

**REMARKS ON THE POOR LAW  
AMENDMENT ACT, AS IT AFFECTS  
UNIONS, OR PARISHES, UNDER  
THE GOVERNMENT OF  
GUARDIANS, OR SELECT VESTRIES**

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Remarks on the Poor law amendment act, as it affects unions, or parishes, under the government of Guardians, or select vestries by John Meadows White

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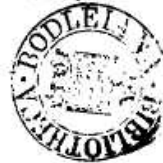
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**JOHN MEADOWS WHITE**

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**REMARKS**  
ON THE  
**POOR LAW AMENDMENT ACT,**  
AS IT AFFECTS  
**UNIONS, OR PARISHES,**  
UNDER  
**THE GOVERNMENT OF GUARDIANS,**  
OR  
**SELECT VESTRIES.**



BY  
**JOHN MEADOWS WHITE,**  
THE SOLICITOR EMPLOYED IN PREPARING THE ACT.

LONDON :  
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39, LUDGATE STREET.  
1834.

676.

TO

THE POOR LAW COMMISSIONERS

FOR ENGLAND AND WALES,

&c. &c. &c.

*THE FOLLOWING REMARKS*

ARE,

WITH THEIR PERMISSION,

RESPECTFULLY INSCRIBED.

## NOTICE.

DURING the progress of the Poor-Law Amendment Bill through the two Houses of Parliament, public attention was called to so many points as being within its scope, which were in fact expressly excluded from it, that, since it has become an Act, many of its readers have looked at it with preconceived notions of its purport which they have found it difficult to reconcile with its provisions in their literal and plain meaning. Much misapprehension has hence arisen as to its application, and more particularly in parishes governed by guardians or a select vestry, with reference to the relative powers of justices, guardians, vestries, and overseers.

The length of the Act, and its being intended for application to between fifteen and sixteen

thousand places, maintaining their own poor, each perhaps having some variety in its form of government, and most of them some peculiar abuse of the existing Poor Laws, have made it improbable that all its provisions should be at once fully understood by the governing body of any one parish or district. In the hope of assisting to remove these difficulties, and to show that the Act has only to be read with care in order to make it easy of application, and also of giving humble yet earnest aid in the great work of Poor-Law Reform, the following pages have been written.

J. M. W.

1, *Frederick's Place, Old Jewry,*

8th October, 1834.



## REMARKS,

§c. §c.

By the Interpretation Clause (clause 109) it is enacted, that "the word '*union*' shall be construed "to include any number of parishes united for any "purpose whatever under the provisions of this act, "or incorporated under the 22 Geo. III. c. 83, "intituled '*An Act for the better relief and main- "tenance of the Poor*' (Gilbert's Act), or incorpo- "rated for the relief or maintenance of the poor "under any local act."

By the same clause the "word '*guardian*' shall "be construed to mean and include any visitor, "governor, director, manager, acting *guardian*, "vestry-man, or other officer in a parish, or union, "appointed or entitled to act as a manager of the "poor, and in the distribution or ordering of the "relief to the poor from the poor rate, under any "general or local act of parliament."

There are so many parishes which form part of a union or incorporation, or are controlled or governed by a select vestry, or by guardians under some general or local act of parliament, and which are, by the effect of the clause above cited, brought immediately under the operation of the new act, that it

is presumed some remarks, pointing out how the act operates upon them, may be useful.

Such parishes are affected in two ways. In one, by the mere operation of the act, and without the intervention of the commissioners, and in the other, by such intervention. The former is the more important, inasmuch as the provisions of the act are at once in force, and parishes with their guardians are bound to take notice of them, and have no privilege or power of appeal, no time for doubt or deliberation. But where the commissioners intervene, it must be by rules, orders, or regulations; and as their promulgation is optional with the board, and do not come in force until after the lapse of sufficient time for considering their effect and ascertaining their meaning, it will not be necessary to dwell much on this part of the subject, although it may be convenient to draw attention to it.

For the same reason it may be well to add a few observations on the power of the commissioners to effect unions, and the advantages attending such a mode of parochial government.

It should, however, be premised, that by the 2d clause the commissioners, and by the 12th clause the assistant-commissioners, are empowered to summon, enforce the attendance of, and examine witnesses, to make inquiries, and call for returns, and enforce the production on oath of books, accounts, &c., upon any question or matter connected with or relative to the administration of the laws for the relief of the poor; and, by the 13th section, a party refusing to attend or act in obedience to the summons of a commissioner or assistant-commissioner,

or to produce papers, &c., is guilty of a misdemeanour. These clauses apply to all parishes, whether governed by guardians or a select vestry, or incorporated or not.

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*The following are the Clauses immediately affecting Unions, or Parishes, under special Government.*

By the 19th clause, it is declared, that no bye-laws at present in force, or hereafter to be made, nor any rules, &c. of the commissioners, shall have the effect of compelling the attendance of the inmates of workhouses, at religious services inconsistent with their creed. And by the same clause, workhouses are now open to any licensed minister of the persuasion of any inmate who may require his attendance for himself or for the religious instruction of his children. The spirit of this clause is that of securing religious liberty, and at the same time guarding against its abuse. Hence it will be the duty of guardians so to revise their bye-laws, and arrange the discipline of the workhouse, as to fix at what times in the day it can be made available to those who seek the benefit of the clause.

By the 21st clause, it is enacted, that, *except where otherwise provided by this act*, the powers and authorities of 22 Geo. III. c. 83. (Gilbert's Act), the 59 Geo. III. c. 12. (Select Vestry Act), and the acts for amending the same, and of every other act, general as well as local, for governing or managing the poor, are to be exercised by the