CHAP. 2.

An Act to make provision for the proceedings of Boards of Management and Boards of Guardians upon the dissolution of Districts and Unions or the annexation of Parishes to Unions. [25th March 1870.]

WHEREAS it is expedient that better provision should be made for the proceedings of boards of management and boards of guardians when the districts or unions for which they have acted respectively are dissolved, or the parish for which any such board of guardians have acted shall be added to a union or to another parish:

Be it therefore enacted by the Queen'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, as follows:

Persons acting as guardians or managers at time of dissolution, &c. to continue in office to wind up accounts;

and empowered to make orders upon parishes or unions for contributions, and to enforce the same;

1. When the Poor Law Board shall have dissolved or shall dissolve any district the component parts whereof shall not have been formed into one union, or shall have dissolved or shall dissolve any union, or shall have added or shall add any parish in which the relief to the poor shall be or shall have been administered by a board of guardians to a union or to another parish, the persons who were acting as managers or guardians at the time of the dissolution or addition, and the survivors of them, shall continue in office for the purpose of paying and discharging the debts and liabilities of such district, union, or parish, and of receiving and recovering moneys or other property due to the said district, union, or parish, as the case may be, in like manner as the board of management or board of guardians could have done if no dissolution or addition had taken place; and the said managers or guardians shall be empowered to make all necessary orders for contributions upon the unions and parishes comprised within the district or union so dissolved, or upon the proper authorities of the parish so added, as the case may require, and to enforce the same as the board of management or board of guardians could have done previous to the dissolution or addition respectively: provided that the limitation of time for the payment of debts imposed by the statute of the twenty-second and twenty-third Victoria, chapter forty-nine, shall not apply to the cases of districts or unions dissolved or of parishes added to a union before the passing of this Act, where such limitation had not taken effect previous to the dissolution or addition thereof as aforesaid; and provided that no such managers or guardians shall be empowered to act in the manner aforesaid for a longer period than twelve months from the date of the dissolution or addition, unless the Poor Law Board by their order shall authorise them to continue to act for some special purpose.

and also may retain services of officers with salaries and for periods to be approved of by Poor Law Board.

2. The said managers or guardians may retain the services of such of the officers of the board of management or board of guardians respectively as they shall deem requisite to enable them to complete the liquidation and discharge of the debts and liabilities of the union, district, or parish, or appoint others to assist them, with such remuneration and for such time only as the Poor Law Board shall approve.

Provision for the continuance of actions, suits, or other proceedings.

3. All actions, suits, or other proceedings commenced by or against the board of management or board of guardians prior to the dissolution or addition aforesaid, may be continued by or against the said last acting managers or guardians in the name of the board of management or board of guardians, as the case may be, except where the several parts of a district shall have been or shall be formed into one union, in the manner provided for by the second section of the Metropolitan Poor Amendment Act, 1869, and all the costs incurred by or adjudged against such managers or guardians in any such action, suit, or other proceeding, and not otherwise recovered, shall be chargeable to the same fund as if the action, suit, or proceeding had been determined before the dissolution or addition.

Poor Law Board upon notice from managers, &c. to make adjustment.

4. Upon notice from the managers or guardians, as the case may be, that all the current debts and liabilities of the district or union have been liquidated and discharged, or when the Poor Law Board shall otherwise deem it expedient, the said board shall proceed to make such adjustment of the rights and liabilities of the several unions or parishes

contained in such district or union respectively as is provided for by the thirty-second section of the Poor Law Amendment Act, 1834, and the first section of the Metropolitan Poor Amendment Act, 1869.

When union is formed out of parishes, acting guardians, &c. to continue till guardians are elected.

5. Upon the issue of the order of the Poor Law Board forming a union of two or more parishes, in which the relief to the poor has been administered by a board of guardians, the last acting guardians or overseers respectively shall continue to administer such relief in the parish or parishes respectively until the guardians for the union shall be completely elected.

Accounts of last acting guardians, &c. to be audited.

6. The accounts of the last acting managers or guardians and of their officers and of the overseers shall be audited in the like manner and for the like purpose and with the like effect and by the same auditor as if the dissolution or addition had not taken place.

As to payment of loans contracted and still due.

7. If when a district or union has been or shall be dissolved there remain unpaid any instalment or instalments of a loan or loans contracted under the provisions of any Act of Parliament by the managers or guardians of such district or union, every such instalment and all interest on such loan or loans not discharged before the expiration of the time within which the said last managers or guardians respectively can act shall from time to time after the same shall severally have become due be paid by such board or boards of managers or guardians as the Poor Law Board by their order shall direct, and the amounts shall be charged against the same parishes and in the same proportions as they would have been had no such dissolution taken place; and if when a parish has been or shall be added to a union or to another parish there remain unpaid any such instalment or instalments of any such loan or loans as aforesaid contracted by the guardians of the poor of the said parish, every such instalment and all interest on such loan or loans not discharged within such time as aforesaid shall from time to time after the same shall severally become due be paid out of the poor rates of the said parish by the overseers or other body or persons who make and levy the said rates; and the parties to whom any such instalment or interest shall be due shall have in all respects the same remedies for the recovery thereof against the managers or guardians so directed as aforesaid to pay the same, or against the overseers or other body or persons as aforesaid, as the case may be, as they severally had against the managers or guardians who originally contracted the loan in respect of which such instalment or interest is payable: Provided that nothing herein contained shall prevent the instalments and interest or balance of any such loan from being discharged out of the produce of the sale of any property belonging to any district or union at the time of the dissolution, or to any parish at the time of its being added to the union.

