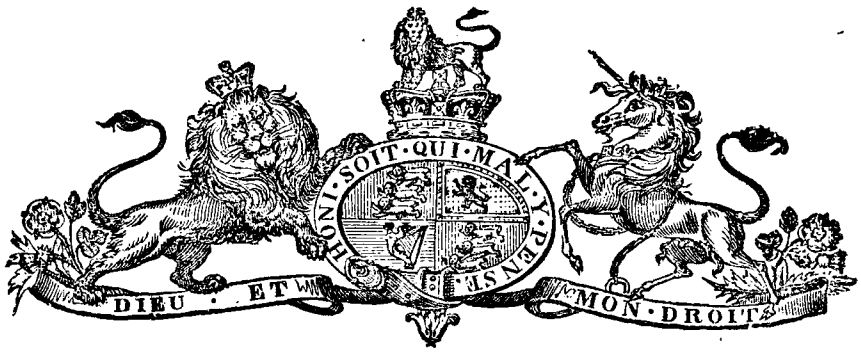


ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CVI.

An Act to make the Poor Law Board permanent, and to provide sundry Amendments in the Laws for the Relief of the Poor. [20th *August* 1867.]

WHEREAS it is expedient to make the Poor Law Board permanent, and to provide sundry Amendments in the Laws for the Relief of the Poor: 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; that is to say,

Sect. 28. of 10 & 11 Vict. c. 109. repealed.

1. From and after the passing of this Act, the Twenty-eighth Section of the Poor Law Board Act, 1847, the Operation of which Section has been extended by divers Acts until the Twenty-third Day of *July* in this Year and the End of the next Session of Parliament, shall be repealed.

Local Acts relating to the Poor in Places out of the Metropolis may be altered by a Provisional

2. Where in any Union or Parish not being within the Metropolis as defined by the Metropolitan Poor Act, 1867, the Relief of the Poor, or the making and levying of the Poor Rate, is subject to the Control or Regulation of any Local Act, it shall be competent for the Guardians of such Union or Parish having Powers to exercise or Duties to discharge under such Act to apply to the Poor Law

Order of the Poor Law Board, to be confirmed by Parliament.

Board to issue an Order to repeal the whole or any Part of such Local Act, or to alter the same, such Application having been agreed to by the Majority at Two successive Meetings of the said Guardians, and being forwarded in Writing under the Hand of the presiding Chairman of the Second of such Meetings to the said Board; and the said Board may, if after due Inquiry they shall deem it expedient, make and issue a Provisional Order for such Repeal or Alteration, and shall take all necessary Steps for the Confirmation of such Order by Act of Parliament, but previously to such Confirmation the said Order shall not be of any Validity whatever; and every Act of Parliament confirming such Order shall be deemed a Public General Act.

Poor Law Board may adjust intermingled Parishes or divide extensive Parishes by a Provisional Order, to be confirmed by Parliament.

3. Where several Parts of any Parish are separated from one another or intermixed with an adjoining Parish, or where a Parish is of great Extent in Area, and an Application in Writing shall be made to the Poor Law Board by One Tenth Part in Value of Owners of Property and of Ratepayers in the Parish or Parishes respectively interested in the Subject, the said Board may, if satisfied by public Inquiry on the Spot, after Fourteen Days public Notice of the Time, Place, and Object of such intended Inquiry, that the Relief to the Poor can be better administered in the Parish or Parishes by means of such Re-adjustment or Division as herein-after mentioned, make an Order under Seal for re-adjusting or dividing the said Parishes according to the Terms of the Application, and for the Purposes and Objects set forth therein, or with such Modifications as they shall deem expedient, and such Order shall be made provisionally, and shall be submitted to Parliament, to be confirmed in the Manner herein-before set forth.

Qualification of Guardian.

4. The Qualification of a Guardian described by the Poor Law Amendment Act, 1834, shall be determined with reference to the annual rateable Value of the Property in respect of which his Qualification is claimed.

Owners residing in Parishes not to vote by Proxy.

5. No Owner shall vote by Proxy at the Election of a Guardian for any Parish or Ward therein if at the Time of such Election he shall be residing within the said Parish.

Sect. 21. of 7 & 8 Vict. c. 101. repealed, and other Provisions made as to voting in Wards.

6. The Twenty-first Section of the Poor Law Amendment Act, 1844, shall be repealed; and no Person in any future Election of Guardians entitled to vote shall give in the whole of the Wards into which a Parish may be divided a greater Number of Votes than he would have been entitled to have given if the Parish had not been divided into Wards, nor in any One Ward a greater Number of Votes than he is entitled to in respect of Property in that Ward; but any such

such Ratepayer or Owner may, by Notice in Writing signed by him, and delivered to the Overseers of the Parish before the Day appointed for the annual Nomination of Candidates, elect in what Ward or Wards he will vote for the ensuing Year, and determine what Proportion of Votes, having regard to the Property situated therein, he will give in any One or more such Wards; and if he do not give such Notice his Vote shall only be taken for the Ward in which he resides, or, if he do not reside within the Parish, for that Ward in which the greater Part of such Property according to its annual rateable Value shall be situated; provided that no Person shall be qualified to nominate a Guardian for any Ward in which he is not qualified to vote.

