



Vagrancy Act 1824

1824 CHAPTER 83

An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of Great Britain called England. [21th July 1824]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled An Act for consolidating into One Act and amending the Laws relating to idle and disorderly Persons, Rogues and Vagabonds, incorrigible Rogues and other Vagrants in England: And whereas the said Act was to continue in force until the First Day of September One thousand eight hundred and twenty-four, and no longer; and it is expedient to make further Provision for the Suppression of Vagrancy, and for the Punishment of idle and disorderly Persons, Rogues and Vagabonds, and incorrigible Rogues, in England: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Provisions heretofore made relative to idle and disorderly Persons, Rogues and Vagabonds, incorrigible Rogues or other Vagrants, in England, shall be and the same are hereby repealed, except only as to any Offence committed before the passing of this Act, which shall be punished under the Provisions of the said recited Act, and save and except as herein-after excepted.

II Provisions of recited Act as a give power of passing convicts on Discharge from Prison repealed

And whereas by an Act passed in the Thirty-second Year of the Reign of His late Majesty King George the Third, intituled An Act to explain and amend an Act made in the Seventeenth Year of the Reign of His late Majesty King George the Second, intituled An Act to amend and make more effectual the Laws relating to Rogues, Vaga-bonds, and other idle and disorderly Persons, and to Houses of 'Correction,' His Majesty's Judges of Assizes and the Justices at the General or Quarter Sessions, or any Justice of the Peace, are empowered to order any Convict, upon his Discharge from Prison, to be conveyed by Pass in manner therein directed; and the Judge, Justices or Justice aforesaid, are also empowered to convey by Pass any Person who shall be acquitted at the Assizes or General or Quarter Sessions, or discharged by Proclamation or otherwise, who shall apply to be conveyed as aforesaid : And whereas Doubts have arisen whether such Parts of such Act as give such Power to order such Person to be

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conveyed by Pass were by the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty repealed: And whereas it is expedient to remove such Doubts: Be it therefore declared and enacted, That all such Provisions of the said recited Act of the Thirty-second Year of the Reign of His late Majesty King George the Third as give such Power of conveying by Pass any Convict upon his Discharge from Prison, and any Person who shall be acquitted at the Assizes or General or Quarter Sessions, or discharged by Proclamation or otherwise, shall be and the, same is hereby repealed.

III Persons committing certain Offences how to be punished.

And be it further enacted, That every Person being able wholly or in part to maintain himself or herself, or his or her Family, by Work or by other Means, and wilfully refusing or neglecting so to do, by which Refusal or Neglect he or she, or any of his or her Family whom he or she may be legally bound to maintain, shall have become chargeable to any Parish, Township, or Place; every Person returning to and becoming chargeable in any Parish, Township, or Place from whence he or she shall have been legally removed by Order of Two Justices of the Peace, unless he or she shall produce a Certificate of the Churchwardens and Overseers of the Poor of some other Parish, Township, or Place, thereby acknowledging him or her to be settled in such other Parish, Township, or Place; every Petty Chapman or Pedlar wandering abroad, and trading without being duly licensed, or otherwise authorized by Law; every Common Prostitute wandering in the public Streets or public Highways, or in any Place of public Resort, and behaving in a riotous or indecent Manner; and every Person wandering abroad, or placing himself or herself in any public Place, Street, Highway, Court, or Passage, to beg or gather Alms, or causing or procuring or encouraging any Child or Children so to do, shall be deemed an idle and disorderly Person within the true Intent and Meaning of this Act; and it shall be lawful for any Justice of the Peace to commit such Offender (being thereof convicted before him by his own View, or by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses) to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month.

IV Persons committing certain Offences to be deemed Rogues and Vagabonds.

