CHAP. 63.

An Act to amend The Metropolitan Poor Act, 1867. A.D. 1869.

[9th August 1869.]

WHEREAS it is expedient that sundry amendments should be made in The Metropolitan Poor Act, 1867: 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: 30 & 31 Vict. c. 6.

Poor Law Board empowered to dissolve asylum and school districts and unions.

1. The Poor Law Board, as and when they shall see fit, may dissolve any asylum or school district contained wholly or partly in the metropolis, and upon such dissolution shall adjust the rights and liabilities of parishes and unions comprised therein respectively, and provide for the compensation of the officers and other persons employed therein, in like manner as when a union is dissolved under the authority of the thirty-second section of The Poor Law Amendment Act, 1834; and so much of that section as requires the concurrence of two-thirds of the guardians in the dissolution of any union is hereby repealed; and prior to issuing any order dissolving such district, the said board may by their order empower the managers of such district to sell and dispose of any land, buildings, or other property belonging to them, and to apply the produce thereof in discharge of the debts and liabilities then outstanding against such managers, and to distribute any surplus which may remain among the parishes or unions comprised therein according to their original proportions, and if the said district shall be dissolved before the same shall be sold, the said board may by their order empower the persons who were the managers of the district at the time of its dissolution, or the major part of them, to make such sale, and to convey the land to the purchaser thereof, and to apply and distribute the produce accordingly.

Provision for the amalgamation of

2. Where the union or unions and parish or parishes, or unions or parishes, constituting any district formed under The Poor Law

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the several parts of a district into one union.

Amendment Act, 1844, or under The Metropolitan Poor Act, 1867, shall have been or shall be formed into one union for the relief of the poor, all the property, real and personal, of the board of managers shall be transferred to, and shall vest in, the guardians of the said union, and the liabilities, obligations, and debts of the said board of managers shall be, in like manner, transferred to and be discharged by the said guardians.

Provision for parish workhouse in unions upon which union money has been expended.

3. Where the guardians of any union shall at any time, under the orders of the Poor Law Commissioners or the Poor Law Board, have borrowed money and expended it upon the improvement or enlargement of the workhouse or other property belonging to any parish comprised within the union, and such workhouse or property shall afterwards be sold or let, the guardians shall be entitled to receive out of the purchase money or rents such an amount as in the judgment of the Poor Law Board shall appear reasonable, and the same shall be appropriated for the benefit of the said union in such manner as the said board shall by their order direct.

Poor Law Board empowered to adjust parts of divided parishes.

4. Where several parts of any parish are separated from one another and it shall appear to the Poor Law Board that the relief to the poor in such parish can be better administered by means of a readjustment of those parts, the said board may, by an order under seal, make a readjustment of such parts, by incorporation with an adjoining parish or otherwise, in such manner as shall seem to them to be most expedient; and they shall, after the issuing of such order, make all such regulations for the adjustment of the rights and liabilities of the parts of the parishes respectively affected by the said order as the nature of the case shall in their judgment require.

Provision for the dealing with the property vested in a board of guardians of a parish on the dissolution of the board.

5. Where upon the constitution of a board of guardians for any parish under the order of the Poor Law Commissioners or the Poor Law Board any workhouse, land, goods, effects, or other real or personal estate then vested in or belonging to any body or persons in trust for the parish, became vested in or transferred to such guardians, and the board so constituted has been or shall be dissolved or has otherwise ceased or shall cease to exist, such workhouse, land, goods, effects, or other real or personal estate shall, upon such dissolution or cessation, be by virtue of this Act revested in and transferred to the body or persons if still subsisting in whom the same were vested, or to whom the same belonged when any such board was constituted, to be held upon the same trusts and with the same rights and obligations as

existed when the property was previously held by such body or persons, and subject to all obligations lawfully created by the said board while the same was vested in them; and if there should be no such body or persons subsisting in whom the same can be so vested, and as regards all property acquired by the said board otherwise than as aforesaid, the same shall in like manner, upon such dissolution or cessation, vest in and be transferred to the churchwardens and overseers of the poor, or the overseers of the poor only, as the case may be, of the said parish, upon such trusts, with the same rights and subject to the same obligations as aforesaid; and the seventeenth section of "The Poor Law Amendment Act, 1867," is hereby repealed.

