

her out of it; and thereupon they went to Kimmalton, and took a House there, and lived in it a year; and at the instance of the Parish of K. the Landlord at the years end turned him out of the House: He complained to the Justices, who ordered the Parish of K. to provide him a House; and for not doing it, were in contempt. And upon complaint at Hereford Lent Assizes, 7 Car. 1. Whitlocke, Justice of Assizes, discharged the Overseers of their contempt, and discharged the order made upon K. by the Justices, as being against Law; for that W. was not a poor or impotent person within 43 Eliz. 2. And the Justices had no power by that Law to compel and to provide a House for him, for he might provide one himself. *Inter Parochias de Laystas & Kimmalton, Bulstr. part 2. p. 242.*

And so of them that have or shall have Houses, when their Estates be expired; and servants, whose times of service are ended though they cannot get Houses; for they must provide themselves Houses anew, if they be not impotent. *Ibid.*

So that such persons, whose Estates of their Houses be expired, and servants when their service is ended, they shall not be put out of the Towns where they so last dwelt or served: Neither are they to be sent from thence to their place of birth or last habitation, but are to be settled there to work being able of body, or being impotent, are to be there relieved; and yet if such persons shall wander abroad begging, out of that Parish, then they may be sent as Vagabonds (from the place where they shall be taken wandering or begging) to their place of birth, &c.

But for the placing and settling of these Poor people (who now for want of Charity are much sent and tossed up and down from Town to Town, and from Country to Country) it hath been holden by some, that it is in the power of the next Justice of Peace to give order therein; and that upon appeal from him, the Justices of Peace at the Quarter Sessions may fully take order therein, and that their order made in Sessions will not easily be avoided.

But Sir Francis Harvey at Summer Assize at Cambridge, An. 1629. did deliver it, That the Justices of Peace (especially out of their Sessions) were not to meddle, either with the removing, or settling of any Poor, but only of Rogues.

If a Man hireth an House in A. and being there with his Wife and Children, he afterwards shall bind himself as a servant with one dwelling in B. yet are not his Wife and Children to be sent to B. or placed there, but are to remain still at A. where they were once settled. Otherwise, if the Husband hath hired an House in B.

*A Man with his Wife and Children takes an House in one Parish for a year, and before the end of the term is put out of possession, and then goeth into another Parish; where the Woman in a Barn, &c. is delivered of a Child: This thrusting out of Possession was an illegal unsettling (which the Law forbiddeth; for that none must be forced to turn Vagrant) and therefore such an one must be returned to the Town and Parish where he or she was last lawfully settled, and the Child also born in the time of this distraction must be sent with them. Resol. 24.*

*A Woman unmarried being an hired servant in A. and is there gotten with Child, after her time of service expired, she goeth into another Parish, and is there hired in service, or is there otherwise settled by the space of one month, and is then discovered to be with Child, here she is not to be sent to the place or Parish where she was begotten with Child; but to the place where she was last lawfully settled. Resol. 12.*