

DISPUTED SETTLEMENT OF A PAUPER LUNATIC.—The overseers of Tollerton were summoned for non-payment of the expense of a pauper lunatic named Sarah Richardson, maintained in the Asylum at Snenton, whose legal settlement was alleged to be in the parish of the defendants. Mr. Rich. Enfield appeared in support of the claim, which Mr. Welby resisted. In substantiation of the claim it was stated that a magisterial adjudication was made some years since under the application of the overseers of the parish of St. Peter in the town of Nottingham, to which parish the lunatic was then chargeable, recognising the liability of the parish of Tollerton for her maintenance, and placing her in the Asylum. Under that order overseers of Tollerton had made payments to the Asylum in respect to the support of the lunatic without objection, and the adjudication had not been appealed against.—Mr. Welby argued that the parish of St. Peter was liable; that the justices had no power to adjudicate as they did; that if they had, and if the adjudication was made, the pauper was under it discharged from the Asylum, and set at liberty in the parish of the defendants, as was the case in such disputed cases, but that the parish did not own her, and she was voluntarily taken back again by the officers of the Asylum; and that she was not a pauper, having property which it was the duty of the authorities of the Asylum to recover.—Mr. Enfield having replied, the magistrates ratified the adjudication in question, and convicted the defendants in the nominal penalty of 20s.

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—Liability of Parochial Officers.—The OVERSEERS OF TOLLERTON were charged with having neglected to remove Sarah Richardson, a pauper lunatic, at present in the Asylum on Carlton-road, after due notice had been given to them to effect such removal, whereby they rendered themselves liable to a penalty not exceeding £20. Mr. R. Enfield, who appeared for the Asylum committee, proved the order of removal which was made by the county magistrates in 1842, declaring Richardson to belong to the parish of Tollerton, and called Mr. Hart, the clerk at the Asylum, who proved giving the defendants the required notice. Mr. Enfield replied on behalf of the parish of Tollerton, contending that there was no sufficient case made out by the prosecution to justify a conviction. In the year 1848 the pauper was taken out of the Asylum and cast into the town street of Tollerton. The parish authorities would not then take her up, as she did not belong to them, and the consequence was that she was again taken possession of by the persons who had set her down. He contended that there had been no adjudication whatever on the settlement. The bench would see that the order for placing Sarah Richardson in the Asylum was made by two justices of the borough of Nottingham, who had no power to make such an order. The act of parliament, 9th Geo. IV., provided that justices of the borough should only have power to send to an asylum within their own district, and he therefore maintained that the order was bad, not having been signed by two justices of the county. Again, the pauper had been discharged previously. He (Mr. Welby) had no doubt if the clerk produced the orders of the year 1848, an order would be found discharging that lunatic, and there had been no adjudication since. Then the person who was represented as a pauper was no more a pauper than himself; in fact, she had property. The case was not proved, and that was only an attempt to saddle on the parish of Tollerton an expense which might be obtained by other means. Here was a pauper lunatic sent by the parish of St. Peter, and that parish ought to bear the expense of maintenance until an adjudication as to the settlement was made.—Mr. Enfield made a few observations, after which the magistrates imposed a penalty of 20s. on the parish of Tollerton which fine, however, would not be levied if the appeal (which was given notice of by Mr. Welby against the decision) should be successful.—WILLIAM MALTRY, farmer.