse or place of safety, until it can be restored to its relatives or guardians or be otherwise lawfully disposed of.

Any person refusing to comply with an order under the section upon the same being produced and read over to him, or obstructing the inspector or other authorised person in its execution, will be guilty of an offence under the Act, and the inspector may apply to any justice of the peace for an order directing the removal of the child. The order may be enforced by any police constable.

The master of any workhouse must receive into the workhouse any child brought there under an order of this kind, and the child will have to be maintained in the workhouse until it can be otherwise disposed of.

No infant is to be retained or received for hire or reward by any

person from whose care any infant has been removed under these provisions, or by any person convicted of any offence under the Prevention of Cruelty to and Protection of Children Acts, unless with the sanction in writing of the Guardians. Any person retaining or receiving any infant contrary to these provisions will be guilty of an offence against the Act. (Section 7.)

The Acts referred to are the Prevention of Cruelty to Children Act, 1894 (57 & 58 Vict. c. 41), and the Acts repealed by that Act.

Notice to Coroner.

In case of the death of any infant respecting whom notice is required under the Act, the person having the care of the infant is, within 24 hours of such death, to cause notice of the death to be given to the Coroner of the district within which the body lies. The Coroner is thereupon required to hold an inquest, unless a certificate under the hand of a registered medical practitioner is produced to him, certifying that the medical practitioner has personally attended or examined the infant, and specifying the cause of its death, and the Coroner is satisfied by such certificate that there is no ground for holding an inquest. Neglect to give notice is an offence against the Act. (Section 8.)

Penalties.

Every person guilty of an offence under the Act will be liable to a penalty not exceeding £5, or to imprisonment for not more than 6 months, as a court of summary jurisdiction may award. (Section 9.)

The offence may be prosecuted and any forfeiture recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts. (Section 11.)

Any moneys arising from penalties under the Act are, notwithstanding any provision in any other Act, to be paid to the Guardians, and be applied to the purposes to which the local rate is applicable. (Section 12.) By the "local rate" is meant the rate or fund applicable to the general expenses of the Guardians. In the case

of a union, that fund is the common fund of the union ; and in the case of a separate parish, the poor rate. (Section 15 and Schedule.)

Notices to Guardians.

Every notice required by the Act to be given to the Guardians must be in writing, and must be sent by post as a registered letter to the clerk of the Guardians, or to such other person as the Guardians may appoint, or be delivered at the office of the Guardians. (Section 13.)

Where the Guardians determine that notices under the Act may be posted to a person other than their clerk they will no doubt take suitable steps to make known to persons interested the name and address of the person appointed by them to receive such notices. The requirement that every notice is to be in writing is by section 20 of the Interpretation Act, 1889 (52 & 53 Vict. c. 63), to be construed as including a reference to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

Enforcement of Act by Guardians.

An express duty is imposed upon every Board of Guardians outside London to provide for the execution of the Act within the poor law union. For that purpose they must from time to time make inquiry whether there are any persons residing in their union who retain or receive infants for hire or reward within the provisions of section 2 of the Act, to which reference has been previously made. (Section 3 (1).)

The Guardians may, if they think fit, appoint male or female inspectors to enforce the Act, and, if any persons so retaining or receiving infants are found in their union, it will be obligatory upon the Guardians either to appoint such inspectors or to arrange for the infants being visited by women nominated by them, and authorised by them in writing to enforce the provisions of the Act. (Section 3 (2).)

If they think fit, the Guardians may also appoint or authorise in writing other suitable persons to execute the provisions of the

Act, subject to such terms and conditions as may be stated in such appointment or authorisation. (Section 3 (3).)

Neither the appointment nor the remuneration of any officers appointed under these provisions will require any approval on the part of the Board; nor will officers so appointed be subject to any rules or regulations made by the Board.

Any inspector or other person duly appointed and authorised in writing by or on behalf of the Guardians is required from time to time to inspect any infants referred to in any notice given under the Act, and the premises in which they are retained or received, in order to satisfy himself as to the proper maintenance of such infants or to give any necessary advice or directions as to such maintenance. (Section 3 (5).) Any person retaining or receiving such infants who refuses to allow inspection will be guilty of an offence against the Act. (Section 3 (6).)

If an inspector or authorised person is refused admittance to any premises in contravention of the Act, or has reason to believe that any infants under the age of 5 years are being kept in any house or premises in contravention of the Act, he may apply to any stipendiary magistrate or to any two justices of the peace, who, on being satisfied, on information in writing made before him or them on oath, that there is reasonable ground for believing that an offence against the Act has been committed, may grant a warrant authorising the inspector or other person to enter the house or premises for the purpose of inspection or of ascertaining whether any offence against the Act has been committed. If the occupier of the house or premises or other person obstruct any inspector or other person acting in pursuance of the warrant, he will be guilty of an offence against the Act. (Section 3 (7).)