Qualification of managers of asylum districts.

6. The qualification of managers referred to in section 10 of The Metropolitan Poor Act, 1867, shall be deemed to have been and to be that which the Poor Law Board are empowered to prescribe by the twelfth section of the said Act.

Provision for the acting managers of a parish in a district where such parish is added to a union.

7. When any parish or union comprised in a district formed as aforesaid shall have been, or shall be added to a union, or shall be formed into a union with some other parish, without being separated from the district, every manager elected or nominated for such parish or union shall continue to act as a member of the board of managers for such district until the term for which he was elected or nominated shall have expired, and the board of management shall continue to be legally constituted, notwithstanding any such change in the separate parishes or unions combined therein; and where the Poor Law Board shall have nominated guardians in any union or parish, the board of guardians shall continue to be legally constituted, and such nominated guardians to be qualified to act until the expiration of the term for which they were nominated, notwithstanding any increase in the number of ex-officio guardians in the meantime.

Registrars of births and deaths to continue in office notwithstanding dissolution of union.

8. Every registrar of births and deaths or marriages acting for any district in a union or parish, on or after the twenty-fourth day of June one thousand eight hundred and sixty-nine, shall be entitled to continue in office notwithstanding the dissolution of the union, or the addition or separation from a union of the parish or parishes comprising the district for which he acts, to the same extent as if such dissolution, addition, or separation had not taken place; but this section shall not apply to any such registrar whose office has been determined prior to the passing of this Act.

How loans in districts to be charged.

9. The paragraph numbered 2 in the seventeenth section of The Metropolitan Poor Act, 1867, is hereby repealed, and the sums of

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money now borrowed or hereafter to be borrowed by the managers of any district under the authority of that or any subsequent Act shall, with interest thereon, be charged upon and paid off out of the common fund of the district.

Sect. 24 of 31 & 32 Vict. c. 122. extended to auditors under 30 & 31 Vict. c. 6.

10. The twenty-fourth section of "The Poor Law Amendment Act, 1868," shall apply to the auditors appointed under the authority of "The Metropolitan Poor Act, 1867."

Guardians and managers may provide ships for the training of boys for the sea service.

11. The guardians of any union or parish and the managers of any school or asylum district may, with the consent of the Poor Law Board, purchase, hire, or otherwise acquire and fit up and furnish one or more ships to be used for the training of boys for the sea service, and every such ship shall be deemed to be a school or asylum, as the case may be, within the meaning of "The Metropolitan Poor Act, 1867," and the several Acts therein referred to as "the Poor Law Acts" respectively.

Where dispensary provided the establishment of a dispensary committee not to be peremptory.

12. Where the guardians of any union or parish provide a dispensary for their union or parish, it shall not be necessary that a dispensary committee shall be appointed for such dispensary unless the guardians apply to the Poor Law Board to issue an order for that purpose and the Poor Law Board issue such order accordingly.

Where a dispensary is provided, guardians shall provide a place for the attendance of sick poor and medical officer.

13. If the guardians provide a place for the dispensing of medicines for the relief of the sick poor of the union or parish, or of a district therein, under the authority of any other Act than The Metropolitan Poor Act, 1867, they shall, if required by the Poor Law Board to do so, provide a proper room at such place where the medical officer of such union or parish, or of the district comprising such place, may see such of the sick poor as attend there for advice, and every medical officer of the union, parish, or district, as the case may be, shall, personally or by his authorized substitute, attend at that place during the times to be fixed for this purpose by the said guardians with the approval of the Poor Law Board.

If guardians refuse or neglect to provide a dispensary, no allowance to be made out of metropolitan common fund for medicines and medical officers salaries.

14. If the guardians of any union or parish, after being required by the said board to provide a dispensary under The Metropolitan Poor Act, 1867, or under the authority of any other Act, neglect or refuse to comply with such requisition, no repayment shall be made from the metropolitan common poor fund to the guardians of such union or parish in respect of any medicine or medical or surgical appliances supplied by them to the poor of the union or parish, or in respect of the salaries of the medical officers of such union or parish, until the guardians provide a dispensary in

conformity with the requisition of the Poor Law Board, from which time the right to such repayment shall again accrue.