And be it further enacted, That every Person committing any of the Offences herein-before mentioned, after having been convicted as an idle and disorderly Person ; every Person pretending or professing to tell Fortunes, or using any subtle Craft, Means, or Device, by Palmistry or otherwise, to deceive and impose on any of His Majesty's Subjects ; every Person wandering abroad and lodging in any Barn or Outhouse, or in any deserted or unoccupied Building, or in the open Air, or under a Tent, or in any Cart or Waggon, not having any visible Means of Subsistence, and not giving a good Account of himself or herself; every Person wilfully exposing to- view, in any Street, Road, Highway, or public Place, any obscene Print, Picture, or other indecent Exhibition ; every Person wilfully, openly, lewdly, and obscenely exposing his Person in any Street, Road, or public Highway, or in the View thereof, or in any Place of public Resort, with Intent to insult any Female ; every Person wandering abroad, and endeavouring by the Exposure of Wounds or Deformities to obtain or gather Alms ; every Person going about as a Gatherer or Collector of Alms, or endeavouring to procure charitable Contributions of any Nature or Kind, under any false or fraudulent Pretence ; every Person running away, and leaving his Wife or his or her Child or Children chargeable, or whereby she or they or any of them

shall become chargeable to any Parish, Township, or Place ; every Person playing or betting in any Street, Road, Highway, or other open and public Place, at or with any Table or Instrument of gaming, at any Game or pretended Game of Chance; every Person having in his or her Custody or Possession any Picklock Key, Crow, Jack, Bit, or other Implement, with Intent feloniously to break into any Dwelling House, Warehouse, Coach-house, Stable, or Outbuilding, or being armed with any Gun, Pistol, Hanger, Cutlass, Bludgeon, or other offensive Weapon, or having upon him or her any Instrument, with Intent to commit any felonious Act; every Person being found in or upon any Dwelling House, Warehouse, Coach-house, Stable, or Outhouse, or in any inclosed Yard, Garden, or Area, for any unlawful Purpose; every suspected Person or reputed Thief, frequenting any River, Canal, or navigable Stream, Dock, or Basin, or any Quay, Wharf, or Warehouse near or adjoining thereto, or any Street, Highway, or Avenue leading thereto, or any Place of public Resort or any Avenue leading thereto, or any Street, Highway, or Place adjacent, with Intent to commit Felony; and every Person apprehended as an idle and disorderly Person, and violently resisting any Constable or other Peace Officer so apprehending him or her, and being subsequently convicted of the Offence for which he or she shall have been so apprehended, shall be deemed a Rogue and Vagabond, within the true Intent and Meaning of this Act; and it shall be lawful for any Justice of the Peace to commit such Offender (being thereof convicted before him by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses,) to the House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months; and every such Picklock Key, Crow, Jack, Bit, and other Implement, and every such Gun, Pistol, Hanger, Cutlass, Bludgeon, or other offensive Weapon, and every such Instrument as aforesaid, shall, by the Conviction of the Offender, become forfeited to the King's Majesty.

V Who shall be deemed incorrigible Rogues.

And be it further enacted, That every Person breaking or escaping out of any Place of legal Confinement before the Expiration of the Term for which he or she shall have been committed or ordered to be confined by virtue of this Act; every Person committing any Offence against this Act which shall subject him or her to be dealt with as a Rogue and Vagabond, such Person having been at some former Time adjudged so to be, and duly convicted thereof; and every Person apprehended as a Rogue and Vagabond, and violently resisting any Constable or other Peace Officer so apprehending him or her, and being subsequently convicted of the Offence for which he or she shall have been so apprehended, shall be deemed an incorrigible Rogue within the true Intent and Meaning of this Act; and it shall be lawful for any Justice of the Peace to commit such Offender (being thereof convicted before him by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses,) to the House of Correction, there to remain until the next General or Quarter Sessions of the Peace; and every such Offender who shall be so committed to the House of Correction shall be there kept to Hard Labour during the Period of his or her Imprisonment.

VI Any Person may apprehend Offenders.

