

To be construed with Ord. 40 of 1933  
21 of 1933

Amended by  
Poor Relief Ord. 1933  
40 of

**CHAPTER 90.**

**POOR RELIEF.**

[No. XII of 1903.]

[28th March, 1903.]

1. This Ordinance may be cited as the Poor Relief Ordinance. Short title.

2.—(1) In this Ordinance, unless the context otherwise requires,— Interpretation.

“Commissioners” means the Poor Law Commissioners;

“commissary” means a commissary of taxation, and includes any other person appointed by the Governor under section thirteen of this Ordinance;

“board” means the board established by section three of this Ordinance.

Sec. 2 of Ord.  
40 of 1933

(2) The city of Georgetown includes Wortmanville, Lodge village, Kitty village, and Albouystown, and any other places which, by order of the Governor in Council, are from time to time included in the city of Georgetown for the purposes of this Ordinance.

*Administration.*

3.—(1) The relief of the poor and the administration of all public moneys granted by the Legislative Council for that purpose shall be conducted by a board to consist of not more than six commissioners, to be called the Poor Law Commissioners. Establishment of poor law Commission.

(2) The Commissioners and their chairman shall be appointed by the Governor, their appointments shall be for three years, and they may be re-appointed. Appointment of commissioners.

Repealed by  
sec. 2 of Ord. 21 of  
1938

4.—(1) The entire executive power and responsibility for the purposes of this Ordinance shall be vested in the chairman, and all executive acts hereinafter directed to be done by the Commissioners or by the board, unless the contrary intention appears from the context, shall be done by the chairman. Powers of chairman; quorum.

(2) The chairman shall consult the members in all matters, not being mere matters of routine, before taking action or making any order, unless the public service would be prejudiced by delay.

(3) At a meeting of Commissioners two of them, of whom the chairman must be one, shall form a quorum.

(4)

5. All actions or suits by or against the Commissioners may be brought in the name of the chairman, who may sue and be sued by or under the style and designation of the Chairman of the Poor Law Commissioners, and no action or suit brought, commenced, or prosecuted, by or against the chairman shall abate or be discontinued by his death :

Proviso.

Provided that the chairman shall be reimbursed and paid out of the funds of the colony all damages, costs, charges, and expenses to or with which he may be put or become chargeable by reason of any action or suit, and he shall not be personally answerable or liable for the payment of them or any part of them.

Appointment of officers.

6.—(1) The Governor may appoint a secretary to the board, an inspector of the poor for the city of Georgetown, and a superintendent, matron, and surgeon of the almshouse and any other officers, assistants, and servants necessary for its efficient management and superintendence.

(2) Any of the officers appointed as aforesaid, if the Governor so directs, shall reside in the almshouse.

Salaries of officers.

7. Everyone appointed to an office under this Ordinance shall be paid at the rate or from the funds applicable for the purpose determined or provided by the Legislative Council.

Mode of appointment.

8. Appointments to all offices created under this Ordinance the salaries of which are separately provided on the estimates shall be by the Governor, and appointments to offices under this Ordinance the salaries of which are not separately provided in the estimates shall be by the Commissioners subject to the approval of the Governor.

Removal of officers.

9. The Governor may remove any officer appointed under this Ordinance.

Orphan asylum may be attached to alms-house.

10. The Governor may at any time order that the orphan asylum shall be attached to the Georgetown alms-house and be under the control and management of the board.

Sec - 3 of Ord  
2107 of 38  
Actions by  
or against  
the Com-  
missioners :

11.—(1) The inspector, or other officer directed by the Commissioners, shall issue to the outdoor paupers of Georgetown, at the intervals directed by the Governor, the amount of pecuniary relief allowed to them respectively by the Commissioners, and the inspector shall perform all other general duties from time to time ordered by the board.

Duties of the inspector.

(2) The secretary shall keep the minutes and accounts and conduct the correspondence of the board and in addition perform all other duties assigned to him by the board.

Board minutes.

12. The Commissioners may summon before them any persons they think necessary for the purpose of being examined upon any matter relating to poor relief or any other matter placed by law under their control, or for the purpose of production and verification upon oath of any books, contracts, agreements, accounts, maps, plans, surveys, valuations, or writings, or copies thereof in anywise relating to that matter, and not relating to or involving any question of title to lands, tenements, or hereditaments, not being the property of a parish; and may examine upon oath anyone whom they so summon, or who voluntarily comes before them to be examined upon the matter, or, instead of administering an oath, may require the person examined to make and subscribe a declaration of the truth of the matter respecting which he has been or is so examined.

Commissioners may examine persons concerning poor relief.

13. The fiscal districts established under the provisions of the Commissary Department Ordinance shall be districts for the purposes of the administration of relief to the destitute poor outside the city of Georgetown, and the commissary of taxation of each district or any other person appointed by the Governor, shall be the officer entrusted, under the directions of the Commissioners, with the duty of administering relief within it.

