

prehending of Rogues, according to this Statute of 7 Jac. cap. 4. And are not otherwise to be delivered out of the House of Correction.

But upon such their delivery, they are not to be sent to their place of Birth, as wandring Rogues) but to the place of their dwelling, if they have any; if not, then to the place where they last dwelt by the space of a year, &c.

And so of persons infected, &c. with the Plague, and punished as Vagabonds, as afore:

§. 7. Children under seven.

No Child, under the age of seven years, shall be adjudged a Rogue, (within the Statute of 39 Eliz. 4.) But it seemeth such Children, being vagrant, must be sent to, and placed with the Father, or Husband of the Wife; and if he be dead, then with the Mother, (where she was born, or last dwelt by the space of one year.) And such Children, once thus settled or placed must there remain, and not be sent from thence to their place of Birth, though after the Parents die, or run away, or that the said Children grow above the Age of seven years, yea, and though the said Children after beg, and prove vagrant in that Town, for there they must be set to labour. See Resol. 4, 9, 10.

39 El. 4. P. Vag. 2.

One D. C. with a Child under seven years of age wandered, and desired a Warrant to go to E. where she had some Friends, and went through several Parishes until she came to G. and there died. The Question was, Whither the Child should be sent? Also one B. a Wanderer, came to her Sister at D. with three Children, born in three several Parishes, and died. The same Question arose, and resolved by Jones and Whitlock, Justices of Assize at Stafford, Summer 5 Car. That these Children should be sent to the places where they were born, and not where their Mothers died *in transitu*, and were so sent and settled as poor, and not as Vagabonds; for a Child within seven years of age shall not be said to be a Vagabond: And as they said, the place of Birth, or the place of their last Settlement, if it may be known, are in Judgment of Law said to be the places of Setling. So that if one be born in one Parish, and afterwards is an Inhabitant in service in another Parish, and then becomes a Wanderer, he is to be sent to the place of his last settling.

Bulstr. part 2. 352.

Children above 7 years of age, going abroad vagrant, or begging in the Country, shall be punished as Rogues, and sent to their place of birth, &c.

39 El. 4. Resol. 4.

§. 8. Wife.

The Wife being a vagrant Rogue, must be sent to her Husband, though he be but a Servant in another Town.

Resol. 3.

If the Husband or Wife have a house (though as an Inmate) and either of them rogue about, they are to be sent to the Town where that house is.

Resol. 5.

No man is to be put out of the Town where he dwelleth, nor to be sent to their place of birth or last habitation, but only a vagrant Rogue, *scilicet* such as wander abroad in the Country; and not such as are vagrant, or do beg in the same Town where they dwell.

Resol. 6.

Such as their Estates of their houses be expired, and Servants whose time of service is ended, they shall not be put out of the Towns where they last dwelt or served, &c. *Tit. vit. Poor.*

§. 9. Who may beg.

The Justice of Peace dwelling in or near the place where any Seafaring man suffering shipwreck shall land, may make a Testimonial under his hand to such person (not having wherewith to relieve himself in his travel homewards) setting down in such Testimonial the place and time where and when he landed, and the place of his birth or dwelling unto which he is to pass, limiting him therein a convenient time for his pass; which person (without the danger of this Law) in his direct passage and within his time in suel, his Testimonial limited, may ask and receive necessary relief.

49 El. 4. P. Vag. 14.

Persons suffering shipwreck.

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