Any Board of Guardians may combine with any other local authority for the purpose of executing the provisions of the Act, and for defraying the expenses of such execution. (Section 3 (4).)

As already mentioned, the local authority outside the administrative county of London are the Board of Guardians for each poor law union. Within that county, the local authorities are, for the area not included in the City of London, the London County

Council, and for the area of the City of London and its liberties, the Common Council.

Notice of Provisions of Act.

Section 6 of the Act imposes on the Guardians the duty of giving public notice of the provisions of the Act by the publication of an abstract of it, or otherwise as the Secretary of State directs. The Secretary of State has caused an abstract of the Act to be prepared, and has made an order directing that it shall be published by the Guardians in the manner prescribed in the order. Copies of these documents have, the Board understand, been forwarded to the Guardians from the Home Office.

Exemptions.

The provisions of the Act do not extend to the relatives or guardians of any infant retained or received by them, or to any person receiving an infant for the purpose of nursing or maintaining the infant under the provisions of the Poor Law Acts or of any Order of the Board made under any of those Acts; or to hospitals, convalescent homes, or institutions established for the protection and care of infants and conducted in good faith for religious or charitable purposes. (Section 14.) The Act accordingly will not apply to any children boarded out by the Guardians whether within or without the union.

The term "relatives" as used in the Act means and includes the parents, grandparents, and uncles, and aunts, by consanguinity or affinity, of the infant retained or received, and in the case of illegitimate infants, the persons who would be so related if the infant were legitimate. (Section 15.)

Expenses of Guardians.

All expenses incurred by or on behalf of the Guardians in and about the execution of the Act will be defrayed out of the rate or fund applicable to the general expenses of the Guardians. (Sections 10, 15, and Schedule.)

The Board trust that the Guardians will take all necessary steps to secure the enforcement of the Act in the union.

I am, Sir,
Your obedient Servant,
HUGH OWEN, *Secretary.*

The Clerk to the Guardians.

THE VACCINATION ACT, 1898.

[61 & 62 Vict. c. 49.]

This Act not having received the Royal Assent until after the foregoing portion of the work had been sent to press, it was impossible to refer to its provisions at an earlier stage. The Act extends the period within which the parent or person having the custody of a child is to cause the child to be vaccinated, pursuant to section 16 of the Vaccination Act, 1867, from three months to six months. It also repeals so much of section 16 as required children to be taken for the purpose of being vaccinated to a public vaccinator. It is now made incumbent on the public vaccinator of a district, where the parent or person having the custody of the child requires it, to vaccinate the child at its home. When a child is not vaccinated within four months after its birth the public vaccinator is to visit the home of the child, having first given twenty-four hours notice at least of his intention to do so, and to offer to vaccinate the child with glycerinated calf lymph, or such other lymph as the Local Government Board may issue.

Where the condition of a house in which a child resides is such, or if there is or has been such a recent prevalence of infectious disease in the district that in the opinion of the public vaccinator the child cannot be safely vaccinated, the public vaccinator is to give a certificate postponing the vaccination, under section 18 of the Vaccination Act, 1867. Under the Vaccination Act, 1867, it is compulsory upon parents and others having the custody of children to cause them to be vaccinated. The Act of 1898 has, however, after much controversy, relaxed the stringency of the compulsory provisions of the Act of 1867 by enacting what has been called the conscience clause. Such clause provides that no person is

to be liable to any penalty under sections 29 or 31 of the Act of 1867 if within four months from the birth of the child he satisfies two justices in petty sessions that he conscientiously believes that vaccination would be prejudicial to the health of the child, and within seven days thereafter delivers to the vaccination officer for the district a certificate by such justices of such conscientious objection. Provisions are contained in the Act against the infliction of repeated penalties, and prohibiting the taking of proceedings against a person who has already been convicted in respect of the non-vaccination of a child, on account of the same child, until it is four years old. Offenders against the Vaccination Acts are to be treated in prison as first-class misdemeanants. The Local Government Board is empowered to make rules and regulations with respect to the duties and remuneration of public vaccinators, whether under contracts made before or after the passing of the Act; and it is obvious that rules and regulations amending those at present in force will have to be issued by the Local Government Board. Power is conferred upon the Local Government Board in exceptional cases to require by order the Guardians of the Poor of any Union to provide vaccination stations for the vaccination of children with glycerinated calf-lymph, or such other lymph as the Board may issue, and to modify, as respects the area to which the order applies, during the time it is in force, the provisions of the Act which require the public vaccinator to visit the home of the child otherwise than on request of the parent.

