

Temporary Chairman.

58. If at any Meeting neither the Chairman nor Deputy Chairman is present, the Members present shall choose some One of their Number to be Chairman of such Meeting.

Appointment of Committees. 11 & 12 Vict. c. 63. s. 36.

59. A Local Board may appoint One or more Committees, consisting of such Number of Members as they think fit, and they may grant to such Committees respectively Power on behalf of the Local Board to do any Acts which the Local Board could lawfully do, and which they shall from Time to Time think proper to intrust to them.

Proceedings of Committees.

60. The said Committee may meet from Time to Time, and may adjourn from Place to Place, as they think proper, for carrying into effect the Purposes of their Appointment; and no such Committee shall exercise the Powers intrusted to them except at a Meeting at which there is present a Quorum to be fixed for that Purpose by the Local Board; and at all Meetings of the Committees One of the Members present shall be appointed Chairman; and all Questions at any Meeting of the Committee shall be determined by a Majority of Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Casting Vote, in addition to his Vote as a Member of the Committee.

Custody of Common Seal. 11 & 12 Vict. c. 63. s. 35.

61. The Local Board shall provide a Common Seal, and the Custody of such Seal, and the Power to use the same on behalf of the Local Board, shall be vested in such Person or Persons as the Local Board may from Time to Time appoint.

Contracts by Committee or Local Board, how to be entered into. 8 Vict. c. 16. s. 97.

62. The Power which may be granted to any such Committee to make Contracts, as well as the Power of the Local Board to make Contracts, may lawfully be exercised as follows; (that is to say,)

With respect to any Contract which, if made between private Persons, would be by Law required to be in Writing and under Seal, such Committee or the Local Board may make such Contract in Writing and under their Common Seal, and in the same Manner may vary or discharge the same:

With respect to any Contract which, if made between private Persons, would be by Law required to be in Writing and signed by the Parties to be charged therewith, then such Committee or the Local Board may make such Contract in Writing, signed by such Committee or any Two of them, or any Two of the Local Board, and in the same Manner may vary or discharge the same:

With respect to any Contract which, if made between private Persons, would be by Law be valid although made by Parol only, and not reduced into Writing, such Committee or the Local Board

Board may make such Contract by Parol only, without Writing, and in the same Manner may vary or discharge the same: And all Contracts made according to the Provisions herein contained shall be effectual in Law, and shall be binding upon the Local Board and their Successors, and all other Parties thereto, their Heirs, Executors, or Administrators, as the Case may be.

63. The Local Board shall cause Notes, Minutes, Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all their Meetings, and of the Meetings of Committees of the Local Board, to be duly entered in Books to be from Time to Time provided for the Purpose, and be kept under the Superintendence of the Local Board; and every such Entry shall be signed by the Chairman of such Meeting; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened or held, or of the Persons making or entering such Orders or Proceedings being Members of Committee respectively, or of the Signature of the Chairman, or of the Fact of his having been Chairman, all of which last-mentioned Matters shall be presumed, until the contrary be proved.

64. All Acts done by any Meeting of the Local Board or of any such Committee as aforesaid, or by any Person acting as a Member of a Local Board, shall, notwithstanding it may be afterwards discovered that there was some Defect in the Appointment of any such Local Board or Persons acting as aforesaid, or that they or any of them were or was disqualified, be as valid as if every such Person had been duly appointed and was qualified to be a Member.

65. No Member of a Local Board, by being Party to or executing in his Capacity of Member any Contract or other Instrument on behalf of the Local Board, or otherwise lawfully executing any of the Powers given to the Members of Local Boards, shall be subject to be sued or prosecuted, either individually or collectively, by any Person whomsoever.

PART III.

POWERS AND DUTIES OF LOCAL BOARDS.

Preliminary.

66. Throughout the Third Part of this Act the Term "District" shall, in addition to the Meaning given to it in the Second Part of this Act, include any Place that has adopted this Act.

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Proceedings to be entered in a Book, and to be Evidence.

Informalities in Appointment of Members of Local Board not to invalidate Proceedings.

Members of Local Board not to be personally liable.

Definition of "District" in Third Part of Act.

Construction of incorporated Acts.

67. In the Construction of the Acts herein-after incorporated with this Act, the Expression "the Special Act" shall mean this Act as applied to the District, and the Local Board shall according to the Tenor of the incorporated Act be deemed to be the "Commissioners" or "Undertakers," and the Expression "Lands" or "Lands and Streams" shall mean such "Lands" or such Lands and Streams as are, in manner herein-after mentioned, authorized to be taken for the Purposes of this Act.

Officers.

Appointment of Officers. 11 & 12 Vict. c. 63. s. 37.

68. The Local Board shall have Power to do the following Things:—

- (1.) To appoint fit and proper Persons to be Surveyor, Inspector of Nuisances, Clerk, and Treasurer for the Purposes of this Act, together with such Collectors and other Officers and Servants as may be necessary for the efficient Execution of this Act: 15
- (2.) To make Byelaws for regulating the Duties and Conduct of the several Officers and Servants so appointed or employed:
- (3.) To pay, out of the General District Rates to be levied under this Act, to such Officers and Servants, such reasonable Salaries, Wages, or Allowances as the said Local Board may think proper: 20
- (4.) To remove, at their Pleasure, every Officer and Servant so appointed: 25

Subject nevertheless to the following Regulations:—

- (1.) That the same Person may be both Surveyor and Inspector of Nuisances: 25
- (2.) That neither the Person holding the Office of Treasurer nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or shall in any Manner assist or officiate in the Office of Clerk: 30
- (3.) That neither the Person holding the Office of Clerk nor his Partner, nor any Person in the Service or employ of them or either of them, shall hold, be eligible to, or shall in any Manner assist or officiate in the Office of Treasurer: 35

And whosoever offends in any of the Cases enumerated in this Proviso shall incur a Penalty not exceeding *One hundred Pounds*.

Incorporation of Sections of Commissioners Clauses Act.

69. The Provisions of "The Commissioners Clauses Act, 1847," with respect to the Accountability of Officers, contained in the Sections numbered from 67 to 74, both inclusive, shall be incorporated with and form Part of this Act, and shall apply to Officers appointed by any Local Board. 40

70. The

70. The Local Board shall from Time to Time provide and maintain such Offices as may be necessary for transacting their Business under this Act. Local Boards to provide Offices. 11 & 12 Vict. c. 63. s. 35.

Maps

71. The Local Board shall, as soon as possible, procure or cause to be made a Map, upon such Scale as is approved by the General Board, exhibiting a System of Sewerage for effectually draining their District for the Purposes of this Act; and every such Map shall be kept at the Office of the Local Board, and shall at all reasonable Times be open to the Inspection of the Ratepayers of the District. Map exhibiting System of Sewerage. 11 & 12 Vict. c. 63. s. 41.

Sewerage and Cleansing.

72. All existing and future Sewers within their District, Except Sewers made by any Person for his own Profit, or by any Company for the Profit of the Shareholders, and Except Sewers made and used for the Purpose of draining, irrigating, or otherwise improving Land under any Local or Private Act of Parliament, and Except Sewers under the Authority of any Commissioners of Sewers, together with all Buildings, Works, Materials, and Things belonging or appertaining thereto, shall vest in and be under the Control of the Local Board. Sewers, &c. vested in Local Board. 11 & 12 Vict. c. 63. s. 43.

73. The Local Board may, if they think fit, purchase the Rights, Privileges, and Powers vested in any Person or Company for making Sewers, or contract for the Use of any Sewers within their District, or purchase any such Sewers, with or without the Buildings, Works, Materials, and Things belonging or appertaining thereto; and any Person to whom any such Property belongs may sell the same to or otherwise contract with the said Local Board; and in case of any such Sale the Purchase Money shall be settled and applied to the same Uses and Trusts to which the Property purchased was subject at the Time of such Sale, and the Property purchased shall vest in the Local Board purchasing the same, but without Prejudice to the Rights of any Person who previously thereto may have acquired a perpetual Right to use any Sewer so purchased, or any other Sewer substituted in lieu thereof. Power to purchase, &c. certain Sewers. 11 & 12 Vict. c. 63. s. 44.

74. The Local Board shall cause their District to be effectually drained, and for the Purpose of such Drainage they shall have Power within such District from Time to Time, upon making due Compensation, to do any of the following Things; that is to say, Powers of Local Board as to Sewerage within District. 11 & 12 Vict. c. 63. ss. 45, 46.

(1.) To repair, arch over, enlarge, lessen, or otherwise alter any existing Sewer or Drain:

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(2.) To

- (2.) To construct any new Sewer or Drain, with a like Power of repairing and altering the same:
- (3.) To discontinue, close up, or destroy any existing or new Sewer or Drain:
- (4.) To carry any Sewer, Drain, or Pipe for the Distribution of Sewage through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, or under any Cellar or Vault which may be under the Pavement or Carriageway of any Street or intended Street.
- (5.) To purchase any Land or Easement in respect of Land necessary for carrying into execution the above Objects, subject to the Regulations herein-after mentioned.

Subject nevertheless, in the Exercise of such Powers, to the Restrictions herein-after mentioned; that is to say,

- (1.) All Sewers and Drains shall be so constructed and kept as not to create a Nuisance or be injurious to Health:
- (2.) If by the Exercise of any of the above Powers any Person is deprived of the lawful Use of any Sewer or Drain, the Local Board shall provide for his Use some other Sewer or Drain equally convenient.

Powers of Local Board both in and out of District.

75. Every Local Board shall have Power, upon making due Compensation, to do the following Things, either within or without their District; that is to say,

- (1.) To construct, either above or under Ground, such Reservoirs as may be necessary for holding the Sewage flowing from the Sewers of their District:
- (2.) To cause the Sewers of their District to empty into such Reservoirs by means of connecting Sewers or such other Means as they think fit:
- (3.) To contract with any Person for the Sale of such Sewage, or for the Distribution of it over any Land:
- (4.) To contract for, purchase, or hire any Buildings, Engines, Materials, or Apparatus for the Purpose of receiving, storing, disinfecting, or distributing any such Sewage:
- (5.) To purchase any Land necessary for carrying into execution the above Objects, subject to the Regulations herein-after mentioned.

Penalty for making unauthorized Sewers and building over Sewers and under Streets.
11 & 12 Vict. c. 63. s. 47.

76. No Person shall, without the Consent of the Local Board, do the following Things or any of them:

- (1.) Cause any Sewer or Drain to communicate with or to be emptied into any Sewer of the Local Board:
- (2.) Cause any Buildings to be newly erected over any such Sewer of the Local Board:

(3.) Cause

- (3.) Cause any Vault, Arch, or Cellar to be newly built or constructed under the Carriageway of any Street:
- And any Person offending against this Enactment shall incur a Penalty not exceeding *Five Pounds*, and a further Penalty of *Forty Shillings* for every Day during which the Offence is continued; and if any Sewer, Drain, Building, Vault, Arch, or Cellar is made, erected, or constructed contrary to this Enactment the said Local Board may cause the same to be altered, pulled down, or otherwise dealt with as they think fit, and the Expenses incurred by them in so doing shall be repaid to them by the Offender, and be recoverable from him in the summary Manner herein-after provided.

77. Any Owner or Occupier of Premises near to but beyond the Limits of any District may cause any Sewer or Drain from such Premises to communicate with any Sewer of the Local Board, upon such Conditions as may be agreed upon between such Owner and Occupier and such Local Board, or, in case of Dispute, as may be settled by Arbitration in the Manner provided by this Act.

Use of Sewers by Persons beyond the District.
11 & 12 Vict. c. 63. s. 48.

78. Whenever it appears to the Local Board that any House within their District, built before the Time at which this Act has come into operation within such District (and which Time is herein-after referred to as the Date of the Constitution of such District,) is without any Drain, or without such Drain as is sufficient for effectual Drainage, the Local Board may by Notice require the Owner of such House, within a reasonable Time therein specified, to make a sufficient Drain, emptying as follows; that is to say, if the Sea or a Sewer of the Local Board, or any Sewer which they are entitled to use, is within *One hundred Feet* of the Site of such House, emptying either into the Sea or such Sewer as the Local Board may direct, but if no such covered Cesspool or other Place, not being under any House, as the Local Board directs, and if the Person on whom such Notice is served fails to comply with the same the Local Board may themselves do the Work required, and the Expenses incurred by them in so doing may be recovered from such Owner in a summary Manner, or may, by Order of the Local Board, be declared to be Private Expenses, and be dealt with accordingly.