Vaccination expenses.

15. No expenses of vaccination shall be repaid out of the said fund which shall have been incurred without the authority or without the approval of the Poor Law Board.

Arrangements with public general hospitals.

16. It shall be lawful for any board of guardians, with the consent of the Poor Law Board, to enter into arrangements with any public general hospital or dispensary situate within the limits of the parish or union for which the said board act, to receive and treat pauper patients on terms to be arranged between the board of guardians, with the sanction of the Poor Law Board, and the authorities of the hospital or dispensary, as the case may be.

Guardians may provide in their workhouses for the maintenance of particular classes of poor, and receive therein poor of the same class from other unions and parishes.

17. The guardians of any union or parish may, with the approval of the Poor Law Board, set apart any ward or portion of their workhouse for the reception of particular classes or descriptions of poor persons, and provide separate maintenance and treatment for them therein, subject to such regulations as the said board may at any time order or approve of, and may, with their consent, receive and maintain therein any poor person of the same class or description chargeable to any other union or parish upon such terms as shall be mutually agreed upon by the respective boards of guardians; and every such poor person so received into such workhouse shall, while therein, be treated in all respects in like manner, and be subject to the same regulations and liabilities as the other poor persons of the same class or condition, and shall be deemed to be chargeable in the first instance to the common fund of the union or to the parish in whose workhouse such poor person shall be received; provided that the abiding of such poor person in such workhouse shall in all other respects be attended with the same legal consequences as if such workhouse had been situated within the union or parish from which such poor person shall have been sent.

Compensations to be charged on the metropolitan common poor fund.

18. The compensation payable to any officer of a union or parish who shall be deprived of his office by reason of the parish being added to or taken from a union, or the union being dissolved or altered, and any compensation awarded by the Poor Law Board under section one of this Act, shall be paid by the guardians of such one of the parishes or unions affected by the addition, alteration, or dissolution, as the Poor Law Board may by order direct, and shall be repaid to such guardians out of the metropolitan common poor fund.

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Provision as to computing time of service of officers deprived of office under this Act.

19. In computing the time of the services of any officer of a union or parish who shall be deprived of his office by reason of the parish being added to or taken from a union, or the union being dissolved or altered, any period during which such officer shall have been in the service of a vestry, district board, or other parochial board of the same parish shall, with the consent of such vestry, district board, or other parochial board, be included.

Repeal of 29th section of "The Metropolitan Poor Act, 1867."

20. So much of the twenty-ninth section of "The Metropolitan Poor Act, 1867," as authorizes the use of any asylum for the sick or insane for the purposes of a medical school, is hereby repealed.

Maintenance of orphans charged to common fund.

21. The cost of the maintenance and instruction of orphan or deserted children placed out by the guardians of any parish or union, with the consent of the Poor Law Board, shall be repaid to the guardians from the metropolitan common poor fund.

Readjustment of boundaries between two parishes by agreement of vestries.

22. When the boundaries between any two parishes are irregular or inconvenient, it shall be lawful for the vestries of such parishes to enter into an agreement to re adjust such boundaries, and such agreement shall be submitted to the Poor Law Board for their approval, and such board shall, if they think fit, by an order under seal, confirm such agreement, and shall make such regulations for the adjustment of the rights and liabilities of the parishes affected by the said order as the nature of the case shall in their judgment require.

Interpretation clause.

23. The term "common fund of the district" shall mean the fund raised by contributions from the unions and parishes forming the district assessed on and contributed by them in conformity with the provisions of The Metropolitan Poor Act, 1867, and words in this Act shall be construed in like manner as in The Metropolitan Poor Act, 1867, and The Poor Law Amendment Act, 1834, and subsequent Acts amending and extending the same, and the provisions contained in the said several Acts and not repealed shall, so far as they shall be consistent herewith, be extended to this Act.

Act only to apply to the metropolis.

24. This Act shall, except where otherwise provided, apply to the metropolis only.

Short title.

25. This Act may be cited and described for all purposes as The Metropolitan Poor Amendment Act, 1869.

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