ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

****

CAP. CXXX.

An Act to provide better Dwellings for Artizans and Labourers. [31st *July* 1868.]

WHEREAS it is expedient to make Provision for taking down or improving Dwellings occupied by Working Men and their Families which are unfit for Human Habitation, and for the building and Maintenance of better Dwellings for such Persons instead thereof: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. In citing this Act it shall be sufficient to use the Words "The Artizans and Labourers Dwellings Act, 1868."

Application of Act, and Definition of "Local Authority," "Local Rate," and "Clerk of Local Authority."

2. This Act shall apply only to the Places named in the First Column of Table (A.) in the First Schedule annexed hereto; and "Local Authority," "Local Rate," and "Clerk of Local Authority" shall mean "the Bodies of Persons," "Rate," and "Officer" in that Table in that Behalf mentioned; and the said Table shall be of the same Force as if it were enacted in the Body of this Act: Provided always, that this Act shall not apply to any City, Borough, Town,

Town, or Place that would otherwise be included within the said Table, the Population whereof does not according to the Census for the Time being in force amount to the Number of Ten thousand Persons.

Interpretation of Terms:

3. The following Words and Expressions have in this Act the following Meanings, unless excluded by the Subject or Context; (that is to say,)

"Street" and "Square:" The Word "Street" includes any Court, Alley, Street, Square, or Row of Houses:

"Premises:" The Word "Premises" means any Dwelling House or inhabited Building, and the Site thereof, with the Yard, Garden, Outhouses, and Appurtenances belonging thereto or usually enjoyed therewith:

"Owner:" The Expression "Owner," in addition to the Definition given by the Lands Clauses Act, shall include all Lessees or Mortgagees of any Premises required to be dealt with under this Act, except Persons holding or entitled to the Rents and Profits of such Premises for a Term of Years, of which Twenty-one Years do not remain unexpired:

"Person:" "Person" shall include a Body of Persons, corporate or unincorporate:

"Quarter Sessions:" "Quarter Sessions" shall include General Sessions, and in *Ireland* shall mean, in Towns and Boroughs where there are separate Quarter Sessions, the Quarter Sessions of said Boroughs and Towns, and in Boroughs where there are no separate Quarter Sessions, the Quarter Sessions of the Divisions of the Courts in which such Towns or Boroughs shall be situate:

"Officer of Health:" "Officer of Health" shall mean and include Medical Officer of Health, Sanitary Inspector, or any Statutory Officer performing the Duties which a Medical Officer or Sanitary Inspector performs under or by virtue of any Act of Parliament:

"Local Officer," &c.: In all Cases in which the Name of a Local Authority, Local Court, Magistrate, or Officer having any Local Jurisdiction in respect of their or his Office is referred to, without Mention of the Locality to which the Jurisdiction extends, such Reference is to be understood to indicate the Local Authority, Local Court, Magistrate, or Officer having Jurisdiction in that Place within which are situate the Premises or other Subject Matter or any Part thereof to which such Reference applies:

"The Metropolis:" "The Metropolis" shall not include the City of *London* or the Liberties thereof, but shall include all other Parishes or Places within the Jurisdiction of the Metropolitan Board of Works:

"Borough" in *England* shall mean any Place for the Time being subject to the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales: "Borough" in England.

"Burgh" in *Scotland* shall mean any Place returning or contributing to return Members to Parliament, or any Place subject to the Jurisdiction of a Town Council: "Burgh" in Scotland.

"Borough" in *Ireland* shall mean any Place for the Time being subject to the Act passed in the Session of the Third and Fourth Years of the Reign of Her present Majesty, Chapter One hundred and eight, and intituled *An Act for the Regulation of Municipal Corporations in* Ireland. "Borough" in Ireland.

4. If in any Place to which this Act applies there is no Officer of Health within the Meaning of this Act, the Local Authority, with the Approval of One of Her Majesty's Principal Secretaries of State, shall forthwith appoint such an Officer for such Period as shall be necessary, shall assign him his Duties, and pay him such Salary or Emolument out of the Local Rate as they, with such Approval as aforesaid, shall think fit. The Local Authority, with the like Approval, may from Time to Time remove any Officer appointed under this Section, and in manner aforesaid appoint another Officer in his Place. As to Appointment of Officers of Health and Payment of Salaries.

5. If in any Place to which this Act applies the Officer of Health find that any Premises therein are in a Condition or State dangerous to Health so as to be unfit for Human Habitation, he shall report the same in manner herein-after provided to the Local Authority. Officer of Health to report as to Condition of Streets.

6. Every Report made under this Act by the Officer of Health shall be made in Writing and delivered to the Clerk of the Local Authority, and the Local Authority shall refer such Report to a Surveyor or Engineer, who shall thereupon consider the Report so furnished to him, and report to the Local Authority what is the Cause of the Evil so reported on, and the Remedy thereof, and if such Evil is occasioned by Defects in any Premises, whether the same can be remedied by structural Alterations and Improvements or otherwise, or whether such Premises, or any and what Part thereof, ought to be demolished. Officer of Health to deliver Copies of Report to Clerk of Local Authority, who shall refer the same to a Surveyor, &c.