Regulations as to Drains of existing Houses.

79. The following Rules shall be observed with respect to Drains of Houses built after the Date of the Constitution of the District:

- (1.) The Drains of every such new House as aforesaid shall be covered in, and be of such Size and Materials, at such Level, and with such Fall, as may be effectual, in the Opinion of the Surveyor, to secure a proper Drainage of such House and its Appurtenances:

Regulations as to Drains of new Houses.
11 & 12 Vict. c. 63. s. 49.

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(2.) If

- (2.) If the Sea, or a Sewer of the Local Board, or a Sewer which they are entitled to use, is within *One hundred Feet* of any Part of the Site of such new House, the Drains so to be constructed shall communicate with such One of those Means of Drainage as the Local Board directs: 5
- (3.) If no such Means of Drainage are within that Distance, then the last-mentioned Drains shall communicate with and be emptied into such covered Cesspool or other Place, not being under any House, and not being within such Distance from any House, as the said Local Board directs: 10
- (4.) Whenever any House already built is pulled down to or below the Ground Floor, the Drains of such House shall be subject to the Regulations of this Section in the same Manner as if it were a House built after the Date of the Constitution of the District. 15

Penalty on Noncompliance with the foregoing Rules. 11 & 12 Vict. c. 63. s. 49.

80. If any House is built or rebuilt, or any Drain constructed, contrary to the foregoing Enactment, the Owner of the House so built or rebuilt or to which such Drain belongs shall be subject to the following Liabilities; that is to say,

- (1.) He shall incur a Penalty for each Offence not exceeding *Fifty Pounds*: 20
- (2.) The Local Board may by Notice require such Owner, within a reasonable Time therein specified, to bring such House or Drain into conformity with the above Regulations, and if he fails to comply with such Notice may themselves do the Work 25 required, and the Expenses incurred by them in so doing may be recovered from such Owner in a summary Manner, or may, by Order of the Local Board, be declared to be Private Expenses, and be dealt with accordingly.

Local Board to cause Streets to be cleansed, and Dust and Ashes to be removed from the Houses. 11 & 12 Vict. c. 63. s. 55.

81. The Local Board shall cause all the Streets within their District, together with the Foot Pavements, from Time to Time to be properly swept, cleansed, and watered, and all Dust, Filth, and Refuse of every Sort found thereon to be collected and removed, and shall cause all the Dust, Ashes, and Rubbish to be carried away from the Houses and Tenements of the Inhabitants within their District at 35 convenient Times, and shall cause the Privies and Cesspools within the said District to be from Time to Time emptied and cleansed: Provided always, that the Occupier of any House or Tenement within the said District may keep and remove any such Soil, Ashes, or Rubbish as may be made on his own Premises, and may be kept 40 for Manure, so that the same be not a Nuisance to the Inhabitants residing near such Premises, and that the same be removed at such Times and in such Manner as is approved of by the Local Board.

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82. The Local Board may, in their Discretion, provide, in proper and convenient Situations, Boxes or other Conveniences for the temporary Deposit and Collection of Dust, Ashes, and Rubbish, and also fit Buildings and Places for the Deposit of the Sewage, Soil, 5 Dung, Filth, Ashes, Dust, and Rubbish collected by such Board; and all Sewage, Soil, Dung, Filth, Ashes, Dust, and Rubbish so collected by the said Local Board, or in any Convenience provided as aforesaid, shall be vested in and be sold and disposed of by such Board, and the Proceeds thereof shall be applied in carrying into 10 effect the Purposes of the Act.

Local Board to cause Places for Deposit of Dust, Soil, &c. to be provided. 11 & 12 Vict. c. 63. s. 56.

83. The Local Board may make such Byelaws as they think fit as to the sweeping and cleansing of the Footways and Pavements adjoining the Dwellings within their District, and as to the Prevention of Nuisances from the Deposit within the District of any Manure or 15 other offensive or noxious Substance in or about any House, and may annex reasonable Penalties for any Breach of such Byelaws; and for the Purposes aforesaid, when any House is let in separate Apartments, the Person letting such Apartments shall be deemed the Occupier.

Local Board may make Byelaws as to cleansing new Dwellings.

84. The Local Board may, if they think fit, provide and maintain in proper and convenient Situations, Waterclosets, Privies, and other similar Conveniences for public Accommodation. 20

Public Necessaries. 11 & 12 Vict. c. 63. s. 57.

85. Every House built after the Date of the Constitution of the District, and every House pulled down to or below the Ground Floor, 25 shall be furnished, to the Satisfaction of the Local Board, with a sufficient Watercloset or Privy and an Ashpit, furnished with proper Doors and Coverings; and any Person offending against this Enactment shall incur a Penalty not exceeding *Twenty Pounds*.

Penalty on Persons erecting Houses without Waterclosets. 11 & 12 Vict. c. 63. s. 51.

86. If at any Time it appears to the Local Board that any House 30 whether built before or after the Date of the Constitution of the District, is not provided with a sufficient Watercloset or Privy and an Ashpit, furnished with proper Doors and Coverings, the Local Board may by Notice require the Owner or Occupier of such House, within a 35 reasonable Time, to be specified in such Notice, to provide a sufficient Watercloset or Privy and an Ashpit, so furnished as aforesaid, or either of them, as the Case may require; and if he fails to comply with such Notice the Local Board may themselves do the Works required; and the Expenses incurred by them in so doing shall be recoverable from the Owner in a summary Manner, or may, by Order 40 of the said Local Board, be declared to be Private Expenses, and be recovered accordingly; but in Cases where a Watercloset or Privy has been and is used in common by the Inmates of Two

Local Board may, upon Report of Surveyor, order Waterclosets, &c. to be erected in Houses, whether built before or after this Act is applied, &c.

or more Houses, or where, in the Opinion of the said Local Board, a Watercloset or Privy may be so used, they shall not require the same to be provided for each House.

Certain
Waterclosets
to be con-
structed in
Factories,
&c.
11 & 12 Vict.
c. 63. s. 54.

87. If at any Time it appears to the Local Board that any House is used or intended to be used as a Factory or Building in which Persons of both Sexes, and above *Twenty* in Number, are employed or intended to be employed at One Time in any Manufacture, Trade, or Business, the Local Board may, by Notice in Writing addressed to the Owner or Occupier of such House, require them or either of them, within a Time to be specified in such Notice, to construct a sufficient Number of Waterclosets or Privies for the separate Use of each Sex; and any Person neglecting or refusing to comply with any such Notice shall incur for each Default a Penalty not exceeding *Twenty Pounds*, and a further Penalty not exceeding *Forty Shillings* for every Day during which the Default is continued.

Removal of
Nuisances.

88. It shall be the Duty of the Local Board to keep their District free from Nuisances, and for that Purpose to exercise such Powers and take such Measures as may be vested in or exerciseable by them under any Act or Acts of Parliament for the Time being in force.

Cellars.

Cellars, &c.
newly built
not to be let
as Dwelling
Rooms.
11 & 12 Vict.
c. 63. s. 67.

89. It shall not be lawful to let or occupy or suffer to be occupied separately as a Dwelling any Vault, Cellar, or underground Room built or rebuilt after the Date of the Constitution of the District, or which has not been so let or occupied before such last-mentioned Date; and it shall not be lawful to let or continue to let, or to occupy or suffer to be occupied, separately as a Dwelling, any Vault, Cellar, or underground Room whatsoever, unless it possess the following Requisites; that is to say,

Unless the same is in every Part thereof at least *Seven Feet* in Height, measured from the Floor to the Ceiling thereof; nor

Unless the same is at least for *Three Feet* of its Height above the Surface of the Street or Ground adjoining or nearest to the same; nor

Unless there is outside of and adjoining the same Vault, Cellar, or Room, and extending along the entire Frontage thereof, and upwards from *Six Inches* below the Level of the Floor thereof up to the Surface of the said Street or Ground, an open Area of at least *Two Feet and Six Inches* wide in every Part; nor

Unless the same is well and effectually drained by means of a Drain the uppermost Part of which is *One Foot* at least below the Level of the Floor of such Vault, Cellar, or Room; nor

Unless

Unless there is appurtenant to such Vault, Cellar, or Room the Use of a Watercloset or Privy and an Ashpit, furnished with proper Doors and Coverings kept and provided according to the Provisions of this Act; nor

5 Unless the same has a Fireplace with a proper Chimney or Flue; nor

10 Unless the same has an external Window of at least *Nine Superficial Feet* in Area clear of the Sash Frame, and made to open in such Manner as is approved by the Surveyor, except in the Case of an inner or back Vault, Cellar, or Room let or occupied along with a front Vault, Cellar, or Room as Part of the same Letting or Occupation, in which Case the external Window may be of any Dimensions, not being less than *Four Superficial Feet* in Area clear of the Sash Frame:

15 And whosoever lets, occupies, or continues to let, or knowingly suffers to be occupied, for Hire or Rent, any Vault, Cellar, or underground Room, contrary to this Act, shall be liable for every such Offence to a Penalty not exceeding *Twenty Shillings* for every Day during which the same continues to be so let or occupied after Notice in

20 Writing from the Local Board in that Behalf; and every Vault, Cellar, or underground Room in which any Person passes the Night shall be deemed to be occupied as a Dwelling within the Meaning of this Act; but the above Rule as respects Areas shall be qualified as follows; that is to say,

25 In any Area adjoining a Vault, Cellar, or underground Room there may be Steps necessary for Access to such Vault, Cellar, or Room, if the same are so placed as not to be over, across, or opposite to the said external Window, and so as to allow between every Part of such Steps and the external Wall of such Vault,

30 Cellar, or Room a clear Space of *Six Inches* at the least; and Over or across any such Area there may be Steps necessary for Access to any Building above the Vault, Cellar, or Room to which such Area adjoins, if the same are so placed as not to be over, across, or opposite to any such external Window.

35 90. The foregoing Provisions with respect to the Letting and Occupation of Vaults, Cellars, and underground Rooms shall not, so far as the same relate to Vaults, Cellars, and underground Rooms which have been previously let or occupied as Dwellings, come into force within any District until the Expiration of *Six Months* from the Date of the Constitution of such District; and all Church-wardens and Overseers of the Poor within any District shall from Time to Time cause public Notice of the Provisions of this Act with respect to the Letting and Occupation of Vaults, Cellars, and

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underground

Time of
Provisions
coming into
operation.
11 & 12 Vict
c. 63. s. 67.

underground Rooms to be given in such Manner as may appear to them to be best calculated to make the same generally known.

New Houses.

Building new Houses and rebuilding old ones.

91. *Fourteen* Days at the least before beginning to dig the Foundations of any new House, or to convert any Building into a House, or to rebuild any House pulled down to or below the Ground Floor, the Person intending so to build, convert into a House, or rebuild shall give to the Local Board a Plan and Sections of the House so intended to be made, and also a Statement in the Form marked (E.) in the Schedule hereto, or in such other Form as may from Time to Time be directed by the General Board, comprising the following Particulars:

1. The Thickness and Materials of the Walls:
2. The Heights and Dimensions of the Rooms, including the Level of the Cellars or lowest Floors: 15
3. The Means of Ventilation:
4. The Situation of any Waterclosets, or, where Waterclosets cannot be brought into use, of any Privies, Cesspools, or Urinals intended to be made or used in connexion with such House: 20
5. The Provisions for Drainage, Supply of Water, and Deposit of dry Refuse:
6. The Dimensions of the Area intended to be left open in connexion with the House:

And it shall be lawful for the Local Board, within *Fourteen* Days from the Receipt of such Statement, to notify to the Person so about to build, convert into a House, or rebuild, their Approval or Disapproval of such Plan and Particulars, either with or without Modification; but if no Notification is made within such Period of *Fourteen* Days, the Local Board shall be presumed to have given its Approval. 30

Inspection by Surveyor during Progress of Works.

92. During the Progress of any such Building, Conversion, or Rebuilding as is mentioned in the foregoing Section, and at such Stages of the Work as are specified in the Form marked (F.) in the Schedule hereto, the Surveyor of the Local Board shall have Power to enter upon and inspect the Work done, for the Purpose of ascertaining that the same is done in conformity with the Plan and Particulars approved by such Board; and with a view to such Inspection it shall be incumbent on every Person executing any such Work as aforesaid to give to such Surveyor not less than *Two* Days Notice in Writing of the Time when the Work will be ready for Inspection at the several Stages aforesaid. 35 40

93. If

93. If any Person so intending as aforesaid to build, convert into a House, or rebuild, commits any of the following Offences; that is to say, Penalty on acting without Approval of Local Board.

