

# The Public Health Bill, 1855.

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[Bill 15.]

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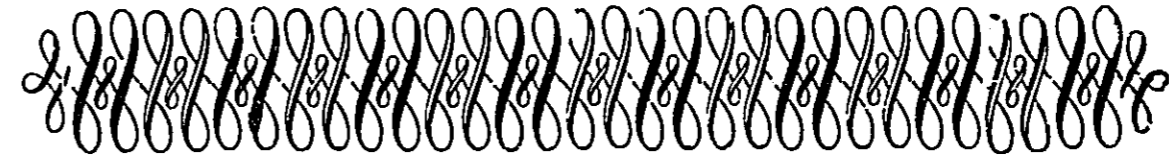
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## SCHEDULE.

29 January 1855. 18 VICT.



A

**B I L L**

TO

Alter and amend "The Public Health Act, 1848."

[Note.—The Words printed in *Italics* are proposed to be inserted  
in Committee.]

**W**HEREAS it is expedient that further Provisions should be made for improving the Condition of Towns and other Places in England and Wales: 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,

Preamble.

*Preliminary.*

1. This Act may be cited for all Purposes as "*The Public Health Act, 1855.*"

Short Title of Act.

2. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

Interpretation of certain Terms in this Act.

15 The Word "Lands" shall include Messuages, Buildings, Lands, and Hereditaments of any Tenure:

"Lands:"

[Bill 15.]

A

The

- "Owner:" The Word "Owner" shall mean the Person for the Time being receiving the Rackrent of the Lands in connexion with which the said Word is used, whether on his own Account or as an Agent or Trustee for any other Person, or who would so receive the same if such Lands were let at a Rack-rent: 5
- "Rackrent:" The Expression "Rackrent" shall mean Rent which is not less than *Two Thirds* of the full net annual Value of the Property out of which the Rent arises: and the full net annual Value shall be taken to be the Rent at which the Property might reasonably be expected to let from Year to Year, free from all usual Tenant's Rates and Taxes, and Tithe Commutation Rent-charge (if any), and deducting therefrom the probable average annual Cost of the Repairs, Insurance, and other Expenses (if any) necessary to maintain the same in a State to command such Rent: 10
- "Commissioners of the Treasury:" The Expression "Commissioners of Her Majesty's Treasury" shall mean the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of Great Britain and Ireland for the Time being: 20
- Superior Courts:" The Expression "Superior Courts" shall include Her Majesty's Superior Courts of Record at Westminster, and the Court of Common Pleas of the County Palatine of Lancaster and the Court of Pleas of the County of Durham: 25
- "Justice:" The Word "Justice" shall mean any Justice of the Peace acting for the Place in which the Matter or any Part of the Matter, as the Case may be, requiring the Cognizance of the "Justice," arises: 30
- "Two Justices:" The Expression "Two Justices" shall mean Two or more Justices assembled and acting together in Petty Sessions, or One Stipendiary or Police Magistrate acting in any Police Court, for the Place in which the Matter or any Part of the Matter, as the Case may be, requiring the Cognizance of "Two Justices," arises: 35
- "Court of Quarter Sessions:" The Expression "Court of Quarter Sessions" shall mean the Court of General or Quarter Sessions of the Peace having Jurisdiction over the whole or any Part of the District or Place, as the Case may be, in which the Matter requiring the Cognizance of the "Court of General or Quarter Sessions" arises: 40
- "Arbitrators:" The Word "Arbitrators" shall include a single Arbitrator; and the Words "Arbitrators" and "Arbitrator" shall include an Umpire: 40
- "Public Local Act." The Term "Public Local Act" shall mean any Act having relation to any of the Purposes of this Act, and not being an Act conferring Privileges on Companies for the Benefit of the Share- 45

- Shareholders therein, including an Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, Chapter Ninety, and intituled "An Act to repeal an Act of the Eleventh Year of His late Majesty King George the Fourth, for the lighting and watching of Parishes in England and Wales, and to make other Provisions in lieu thereof:" 5
- The Term "Private Local Act" shall mean any Act having relation to any of the Purposes of this Act, and conferring Privileges on Companies for the Benefit of Shareholders therein: "Private Local Act." 10
- The Term "prescribed," as herein-after used in reference to any Matter herein stated, shall be construed, in Cases where this Act is applied by Provisional Order, to refer to such Matter as the same is prescribed by such Provisional Order; and the Sentence in which such Term occurs shall be construed as if, instead of the Term "prescribed," the Expression prescribed for that Purpose in such Provisional Order as aforesaid had been used: Definition of the Term "pre-scribed." 15
- The Word "Street" shall apply to and include any Highway (not being a Turnpike Road), and any Road, public Bridge (not being a County Bridge), Lane, Footway, Square, Court, Alley, Passage, whether a Thoroughfare or not: "Street:" 20
- The Word "House" shall include Schools, Factories, and other Buildings in which more than Twenty Persons are employed at One Time: "House:" 25
- The Word "Drain" shall mean any Drain of and used for the Drainage of One Building only, or Premises within the same Curtilage, and made merely for the Purpose of communicating therefrom with a Cesspool or other like Receptacle for Drainage, or with a Sewer into which the Drainage of Two or more Buildings or Premises occupied by different Persons is conveyed: "Drain:" 30
- The Word "Sewer" shall mean and include Sewers and Drains of every Description, except Drains to which the Word "Drain" interpreted as aforesaid applies: "Sewer:" 35
- The Term "Slaughter-house" shall mean and include the Buildings and Places commonly called Slaughter-houses and Knackers Yards, and any Building or Place used for slaughtering Cattle, Horses, or Animals of any Description, for Sale: "Slaughter-house:" 40
- The Expression "Waterworks Company" shall mean any Corporation, Person, or Company of Persons supplying or who may hereafter supply Water for their own Profit: "Water-works Company:" 40
- The Term "Waterworks" shall include Streams, Springs, Wells, Pumps, Reservoirs, Cisterns, Tanks, Aqueducts, Cuts, Sluices, Mains, Pipes, Culverts, Engines, and all Machinery, Lands, Buildings, 45