And be it further enacted, That it shall be lawful for any Person whatsoever to apprehend any Person who shall be found offending against this Act, and forthwith to take and convey him or her before some Justice of the Peace, to be dealt with in such Manner as is herein-before directed, or to deliver him or her to any Constable

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or other Peace Officer of the Place where he or she shall have been apprehended, to be so taken and conveyed as aforesaid ; and in case any Constable or other Peace Officer shall refuse or wilfully neglect to take such Offender into his Custody, and to take and convey him or her before some Justice of the Peace, or shall not use his best Endeavours to apprehend and to convey before some Justice of the Peace any Person that he shall find offending against this Act, it shall be deemed a Neglect of Duty in such Constable or other Peace Officer, and he shall on Conviction be punished in such Manner as is herein-after directed.

VII Justices to examine Persons apprehended, and if Matter be proved, to commit them.

And be it further enacted, That it shall be lawful for any Justice of the Peace, upon Oath being made before him that any Person hath committed or is suspected to have committed any Offence against this Act, to issue his Warrant to apprehend and bring before him or some other Justice of the Peace the Person so charged, to be dealt with as is directed by this Act.

VIII Vagrants to be searched, and Trunks, Bundles, &c. to be inspected.

And be it further enacted, That it shall be lawful for any Constable, Peace Officer, or other Person apprehending any Person charged with being an idle and disorderly Person, or a Rogue and Vagabond, or an incorrigible Rogue, to take any Horse, Mule, Ass, Cart, Car, Caravan, or other Vehicle or Goods in the Possession or Use of such Person, and to take and convey the same as well as such Person before some Justice of the Peace, and for every Justice of the Peace by whom any Person shall be adjudged to be an idle and disorderly Person, or a Rogue and Vagabond, or an incorrigible Rogue, to order that such Offender shall be searched, and that his or her Trunks, Boxes, Bundles, Parcels, or Packages shall be inspected in the Presence of the said Justice, and of him or her, and also that any Cart, Car, Caravan, or other Vehicle which may have been found in his or her Possession or Use shall be searched in his or her Presence; and it shall be lawful for the said Justice to order that any Money which may be then found with or upon such Offender shall be paid and applied for and towards the Expense of apprehending, conveying to the House of Correction, and maintaining such Offender during the Time for which he or she shall have been committed; and if upon such Search Money sufficient for the Purposes aforesaid be not found, it shall be lawful for such Justice to order that a Part, or, if necessary, the whole of such other Effects then found, shall be sold, and that the Produce of such Sale shall be paid and applied as aforesaid, and also that the Overplus of such Money or Effects, after deducting the Charges of such Sale, shall be returned to the said Offender.

IX Justices may bind Persons by Recognizance to prosecute Vagrants at Sessions.

And be it further enacted, That when any Justice as aforesaid shall commit any such incorrigible Rogue to the House of Correction, there to remain till the next General or Quarter Sessions, or when any such idle and disorderly Person, Rogue, and Vagabond, or incorrigible Rogue, shall give Notice of his or her Intention to appeal against the Conviction of him or her, and shall enter into Recognizance as herein-after directed to prosecute such Appeal, such Justice shall require the Person by whom such Offender shall be apprehended, and the Person or Persons whose Evidence shall appear to him to be material to prove the Offence and to support such Conviction, to become bound in Recognizance to His Majesty, His Heirs and Successors, to appear at the

said General or Quarter Sessions, to give Evidence against such Offender touching such Offence; and the Justices of the Peace at their said General or Quarter Sessions are hereby authorized and empowered, at the Request of any Person who shall have become bound in any such Recognizance, to order the Treasurer of the County, Riding, Division, or Place in which the Offence shall have been committed to pay unto such Prosecutor, and unto the Witness or Witnesses on his or her Behalf, such Sum or Sums of Money as to the Court shall seem reasonable and sufficient to reimburse such Prosecutor and such Witness or Witnesses respectively for the Expenses he, she, or they shall have been severally put to, and for his her, or their Trouble and Loss of Time in and about such Prosecution ; which Order the Clerk of the Peace is hereby directed and required forthwith to make out and deliver unto such Prosecutor, or unto such Witness or Witnesses, upon being paid for the same the Sum of Two Shillings and no more; and the said Treasurer is hereby authorized and required, upon Sight of such Order, forthwith to pay unto such Prosecutor, or other Person or Persons authorized to receive the same, such Money as aforesaid, and the said Treasurer shall be allowed the same in his Account; and in case any such Person or Persons as aforesaid shall refuse to enter into such Recognizance, it shall be lawful for such Justice to commit such Person or Persons so refusing to the Common Gaol, there to remain until he, she, or they shall enter into such Recognizance, or shall be otherwise discharged by due Course of Law.