- 5 (1.) Fails to give the Notice herein-before required to be given before beginning to dig the Foundations, make such Conversion, or rebuild in manner aforesaid; or,
- (2.) Fails to give any Notice herein-before required to be given as to the Progress of the Works; or,
- 10 (3.) Acts in contravention of the Decision of the Local Board in building or rebuilding any House, or converting into a House any other Building, or in making or continuing any Drain, Watercloset, Privy, Urinal, Cesspool, or Place of Deposit of any Refuse,

he shall for each such Offence incur a Penalty not exceeding *Fifty Pounds*; and the said Local Board may, if they think fit, cause any such House, Drain, Watercloset, Privy, Urinal, Cesspool, or Place of Deposit of any Refuse to be pulled down, removed, altered, or otherwise dealt with, as the Case requires; and the Expenses so incurred shall be repaid by the Offender, and be recovered from him in a summary Manner, or may be declared by the Local Board to be Private Expenses, and be recovered accordingly. 15 20

94. If any Person feels aggrieved by any Order of the Local Board relating to any such Building, Conversion, or Rebuilding as aforesaid, he may appeal against such Order to the Court of Quarter Sessions in manner herein-after mentioned. 25

Persons aggrieved by Order of Local Board may appeal to Quarter Sessions.

Streets.

95. The following Provisions shall be made with respect to Streets within any District: Provisions as to Streets. 11 & 12 Vict. c. 63. s. 68.

- 30 (1.) All Streets that are at the Date of the Constitution of the District or may thereafter become Highways, together with all Materials and Buildings provided for the Purposes thereof, shall vest in and be under the Management of the Local Board:
- (2.) The Local Board shall from Time to Time cause such Streets to be levelled, paved, flagged, and repaired as Occasion requires: 35
- (3.) The Local Board may from Time to Time cause the Soil of any such Street to be raised, lowered, or altered as they think fit, and place and keep in repair Fences and Posts for the Safety of Foot Passengers; and whosoever wilfully displaces, takes up, or injures the Pavement, Stones, Materials, Fences, or Posts of any such Street, without the Consent of the Local Board, shall be liable for every such Offence to a Penalty not exceeding *Five Pounds*, and

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11 & 12 Vict.
c. 63. s. 69.

- and a further Sum not exceeding *Five Shillings* for every Square Foot of the Pavement, Stones, or other Materials so displaced, taken up, or injured:
- (4.) In case any Street, whether formed before or after the Date of the Constitution of the District, (not being a Highway 5 repairable at the Public Expense), or the Carriageway or Footpath thereof, or any Part thereof, is not sewered, levelled, paved, flagged, channelled, or put in repair to the Satisfaction of the Local Board, such Board may from Time to Time, by Notice in Writing to the respective Owners or 10 Occupiers of the Premises fronting, adjoining, or abutting upon such Parts as may require to be sewered, levelled, paved, flagged, channelled, or put in repair, require them to sewer, level, pave, flag, channel, or put in repair the whole Breadth of such Street or the Carriageway or Foot- 15 path thereof, or such Part thereof within a Time to be specified in such Notice; and if such Notice is not complied with the said Local Board may, if they think fit, execute the Works mentioned or referred to therein; and the Expenses incurred by them in so doing shall be paid 20 by the Owners in default, according to the Frontage of their respective Premises, and in such Proportion as may be settled by the Surveyor, or in case of Dispute by Arbitration in the Manner provided by this Act; and such Expenses may be recovered from the last-mentioned Owners in a 25 summary Manner, or the same may be declared by Order of the said Local Board to be Private Expenses, and be recoverable accordingly:
- (5.) The Local Board may, from Time to Time, by Notice in Writing, put up in any Part of a Street and to be entered 30 amongst the Proceedings of the said Local Board, declare the whole Breadth of such Street, or the Carriageway or Footpath thereof, or any Length of such Street, Carriage- way or Footpath, to be a Highway, and after the Expiration of a Month from the Date of such Notice being so put up 35 the same shall, subject to the Provision herein-after contained, become a Highway, and be from Time to Time repaired by them as such; provided that no such Notice shall be of any Force, nor shall such Street or Portion thereof, Carriageway or Footpath, become a Highway as 40 last aforesaid, if within *One Month* after such Notice has been put up the Proprietor of such Street or Length thereof, Carriageway or Footpath, or the Person representing or entitled to represent such Proprietor, by Notice in Writing to the said Local Board objects thereto: 45

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- (6.) All Expenses incurred by the Local Board in maintaining, paving, and repairing the Streets and Highways within any District shall be paid out of the General District Rate levied in pursuance of this Act:
- 5 (7.) It shall be lawful for any Local Board, by Agreement with the Trustees of any Turnpike Road within the District, to take upon themselves the Maintenance, Repair, Cleansing, and Watering of so much of the said Road as may be within 10 the said District, on such Terms as to the Tolls receivable on such Turnpike, and as to the shifting of Toll Gates or Toll Bars, or otherwise, as the Local Board and the Trustees may agree upon between themselves; and Notice of every such Agreement shall be published once at the least in some 15 One Newspaper circulating within the District for *Two* successive Weeks after such Agreement has been made, and shall be affixed in all Places within the District where public Notices are usually affixed; and any Trustee of any such Turnpike, or any Person holding any Security for Money 20 advanced to such Trustees, or to whom any Money may be due from such Trustees, and any Ratepayer within the District, if dissatisfied with such Agreement, may appeal against the same to the Court of Quarter Sessions, in the same Manner, and on the same Terms in respect of Notice, as in the Case of Appeals against Rates leviable under this 25 Act; and the Determination of the said Court in respect of such Agreement shall be conclusive and binding on all Persons to all Intents and Purposes:
- (8.) *One Month* at the least before any new Street is laid out, 30 the Person intending to lay out or make the same shall give to the Local Board a Plan of such Street, showing the intended Level and Width thereof, and the Provisions made for Sewerage, and the Materials to be employed in making the Roadway of such Street; and it shall be lawful for the Local Board, within *One Month* from the Receipt of such 35 Statement, to notify to the Person so about to lay out or make such Street their Approval or Disapproval of such Plan and Particulars, either with or without Modification; but if no Notification is made within such Period of a Month the Local Board shall be presumed to have given its Approval: 40
- (9.) During the Progress of the Formation of any such Street, and at such Stages of the Work as are specified in the Form marked G. in the Schedule hereto, the Surveyor of the Local Board shall have Power to enter upon and inspect the Work done, for the Purpose of ascertaining that 45
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11 & 12 Vict.
c. 63. s. 72.

the same is in conformity with the Plan and Particulars approved by such Board; and with a view to such Inspection it shall be incumbent on the Person having the Control of any such Work as aforesaid to give such Surveyor not less than *Two* Days Notice in Writing of the Time when the Works or any Part thereof will be ready for Inspection, at the several Stages aforesaid, and if he fails to give such Notice he shall for each such Offence incur a Penalty not exceeding *Fifty Pounds*.

Penalties on Noncompliance with foregoing Provisions.

96. If any Person so intending as aforesaid to lay out or make any Street commits any of the following Offences: 10

Fails to give the Notice herein-before required to be given before beginning to lay out such Street as aforesaid;

Acts in contravention of the Decision of the Local Board in laying out or making such Street or any Part thereof, 15
he shall for each such Offence incur a Penalty not exceeding *Fifty Pounds*; and the said Local Board may, if they think fit, cause any Work so done in contravention of their Decision to be pulled down, removed, altered, or otherwise dealt with as the Case requires; and the Expenses so incurred shall be repaid by the Offender, and be 20 recovered from him in the summary Manner herein-after provided, or may be declared by the Local Board to be Private Improvement Expenses, and be recovered accordingly.

Person aggrieved may appeal to Quarter Sessions.

97. If any Person feels aggrieved with the Decision of any Local Board of Health in reference to the laying out of any such Street as aforesaid, or any Matter incidental thereto, he may appeal therefrom to the Court of Quarter Sessions in manner herein-after mentioned. 25

Incorporation of Provisions of the Towns Improvement Clauses Act, 1847.

98. The Provisions of "The Towns Improvement Clauses Act, 1847," with respect to the following Matters and Things, that is 30 to say,

With respect to naming the Streets and numbering the Houses;

With respect to improving the Line of the Streets, and removing Obstructions:

With respect to ruinous or dangerous Buildings; 35

With respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses;

With respect to the Prevention of Smoke;

With respect to the Construction of Houses for the Prevention of Fire; 40

With respect to supplying Buildings with fresh Air;

With respect to Byelaws,

shall be incorporated with this Act.

Removal

Removal of Pipes.

99. Whenever, for the Purposes of this Act, the Local Board deem it necessary to raise, sink, or otherwise alter the Situation of any Water or Gas Pipes, Mains, Plugs, or other Waterworks or Gasworks laid in or under any Street, they may, by Notice in Writing, require the Person to whom the Pipes, Mains, Plugs, or Works belong, to raise, sink, or otherwise alter the Situation of the same, in such Manner and within such reasonable Time as is specified in such Notice, and the Expenses attendant upon or connected with any such Alteration shall be paid by the said Local Board out of the General District Rates levied under this Act, except in Cases where, under any Local Act of Parliament, the Expenses attendant upon or connected with the raising, sinking, or otherwise altering the Situation of any Water or Gas Pipes, Mains, Plugs, or other Waterworks or Gasworks, are directed to be borne by the Person to whom such Pipes or Works belong, in which Cases the Liability of such last-mentioned Person in respect of such Expenses shall continue, in the same Manner and under the same Conditions in all respects as if this Act had not been passed; and if such Notice as aforesaid is not complied with, the Local Board may make the required Alteration; but no Alteration shall be required or made under this Section which will permanently injure any such Pipes, Mains, Plugs, or Works, or prevent or impede the Flow of Water or Gas through the same.

Power to require Gas and Water Pipes to be moved. 11 & 12 Vict. c. 63. s. 73.

Supply of Water.

100. The following Provisions shall be made with respect to the Supply of Water to any District: 25

(1.) All public Wells, Pumps, Conduits, and other Waterworks used for the gratuitous Supply of Water to the Inhabitants of the District, shall vest in and be under the Control of the Local Board: 30

(2.) The Local Board shall continue, maintain, and supply with Water all such Waterworks as aforesaid, or substitute other Waterworks equally convenient, and supply the same with Water: 35

(3.) The Local Board may construct any Number of new Wells, Pumps, or other Waterworks for the gratuitous Use of the Inhabitants of the District, and supply the same with Water: 40

(4.) The Local Board may cause a Supply of Water to be furnished to any public Baths or Wash-houses:

(5.) The Local Board shall cause Water to be provided in sufficient Quantities for flushing the Sewers and Drains, for [15.] E 4 putting

Provisions with respect to Supply of Water. 11 & 12 Vict. c. 63. ss. 75, 76, 77, 78.

putting out Fires, for cleansing and watering the Streets; and for other public Purposes :

