

‘ And the Parish where the Child is born shall not be forced to contribute to the charge, as long as the Mother lives, and the Child be under seven years old.

‘ 24. *Qu.* A man with his Wife and Children, takes an house in one Parish for a year, and before the end of his term is unlawfully put out of possession, and after takes part of an house as an Inmate in another Parish, from whence he is also put out, and then not being able to get any dwelling, they come to lie in a Barn in a third Parish, where the Husband falleth sick, and the Wife is delivered of another Child, Where ought these to be settled?

*Illegal un-settlement not to be allowed.*

‘ *Resol.* If a Man or Woman having house or habitation in one Parish, be thrust out; this is an illegal unsetting, which the Law forbiddeth, for none must be enforced to turn Vagrant, and such one must be returned to the place where he or she was last lawfully settled, and the Child also born in the time of his Distraction.

*Apprentice put out into another Parish, where the Master dies.*

‘ 25. *Qu.* Whether an Apprentice put out by the Churchwardens, &c. according to the Statute to a Master in another Parish, if his Master die and leave no Executor or Administrator fit to keep an Apprentice, or able to place him: He shall be provided for in the Parish where he was Apprentice, or shall be sent back to the Parish from whence he was put out?

‘ *Resol.* Servants and Apprentices are by Law settled in that Parish, and if they become impotent there, the Parish must abide the adventure, after their term or time of service be lawfully ended.

*What is accounted a lawful settlement.*

‘ 26. *Qu.* What is accounted a lawful setting in a Parish, and what not?

‘ *Resol.* This is too general a question, to receive a perfect answer to every particular case which may happen: But generally this is to be observed, that the Law unsettleth none who are lawfully settled, nor permits it to be done by a practice or compulsion; and every one who is settled as a Native Householder, Sojourner, an Apprentice or Servant for a month at the least, without a just complaint made to remove him or her, shall be held to be settled.

*A Rogue misconfessing the place of his Birth or Habitation.*

‘ 27. *Qu.* A Rogue is taken at C. and will not confess the place of his Birth; neither doth it appear otherwise, but that he confesseth the last place of his habitation to be at S. Hereupon he is whipped, and sent to S. at his coming to S. the place of his birth is there known to be at W. and thereupon the Rogue confesseth it to be so, whether he might without any new vagrancy be sent to W.?

‘ *Resol.* In this case it is fit to send such a Rogue to the place of his birth, for this is but a mistaken, and no legal setting.

*In what the Gaol may be deliver'd at the Sessions.*

‘ 28. *Qu.* If an Indictment be preferred to the Grand Jury of the Quarter Sessions of the Peace against one for Murther, Man-slaughter; for Robbery, Felony, or Petty-larceny, and *Ignoramus* found thereupon, whether the said Sessions may deliver the party by Proclamation, or not?

‘ *Resol.* Not by Proclamation at all, but for Petty-larcenies, and other petty Felonies, in discretion the Gaol may be delivered of them.

*Constable elect refusing.*

‘ 29. *Qu.* If a Constable be chosen and refuseth to take his Oath, what shall be done, and whether a Constable may make a Deputy; and by what means?

*Deputy Constable.*

‘ *Resol.* The refusal or neglect to take an Oath in such a case, is a contempt worthy of punishment, and thereupon to Fine and Imprison him; and the making of a Deputy is rather by Toleration, than by Law.