Overseers may object to Names of Owners on the Register.

7. The Overseers may object to the Names of any Persons entered on the Register of Owners whom they shall believe to be dead, or to be disqualified from voting as such Owners, and shall give public Notice according to the Provision in the Poor Law Amendment Act, 1844, of the Names to which they have made Objections on some Day between the Fifth and Fifteenth Days of *February*, and shall send a Copy of such Notice to the Clerk of the Guardians, who shall hear and decide such Objections at the Time of his Revision of the said Register, in like Manner as in the Case of other Objections.

Overseers may make fresh Registers.

8. The Overseers may from Time to Time make a fresh Register of Owners who have claimed to vote for Guardians and of Proxies as they shall find necessary, causing the Names to be copied from the former Register, and the Two to be carefully collated and verified.

Returning Officer to be concluded by the Register, whether revised or not.

9. The Returning Officer at the Election of Guardians shall, in all Parishes in which a Revision can take place, be concluded by the Entries in the Register, whether such Register has or has not been revised.

Voting of Corporations and Joint Stock Companies as Ratepayers.

10. Where any Corporation Aggregate, Joint Stock or other Company, Commissioners, or public Trustees shall be rated, any Officer of such Corporation, Company, Commissioners, or public Trustees from Time to Time appointed by the governing Body thereof whose Name shall be sent in Writing to the Overseers before the First Day of *March* in any Year, to be entered in the Rate Book under the Name of such Corporation, Company, Commissioners, or public Trustees, shall be entitled to vote in respect of the Property assessed as if he were assessed in his own Name for the same, and in the Case of a Parish divided into Wards shall vote in

in that Ward where the principal Office of the Corporation, Company, Commissioners, or public Trustees shall be situated, if any, or otherwise in that Ward where the greatest Part of the Property assessed shall be situated.

Informal Poor Rate, if paid, to qualify Voters at the Election of Guardians.

11. Where Money has been collected in any Parish by an Assessment under the Name and as and for a Poor Rate, the same shall be deemed to be a Rate made for the Relief of the Poor within the Meaning of the Fortieth Section of the Poor Law Amendment Act, 1834, and the Sixteenth Section of the Poor Law Amendment Act, 1844, notwithstanding any Defect in the Form of such Assessment.

When Election set aside, previous Guardian not entitled to act as Guardian.

12. When any Question as to the Election of a Guardian is decided by the Poor Law Board, and according to their Decision the Election in the Parish for which he shall have been returned is declared to have been null, the Guardian elected at any Election in the previous Year shall not be entitled to serve as such Guardian for the Remainder of the current Year, but the Poor Law Board shall issue an Order for a fresh Election.

Guardians may make temporary Hirings without an Order under Seal.

13. Guardians may, with the Approval of the Poor Law Board, hire or take on Lease, temporarily or for a Term of Years not exceeding Five, any Land or Buildings for the Purpose of the Relief or Employment of the Poor and the Use of the Guardians or their Officers, without any Order of the said Board under Seal.

Increase of the Limit of Amount to be raised for building Workhouses.

14. The Amount limited by the Twenty-fourth Section of the Poor Law Amendment Act, 1834, with reference to the Sums to be raised for the Purpose of building Workhouses, shall be increased, and instead of the Limit of One Year's Amount of Poor Rates, as therein prescribed, a Sum not exceeding Two Thirds of the aggregate Amount of Poor Rates raised during the Three Years therein mentioned may be raised for this Purpose, and where the Site shall be within any Municipal Borough, or within Five Miles from the outward Boundary thereof, the Cost of such Site may be added to the Sum aforesaid.

Provision for the Contributions of divided and added Parishes in Unions and Adjustment of Liabilities.

15. When any Parish comprised in any Union shall have been or shall be subdivided, or when any Parish shall have been or shall be added to any Union after all the Valuation Lists have been finally approved, the Contributions of the several Parishes to the Common Fund thereof shall continue to be made according to the Provisions of the Union Assessment Committee Act, 1862, and the Poor Law Board shall determine by their Order the Proportions according to which the several Parts of the Parish so divided or the Parish so added shall contribute to the Common Fund until Valuation Lists for

for such Parts or such Parish respectively shall have been finally approved of by the Assessment Committee of the Union, and shall also in respect of such divided Parish determine the Proportions of the Liabilities of such Parish to the Common Fund at the Time of the Division, to be charged upon the several Parts according to the annual rateable Value of the Property comprised therein respectively.