X Power of Sessions to detain and keep to hard Labour, and punish by Whipping, Rogues and Vagabonds and incorrigible Rogues.

And be it further enacted, That when any incorrigible Rogue shall have been committed to the House of Correction, there to remain until the next General or Quarter Sessions, it shall be lawful for the Justices of the Peace there assembled to examine into the Circumstances of the Case, and to order, if they think fit, that such Offender be further imprisoned in the House of Correction, and be there kept to hard Labour for any Time not exceeding One Year from the Time of making such Order, and to order further, if they think fit, that such Offender (not being a Female) be punished by Whipping, at such Time during his Imprisonment, and at such Place within their Jurisdiction, as according to the Nature of the Offence they in their Discretion shall deem to be expedient.

XI Penalty on Officers neglecting their Duties, &c.

And be it further enacted, That in case any Constable or other Peace Officer shall neglect his Duty in anything required of him by this Act, or in case any Person shall disturb or hinder any Constable or other Peace Officer in the Execution of this Act, or shall be aiding, abetting, or assisting therein, and shall be thereof convicted upon the Oath of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace where such Offence shall be committed, every such Offender shall for every such Offence forfeit any Sum not exceeding Five Pounds; and in case such Offender shall not forthwith pay such Sum so forfeited, the same shall be levied by Distress and Sale of the Offender's Goods, by Warrant from such Justice or Justices; and if sufficient Distress cannot be found, it shall be lawful to and for One or more such Justice or Justices to commit the Person so offending to the House of Correction, there to be kept for any Time not exceeding Three Calendar Months, or until such Fine be paid; and the said Justice or Justices shall cause the said Fine, when paid, to be forthwith delivered to the Treasurer of the County, Riding, Division, or Place where

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such Offence shall have been committed, to be by him added to and used as Part of the Stock of the said County, Riding, Division, or Place.

XII On Conviction of Officers, &c, Justices to make Order for Payment of Expenses of Prosecution.

And be it further enacted, That in case any Constable or other Peace Officer shall be convicted before any One or more Justice or Justices of the Peace for any Neglect of any Duty required of him by this Act, or of any Disobedience of any lawful Warrant or Order of any Justice or Justices of the Peace issued under the Provisions of this Act, and in case any Two or more Justices of the Peace shall impose any Fine, or direct any Penalty to be paid by such Officer, under and by virtue of the Powers given to Justices of the Peace by an Act passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled An Act to authorize Justices of the Peace to impose Fines upon Constables, Overseers, and other Peace or Parish Officers, for Neglect of Duty, and on Masters of Apprentices for Ill-usage of such their Apprentices, and also to make Provision for the Execution of Warrants of Distress granted by Magistrates, or under any other Powers enabling such Justices in that Behalf, then and in every such Case it shall be lawful for such Justice or Justices, upon Conviction of any such Offender, to reimburse and allow to the Person or Persons on whose Complaint or Information such Offender shall have been convicted all necessary Costs and Expenses which such Person or Persons may thereby have incurred, or by any Appeal made in consequence thereof, by making an Order under his or their Hands and Seals upon the Treasurer of the County, Riding, Division, or Place, to pay to such Person or Persons the Amount of such Costs and Expenses, on producing the said Order, and giving a Receipt for the same, and the same shall be allowed the said Treasurer in his Account.