Lastly, the Act requires the clerk of any sanitary authority which maintains a small-pox hospital to keep a list of those amongst the patients treated therein who have been vaccinated, showing their condition from time to time whilst in the hospital. The Orders, &c., hereinbefore set out which will require some amendment in consequence of the passing of the Vaccination Act, 1898, are the Certificates as to Vaccination Order, 1871, *ante*, p. 822; the Instructions of the Poor Law Board as to arrangements for vaccination, *ante*, p. 1316; the Privy Council Vaccination Regulations of the 18th February, 1868, *ante*, p. 1321; and the Instructions to Vaccination Officers of November, 1880, *ante*, p. 1525.

ARRANGEMENT OF SECTIONS.

Section

1. Vaccination within six months after birth.
2. Exemption from penalties.
3. Provision against repeated penalties.
4. Proceedings under 30 & 31 Vict. c. 84, s. 31.
5. Treatment of prisoners.
6. Regulations of Local Government Board.
7. Power to provide vaccination stations under exceptional circumstances.
8. List to be kept of vaccinated persons treated in small-pox hospitals.
9. Repeal.
10. Extent, commencement, duration, and short title.

SCHEDULE.

CHAPTER 49.

An Act to amend the Law with respect to Vaccination.

[12th August 1898.]

BE it enacted by the Queen'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, as follows :

VACCINATION WITHIN SIX MONTHS AFTER BIRTH.
30 & 31 VICT. C. 84.

1.—(1.) The period within which the parent or other person having the custody of a child shall cause the child to be vaccinated shall be six months from the birth of the child, instead of the period of three months mentioned in section sixteen of the Vaccination Act of 1867, and so much of that section as requires the child to be taken to a public vaccinator to be vaccinated shall be repealed.

(2.) The public vaccinator of the district shall, if the parent or other person having the custody of a child so requires, visit the home of the child for the purpose of vaccinating the child.

(3.) If a child is not vaccinated within four months after its birth, the public vaccinator of the district, after at least twenty-four hours notice to the parent, shall visit the home of the child, and

shall offer to vaccinate the child with glycerinated calf lymph, or such other lymph as may be issued by the Local Government Board.

(4.) The public vaccinator shall not vaccinate a child if, in his opinion, the condition of the house in which it resides is such, or there is or has been such a recent prevalence of infectious disease in the district, that it cannot be safely vaccinated, and in that case shall give a certificate under section eighteen of the Vaccination Act of 1867 of postponement of vaccination, and shall forthwith give notice of any such certificate to the medical officer of health for the district.

(5.) Notwithstanding any regulation of any lying-in hospital or infirmary, or other similar institution, the parent of any child born in any institution shall not be compelled under such regulation or otherwise to cause or permit the child to be vaccinated at any time earlier than the expiration of six months from its birth.

Exemption from Penalties.

2.—(1.) No parent or other person shall be liable to any penalty under section twenty-nine or section thirty-one of the Vaccination Act of 1867, if within four months from the birth of the child he satisfies two justices, or a stipendiary or metropolitan police magistrate, in petty sessions, that he conscientiously believes that vaccination would be prejudicial to the health of the child, and within seven days thereafter delivers to the vaccination officer for the district a certificate by such justices or magistrate of such conscientious objection.

(2.) This section shall come into operation on the passing of this Act, but in its application to a child born before the passing of this Act there shall be substituted for the period of four months from the birth of the child the period of four months from the passing of this Act.

Provision against Repeated Penalties.

3. An order under section thirty-one of the Vaccination Act of 1867, directing that a child be vaccinated, shall not be made on any

person who has previously been convicted of non-compliance with a similar order relating to the same child.

PROCEEDINGS UNDER 30 & 31 VICT. C. 84, S. 31.

4. No proceedings under section thirty-one of the Vaccination Act of 1867 shall be taken against any parent or person who has been convicted under section twenty-nine of the said Act on account of the same child, until it has reached the age of four years.

TREATMENT OF PRISONERS.

5. Persons committed to prison on account of non-compliance with any order or non-payment of fines or costs under the Vaccination Acts shall be treated in the same way as first-class misdemeanants.

REGULATIONS OF LOCAL GOVERNMENT BOARD.

6. The Local Government Board may make rules and regulations with respect to the duties and remuneration of public vaccinators, whether under contracts made before or after the passing of this Act.