Proviso to Sect. 40. and Part of Sect. 43. of 7 & 8 Vict. c. 101. repealed.

16. The Proviso to Section Forty of "The Poor Law Amendment Act, 1844," and so much of Section Forty-three of the said Act as requires the Consent in Writing of a Majority of the District Board therein described to the Alteration of such District, are hereby repealed.

Sect. 3. of 5 & 6 W. 4. c. 69. extended to Cases of dissolved Boards of Guardians for a Parish.

17. The Power conferred by the Third Section of "The Union and Parish Property Act, 1835," upon the Persons who were the Guardians of any dissolved Union at the Time of its Dissolution, shall extend to the Persons who constituted the Board of Guardians of a Parish when such Board shall be dissolved.

Sect. 2. of 29 & 30 Vict. c. 113. to apply to certain Relieving Officers.

18. The Second Section of the Poor Law Amendment Act of 1866 shall apply to a Relieving Officer who may hold the Office of Registrar of Marriages simultaneously with that of Relieving Officer.

Allowance not to be lost by reason of being employed under another public Authority.

19. Where an Officer shall at the Time of vacating his Office be employed solely in the Service of the Guardians, he shall not be prevented from receiving a Superannuation Allowance by reason of his having been also employed under another public Authority, provided that such last-mentioned Employment shall have ceased not less than Three Years prior to his Application for such Allowance.

Service in a dissolved Union may be reckoned in the Grant of Allowance in new Union.

20. When any Union shall have been or shall be dissolved, or when any Parish shall have been or shall be placed under the Management of a Board of Guardians, the Time passed in the Service of such Union or Parish prior to such Dissolution or the Constitution of such Board shall be deemed Service, which the Guardians of any other Union comprising such Parish, or the Board of Guardians for such Parish, may, if they think fit, take into consideration in any Case where an Officer applies for a Superannuation Allowance; and if any Person shall by means of such Dissolution be deprived of any Office or Employment, the Poor Law Board may, according to their Judgment, award a Compensation to be paid to such Person, either in a Sum certain or by way of Annuity, and shall direct the same to be paid out of the Poor Rate of the Parish or Parishes for which such Person was acting at the Time of the Dissolution, in such Manner and according to such Proportions as to the said Board shall appear equitable.

21. The

Guardians may provide for adult Paupers blind, or deaf and dumb.

21. The Guardians may provide for the Reception, Maintenance, and Instruction of any adult Pauper, being blind or deaf and dumb, in any Hospital or Institution established for the Reception of Persons suffering under such Infirmities, and may pay the Charges incurred in the Conveyance of such Pauper to and from the same, as well as those incurred in his Maintenance, Support, and Instruction therein.

Guardians empowered to detain indoor Paupers.

22. When there shall be in any Workhouse a poor Person suffering from mental Disease, or from bodily Disease of an infectious or contagious Character, and the Medical Officer of such Workhouse shall upon Examination report in Writing that such Person is not in a proper State to leave the Workhouse without Danger to himself or others, the Guardians may direct the Master to detain such Person therein, or, if the Guardians be not sitting, the Master of the Workhouse may, until the next Meeting of the Guardians, detain him therein, and such Person shall not be discharged from such Workhouse until the Medical Officer shall in Writing certify that such Discharge may take place; provided, however, that this Enactment shall not prevent the Removal of a Lunatic to a Lunatic Asylum, Registered Hospital, or Licensed House, when such Removal is otherwise required by Law, nor the Removal of any poor Person after the Parent or Next of Kin of such Person shall have given to the Guardians such an Undertaking as they shall deem satisfactory to provide for the Removal, Charge, and Maintenance of such Person with due Care and Attention while the Malady continues; and this Provision shall apply to every District School and District Asylum, and to the Managers, Board of Management, Medical Officer, Superintendent, or Master thereof respectively.

As to Pauper Lunatics sent from Boroughs.

23. When any Pauper Lunatic shall be sent to an Asylum from any Part of a Borough wholly or partly comprised within a Union, which Borough shall not have contributed to the Erection or Maintenance of that Asylum, the Visitors of the Asylum shall, where the Union and the Borough are not conterminous, make out Two Accounts in respect of such Lunatic in the Asylum, one of which shall be limited to the Charge which would be made in the Case of a Pauper Lunatic sent from the County, and shall be transmitted to the Guardians of the said Union for Payment, and the other, which shall contain the extra Sum by Law chargeable in respect of a Pauper Lunatic received into the same Asylum from any other County, shall be transmitted to the Town Council of such Borough, and shall be paid by them as other Charges to which the Borough Fund may be liable.

24. When

As to Orders of Removal from a Union not formed under 4 & 5 W. 4. c. 76., or from a Parish not in Union.