Establishment of local authorities. Chapter 36.

*Sec. 39 (8)  
40 of 1933*

14. No commissioner, or officer employed by or under the Commissioners in the management of an alms-house or of the out-door poor, in whose hands or under whose control the maintenance, ordering, management, or direction, of the destitute poor is placed shall, either in his own name or in the name of any other person, provide, furnish, or supply, for his own profit, any materials, goods, or provisions for the use of the alms-house or the poor during the time for which he acts or retains his appointment, shall be

Paid officer may not have interest in contract.

concerned directly or indirectly in furnishing or supplying them, or in any contract relating thereto, nor shall any paid officer on any pretence whatsoever take or receive, or permit to be taken or received on his account, any fee or reward from anyone obtaining that contract, on pain of forfeiting a sum not exceeding two hundred and forty dollars.

Penalty.

Rules relating to poor law administration.

15. The Commissioners, with the approval of the Governor and Legislative Council, may make rules for—

- (a) the good government of any alms-house;
- (b) regulating the duties of the surgeon, inspector, superintendent, matron, and all other assistants and servants;
- (c) the repression and punishment of insubordinate and disorderly conduct on the part of the inmates, and imposing fines for the misconduct of assistants and servants; and
- (d) the guidance of the ~~commissaries~~ <sup>local boards</sup> and any other officers employed by them in the administration of relief to the poor or in carrying into effect the provisions of this Ordinance.

Sec. 4 of Ord. 46  
1879 23

*Alms-houses.*

Alms-houses. 16. The Commissioners shall have the charge, control, and superintendence of alms-houses in the colony.

Vesting in the colony of property in alms-house. 17. All the buildings, furniture, clothing, provisions, implements, utensils, and supplies, of whatever kind or description appertaining to or used in any alms-house for the accommodation or support of the poor shall be deemed and taken to be the property of the colony and are hereby vested therein.

Order for person requiring relief to be placed in alms-house. 18. The Commissioners may, if they think fit, order anyone as a condition of his receiving relief under this Ordinance, or as a condition of his receiving medical aid at the public charge, to be placed in an alms-house.

Provisions as to property of inmate of alms-house. 19.—(1) Where anyone is admitted into or placed in an alms-house, all his movable and immovable property shall ipso facto vest in the Commissioners, who may take any proceedings necessary for obtaining possession of and realizing it or any part of it.

(2) The property of which possession is taken by the Commissioners shall be administered by them for the support and maintenance of the person while he remains an inmate of an alms-house.

(3) This section shall apply to any property to which the person becomes entitled while he is an inmate of an alms-house.

20.—(1) On the admission of an immigrant into an alms-house, the superintendent shall give notice thereof to the Immigration Agent General, and if it appears that the immigrant is at the time under indenture to any employer, the Immigration Agent General shall call upon that employer to make payment for the future maintenance of the immigrant at any general rate from time to time ordered by the Governor.

Notice of immigrant being in alms-house to the Immigration Agent General.

*Repealed by Act 4. 2  
Oct. 21 1931*

(2) If the employer fails to pay, or to remove the immigrant to the hospital of the estate to which he belongs, the cost of his maintenance from the time of the demand being made shall be recovered from the employer by parate execution.

21. A pauper in an alms-house who is able to perform any work or service directed by the superintendent, or matron or other officer, under the rules made by the Commissioners and refuses to do so, and a pauper who introduces or attempts to introduce into an alms-house anything prohibited by the rules, or carries out or attempts to carry out any provisions, clothing, or other property, provided for his use or belonging to the colony, without being thereto duly authorised, shall be liable on summary conviction to imprisonment with or without hard labour for any term not exceeding sixty days.

Refusal of pauper in alms-house to work.

Penalty.

22. Any alms-house for the relief of the aged and infirm poor hereafter established shall be subject to the rules herebefore laid down for alms-houses, but those rules may in that case be modified by any order made by the Commissioners under the provisions of section fifteen of this Ordinance.

Regulation of alms-houses hereafter established.

*Relief of the Poor.*

23. All and every the expense to be incurred for relief of the destitute poor in the colony shall be paid and defrayed out of the funds placed for that purpose at the disposal of the Commissioners.

Payment of expenses of poor relief.

Accounts.

*Chairman.*  
**24.** Every commissary shall keep regular accounts of his receipts and disbursements for poor relief and whenever required by the Commissioners produce a balance sheet of the accounts.

Register of  
paupers  
relieved.

**25.** Every commissary shall keep a register of the paupers to whom relief is granted or allowed within his district in the manner and form directed by the Commissioners; and the register shall be furnished by the Commissioners and paid for out of the funds placed at their disposal.