- (6.) The Expense of providing a Supply of Water for the foregoing Purposes shall be paid out of the General District Rates herein-after mentioned : 5
- (7.) If it appears to the Local Board that any House is without a proper Supply of Water, and that such Supply can be provided at an Expense not exceeding *Threepence* a Week exclusive of the First Cost of the Pipes and Works necessary for furnishing such Supply, the Local Board may serve 10 a Notice on the Owner or Occupier of such House requiring him to obtain such Supply within a Time to be specified in such Notice, and if such Owner or Occupier fails to comply with such Notice the Local Board may themselves cause such Supply to be furnished : 15
- (8.) All Expenses incurred by Order of or by any Local Board in respect of Pipes laid or Works done for the Purpose of furnishing such Supply as aforesaid to any House, shall be deemed to be private Expenses, and recoverable accordingly : 20
- (9.) The Rent payable in respect of the supply of Water to any such House as aforesaid, shall be defrayed in the same Manner in all respects as the same would have been defrayed if the Owner or Occupier of such House had obtained the supply voluntarily, instead of in obedience to an Order of 25 the Local Board :
- (10.) If there is or are any Company or Companies within the District willing to furnish upon reasonable Terms a sufficient Supply of Water for the Purposes herein-before mentioned, the Local Board shall contract with such Company for such 30 Supply, and for the laying of such Pipes and doing of such Works as may be necessary for providing any such House as aforesaid with a proper Supply of Water :
- (11.) If any Dispute arises between the Local Board and any Company or Companies as to whether the Terms proposed 35 by any Company or Companies are reasonable, such Dispute shall be decided by Arbitration in manner herein-after provided :
- (12.) In the event of there being no Company within the District willing to furnish the required Supply of Water upon 40 reasonable Terms, the Local Board may undertake to supply the same :
- (13.) In such event as last aforesaid the Local Board may purchase or take on Lease any Waterworks ; they may purchase

purchase any Land or Streams, or Easement in respect of Land or Streams, and do and construct and execute all such Works as may be necessary or proper for the Purpose of furnishing a Supply of Water for any of the Purposes herein-before mentioned, and they may carry their Pipes for the Distribution of Water through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, or under any Cellar or Vault which may be under the Pavement or Carriageway of any Street :

- 5 (14.) Whenever any Local Board have themselves undertaken to supply Water to their District, they may furnish the same to any private House or for any trading or manufacturing Purpose :
- 10 (15.) The Expense of furnishing such Supply to any private House or for any manufacturing or trading Purposes, shall be defrayed by Water Rents to be levied on the Persons requiring such Supply :
- 15 (16.) All such Water Rents as aforesaid shall be paid and recovered in manner provided by the Provisions of the Waterworks Clauses Act, 1847, with respect to the Payment and Recovery of Water Rates, and such Provisions shall for the Purposes aforesaid be incorporated with this Act :
- 20 (17.) Any Profits made by the Local Board, by the Exercise of the Powers given them by this Section shall be accounted for in the same Manner and be applied to the same Purposes in and to which the General District Rate is herein-after declared to be accounted for and applicable.

101. The Offences herein-after mentioned shall be punished in 30 manner following ; that is to say,

First,—As to injuring Waterworks :

- (1.) If any Person wilfully or carelessly breaks, injures, or opens any Lock, Cock, Waste Pipe, or Waterworks belonging to or under the Management of any Local Board ; or,
- 35 (2.) Unlawfully flushes, draws off, diverts, or takes Water from any Waterworks belonging to or under the Management or Control of the Local Board from any Waters or Streams by which such Waterworks are supplied ; or,
- 40 (3.) Wilfully or negligently wastes or causes to be wasted any Water with which he is supplied by the said Local Board,

he shall for every such Offence forfeit a Sum not exceeding *Five Pounds*, and a further Penalty of *Twenty Shillings* for each Day

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during

Offences with respect to Water. 11 & 12 Vict. c. 63. ss. 79, 80.

during which the Offence is committed after written Notice in that Behalf has been given to him :

Second,—As to fouling Water :

- (1.) If any Person bathes in any Stream, Reservoir, Conduit, Aqueduct, or other Waterworks belonging to or under the Management of the Local Board :
- (2.) Washes, cleanses, throws, or causes to enter in any such Stream, Reservoir, Conduit, or other Waterworks, any Animal, Rubbish, Filth, Stuff, or Thing of any kind whatsoever, or causes or permits or suffers to run or be brought therein the Water of any Sink, Sewer, Drain, Engine, or Boiler, or other filthy, unwholesome, or improper Water :
- (3.) Does anything whatsoever whereby any Water belonging to the Local Board may be fouled,

he shall for every such Offence forfeit a Sum not exceeding *Five Pounds*, and a further Sum of *Twenty Shillings* for each Day during which the Offence is continued after written Notice in that Behalf has been given to him :

Third—As to fouling Water with Gas :

If any Person, being Proprietor of any Gasworks, or engaged in the Manufacture or Supply of Gas, causes or suffers to be brought or to flow into any Stream, Reservoir, Conduit, Aqueduct, or Waterworks belonging to or under the Management of the Local Board, or into any Drain or Pipe communicating therewith, any Washing or other Substance produced in the Manufacture or Supply of Gas, or wilfully does any Act connected with the Manufacture or Supply of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, or Waterworks is fouled,

he shall for every such Offence incur a Penalty not exceeding *Two hundred Pounds*, and after Notice in Writing has been given to him by the Local Board, a further Sum of *Twenty Pounds* for every Day during which the Offence is continued, or during the Continuance of the Act whereby the Water is fouled ; and every such Penalty shall be recoverable, with full Costs of Suit, by Action of Debt ; and if any Water supplied by, belonging to, or under the Management or Control of the said Local Board is fouled in any Manner by the Gas of any such Proprietor or Person as last aforesaid, he shall for every such Offence incur a Penalty not exceeding *Twenty Pounds*, and a further Sum not exceeding *Ten Pounds* for every Day whilst the Offence is continued after Notice has been given to him by the Local Board ; and for the Purpose of ascertaining whether such Water is fouled by the Gas of any such Proprietor or Person

Person the Local Board may, upon giving *Twenty-four* Hours Notice of their Intention, lay open and examine any Pipes, Conduits, and Works from which the Gas is supposed to escape ; and if upon such Examination it appears that the Water has been fouled by the Gas proceeding from or contained in the Pipes, Conduits, or Works examined, the Expenses of the Examination shall be paid and borne by the Person to whom such Pipes, Conduits, or Works belong, or under whose Management or Control they may be, and be recoverable from him in the summary Manner herein-after provided ; but if it appear that the Water has not been so fouled, then such Expenses, and all Damages occasioned by the Examination, shall be paid by the Local Board out of the General District Rates levied under this Act, and be recoverable from them in the summary Manner herein-after provided.

Watching.

102. The Local Board of Health may cause their District to be properly watched, and for this Purpose the Provisions of the Towns Police Clauses Act, 1847, With respect to the Appointment, and the Powers, Duties, and Privileges of Constables ; and With respect to Obstructions and Nuisances in the Streets ; and With respect to Fires, shall be incorporated with this Act.

Lighting.

103. The following Regulations shall be made with respect to lighting any District :

- (1.) The Local Board may cause all Streets and public Buildings within their District to be lighted with Gas :
- (2.) If there is any Company within the District willing to supply such Gas upon reasonable Terms, the Local Board shall contract with such Company for the Supply :
- (3.) Any Dispute between the Local Board and any Company as to whether such Terms as aforesaid are reasonable shall be decided by Arbitration in manner hereunto provided :
- (4.) In the event of there being no such Company as aforesaid willing to supply such Gas, the Local Board may themselves supply the same :
- (5.) In such event as last aforesaid the Local Board may purchase or take on Lease any Gasworks ; they may purchase any Land or Easement in respect of Land, and do, and construct, and execute all such Works as may be necessary or proper for the Purpose of furnishing a Supply of Gas for any of

the Purposes herein-before mentioned, and they may carry Pipes for the Distribution of Gas through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, or under any Cellar or Vault which may be under the Pavement or Carriageway of any such Street or intended Street :

- (6.) Whenever any Local Board have themselves undertaken to supply Gas to their District, they may furnish the same to to any private House or for any trading or manufacturing Purpose :
- (7.) The Expense of furnishing a Supply for Gas for lighting the Streets and public Buildings shall be paid out of the General District Rate herein-after mentioned, and the Expense of furnishing such Supply to any private House or for any manufacturing or trading Purposes shall be defrayed by Gas Rents to be levied on the Persons requiring such Supply :
- (8.) All such Gas Rents as aforesaid shall be paid and recovered in manner provided by the Provisions of the Gasworks Clauses Act, 1847 with respect to the Payment and Recovery of Rents for Gas, and such Provisions shall, for the Purposes aforesaid, be incorporated with this Act :
- (9.) Any Profits made by the Local Board by the Exercise of the Powers given them by this Section shall be accounted for in the same Manner and be applied to the same Purposes in and to which the General District Rate is herein-after declared to be accounted for and applicable :

Slaughter-houses.

Rules as to Slaughter-houses.
11 & 12 Vict.
c. 63. ss. 71,
72.

104. The following Rules shall be observed with respect to Slaughter-houses :

- (1.) The Local Board may license such Slaughter-houses as they from Time to Time think proper within the District :
- (2.) No Place shall be used or occupied as a Slaughter-house within the District which was not in such Use and Occupation at the Date of the Constitution of the District, and has so continued ever since, unless and until a Licence for the Erection thereof, or for the Use and Occupation thereof as a Slaughter-house, has been obtained from the Local Board ; and every Person who, without having first obtained such Licence as aforesaid, uses as a Slaughter-house any Place within the District not used as such at the Time of the constituting of the District, and so continued to be used ever since, shall for each Offence incur a Penalty not exceeding

exceeding *Five Pounds*, and a like Penalty for every Day after the Conviction for such Offence upon which the said Offence is continued :

- (3.) Every Place within the District which has previously to the Date of the Constitution thereof been used as a Slaughter-house shall, within *Three Months* after such last-mentioned Date, or, in the Case of a Place first used as a Slaughter-house, after the Date of the Constitution of the District, previously to the Commencement of such Use, be registered by the Owner or Occupier thereof at the Office of the Local Board in a Book to be kept by them for that Purpose ; and every Person who uses or suffers to be used any such Place as a Slaughter-house without its being registered, in compliance with this Section, shall incur a Penalty not exceeding *Five Pounds* for such Offence, and a Penalty not exceeding *Ten Shillings* for every Day after the First Day during which such Place shall be used as a Slaughter-house without having been so registered :
- (4.) The Local Board may from Time to Time erect a Slaughter-house on any Land belonging to them, or set apart and improve any Buildings belonging to them for a Slaughter-house :
- (5.) As soon as such Buildings are fit for Public Use, the Local Board shall give Public Notice thereof—
- (a.) By Advertisement in some One or more of the Newspapers published in the County in which the District is situated, and
- (b.) By causing a Copy of such Notice to be affixed to the principal Doors of every Church and Chapel in the District :
- (6.) After the Expiration of *Ten Days* from the Publication and posting of such Notice as aforesaid, no Person shall slaughter any Cattle, or dress any Carcase for Sale as Human Food, in any Place within the District, other than—
- (a.) A Slaughter-house which was in use as such before and at the Time of the Constitution of the District ;
- or,
- (b.) Slaughter-houses provided in pursuance of this Act : And every Person who shall after such Notice as aforesaid slaughter any Cattle, or dress for Sale any Carcase within the District, in any Place not authorized by this Act, shall incur a Penalty for every Offence not exceeding *Two Pounds*.

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- (7.) The Local Board may make Byelaws—
 With respect to the Management of and Charges for the Use of any Slaughter-house so provided by them, and with respect to the Inspection of all Slaughter-houses whatever within their District, and for keeping the same in a wholesome State: 5
- (8.) The Local Board may purchase any Land or Easement in respect of Land necessary for carrying into Effect the Objects of this Section, subject to the Regulations herein-after contained. 10

Markets and Fairs.

Power of Local Board to establish Markets and Fairs.

105. The Local Board shall have Power to be the following Things or any of them, within their District:
- To construct a Market House and other Conveniences for the Purpose of holding Markets and Fairs: 15
 - To provide Houses and Places for weighing Carts:
 - To make convenient Approaches to such Market or Fair:
 - To provide all such Matters and Things as may be necessary for the convenient Use of such Market or Fair:
 - To purchase Land for any of the foregoing Purposes: 20
 - To take Stallages, Rents, and Tolls in respect of the Use by any Person of such Market House and Slaughter-houses:
- But no Market or Fair shall be established in pursuance of this Section so as to interfere with any Rights, Powers, or Privileges enjoyed within the District by any Person chartered, Joint Stock, or incorporated Company without his or their Consent. 25

Incorporation of Provisions of the Markets and Fairs Clauses Act, 1847.

106. For the Purpose of enabling any Local Board to establish Markets or Fairs, in manner aforesaid, there shall be incorporated with this Act the Provisions of "The Markets and Fairs Clauses Act, 1847," with respect to the following Things: 30
- With respect to the holding of the Market or Fair, and the Protection thereof, and
 - With respect to the weighing Goods and Carts, and
 - With respect to the Stallages, Rents, and Tolls, and
 - With respect to Byelaws, 35
- subject to this Proviso, that all Tolls leviable by the Local Board in Pursuance of this Section shall be approved by One of Her Majesty's Principal Secretaries of State.