POWER TO PROVIDE VACCINATION STATIONS UNDER EXCEPTIONAL CIRCUMSTANCES.

7. The Local Government Board may by order, if in their opinion it is expedient by reason of serious risk of outbreak of small-pox or of other exceptional circumstances, require the guardians of any poor-law union to provide vaccination stations for the vaccination of children with glycerinated calf lymph, or such other lymph as may be issued by the Local Government Board, and modify as respects the area to which the order applies, and during the period for which it is in force, the provisions of this Act requiring the public vaccinator to visit the home of the child otherwise than on request of the parent.

LIST TO BE KEPT OF VACCINATED PERSONS TREATED IN SMALL-POX HOSPITALS.

8. The clerk of any sanitary authority which shall maintain a hospital for the treatment of small-pox patients shall keep a list of

the names, addresses, ages, and condition as to vaccination of all small-pox patients treated in the hospital, such entries to be made on admission, and shall at all reasonable times allow searches to be made therein, and upon demand give a copy under his hand or under that of a deputy of every entry in the same on payment of a fee of sixpence for each search, and threepence for each copy.

REPEAL.

9. The enactments mentioned in the schedule to this Act are hereby repealed, during the continuance of this Act, to the extent specified in the third column of that schedule.

EXTENT, COMMENCEMENT, DURATION, AND SHORT TITLE.

10.—(1.) This Act shall not extend to Scotland or Ireland.

(2.) This Act shall, except as by this Act specially provided, come into operation on the first day of January one thousand eight hundred and ninety-nine, and shall remain in force until the first day of January, one thousand nine hundred and four.

30 & 31 VICT. c. 84 ; 35 & 36 VICT. c. 98 ; 37 & 38 VICT. c. 75.

(3.) This Act may be cited as the Vaccination Act, 1898, and the Vaccination Act of 1867, the Vaccination Act, 1871, the Vaccination Act, 1874, and this Act shall be construed together as one Act, and may be cited collectively as the Vaccination Acts, 1867 to 1898.

SCHEDULE.

REPEALS.

Session and Chapter.	Short Title.	Extent of Repeal.
30 & 31 Vict. c. 84 .	The Vaccination Act of 1867.	Section six. Section seven from "and shall "provide all stations" to the end of the section. So much of section eight as fixes the amount of payment thereunder. Section twelve. In section fifteen, from "according to the provisions" to "performing the "operation." Section sixteen, the words "within three months "after the birth of such "child," and from "within three months "after receiving" to "period as aforesaid," and from "and the public "vaccinator" to the end of the section. Section seventeen, to "vaccinations and," and in the same section the words "if the vaccinator "so direct," and the words "and inspected as "on the previous occasion." Section nineteen. In section twenty, the words "brought to him for "vaccination." In section twenty-nine the words "to take such "child or," the words "to be taken," and the words "according to the "provisions of this Act." In section thirty-seven the word "of."
34 & 35 Vict. c. 98 .	The Vaccination Act, 1871.	Section ten. In section eleven the words "take or" and the words "to be taken."

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APPOINTMENT OF MEMBERS AND EX-MEMBERS OF BOARDS OF GUARDIANS TO PAID OFFICES.

THE following circular to boards of guardians has been issued:

Local Government Board,
Whitehall, S.W.,
June 21st, 1910.

Sir,

I am directed by the Local Government Board to state that they have had under consideration the question of the appointment to paid offices under Boards of Guardians of persons who are or have been members of those Boards.

Representations on this subject have been addressed to the Board from time to time, and they have been reminded of the rule made by the Registrar-General with regard to the office of registrar. The Royal Commission on the Poor Laws and Relief of Distress referred to that rule with approval, and have recommended that "a Local Authority should not be allowed to appoint an ex-member as a paid officer unless he or she has ceased to be a member of the Local Authority for a period of, say, twelve months before appointment."

The Board are in agreement with this view, and they feel assured that Boards of Guardians generally recognize the impropriety of appointing to paid offices persons who are or have recently been members of their own body.

There may be exceptional circumstances which might justify an appointment of this kind, as for instance the appointment of a medical man, who has been a guardian, as medical officer for a district in which he is the only resident medical practitioner. But these cases will be very rare.

The Board therefore think it necessary to intimate generally that in future, unless very special grounds are shown, they will not be prepared to acquiesce in the appointment to any office, in respect of which approval on their part is required, of any person who is or has been been within twelve months a member of the Board of Guardians making the appointment.

I am, Sir,
Your obedient Servant,
H. C. MONRO,
Secretary.

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