XIII Lodging Houses, &c. suspected to conceal Vagrants may be searched, and suspected Persons brought before a Justice.

And be it further enacted, That it shall be lawful for any Justice of the Peace, upon Information on Oath before him made, that any Person herein-before described to be an idle and disorderly Person, or a Rogue and Vagabond, or an incorrigible Rogue, is, or is reasonably suspected to be, harboured or concealed in any House kept or purporting to be kept for the Reception, Lodging, or Entertainment of Travellers, by Warrant under his Hand and Seal to authorize any Constable or other Person or Persons to enter at any Time into such Housed, and to apprehend and bring before him or any other Justice of the Peace every such idle and disorderly Person, Rogue, and Vagabond, and incorrigible Rogue, as shall be found therein, to be dealt with in the Manner herein-before directed.

XIV Persons aggrieved may appeal to the next Sessions.

And be it further enacted, That any Person aggrieved by any Act or Determination of any Justice or Justices of the Peace out of Sessions, in or concerning the Execution of this Act, may appeal to the next General or Quarter Sessions for the County, Riding, Division, or Place in and for which such Justice or Justices shall have so acted, giving to the Justice or Justices of the Peace whose Act or Determination shall be appealed against Notice in Writing of such Appeal, and of the Ground thereof, within Seven Days after such Act or Determination, and before the next General or Quarter Sessions, and entering within such Seven Days into a Recognizance, with sufficient Surety, before a Justice of the Peace for the County or Place in which such Person shall

have been convicted, personally to appear and prosecute such Appeal; and upon such Notice being given, and such Recognizance being entered into, such Justice is hereby empowered to discharge such Person out of Custody; and the Court at such General or Quarter Sessions shall hear and determine the Matter of such Appeal, and shall make such Order therein as shall to the said Court seem meet, and in case of, the Dismissal of the Appeal, or the Affirmance of the Conviction, shall issue the necessary Process for the Apprehension and Punishment of the Offender, according to the Conviction.

XV Visiting Justices of Gaols, &c. empowered to grant Certificates for enabling Persons discharged from Prison to receive Alms in their Route.

Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to restrain, hinder, or prevent any Visiting Justice of any 'County Gaol, House of Correction, or other Prison, from granting a Certificate or other Instrument for enabling any Person discharged from a County Gaol, House of Correction, or other Prison, to have or receive Alms or Relief in or upon his or her Route to his or her Place of Settlement; provided that such Certificate be made and drawn up in compliance with the Directions and Provisions of any Act or Acts of Parliament for the better Regulation and Management of Gaols, Houses of Correction, or Prisons; and if any Person to whom any such Certificate or Instrument shall be delivered shall act in any Manner contrary to the Directions or Provisions of such Certificate or Instrument, or shall loiter upon his or her Route, or shall deviate therefrom, every such Person shall be and be deemed to be a Rogue and Vagabond within the Provisions and Directions of this Act, and shall be punished accordingly.

XVI Justices not to grant Certificates enabling Persons to ask Relief on Route, except to Soldiers and Sailors.

And be it further enacted, That from and after the passing of this Act no Justice of the Peace, Mayor, or other Magistrate shall grant to any Person, other than a Person entitled thereto under and by virtue of an Act passed in the Forty-third Year of the Reign of His late Majesty King George the Third, intituled An Act for the Relief of Soldiers, Sailors, and Marines, and of the Wives of Soldiers in the Cases therein mentioned, so far as relates to England, any Certificate or other Instrument enabling such Person to ask Alms or Relief- in their Route to any Place, or for any other Purpose whatever; and every Person asking Alms or Relief under and by virtue of any Certificate or other Instrument hereby prohibited is liable to be declared to be an idle and disorderly Person, in like Manner as if he or she had possessed no such Certificate or other Instrument as aforesaid.

XVII Form of Conviction under this Act.