Pleasure

Pleasure Grounds.

107. The Local Board may hold, purchase by Agreement, maintain, lay out, plant, and improve Land for the Purpose of being used as public Walks or Pleasure Grounds, and support or contribute towards any Premises provided for such Purposes by any Person whomsoever. 5

Local Board may provide Places of public Recreation, &c. 11 & 12 Vict. c. 63. s. 74.

Purchase of Land.

108. The following Regulations shall be observed with respect to the Purchase of Land by Local Boards; (that is to say,) 10
- (1.) The Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act:
 - (2.) The Local Board shall not put in force any of the Powers of the said Lands Clauses Consolidation Act in relation to the compulsory taking of Land except with the Sanction of the Court of Quarter Sessions, such Sanction to be obtained by the Local Board desirous of taking such Land in manner herein-after mentioned: 15
 - (3.) The Local Board shall not be entitled to apply for any such Sanction as aforesaid or to take any Land compulsorily in any Case where it is herein-before expressed that they are to purchase Lands by Agreement. 20
109. Every Local Board, before applying for the Sanction of the Court of Quarter Sessions, shall do as follows; (that is to say,) 25
- Publish once at the least in each of *Three* consecutive Weeks in One of the Newspapers circulating in the District an Advertisement describing shortly the Nature of the Undertaking in respect of which the Land is proposed to be taken, naming a Place where a Plan of the proposed Undertaking may be seen at all reasonable Hours, and stating the Quantity of Land that they require for the aforesaid Purposes, and the Day and the Place at and on which the Application for such Sanction as aforesaid is to be made: 30
 - Serve a Notice in manner herein-after mentioned on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Land intended to be taken, such Service to be made *Three* Weeks previously to the Week in which the Sessions are holden at which such Application is intended to be made; and such Notice to state the Particulars of the Land so required, that the Local Board are willing to treat for the Purchase thereof, and as to the Compensation to be made to all Parties for the Damage that may be sustained by them by reason of the proposed Undertaking: 40
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Regulations as to the Purchase of Land.

Publication of Notices.

48 The Public Health Bill, 1855. (Part III.)

And it shall be lawful for any Person upon whom Notice is so served as aforesaid, and also for any Person who or whose Property may be injuriously affected by the proposed Undertaking to appear at the Sessions, and by himself or his Counsel, or Attorney in Cases where Attornies are allowed to be heard, to oppose any Application that may be made by any Local Board for the Sanction of the Justices, and to support such Opposition by such Evidence as he thinks fit.

Services of Notices.

110. Service of the Notices mentioned in the foregoing Section may be made as follows:

- By Delivery of the same personally to the Party required to be served, or, if such Party is absent Abroad, to his Agent; or
- By leaving the same at the usual or last known Place of Abode of such Party as aforesaid; or
- By forwarding the same by Post in a registered Letter addressed to the usual or last known Place of Abode of such Party.

Evidence of Publication and Service of Notices.

111. In proving such Publication as aforesaid in the Newspaper, it shall be sufficient to produce printed Copies of the required Newspapers purporting to bear Date in each of such *Three* consecutive Weeks as aforesaid, and containing such Notice as is herein-before mentioned in that Behalf; and in proving the Service of such Notices as aforesaid the written Acknowledgment of the Party required to be served shall be sufficient Evidence of such Service having been made; and in case of a Notice forwarded by Post in a registered Letter, the Production of the Post Office Receipt for such Letter shall, unless it appears that such Letter was returned by the Post Office undelivered, be sufficient Evidence of the due Delivery of such Letter.

Justices to decide after hearing both Sides.

112. The Justices assembled at such Court of Sessions as aforesaid may, after Proof of the Publication and Service of such Notices as aforesaid, and after hearing the Application of the Local Board, and anything alleged in opposition thereto, either give or withhold their Sanction, or may, with the Consent of such Local Board, grant their Sanction, upon such Terms and Conditions as they think fit; and any Decision so made by the Justices shall be binding on the said Local Board.

Local Board on obtaining Sanction of Court may enforce Act.

113. The Local Board, in the event of their obtaining the Sanction of the Court of Quarter Sessions may proceed to put in force the Powers of the said Lands Clauses Consolidation Act, 1845, in relation to the compulsory taking of Land.

Private

Private Expenses.

114. The following Rules shall be observed with respect to the Recovery of the Expenses herein-before declared to be Private Expenses:

Rules as to Private Expenses. 11 & 12 Vict. c. 63. s. 90.

- (1.) Private Expenses shall carry Interest at the Rate of *Five Pounds* per Cent. from the Time at which the same are incurred:
- (2.) Private Expenses shall be a Charge on the Premises in respect of which they have been incurred, and shall in the Case of Premises in the Occupation of any Person be payable by the Occupier, but in the Case of unoccupied Premises be payable by the Owner:
- (3.) The Local Board may appoint the Times at which the Principal and Interest due in respect of Private Expenses are respectively to be paid, with this Limitation, that the whole Amount of such Principal and Interest shall be paid off within the Period of *Thirty* Years from the Time at which such Expenses were incurred.

115. The following Deductions shall be allowed to Occupiers in respect of Payments made on account of Private Expenses:

Deductions in respect of Private Expenses. 11 & 12 Vict. c. 63. s. 91.

- (1.) Every Occupier holding at a Rackrent shall be entitled to deduct from the Rent payable to his immediate Landlord *Three Fourths* of the Amount paid by such Occupier in respect of Private Expenses:
- (2.) Every Occupier holding at a Rent less than Rackrent shall be entitled to deduct from the Rent payable to his immediate Landlord such Proportion of *Three Fourths* of the Rent as his Rent bears to the Rackrent:
- (3.) If the immediate Landlord is himself liable to the Payment of Rent for the Premises in respect of which the Deduction is made, and holds the same for a Term of which less than *Twenty* Years is unexpired, he may deduct from the Rent so payable by him such Proportion of the Sum deducted from the Rent payable to him as the Rent payable by him bears to the Rent payable to him, and a like Deduction may be made by every Landlord in succession holding for a Term of which less than *Twenty* Years is unexpired of the same Premises, both receiving and liable to pay Rent in respect thereof; but nothing herein contained shall be construed to entitle any Person to deduct from the Rent payable by him more than the whole Sum deducted from the Rent payable to him.

116. At any Time before the Expiration of the Period for which any Charge for Private Expenses is made, the Owner or Occupier of the

Reduction of Charge for Private Expenses. 11 & 12 Vict. c. 63. s. 92.

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the Premises charged therewith may redeem the same, by paying to the Local Board the Expenses in respect of which the Charge was made, or such Part thereof as may not have been defrayed by Sums already paid in respect of the same.

General District Rate. 5

General Expenses to be defrayed out of General District Rate.

117. All Expenses incurred by any Local Board which are not herein-before specially provided for, shall be defrayed by a Rate, to be called the General District Rate, and to be levied from Time to Time by the Local Board as Occasion requires.

Regulations as to General District Rate.

118. The following Regulations shall be observed with respect to General District Rates; that is to say,

First—As to the Incidence of the Rate:

11 & 12 Vict. c. 63. s. 88.

(1.) Subject to the Exceptions herein-after mentioned, the General District Rate shall be a Tax upon the Occupiers of all Property situate within the District, and assessable to any Rate for the Relief of the Poor in proportion to the net annual Value of such Property: 15

(2.) The net annual Value of any Property shall be ascertained by the Rate, if any, for the Relief of the Poor last made, allowed, and published before the making of the Assessment under this Act: 20

(3.) For the Purpose of assessing the General District Rate, any Person appointed by the Local Board may inspect, take Copies of or make Extracts from, any Rate for the Relief of the Poor within the District; and if any Officer having the Custody of such last-mentioned Rate refuses to permit any such Inspection or the taking of any such Copies or Extract, he shall for each Offence incur a Penalty not exceeding *Five Pounds*: 25

(4.) If there is no such Rate as aforesaid for the Relief of the Poor by Reference to which such net annual Value can be estimated, an Estimate shall be made by a Person appointed by the Local Board for that Purpose, in manner, as near as Circumstances will permit, prescribed by an Act passed in the Seventh Year of the Reign of King William the Fourth, intituled "An Act to regulate Parochial Assessments," or any other Act for the Time being in force for regulating Parochial Assessments: 30

11 & 12 Vict. c. 63. s. 101.

(5.) Whenever the Name of any Owner or Occupier liable to be rated under this Act is not known to the Local Board of Health, it shall be sufficient to assess and designate him in 40

in the Rate as "the Owner" or "the Occupier" of the Premises in respect of which the Assessment is made, without further Description:

(6.) The above Rules shall be subject to the following Exceptions; that is to say, 11 & 12 Vict. c. 93. s. 93.

(a.) The Owner, instead of the Occupier, shall be rated in Cases—

Where the net annual Value of any Premises liable to Assessment under this Act does not exceed the Sum of *Ten Pounds*; or 10

Where any Premises liable to an Assessment are let to Weekly or Monthly Tenants; or

Where any Premises so liable as aforesaid are let in separate Apartments, and the Rents become payable or are collected at any shorter Period than quarterly: 15

(b.) The Occupier of any Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, and the Occupier of any Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed in respect of the same in the Proportion of *One Fourth* Part only of such net annual Value thereof: 11 & 12 Vict. c. 61. s. 88.

(7.) A General District Rate may be raised retrospectively for the Purpose of paying any Charges or Expenses which may have been incurred at any Time within *Six* Months before the making of the Rate: 11 & 12 Vict. c. 63. s. 89.

(8.) If at the Time of making any General District Rate any Premises in respect of which the Rate is made are unoccupied, such Premises shall be included in the Rate, but the Rate shall not be charged upon any Person in respect of the same whilst they continue to be unoccupied; but if any such Premises are afterwards occupied during any Part of the Period for which the Rate is made, and before the same has been fully paid, the Name of the incoming Tenant shall be inserted in the Rate, and thereupon so much of the Rate as at the Commencement of his Tenancy may be in proportion to the Remainder of the said Period shall be collected, recovered, and paid in the same Manner in all respects as if the Premises had been occupied at the Time when the Rate was made: 11 & 12 Vict. c. 63. s. 89.

[15.] G 2 (9.) If

11 & 12 Vict.
c. 73. s. 89.

- (9.) If any Owner or Occupier assessed or liable to any such Rate ceases to be Owner or Occupier of the Premises in respect whereof he is so assessed or liable before the End of the Period for which the Rate is made, and before the same is fully paid off, he shall be liable to pay only such Part of 5 the Rate as may be in proportion to the Time during which he continues to be such Owner or Occupier; and in every such Case, if any Person afterwards become Owner or Occupier of the Premises during Part of the said Period, he shall pay such Part of the Rate as shall be in proportion 10 to the Time during which he continues to be such Owner or Occupier, and the same shall be recovered from him in the same Manner as if he had been originally assessed or liable :

Secondly—As to Estimate and Notice of Rate :

11 & 12 Vict.
c. 63. s. 98.

- (10.) The Local Board of Health, before proceeding to make any 15 General District Rate under this Act, shall cause an Estimate to be prepared of the Money required for the Purposes in respect of which the Rate is to be made, showing the several Sums required for each of such Purposes, the rateable Value of the Property assessable, and the Amount 20 of Rate which for those Purposes it is necessary to make upon each Pound of such Value; and the Estimate so made shall forthwith, after being approved of by the said Local Board, be entered in the Rate Book, and be kept at their Office, open to public Inspection during Office Hours 25 thereat :

11 & 12 Vict.
c. 63. s. 99.

- (11.) Public Notice of their Intention to make any General District Rate, and of the Time at which it is intended to make the same, and of the Place where a Statement of the proposed Rate is deposited for Inspection, shall be given by the 30 Local Board at least *Seven Days* before the Day on which the Rate is intended to be made; but in case of Proceedings to levy or recover any Rate it shall not be necessary to prove that such Notice was given.

Thirdly—As to Inspection and Amendment of Rate : 35

11 & 12 Vict.
c. 63. s. 100.