ings, and Things for supplying or used for supplying Water, also the Stock in Trade of any Waterworks Company:

“ The Local Board of Health :” The Expression “ the Local Board of Health ” shall mean the Persons authorized to execute in each District all or any of the Powers, Authorities, and Duties vested in or imposed upon the Local Board of Health by this Act: 5

“ The Clerk, ” &c. The Expression “ the Officer of Health, ” “ the Clerk, ” “ the Treasurer, ” “ the Surveyor, ” “ the Inspector of Nuisances, ” shall mean the Persons respectively appointed to be or authorized to execute the Offices of the Officers of Health, Clerk, Treasurer, 10 Surveyor, and Inspector of Nuisances respectively in each District for the Purposes of this Act.

Division of Act. 3. This Act shall be divided into Four Parts: The First Part relating to the General Board of Health, their Constitution and Powers; 15 The Second Part relating to the Adoption and Application of the Act, and the Constitution of local Authorities; The Third Part relating to the Powers and Duties of local Authorities; The Fourth Part relating to the Repeal of former Acts. 20

PART I.

GENERAL BOARD OF HEALTH, THEIR CONSTITUTION AND POWERS.

Constitution of General Board of Health. 17 & 18 Vict. c. 95. s. 2. 4. The existing General Board of Health, herein-after called 25 “ the General Board, ” shall be continued, and Her Majesty may, from Time to Time, by Warrant under the Royal Sign Manual, appoint a Person to be, during Her Majesty’s Pleasure, President of the General Board; and such President and Her Majesty’s Principal Secretaries of State for the Time being, and the President and Vice- 30 President for the Time being of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations, shall constitute and be the General Board; and during any Vacancy in the said Board the continuing Members thereof may act as if no Vacancy had occurred. 35

Salary of President of General Board. 17 & 18 Vict. c. 95. s. 3. 5. There shall be paid to the President of the General Board under this Act such Salary, not exceeding *Two thousand Pounds* per Annum, as may be from Time to Time appointed by the Commissioners of Her Majesty’s Treasury, but no Salary shall be paid 40 to any other Member of the said Board; and such President shall be capable of being elected and of sitting and voting as a Member of the House of Commons.

6. The

6. The General Board may appoint from Time to Time a Secretary and Assistant Secretary, and such Clerks and Officers of the said Board, and also so many Superintending Inspectors under 5 such Board, as the Commissioners of Her Majesty’s Treasury may think fit; and any such Secretary, Assistant Secretary, Clerk, or Officer, and any such Superintending Inspector, may be removed by the said Board.

7. There shall be paid to the said Secretary, Assistant Secretary, 10 Clerks, Officers, and Superintending Inspectors such Salaries as may from Time to Time be appointed by the Commissioners of Her Majesty’s Treasury. Treasury to fix Salaries. 17 & 18 Vict. c. 95. s. 5.

8. In the case of any Superintending Inspector, the Commis- Allowances to Superin- 15 sioners of Her Majesty’s Treasury may allow, in addition to his Salary, such reasonable travelling and other Expenses as may be incurred by him in the Performance of the Duties of his Office. tendent In- spectors. 17 & 18 Vict. c. 95. s. 5.

9. All Powers and Duties vested in the General Board, or which All Powers, &c. vested in 20 or by any Two or more Members thereof; and all Documents or Copies of Documents purporting to proceed from such Board, and to be signed by the President or any Two or more of the Members of such Board, and to be sealed or stamped with the Seal of the General Board, shall be received as *prima facie* Evidence in all Courts or 25 Places whatsoever. Board may be exercised by the President or any Two Members. 17 & 18 Vict. c. 95. s. 6.

10. All Salaries payable under the First Part of this Act, and all incidental Expenses of the General Board, shall be paid out of such Monies as may be provided by Parliament. Salaries, &c. to be paid out of Monies to be provided by Parliament. 17 & 18 Vict. c. 95. s. 10.

11. The General Board shall continue for the Period of *Two* 30 Years only next ensuing the Date of the passing of this Act, and from thenceforth until the Expiration of the next Session of Parliament. Duration of General Board.