



Removal Order Appeal

At Wilts Quarter Sessions

East Knoyle, appellants, Fisherton De La Mere, respondents.

This was an appeal against an order for the removal of Joseph Marchant, his wife and two children, from Fisherton to East Knoyle.

It was admitted that the pauper's birth settlement was in East Knoyle; but contended that he had gained a subsequent settlement; to prove which, the pauper himself was called, who, in the course of his evidence, deposed that at the age of 16 or 17 years, he went to the Rev. Mr. Phillip's at Codford, and asked the groom if Mr. Phillips was in want of a servant? That the groom enquired, and afterwards told the pauper that Mr. Phillips would give him 8s. a week as under groom: that he (pauper) was desirous of obtaining 10s. a week, but that the groom, after again consulting with Mr. Phillips, told him that Mr. Phillips would not give him more than 8s, a week, winter or summer, all the year round; that at the suggestion of the groom, he went a month upon trial, and afterwards continued in Mr. Phillip's service for several years.

Mr. Bingham, for the respondents, called the groom, who corroborated the pauper's statement, except as to the words "all the year round", which he said were never used. Upon these words, however, the case depended; as an agreement, at so much per week, "for winter and summer," would not constitute a yearly hiring.

The Court, seeing no reason to doubt the pauper's statement, (it having been very fairly and frankly given) quashed the order.

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