Deeds and other matters relating to the relief of the poor transferred to new board of guardians.

8. All deeds, bonds, covenants, indentures, orders of justices, or other matters affecting any poor persons, apprentices, or officers entered into by or made upon or in favour of any board of guardians of a parish which shall be added to a union, shall vest in and enure to the benefit of or shall be a charge upon the guardians of the union to which such parish shall have been added without any assignment, transfer, or other act; and all securities, deeds, orders, books of account, and other documents relating thereto, shall, when required by said guardians, be delivered to them by the persons having the custody thereof; and all such deeds (other than the title deeds to property), bonds, indentures, orders of justices, or other documents and matters as aforesaid belonging to any dissolved district or union shall be preserved in such custody and shall be open to inspection in such manner as the Poor Law Board shall by their order from time to time direct.

Superannuation allowances and compensations to be paid by guardians of unions.

9. Every superannuation allowance granted by a board of guardians in conformity with the provisions of the statute applicable thereto, and every compensation ordered by the Poor Law Board to be paid to any officer by or on account of any parish, whether part of a dissolved union or not, shall, when such parish shall be added to or formed with another into a union, be paid by the guardians of such union to the person entitled thereto and charged by them to the account of such parish.

Sect. 20. of 30 & 31 Vict. c. 113. extended

10. The provisions contained in the twentieth section of the Poor Law Amendment Act, 1867, relating to the period of service of officers and the allowance of compensations

to a parish added to another parish to form a union.

to persons deprived of their offices, shall extend to the case of a parish which shall be united to some one or more parishes to form a union, and to the officers of such parish.

Provision for the valuations of property on dissolution, separation, or amalgamation of unions and districts.

11. When any district or union has been or shall be dissolved, or any parish has been or shall be added to or separated from a union, or any unions or parishes added to or separated from a district or part of it, or any parish has been or shall be added to another parish to form a union, and a valuation shall become requisite for the adjustment of the rights and liabilities of the districts, unions, or parishes affected thereby, such valuation shall be procured by the managers, guardians, or overseers of the districts, unions, or parishes respectively, in such manner as the parties interested shall mutually agree upon, or by the Poor Law Board in case of their not agreeing within such time as the Board shall fix, which Board shall direct the expenses incurred in procuring the same to be charged to the districts, unions, parishes, or parts thereof respectively, according as they shall be interested therein, in such proportions as to the said board shall seem to be equitable; and every person in whose favour such direction shall have been given shall be entitled to recover the amount from the persons directed to pay the same, by action in like manner as any debt recoverable at law.

Vesting of property of dissolved unions, &c. in last acting managers or guardians until sold, &c. under sect. 3. of 5 & 6 W. 4. c. 69.

12. Upon the dissolution of any district or union, or the addition of any parish in which the relief to the poor shall have been or shall be administered by a board of guardians to a union or to another parish, the real and personal estate vested in the managers or guardians of such district, union, or parish respectively shall be transferred to and vested in the persons who were acting as managers or guardians respectively at the time of such dissolution or addition, to be held by them as joint tenants, according to the nature of such property, in trust for the parishes comprised in such district or union, or for the parish, as the case may be, until the same shall be sold, let, or otherwise disposed of under the authority of the third section of the "Union and Parish Property Act, 1835," and any Act extending the same: Provided, that nothing herein contained shall apply to any parish provided for by the fifth section of the Metropolitan Poor Amendment Act, 1869, or by a Local Act.

Construction of Act.

13. The words used in this Act shall be construed in like manner as in the Poor Law Amendment Act, 1834, and in the subsequent Acts amending and extending the same.

Short title.

14. This Act may be cited and described for all purposes as "The Dissolved Boards of Management and Guardians Act, 1870."

CHAP. 3.

An Act to make better provision for making laws and regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

WHEREAS it is expedient that provision should be made to enable the Governor General of India in Council to make regulations for the peace and good government of certain territories in India, otherwise than at meetings for the purpose of making laws and regulations held under the provisions of The Indian Council's Act, 1861, and also for certain other purposes connected with the Government of India:

Be it enacted by the Queen'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, as follows:

Power to Executive Government of British India

1. Every governor of a Presidency in Council, lieutenant governor, or chief commissioner, whether the governorship, or lieutenant governorship, or chief commissionership be now in existence or may hereafter be established, shall have power to propose to the