7. Upon Receipt of the Report of the Surveyor and Engineer the Local Authority shall cause Copies of both the Reports to be given to the Owner, with Notice of the Time and Place appointed by Local Authority to cause Copies of Reports to be given

to Owner, who may object to the same, and to prepare Plan and Specification of required Works.

by the Local Authority for the Consideration thereof, and such Owner shall be at liberty to attend and to state his Objections (if any) to such Reports, or either of them, including therein any Objection that the necessary Works ought to be done by or at the Expense of some other Person or Persons, or at the Expense of the Parish or District in which the Premises are situate; and on such Objections the Local Authority shall make an Order in Writing, signed by the Clerk of such Local Authority, which shall be subject to Appeal in manner herein-after mentioned; and if such Objections are overruled, the Local Authority, if they deem it necessary, shall cause to be prepared a Plan and Specification of the Works (if any), and an Estimate of the Cost of such Works, required to be executed.

Clerk of Local Authority to give Notice to Owner of Plan, &c. of required Works having been prepared.

8. The Clerk of the Local Authority shall thereupon forthwith give Notice to the Owner of the Premises, informing him that a Plan and Specification and Estimate of the Cost of such Works as are required in reference thereto have been prepared, and that such Plan and Specification and Estimate may, if such Owner think fit, be inspected and transcribed by him or his Agent at the Office of the Clerk of the Local Authority without Charge; and any such Owner may at any Time within Three Weeks after the Receipt of such Notice state in Writing to the Clerk of the Local Authority any Objection which he may entertain to the said Plan, Specification, and Estimate, or any of them, and may attend at a Time and Place to be appointed for such Purpose by the Local Authority to support such Objections; and the Local Authority shall thereupon make such Order in relation thereto as they may think fit; and if they decide that any Alteration is to be made in the said Plan, Specification, and Estimate, the Local Authority shall cause such Alteration to be made accordingly, and the Plan and Specification and Estimate so amended shall be the Plan and Specification and Estimate according to which the Works shall be executed.

Persons aggrieved by Order of Local Authority may appeal against the same.

9. Any Person aggrieved by any Order of the Local Authority, or his Agent, may appeal against the same to the Court of Quarter Sessions held next after the making of the said Order, but the Appellant shall not be heard in support of the Appeal unless, within One Calendar Month after the making of the Order appealed against, he give to the Clerk of the Local Authority Notice in Writing stating his Intention to appeal, together with a Statement in Writing of the Grounds of Appeal, and shall, within Two Days after giving such Notice, enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned

ditioned to try such Appeal at the said Court, and to abide the Order of and pay such Costs as may be awarded by the Court or any Adjournment thereof; and the Court, upon the appearing of the Parties, or upon their making default, shall have full Power and Jurisdiction to make such Order and give such Directions as under the Circumstances shall seem just, and may, according to its Discretion, award such Costs to the Party appealing or appealed against as they think proper, and the Determination of the Court in or concerning the Premises shall be conclusive and binding on all Persons to all Intents or Purposes whatsoever: Provided,—

First, that if there be not Time to give such Notice and enter into such Recognizance as aforesaid, then such Appeal may be made to, and such Notice, Statement, and Recognizance be given and entered into for the next Sessions at which the Appeal can be heard:

Secondly, that on the Hearing of the Appeal no Grounds of Appeal shall be gone into or entertained other than those set forth in such Statement as aforesaid:

Thirdly, that in any Case of Appeal the Court shall, at the Request of either Party, state the Facts specially for the Determination, in *England* or *Ireland*, of Her Majesty's Court of Queen's Bench, or in *Scotland* of either Division of the Court of Session, in which Case it shall be lawful to remove the Proceedings, by Writ of Certiorari or by Petition, into the said Courts of Queen's Bench or to the Court of Session respectively:

Fourthly, that pending any Appeal no Work shall be done nor Proceedings taken under any Order until after the Determination of such Appeal, or it shall cease to be prosecuted.

Owner may appeal where Decision of Local Authority is against him.

10. If the Owner appeal from the Decision of the Local Authority upon the Objection that he is not responsible for the State and Condition of his Premises, he shall be bound to give Notice of his Appeal, and a Statement in Writing of the Ground thereof, to the Person or Persons, or to the Parish or District, alleged by him to be the Occasion of his Premises being in such a State or Condition as to render them liable to be reported upon under the Provisions of the Act, and such Person or Persons, or Parish or District, may appear before the Court, and be heard against his or their alleged Liability.