Persons  
entitled to  
relief.

**26.**—(1) Every aged or infirm person, and every child under the age of fourteen years, children in any industrial or reformatory school excepted, who is destitute and unable to earn sufficient for his maintenance, shall be entitled to relief from the funds at the disposal of the Commissioners.

(2) Where relief has been afforded to anyone under this section and he is the owner of, or possesses, or inherits, or acquires in any way, or dies leaving, property the Commissioners shall be entitled to recover the amount of the relief so afforded from him or his estate, and the signature of the secretary to the board subscribed to any document setting forth or containing a statement of the amount claimed or due shall, without proof of the signature or of any other matter or thing, be held and be deemed to be in all courts and by all judges and magistrates *primâ facie* evidence of the amount claimed being in every particular correct.

Sending  
orphan child  
to industrial  
school.  
Chapter 192.

**27.** The board may send to an industrial school all orphan children requiring relief admissible into the school by virtue of the provisions of the Industrial and Reformatory Schools Ordinance.

Commissary  
to inquire.

**28.** The commissary shall make inquiry, either personally or with the aid of paid inquirers (if any) placed at his disposal by the board, into the circumstances of every recipient of poor relief and every applicant therefor; he is authorised for that purpose to require the assistance of every government medical officer, police constable, rural constable, bailiff, or other public officer within his district.

Local Boards  
of guardians.

**29.**—(1) The Governor may in any fiscal district appoint a local board of guardians of the poor, consisting of not more than six persons, to assist the commissary in

the duty of administering relief; and the commissary shall preside at the meeting of the local board and keep the minutes of its proceedings.

(2) Every guardian shall vacate his office after three years or when leaving the colony and shall be eligible for re-appointment.

30. The commissary, in the months of January and July of every year, shall call meetings of the local board of guardians, and shall submit for their consideration the cases of every recipient of and every applicant for poor relief within the district, with the reports of the inquiries made into their circumstances, and upon consideration of the reports, and upon personal inspection where necessary and practicable, with the assistance and advice of the local board, shall fix the amount of relief to be given to every applicant, or direct that the relief previously issued be increased, discontinued, or reduced.

Periodical meetings of local boards.

*See 89 of Ord. 400 of 1933*

31. The <sup>chairman of every board.</sup> ~~commissary~~ shall transmit to the Commissioners the minutes of the <sup>said</sup> local board, together with the reports and a list of the amounts of relief granted, increased, reduced, or discontinued, and all relief during the ensuing six months shall be paid according to the list:

Settlement of relief list:

*sec. 99 of Ord. 400 of 1933*

Provided that the Commissioners may in their discretion alter the amount of the relief or direct it to be discontinued, or may direct that any relief discontinued be restored.

Proviso.

32. The Commissioners may at any time, in cases of necessity, grant assistance to those requiring it.

General power of Commissioners to grant relief.

33. All sums required for poor relief in any fiscal district shall be from time to time remitted by the Commissioners to the commissary thereof for distribution, except when a person requiring relief does not reside within the limits of any district, which shall be dealt with by the Commissioners as to them seems best.

Remittance of amount required for poor relief to local boards.

*Sec. 10 of Ord. 400 of 1933*

Miscellaneous Provisions.

34. Everyone who on any examination under the authority of this Ordinance wilfully gives false evidence, or wilfully makes or subscribes a false declaration, shall on conviction thereof suffer the pains and penalties of perjury.

Punishment for giving false evidence.

Refusal to  
attend  
summons of  
the Com-  
missioners.

**35.** Everyone who refuses or wilfully neglects to attend in obedience to a summons of the Commissioners, or to give evidence before them, or wilfully alters, suppresses, conceals, destroys, or refuses to produce, any books, contracts, agreements, accounts, maps, plans, surveys, valuations, or writings, or copies thereof, required to be produced for the purposes of this Ordinance, shall on conviction thereof be liable to a penalty not exceeding one hundred dollars, or to imprisonment for a term not exceeding six months.

Penalty.

Expenses of  
persons  
appearing to  
prosecute.

**36.** Whenever it is necessary for the Commissioners or the commissary to employ anyone to make a claim or complaint before a magistrate as hereinbefore provided, the magistrate is hereby required to order each person against whom complaint is made to pay, over and above the amount claimed and which he is adjudged to pay, a sum not exceeding one dollar for each day whereon the person so employed is required to attend before the magistrate for the prosecution of the complaint.

*Repealed by  
sec. 11 of Act  
460 of 1933*

Procedure  
and appeal.

**37.** All complaints or informations for the recovery of any sum of money, or any fine, penalty, or forfeiture (save and except when otherwise specially provided) shall be made, heard, and determined as nearly as may be in the manner prescribed by the Summary Jurisdiction Ordinances.

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