- (12.) Any Person interested in or assessed to any Rate made under this Act may inspect the same, and any Estimate made previously thereto, and may take Copies of or Extracts therefrom, without Fee or Reward; and whosoever, having the Custody of such Estimate or Rate, refuses to allow or 40 does not permit such Inspection, or such Copies or Extracts to be taken, shall for every such Offence be liable to a Penalty not exceeding *Five Pounds* :

(13.) The

- (13.) The Local Board may from Time to Time amend any Rate 11 & 12 Vict.
made in pursuance of this Act in manner following: c. 63. s. 102.

By inserting therein the Name of any Person claiming and entitled to have his Name inserted;

5 By inserting the Name of any Person who ought to have been assessed;

By striking out the Name of any Person who ought not to have been assessed;

10 By raising or reducing the Sum at which any Person has been assessed, if it appear to the said Local Board that he has been under-rated or over-rated;

By making any other Alteration which will make the Rate conformable to the Provisions of this Act :

And no Amendment so made shall be held to avoid the Rate :

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- (14.) Any Person who feels himself aggrieved by any such Amendment as aforesaid shall have the same Right of Appeal therefrom as he would have had if the Matter of Amendment had appeared on the Rate originally made; and with respect to him the amended Rate shall be considered to have been made at the Time when he first received Notice of the Amendment; and in the Case of any Person the Amount of whose Rate is increased by the Amendment, or whose Name is thereby newly inserted as aforesaid, the Rate shall not be payable by him until *Seven Days* after such Notice has been given to him :

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Fourthly—As to Publication of Rate :

- (15.) All Rates made or collected under the Authority of this Act shall be published in the same Manner as Poor Rates, 11 & 12 Vict.
and shall commence and be payable at such Time or c. 63. s. 103.
Times, and shall be made in such Manner and Form, and be collected by such Persons, and either together or separately, or with any other Rate or Tax, as the Local Board from Time to Time appoints :

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35 Fifthly—As to the Remedies for Rate :

- (16.) If any Person assessed to any such Rate fail to pay the 11 & 12 Vict.
same when due, and for the Space of *Fourteen Days* after c. 63. s. 103.
the same has been lawfully demanded in Writing, any Justice may summon the Defaulter to appear before him or any other Justice, at a Time and Place to be mentioned in the Summons, to show Cause why the Rate in arrear

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should

should not be paid; and in case the Defaulter fails to appear according to the Exigency of the Summons, or no sufficient Cause for Nonpayment is shown, the Justice may, by Warrant under his Hand and Seal, cause the same to be levied by Distress of the Goods and Chattels of the Defaulter:

11 & 12 Vict.
c. 63. s. 103.

(17.) If no Distress sufficient to satisfy the Amount can be found within the Jurisdiction of the Justice by whom such Warrant is granted, and it so appears upon Oath before a Justice of any other County or Jurisdiction in which any Goods or Chattels of the Defaulter may be, the last-mentioned Justice shall indorse his Signature upon the said Warrant, and thereupon the Amount to be levied, or so much thereof as may be unsatisfied, shall be levied of the last-mentioned Goods and Chattels, in the same Manner as if the Defaulter had been assessed in the last-mentioned County:

11 & 12 Vict.
c. 63. s. 103.

(18.) If any Person quits or is about to quit any Premises without Payment of any Rate then due from him in respect of such Premises under this Act, and refuses to pay the same, after lawful Demand thereof in Writing, any Justice having Jurisdiction where such Person resides or his Goods are found may summon him to appear, at a Time and Place to be mentioned in the Summons, to show Cause why the Rate so due should not be paid; and in case the Defaulter fails to appear, or no sufficient Cause for Nonpayment be shown, the Justice may, by Warrant under his Hand and Seal, cause the Sum to be levied by Distress of the Goods and Chattels of the Defaulter:

(19.) The Costs of the Levy of Arrears of the General District Rates may be included in the Warrant for such Levy.

Sixthly—As to appeal against Rate:

(20.) Any Person may appeal against Rates upon the Terms and in the Manner in and upon which a Person may appeal against a Rate for the Relief of the Poor:

11 & 12 Vict.
c. 63. s. 106.

Seventhly—As to Evidence of Rate:

The Production of the Books purporting to contain any Rate or Assessment made under this Act shall alone, and without any other Evidence whatsoever, be received as *prima facie* Evidence of the making and Validity of the Rates mentioned therein.

Parts of
District may
be separately
assessed.
11 & 12 Vict.
c. 63. s. 89.

(119.) The Local Board may from Time to Time divide their District, or any Street therein, into One or more Parts, for all or any of

of the Purposes of this Act, and make a separate Assessment upon any such Part for and in respect of all or any of the Purposes for which the same is formed: Provided always, that if any Expenses are incurred or to be incurred in respect of Two or more Parts of a District in common the same shall be apportioned between them in a fair and equitable Manner.

120. Whenever any new Sewer is constructed, if it appears to the Local Board that any Premises were sufficiently drained before the same is made, they shall deduct from the Amount of Rates otherwise chargeable in respect of such Premises such a Sum and for such Time as the Local Board may, under all the Circumstances of the Case, deem to be just.

Allowance
to be made
in case of
new Sewer.
11 & 12 Vict.
c. 63. s. 89.

Mortgage of Rates.

121. The Local Board of Health may, for the Purpose of defraying any Costs, Charges, and Expenses incurred or to be incurred by them in the Execution of this Act, borrow and take up at Interest, on the Credit of the Charges and Rates authorized to be made or collected under this Act, any Sums of Money necessary for defraying any such Costs, Charges, and Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as aforesaid, the said Local Board may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced the said Charges and Rates, or any of them; but the Exercise of the above Power shall be subject to the following Regulations:

Mortgage of
Rates.
11 & 12 Vict.
c. 63. s. 107.

- (1.) Such Mortgages shall be approved by the General Board:
- (2.) The Money so borrowed shall not at any Time exceed in the whole the assessable Value for *Two* Years of the Premises assessable within the District in respect of which such Money may be borrowed:
- (3.) Any Sum so borrowed may, by Agreement with the Mortgagee, be paid off by equal annual Instalments of Principal and Interest, and such borrowing may be for such Time, not exceeding *Thirty* Years, as the Local Board, with the Sanction of the General Board of Health, determine in each Case:

In Cases where the Local Board borrow any Money for the Purpose of defraying Private Expenses, or Expenses in respect of which they have determined a Part only of the District to be liable, it shall be the Duty of the Local Board, as between the Ratepayers of the District, to make good, so far as they can, the Money so borrowed, as Occasion requires, either out of the Charges herein-before authorized to be created for the Liquidation of Private Expenses, or out of a Rate levied in such Part of the District as aforesaid.

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122. The

Commissioners of Public Works may make Advances to Local Boards, under 14 & 15 Vict. c. 23. 11 & 12 Vict. s. 63. s. 108.

122. The Commissioners acting in the Execution of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty's Reign, Chapter Twenty-three, intituled "An Act to authorize for a further Period the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor," and in the Execution of any of the Acts recited in that Act, or of any Act or Acts for amending or continuing the same Acts or any of them, may, if they think fit, make Advances to the Local Board of any District for the Purposes of this Act, upon the Security of the Rates to be levied by such Board under this Act, and without requiring any further or other Security than a Mortgage of such Rate; and such Securities shall be made in manner directed by an Act passed in the Session holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Forty; and such last-mentioned Act shall for the Purposes of such Loan be construed as if Reference had been made therein to this Act, instead of to the Public Health Act, 1848.

Money may be borrowed at lower Rates of Interest, to pay off Securities bearing a higher Rate. 11 & 12 Vict. c. 63. s. 109.

123. If the Local Board can at any Time borrow at a lower Rate of Interest than that secured by any Mortgage previously made by them, and then outstanding and in force, they may, if they think fit, so borrow accordingly, in order to pay off and discharge any of the Securities bearing a higher Rate of Interest, and may charge the Rates which they may be authorized to mortgage under this Act with Payment of the Sum so borrowed, together with the Interest thereon, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed upon Mortgage.

Power to borrow Money to pay off former Mortgages. 11 & 12 Vict. c. 63. s. 110.

124. If at the Time appointed by any Mortgage Deed for Payment of the Principal Money secured thereby the Local Board are unable to pay off the same, they may, if they think fit, borrow such Sum of Money as may be necessary for the Purpose of paying off the whole or any Part of the said Principal Monies, and may secure the Repayment of the same, and the Interest to be paid thereon, in the same Manner in all respects as in the Case of Monies borrowed for defraying Costs, Charges, and Expenses incurred by the Local Board in the Execution of this Act.

Incorporation of certain Provisions of the Commissioners Clauses Act, 1847.

125. The Provisions of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed to the Commissioners, shall be incorporated in this Act.

Mortgagees not to have Priority.

126. Every Mortgagee shall be repaid the Sums advanced, with Interest, without any Preference the one over the other by reason of any Priority of Advance or of the Date of his Mortgage.

127. If

127. If any Principal Money or Interest is unpaid, after the Expiration of Six Months from the Time when the same has become due, upon any Mortgage under this Act, the Mortgagees may enforce the Payment of the Arrears so due by the Appointment of a Receiver, in the Manner expressed in the said incorporated Clauses of the said Commissioners Clauses Act, 1847.

Mortgagees may apply for Receiver.

Audit of Accounts.

128. The Accounts of the Receipts and Expenditure of the Local Board shall be audited and examined once in every Year at the least, at such Time or Times as may be appointed by such Local Board,—

As to Audit of Accounts. 11 & 12 Vict. c. 63. s. 122.

In case of a Corporate Borough, by the Auditors of the Corporate Borough;

In case of a District exclusively consisting of the whole or Part of Two or more Corporate Boroughs, or of One or more of such Boroughs, and also of Part of any such Borough or Boroughs, by such Two of the Auditors for the Time being of the Corporate Boroughs respectively whereof the whole or Part is within such District as may from Time to Time be appointed by the Local Board;

In case of any other District, by the Auditor of Accounts relating to the Relief of the Poor for the District for the Audit of such Accounts, or for the Parish or Union in which such District under this Act is comprised, or if any District under this Act is partly situate in Two or more Parishes, Unions, or Districts for the Audit of Accounts, by such One of the Auditors for the Time being of the Parishes, Unions, or Districts for the Audit of Accounts (whereof the whole or Part is within such District under this Act) as may from Time to Time be appointed by the Local Board of Health:

And for the Purposes of any Audit and Examination of Accounts under this Act, every such Auditors or Auditor may, by Summons in Writing, require the Production before him of all Books, Deeds, Contracts, Accounts, Vouchers, and all other Documents and Papers which they or he may deem necessary, and may require any Person holding or accountable for any such Books, Deeds, Contracts, Accounts, Vouchers, Documents, or Papers to appear before them or him at any such Audit and Examination, or Adjournment thereof, and to make and sign a Declaration with respect to the same; and if any such Person neglects or refuses so to do, or to produce any such Books, Deeds, Contracts, Accounts, Vouchers, Documents, or Papers, or to make or sign such Declaration, he shall be liable for every Neglect or Refusal to a Penalty of Forty Shillings, and if he falsely or corruptly makes or signs any such Declaration, knowing the same

Power to Auditor to require Production of Books, &c.

Penalty on Persons for Neglect.

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to be untrue in any material Particular, he shall be liable to the Penalties inflicted upon Persons guilty of wilful and corrupt Perjury; and all Accounts certified by the Auditors or Auditor acting under this Act shall be final and conclusive to all Intents and Purposes; and such Auditors or Auditor shall in respect of each Audit be paid, 5 by the Local Board, out of the General District Rates levied under this Act, such reasonable Remuneration as they shall from Time to Time by Order in Writing determine and appoint.

Notice of Audit.
11 & 12 Vict.
c. 63. s. 122.

129. Before each Audit and Examination of Accounts under this Act, the Clerk shall give *Ten Days* Notice of the Time and Place at 10 which the same will be made, by Advertisement in some One or more of the public Newspapers usually circulated within the District for which the Audit and Examination will be made; and a Copy of the Accounts to be audited and examined shall be deposited in the Office of the Local Board, and be open, during Office Hours thereat, 15 to the Inspection of all Persons interested, for *Seven Days* before the Audit and Examination; and all such Persons shall be at liberty to take Copies of or Extracts from the same, without Fee or Reward.

Report of Auditors.
11 & 12 Vict.
c. 63. s. 122.

130. Within *Fourteen Days* after the Audit and Examination has 20 been completed, the Auditors or Auditor shall report upon the Accounts audited and examined, and shall deliver such Report to the Clerk, who shall cause the same to be deposited in the Office of the Local Board, and to be published in some One or more of the public Newspapers usually circulated in the District to which it 25 relates.