24. When an Order of Removal is obtained by the Guardians of any Union not formed under the Poor Law Amendment Act, 1834, or by the Guardians or Overseers of any Parish not included in any Union so formed, in respect of a Pauper alleged to be settled in some Parish included in a Union so formed, such Order shall be addressed to the Guardians of such Union, and shall be dealt with in all respects as provided by the Union Chargeability Act, 1865.

Provision for suspended Orders of Removal.

25. When any Order of Removal made before the passing of the said last-mentioned Statute shall have been suspended, and such Suspension shall hereafter be taken off, the Order of Expenses to be made thereon shall, in the Case of a Parish comprised in a Union, be made in favour of the Guardians of the Union comprising the Parish entitled to be reimbursed, and against the Guardians of the Union containing the Parish to which the Order of Removal was addressed; and the several Boards of Guardians shall apply so much of the Expenses as were incurred before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six to the Account of the respective Parishes, and the Residue to the Account of the Common Funds of the Unions.

Orders of Removal may be suspended in the Case of Unions, and the Expenses recovered quarterly.

26. When an Order of Removal is made upon the Guardians of any Union, its Execution may be suspended in like Manner as in the Case of Orders of Removal heretofore made in Parishes, and with the like Requirements, Liabilities, and Consequences; provided that the Guardians of the Union in whose Favour such Order is made may send an Account to the Guardians of the Union upon whom it is made, at the End of every Quarter, of the Cost incurred in the Maintenance of the Pauper and of his Family, as the Case may require; and the said last-mentioned Guardians may pay the same, and if they neglect to do so the said first-mentioned Guardians may recover the Amount of the Sum reasonably expended by them in any County Court within whose Jurisdiction their Union or the greater Part thereof shall be situated.

Jurisdiction of Justices in Unions.

27. Where a Union extends into several distinct Jurisdictions, every Matter, Act, Charge, or Complaint by which the Guardians thereof are affected, or in which they have any Interest, shall for the Purpose of Jurisdiction be deemed to arise or exist equally throughout the Union.

Rates under Sect. 15. of 26 & 27 Vict. c. 70. to be subject to Audit.

28. The Rates made by the Overseers under the Provisions of the Fifteenth Section of The Public Works (Manufacturing Districts) Act, 1863, and the Accounts of every Officer who may collect the same, shall be subject to be audited by the same Auditor and in the same Manner as the Rates made for the Relief of the Poor by the same Overseers, and the Accounts of the Receipts and Payments in respect of such Poor Rates.

29. If

Fire Engine may be purchased for the Use of the Parish.

29. If the Vestry of any Parish, where there is no Town Council, Local Board, or other Authority competent to provide the same, after due Notice, shall resolve that the Overseers shall provide any Fire Engine, Ladder, or Fire Escape for general Use in the Parish, the Overseers shall provide the same, and pay out of the Poor Rate the Cost thereof, and of procuring a proper Place wherein to keep the same, and of maintaining it, as well as any such Engine, Ladder, or Escape acquired by the Parish in any other Manner for such Use, in a fit State of Repair, and the Charges of such Persons as may be necessary for the Use thereof, and the Cost of suitable Implements and Accoutrements.

Short Title.

Interpretation of Terms.

30. This Act may be cited as "The Poor Law Amendment Act, 1867," and the several Acts mentioned in the Schedule may be cited as therein set forth; and the Words contained herein shall be construed in like Manner as in the Poor Law Amendment Act, 1834, and in the subsequent Acts amending, explaining, or extending the same, and all the Provisions of such Acts now in force, so far as they are consistent with this Act, shall be incorporated herewith.

SCHEDULE.

Date of the Statute.	Title for Citation.
4 & 5 W. 4. c. 76. -	The Poor Law Amendment Act, 1834.
5 & 6 W. 4. c. 69. -	The Union and Parish Property Act, 1835.
5 & 6 Vict. c. 18. -	Parish Property and Parish Debts Act, 1842.
5 & 6 Vict. c. 57. -	Poor Law Amendment Act, 1842.
7 & 8 Vict. c. 101. -	Poor Law Amendment Act, 1844.
9 & 10 Vict. c. 66. -	Poor Removal Act, 1846.
10 & 11 Vict. c. 109. -	Poor Law Board Act, 1847.
11 & 12 Vict. c. 31. -	Poor Law Procedure Act, 1848.
11 & 12 Vict. c. 91. -	Poor Law Audit Act, 1848.
11 & 12 Vict. c. 110. -	Poor Law Amendment Act, 1848.
12 & 13 Vict. c. 103. -	Poor Law Amendment Act, 1849.
13 & 14 Vict. c. 101. -	Poor Law Amendment Act, 1850.
14 & 15 Vict. c. 105. -	Poor Law Amendment Act, 1851.
29 & 30 Vict. c. 113. -	Poor Law Amendment Act, 1866.

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