And be it further enacted, That no Proceeding to be had before any Justice or Justices of the Peace under the Provisions of this Act shall be quashed for Want of Form ; and every Conviction of any Offender as an idle and disorderly Person, or as a Rogue and Vagabond, or as an incorrigible Rogue, under this Act, shall be in the Form or to the Effect following, or as near thereto as Circumstances will permit; (that is to say,) ' to wit. BE it remembered, That on the _____ Day of _____ in the Year of our Lord , at _____ in the County of _____ A.B. is convicted before me CD., One of His Majesty's Justices of the Peace ' in and for the said County, of being an idle and disorderly Person [or a Rogue and Vagabond, or an incorrigible Rogue,] within the Intent and Meaning of the Statute made in the Fifth

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Year of the ' Reign of His Majesty King George the Fourth, intituled "An Act" [here insert the Title of this Act] ; that is to say, for that the said A.B. on the _____ Day of _____ at _____ in the said County [here state the Offence proved before the Magistrate], and for which said Offence the said A.B. is ordered to be committed to the House of Correction at _____ there to be kept to Hard Labour for the Space of _____ [or until the ' next General or Quarter Sessions]. Given under my Hand and ' Seal, the Day, Year, and at the Place first above written.' And the Justice or Justices of the Peace before whom any such Conviction shall take place shall and he and they is and are hereby required to transmit the said Conviction to the next General or Quarter Sessions of the Peace to be holden in and for the County, Riding, Division, or Place wherein such Conviction shall have taken place, there to be filed and kept on Record; and a Copy of the Conviction so filed, duly certified by the Clerk of the Peace, shall 'and may be read as Evidence in any Court of Record, or before any Justice or Justices of the Peace acting under the Powers and Provisions of this Act.

XVIII Justices, &c, to have Treble Costs if Judgment be in their Favour.

And be it further enacted, That in all Cases where an Action shall be brought against any Justice of the Peace, Constable, or other Person, for or on account of any Matter or Thing whatsoever done or commanded by him in the Execution of his Duty or Office under this Act, such Justice, Constable, or other Person, if he shall have Judgment in his Favour, shall have Treble Costs awarded to him by the Court, unless the Judge shall certify that there was a reasonable Cause for such Action.

XIX Limitation of Actions.

And be it further enacted, That every such Action shall be commenced within Three Calendar Months after the Cause of Action or Complaint shall have arisen, and not afterwards ; and if any Person or Persons shall be sued for any Matter or Thing which he, she, or they shall have done in the Execution of this Act, he, she, or they may plead the General Issue, and give the special Matter in Evidence.

XX Persons convicted under this Act to be chargeable to the Parish in which they shall reside.

And be it further enacted, That every Person who under the Provisions of this Act shall have been convicted as an idle and disorderly Person, or as a Rogue and Vagabond, shall be deemed to be actually chargeable to the Parish, Township, or Place in which such Person shall reside; and such Person shall be liable to be removed to the Parish of his or her last legal Settlement, by the Order of Two Justices of the Peace of the Division or Place in which such Person shall reside.

XXI Persons committing Offences under former Acts to be punished under this Act.

Provided always, That wherever by any Act or Acts of Parliament now in force it is directed that any Person shall be punished as an idle and disorderly Person, or as a Rogue and Vagabond, or as an, incorrigible Rogue, for any Offence specified in such Act or Acts, and not herein-before provided for by this Act, in every such Case, whether such Person shall or shall not have committed any Offence against this Act, every such Person shall be punished under the Provisions, Powers, and Directions of this Act.

XXII Not to extend to repeal any Act in force in Scotland or Ireland relative to the Removal of Poor, &c.

Provided also, and be it further enacted, That nothing herein contained shall be construed to extend or apply to Scotland or Ireland, nor to alter any Law now in force for the Removal of poor Persons; born in Scotland, Ireland, or the Isles of Man, Jersey, and Guernsey", and becoming chargeable to Parishes in England, such Persons not having committed Acts of Vagrancy as herein-before described, nor to alter any Law now in force relating to Lunatic Vagrants.