General Meeting.

Accounts to be submitted to Meeting.

131. The Local Board shall once in every Year, on such Day as they may appoint, convene a Meeting of the Ratepayers, and submit to them an Account of all Receipts and Disbursements received or 30 made by them during the preceding Year, and the Particulars thereof.

Byelaws.

Byelaws of Local Board not to be in force till confirmed by Secretary of State.
11 & 12 Vict.
c. 63. s. 115.

132. All Byelaws made by the Local Board under and for the Purposes of this Act shall be in Writing under their Seal; and the 35 said Local Board may by any such Byelaws impose upon Offenders against the same such reasonable Penalties as they may think fit, not exceeding the Sum of *Five Pounds* for each Offence, and in the Case of a continuing Offence a further Penalty not exceeding the Sum of *Forty Shillings* for each Day after written Notice of the Offence from 40 the said Local Board; and the said Local Board may alter or repeal any

any such Byelaws by any subsequent Byelaws, sealed as last aforesaid: Provided always, that all such Byelaws imposing any Penalty shall be so framed as to allow of the Recovery of any Sum less than the full Amount of the Penalty: Provided also, that no such Byelaws shall 5 be repugnant to the Laws of England or to the Provisions of this Act, and the same shall not be of any Force or Effect unless and until the same be submitted to and confirmed by One of Her Majesty's Principal Secretaries of State, who is hereby empowered to allow or disallow the same, as they may think proper: Provided also, that no such 10 Byelaws shall be confirmed unless Notice of Intention to apply for Confirmation of the same has been given in One or more of the public Newspapers usually circulated within the District to which such Byelaws relate *One Month* at least before the making of such Application; and for *One Month* at least before any such Application a Copy 15 of the proposed Byelaws shall be kept at the Office of the Local Board, and be open during Office Hours thereat to the Inspection of the Ratepayers of the District to which such Byelaws relate, without Fee or Reward, and the Clerk shall furnish every such Ratepayer who shall apply for the same with a Copy thereof or of any Part thereof, 20 on Payment of *Sixpence* for every One hundred Words contained in such Copy.

Notice of Confirmation, &c.

133. All Byelaws made by the Local Board in pursuance of this Act shall be printed, and hung up in the Office of the said Local Board, and Copies thereof shall be delivered to any Ratepayer of 25 the District to which such Byelaws relate, upon his Application for the same.

Byelaws to be printed, &c.
11 & 12 Vict.
c. 63. s. 116.

Reporting on Execution of Act.

134. Every Local Board shall make a Report, in such Form as the General Board from Time to Time directs, of all Works executed 30 by them during such Year, of all Sums received and Disbursements made, and of all other such Matters and Things as the General Board directs, and shall send Copies to the General Board and to every Ratepayer in the District.

Accounts to be transmitted to the General Board.

135. The General Board may from Time to Time direct any 35 Superintending Inspector to visit any District, for the Purpose of making Inquiry as to the Execution of this Act, and as soon as possible after the Completion of such Inquiry he shall report the Result in Writing to the General Board.

General Board may inspect Districts.

136. During any Inquiry by a Superintending Inspector under this 40 Act, he may summon before him any Persons whomsoever, and examine them

Superintending Inspectors may

summon
Witnesses,
call for Plans,
Rates, &c.
11 & 12 Vict.
c. 63. s. 121.

them upon Oath or otherwise touching any Matter relating to the Purposes of the Inquiry, and he may by any such Summons require any Parochial Officer, or any Officer of or acting under any Corporation, Guardians or Directors of the Poor, and any Commissioner, Trustee, Officer, or Person acting under any Local Act of Parliament in force within the District or Place to which any such Inquiry may relate, to produce before him any Surveys, Plans, Sections, Rate Books, or other like Documents which may by reason of their Office be in their Custody or Control touching any Matter relating to the Purposes of such Inquiry, and such Inspector may examine, inspect, or take Copies of any such Books, Surveys, Plans, Sections, and Documents, or any of them, or Part thereof; and whosoever wilfully disobeys any such Summons, or prevents any such Inspector from examining, inspecting, or taking Copies as last aforesaid, or refuses to answer any Question put to him by such Inspector for the Purposes of the said Inquiry, shall be liable to a Penalty not exceeding *Five Pounds*: Provided always, that no Person shall be required to attend in obedience to any such Summons unless the reasonable Charges of his Attendance have been paid or tendered to him; and no Person shall be required in any Case, in obedience to any such Summons, to travel more than *Ten Miles* from his Place of Abode.

General
Board to
report to
Parliament.

137. The General Board shall report to both Houses of Parliament the Result of all Inquiries made by their Direction into the Execution of this Act. 25

Arbitration.

Mode of
referring to
Arbitration.
11 & 12 Vict.
c. 63. s. 123.

138. In Cases where any Matter is by this Act authorized or directed to be settled by Arbitration, then, unless both Parties concur in the Appointment of a single Arbitrator, each Party, on the Request of the other, shall appoint an Arbitrator, to whom the Matter may be referred; and every such Appointment, when made on the Behalf of the Local Board, shall be under their Seal, and on the Behalf of any other Party under his Hand, and such Appointment shall be delivered to the Arbitrators, and shall be deemed a Submission to Arbitration by the Parties making the same; and after the making of any such Appointment the same shall not be revoked without the Consent of both Parties, nor shall the Death of either Party operate as a Revocation; and if for the Space of *Fourteen Days* after any such Matter has arisen, and Notice in Writing by one Party who has himself duly appointed an Arbitrator has been given to the other Party, stating the Matter to be referred, and accompanied by a Copy of such Appointment, the Party to whom Notice is given fails to appoint an Arbitrator, the Arbitrator appointed by the Party giving the Notice shall be deemed to

to be appointed by and shall act on behalf of both Parties; and the Award of any Arbitrator or Arbitrators appointed in pursuance of this Act shall be binding, final, and conclusive upon all Persons and to all Intents and Purposes whatsoever.

5 139. If before the Determination of any Matter so referred any Arbitrator dies, or refuses or becomes incapable to act, the Party by whom such Arbitrator was appointed may appoint in Writing another Person in his Stead; and if he fails so to do for the Space of *Seven Days* after Notice in Writing from the other Party in that Behalf, the remaining Arbitrator may proceed ex parte; and every Arbitrator so appointed shall have the same Powers and Authorities as were vested in the Arbitrator in whose Stead the Appointment is made; and in case a single Arbitrator dies, or becomes incapable to act, before the making of his Award, or fails to make his Award within *Twenty-one Days* after his Appointment, or within such extended Time, if any, as may have been duly appointed by him for that Purpose, the Matters referred to him shall be again referred to Arbitration under the Provisions of this Act, as if no former Reference had been made.

Death, &c.
of Arbitrator.
11 & 12 Vict.
c. 63. s. 124.

20 140. In case there is more than One Arbitrator, the Arbitrators shall, before they enter upon the Reference, appoint by Writing under their Hands an Umpire; and if the Person appointed to be Umpire dies or becomes incapable to act, the Arbitrator shall forthwith appoint another Person in his Stead; and in case the Arbitrators neglect or refuse to appoint an Umpire for *Seven Days* after being requested so to do by any Party to the Arbitration, the Court of Quarter Sessions shall, on the Application of any such Party, appoint an Umpire; and the Award of the Umpire shall be binding, final, and conclusive upon all Persons and to all Intents and Purposes whatsoever; and in case the Arbitrators fail to make their Award within *Twenty-one Days* after the Day on which the last of them was appointed, or within such extended Time, if any, as may have been duly appointed by them for that Purpose, the Matters referred shall be determined by the Umpire; and the Provisions of this Act with respect to the Time for making an Award, and with respect to extending to the same in the Case of a single Arbitrator, shall apply to an Umpirage.

Appointment of
Umpire by
the Parties;
by Quarter
Sessions.
11 & 12 Vict.
c. 63. s. 125.

40 141. The Time for making an Award under this Act shall not be extended beyond the Period of *Three Months* from the Date of the Submission, or from the Day on which the Umpire has been appointed (as the Case may be).

Time within
which Award
must be
made.
11 & 12 Vict.
c. 63. s. 126.

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142. Any

Power of Arbitrator. 11 & 12 Vict. c. 63. s. 127.

142. Any Arbitrator or Umpire appointed by virtue of this Act may require the Production of such Documents in the Possession or Power of either Party as he may think necessary for determining the Matters referred, and may examine the Parties or their Witnesses on Oath; and the Costs of and consequent upon the Reference shall be in the Discretion of the Arbitrator or of the Umpire; and any Submission to Arbitration under the Provisions of this Act may be made a Rule of any of the Superior Courts, on the Application of any Party thereto.

Declaration to be made by Arbitrator and Umpire. 11 & 12 Vict. c. 63. s. 128.

143. Before any Arbitrator or Umpire enters upon any such Reference as aforesaid, he shall make and subscribe the following Declaration before a Justice of the Peace; (that is to say,)

‘ I A.B. do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my Skill and Ability, hear and determine the Matters referred to me under the Public Health Act, 1855. A.B.’

And such Declaration shall be annexed to the Award when made; and if any Arbitrator or Umpire wilfully acts contrary to such Declaration he shall be guilty of a Misdemeanor.

Recovery of Penalties. 11 & 12 Vict. c. 63. s. 129.

144. In all Cases in which the Amount of any Damages, Costs, or Expenses is by this Act directed to be ascertained or recovered in a summary Manner, the same may be ascertained and recovered before Two Justices, together with such Costs of the Proceedings as the Justices may think proper; and if the Sums adjudged are not paid by the Party against whom the Adjudication is made, the same may be levied by Distress and Sale of his Goods and Chattels, by Warrant under the Hands and Seals of the Justices making the Adjudication; and any Penalty imposed by or under the Authority of this Act, or any Byelaw made under this Act, the Recovery whereof is not otherwise expressly provided for, may, upon Proof of the Offence in respect of which the Penalty is alleged to have been incurred, be recovered before Two Justices, together with such Costs of the Proceedings as they may think proper; and if the Sums adjudged are not paid by the Party against whom the Adjudication is made, the same may be levied by Distress and Sale of his Goods and Chattels, by Warrant under the Hands and Seals of the Justices making the Adjudication; and all Proceedings for the Recovery of such Damages, Costs, Expenses, and Penalties as aforesaid shall be had in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen Victoria, Chapter Forty-three, intituled “An Act to facilitate the Performance of

“ of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to summary Convictions and Orders.”

145. In Cases where any Person is herein-before empowered to appeal to the Court of Quarter Sessions against the Order of any Local Board, he may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Local Board that he intends to appeal against such Order to the Court of Quarter Sessions holden next after the Expiration of Ten Days next after such Notice, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Four Days next after giving such Notice the Party enter into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try the Appeal, and abide the Order of the Court, and pay such Costs as may be awarded by the Court thereupon, the Work so appealed against shall not be begun until after the Judgment of the Court upon such Appeal has been given; and such Court, upon due Proof of such Notice, and of such Recognizance having been given and entered into, shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying the same, and shall award such Costs to either of the Parties, as the Court in its Discretion thinks fit; but no such Appeal shall be heard unless such Notice and Statement has been given and such Recognizance entered into as aforesaid, and on the Hearing of such Appeal the Appellant shall not go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

146. No Writ or Process shall be sued out against or served upon any Superintending Inspector, or any Officer or Person acting in his Aid, or under the Direction of the General Board, nor against the Local Board, or any Member thereof, or the Officer of Health, Clerk, Surveyor, Inspector of Nuisances, or other Officer or Person whomsoever acting under the Direction of the said Local Board, for anything done or intended to be done under the Provisions of this Act, until the Expiration of One Month next after Notice in Writing has been delivered to them or him, or left at their or his Office or usual Place of Abode, stating the Cause of Action, and the Name and Place of Abode of the intended Plaintiff and of his Attorney or Agent in the Cause; and upon the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action which is not stated in the last-mentioned Notice; and unless such Notice is proved the Jury shall find for the Defendant; and every such Action shall be brought

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Notice of Action. 11 & 12 Vict. c. 63. s. 139.
Limitation of Actions.

Venue. or commenced within *Six* Months next after the Accrual of the Cause of Action, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action occurred, and not elsewhere; and the Defendant shall be at liberty to plead the General Issue, and give this Act and all special Matter in 5
Tender of Amends, &c. Evidence thereunder; and any Person to whom any such Notice of Action is given as aforesaid may tender Amends to the Plaintiff, his Attorney or Agent, at any Time within *One Month* after Service of such Notice, and in case the same is not accepted may plead such Tender in bar, and (by Leave of the Court) with the General 10
Money may be paid into Court. Issue or other Plea or Pleas; and if upon Issue joined upon any Plea pleaded to the whole Action the Jury find generally for the Defendant, or if the Plaintiff is nonsuited or discontinues, or if Judgment be given for the Defendant, then the Defendant shall be entitled to full Costs of Suit, and have Judgment accordingly; 15
and in case Amends have not been tendered as aforesaid, or in case the Amends tendered are insufficient, the Defendant may, by Leave of the Court, at any Time before Trial, pay into Court, under Plea, such Sum of Money as he may think proper, and (by the like Leave) may plead the General Issue or other Plea or Pleas. 20

Persons acting in execution of Act not to be personally liable. 11 & 12 Vict. c. 63. s. 140. 147. No Matter or Thing done or Contract entered into by the Local Board, nor any Matter or Thing done by any Superintending Inspector, or any Member of the said Local Board, or by the Officer of Health, Clerk, Surveyor, Inspector of Nuisances, or other 25
Officer or Person whomsoever acting under the Direction of the said Local Board, shall, if the Matter or Thing were done or the Contract were entered into *bonâ fide* for the Purpose of executing this Act, subject them or any of them personally to any Action, Liability, Claim, or Demand whatsoever; and any Expense incurred by any 30
such Local Board, Member, Officer of Health, Clerk, Surveyor, Inspector of Nuisances, or other Officer or Person acting as last aforesaid, shall be borne and repaid out of the General District Rates levied under the Authority of this Act.

Miscellaneous.

Entry upon Lands for the Purposes of this Act. 11 & 12 Vict. c. 63. s. 143. 148. The Local Board may enter, examine, and lay open any 35
Lands or Premises whatever, for any Purposes of the Public Health Acts; and in case the Owner or Occupier of such Lands or Premises refuses to permit the same to be so entered upon, examined, or laid open, the Local Board may, upon Notice to such Owner or Occu- 40
pier, apply to Two Justices for an Order authorizing the Members of such Local Board, and the Superintending Inspector, Surveyor, and Inspector of Nuisances, or any of them, to enter, examine, and

and lay open the said Lands and Premises for the Purposes aforesaid or any of them, and if no sufficient Cause is shown against the same, the said Justices may make an Order authorizing the same accordingly, and thereupon any Superintending Inspector, the Local 5
Board, or any Member thereof, the Surveyor, and Inspector of Nuisances, and any Person authorized by any such Superintending Inspector, Local Board, Surveyor, or Inspector of Nuisances, may, at all reasonable Times between the Hours of *Ten* in the Forenoon and *Four* in the Afternoon, enter, examine, or lay open the Lands or 10
Premises mentioned in such Order, for such of the said Purposes as may be specified in the said Order, without being subject to any Action or Molestation for so doing: Provided always, that, except in case of Emergency, no Entry shall be made or Works commenced under the Powers of this Enactment unless *Twenty-four* Hours at the 15
least previously thereto Notice of the intended Entry, and of the Object thereof, is given to the Occupier of the Premises intended to be entered.

149. Full Compensation shall be made, out of the General District Rates to be levied under this Act, to all Persons sustaining any 20
Damage by reason of the Exercise of any of the Powers of this Act; and in case of Dispute as to Amount the same shall be settled by Arbitration in the Manner provided by this Act; or, if the Compensation claimed do not exceed the Sum of *Twenty Pounds*, the same may be ascertained by and recovered before Justices in a summary 25
Manner.

150. In any Case in which the Local Board may have incurred Expenses for the Repayment whereof the Owner of the Premises for or in respect of which the same are incurred is made liable by this Act, the said Local Board may, if they think fit, allow such Owner 30
Time for Repayment, and receive the same by such annual Instalments, not being less than *One Thirtieth* Part of the entire Sum, together with Interest at the Rate of *Five Pounds* in the Hundred upon the Sum from Time to Time remaining unpaid, as they, under the Circumstances of each Case, may consider to be just; but although Time for 35
Repayment is allowed as last aforesaid, the Sum due, or so much thereof as may be unpaid, shall from Time to Time, in case of Default in Payment at the Times respectively appointed for Payment, be recoverable in like Manner in all respects as the entire Sum might have been recovered if Time for Repayment had not been 40
allowed.

151. Every Person who, upon any Examination on Oath under the Provisions of this Act, wilfully and corruptly gives false Evidence, 1
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Compensation in case of Damage by Local Board. 11 & 12 Vict. c. 63. s. 144.

Local Board may allow Owners Time for Repayment of Expenses. 11 & 12 Vict. c. 63. s. 146.

False Evidence punishable as Perjury. 11 & 12 Vict. c. 63. s. 147.

shall be liable to the Penalties inflicted upon Persons guilty of wilful and corrupt Perjury.

Penalty for obstructing Officers, defacing Boards, &c. :

upon Occupiers preventing Execution of Works.

Occupiers to disclose Owners Name.
11 & 12 Vict. c. 63. s. 148.

Existing Liabilities to make Sewers, &c. not to be discharged.
11 & 12 Vict. c. 63. s. 118.

152. Whosoever wilfully obstructs any Superintending Inspector, or any Member of the Local Board, or any Officer or Person duly employed in the Execution of this Act, or destroys, pulls down, injures, or defaces any Board upon which any Byelaw, Notice, or other Matter is inscribed, shall, if the same were put up by Authority of the Local or General Board, be liable for every such Offence to a Penalty not exceeding *Five Pounds*; and if the Occupier of any Premises prevents the Owner thereof from obeying or carrying into effect the Provisions of this Act, any Justice to whom Application is made in this Behalf shall, by Order in Writing, require such Occupier to permit the Execution of the Works required to be executed, provided that the same appear to such Justice to be such as are necessary for the Purpose of obeying or carrying into effect the Provisions of this Act; and if within a reasonable Time after the making of such Order the Occupier against whom it is made refuses to comply therewith, he shall be liable to a Penalty not exceeding *Five Pounds* for every Day afterwards during the Continuance of such Refusal; and if the Occupier of any Premises, when requested by or on behalf of the Local Board to state the Name of the Owner of the Premises occupied by him, refuses or wilfully omits to disclose or wilfully mis-states the same, any Justice may, on Oath made before him of such Request, and Refusal, Omission, or Mis-statement, summon the Party to appear before him or some other Justice at a Time and Place to be appointed in such Summons, and if after being so summoned he neglects or refuses to attend at the Time and Place so appointed, or if he does not show good Cause for such Refusal, or if such wilful Omission or Mis-statement be proved, the Justice before whom the Party is so summoned may impose upon the Offender a Penalty not exceeding *Five Pounds*.

153. Notwithstanding the Application of this Act to any District the Liability of any Person whosoever to defray or contribute towards the Expense of making, completing, altering, amending, or maintaining any Sewer, or any Walls or Works for protecting the Land against the Force or Encroachment of the Sea, or of paving or flagging or putting in order any Street or Part thereof within the District, shall, if incurred previously to the Time when this Act is so applied, continue, and the same may be enforced, as if this Act had not been passed, and the Rates to be levied under this Act shall be made only for Purposes to which such Liability does not extend.

154. Where

154. Where any Notice is required to be given by any Local Board under the Public Health Acts, such Notice shall in all Cases be sufficiently executed if signed by the Clerk to the Local Board; and every Notice purporting to be signed by such Clerk shall be receivable in Evidence in all Courts of Justice, and before all legal Tribunals, and in all legal Proceedings, without any further or other Proof thereof.

155. Any Summons, Notice, Writ, or Proceeding of any kind whatsoever to be served upon the Local Board may be so served being left at or sent through any Post Office, directed to the Local Board, at their Office, or by being delivered there to the Clerk personally; and in all Cases in which any Notice is by this Act required to be given to the Owner or Occupier of any Premises, and in which the Manner of serving such Notice is not herein-before specially prescribed, it shall be sufficient to address the Notice to them by the Description of the "Owner" or "Occupier" (as the Case may require) of the Premises (naming them) in respect of which the Notice is given, without further Name or Description; and the Notice shall be served upon them or One of them, as the Case may require, either personally or by delivering the same to some Inmate of his or their Place of Abode, or in the Case of the Occupier (and also in case of the Owner, if his Place of Abode be unknown,) upon any Inmate of the last-mentioned Premises, or if such Premises be unoccupied, then, in case the Notice is required to be served upon the Occupier, (and in case of the Owner also, if his Residence be unknown,) it shall be sufficient to fix the Notice upon some conspicuous Part of the Premises: Provided in the Case of Notices to the Owner, that, although his Place of Abode is known to the Local Board, yet if it is not within the Limits of their District it shall be sufficient for them to transmit any Notice directed to him by Name, through the Post.

156. All Notices required under the Public Health Acts to be served on any Owner or Occupier shall, if due Service thereof has been once made on any Owner or Occupier, be binding on all Persons claiming by, from, or under such Owner or Occupier, to the same Extent as if such Notice had been served on such last-mentioned Persons respectively.

157. The General Board of Health may, by Order under their Seal, alter any clerical Errors occurring in any Provisional Order made in pursuance of this Act.

158. If any Person injures any Works or Materials belonging to any Local Board, he shall incur for every such Offence a Penalty not exceeding *Five Pounds*, to be recovered in a summary Manner.

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159 Every

Notices by Local Board, how to be signed.

Service of Notice upon Local Board;

upon Owners and Occupiers.
11 & 12 Vict. c. 63. s. 150.

Notices to be binding on Assigns.

Amendment of clerical Errors in Provisional Order.

Penalty on Injury to Works, &c. of Local Board.

68 *The Public Health Bill, 1855. (Part III.)*Powers of
Local Boards
to apply to
Parliament,
and charge
Costs of
Application
of Rates.

159. Every Local Board may, with the Approval of the General Board, apply for an Increase of their Powers, and charge all Expenses properly incurred by them in making such Application on the General District Rates leviable by them under this Act.

Exemptions
from Stamp
Duty.

160. No Advertisement inserted or caused to be inserted by the General or Local Board in the London Gazette or any Paper or Publication under this Act, or for the Purpose of carrying the same into effect, nor any Deed, Award, Submission, Instrument, Contract, Agreement, or Writing, made or executed by the said General or Local Board, their Officers or Servants, under or for the Purposes of this Act, nor any Appointment by the General or Local Board of any Officer or Person under this Act, shall be chargeable with any Stamp Duty whatever.

PART IV.

Repeal.

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Repeal of
17 & 18 Vict.
c. 95.

161. The Act passed in the Eighteenth Year of the Reign of Her present Majesty, intituled "An Act to make better Provision for the Administration of the Laws relating to the Public Health," shall be repealed from the Date of *the passing of this Act*.

Provision as
to Public
Health Act,
1848.

162. The Public Health Act, 1848, shall not, after *the passing of this Act*, be applied to any District; but in Cases where, prior to the passing of this Act, a Petition has been presented for the Application of the Public Health Act, 1848, the same Proceedings shall be taken thereon as if such Petition had been presented under this Act.

Application
of Act.

163. This Act shall apply to England only.

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SCHEDULE.

FORM (A.)

In the Matter of the Public Health Act, 1855.

We, the several Persons whose Names are hereunder signed, being Ratepayers of _____, do hereby require you to call a Meeting of the Ratepayers of _____ aforesaid, for the Purpose of taking into consideration the Adoption of this Act by the said Place.

FORM (B.)

In the Matter of the Public Health Act, 1855.

NOTICE is hereby given that a Meeting of the Ratepayers of _____ in the County of _____ will be held at _____ on the _____ Day of _____ for the Purpose of taking into consideration the Adoption of the above-mentioned Act.

(Signed)

Summoning Officer.

FORM (C.)

In the Matter of the Public Health Act, 1855.

NOTICE is hereby given that the Ratepayers of _____ consented on the _____ Day of _____ to adopt the above-mentioned Act, and that such Act will become Law within such Place at the Expiration of *One Calendar Month* from the said Day of _____