Where Local Authority decide in favour of Owner,

11. If the Local Authority shall decide in favour of the Objection of the Owner of the Premises that some other Person or Persons, or that the Parish or District in which the Premises are situate,

Reports and Notices to be sent to Parties liable.

situate, is or are responsible for the State and Condition of his Premises, the Local Authority shall forthwith send Copies of the Reports of the Officer of Health and of the Surveyor or Engineer to such Person or Persons, or to the Officer of such Parish or District, together with Notice of his or their alleged Liability, and shall appoint a Time and Place for hearing the Parties so alleged to be liable, and give Notice thereof to the said Parties and also to the Owner of the Premises, and the Local Authority shall make such Order thereupon as to them shall seem just, and the same shall be subject to Appeal in manner aforesaid.

On Representation by Householders that Disease exists in any House, Officer of Health to inspect and report.

12. If and whenever any Four or more Householders living in or near to any Street by Writing under their Hands represent to the Officer of Health that in or near that Street any Premises are in a Condition or State dangerous to Health so as to be unfit for Human Habitation, he shall forthwith inspect the Premises, and report thereon; but the Absence of any such Representation shall not excuse him from inspecting any Premises, and reporting thereon.

If Local Authority neglect to enforce Act, Secretary of State may compel it to proceed.

13. In the event of the Local Authority declining or neglecting for the Space of Three Calendar Months after receiving such Report to take any Proceedings to put this Act in force, the Householders who signed such Representation may address a Memorial to the Secretary of State stating the Circumstances, and asking that an Inquiry be made, and upon Receipt of such Memorial the said Secretary of State may direct the Local Authority to proceed under the Provisions of the Act, and such Direction shall be binding on the Local Authority.

Owner to signify to Clerk of Local Authority whether he is willing to execute specified Works.

14. Within Three Calendar Months after the Service on the Owner of the Order by the Clerk of the Local Authority, or, in the Case of Appeal, within One Calendar Month after the Order of Quarter Sessions, or, in the event of a further Appeal, within One Calendar Month after the Order of the Court of Final Appeal, the Persons so served with the Order of the Local Authority shall each of them signify in Writing to the Clerk of the Local Authority whether he is willing to effect the Works required to be executed; and where Two or more Persons shall so signify, the Right of effecting the Works shall be given first to the Person whose Ownership is first or earliest in Title.

Service of Notice on Ownerwhose Name and Residence are known.

15. Where the Owner of the Premises and his Residence or Place of Business are known to the Local Authority, it shall be the Duty of the Clerk of the Local Authority, if the Owner be residing or have a Place of Business within the District of such Local Authority,

Authority, to give any Notice by this Act required to be served on him to the Owner, or for him, to some Inmate of his Place of Residence or Business within the Place; and if he be not residing within such District, or has no Place of Business therein, then to send the Notice by Post in a registered Letter addressed to the Owner at his Place of Residence or Business; provided that the Notice served upon the Agent of the Owner shall be deemed Notice to the Owner.

Service of Notice on Owner whose Name or Residence is not known.

16. Where the Owner of the Premises or his Residence or Place of Business is not known to, or after diligent Inquiry cannot be found by the Local Authority, then the Clerk of the Local Authority may serve the Notice by leaving it, addressed to the Owner, with some Occupier of the Premises, or if there be not an Occupier, then by causing it to be put up on some conspicuous Part of the Premises.

Notices to be signed by the Local Authority.

17. Every Notice required to be given by the Clerk of the Local Authority by this Act shall be in Writing or Print, or partly in Writing and partly in Print, and shall be signed by the Clerk of the Local Authority or Deputy appointed by him.

Local Authority to require Owners to execute Works as in Specification.

18. The Owner on whom the Local Authority shall have imposed in the first instance the Duty of executing the Work shall, within Two Calendar Months thereafter, commence the Works as shown on the Plan and described in the Specification, and shall diligently proceed with and complete the same in conformity with the Specification to the Satisfaction of the Surveyor or Engineer appointed by the Local Authority; and if such Owner shall fail therein, the Local Authority shall require the Owner next in order as aforesaid to execute the said Works, and in case of his Default shall require the remaining Owners in their Order as aforesaid; and if all such Owners shall make default, the Local Authority shall, as the Case may seem to them to require, either order the Premises to be shut up or to be demolished, or may themselves execute the required Works in conformity with the Specification.

Proceedings of Local Authority in case Owners neglect.

Provision in case Local Authority themselves execute the Works.

19. Where the Local Authority themselves execute the Works, they may apply to the Court of Quarter Sessions having Jurisdiction over the Place of which they are the Local Authority for an Order charging on the Premises on which the Works have been executed the Amount of all Costs, Charges, and Expenses that have been incurred by such Authority in or about the Execution of such Works, including the Costs of obtaining the Order; and the Court of Quarter Sessions, when satisfied of the Amount so expended, shall make an Order accordingly, charging on the Premises

mises the Amount of such Costs, Charges, and Expenses, together with Interest at the Rate of Four Pounds *per Cent. per Annum*, and such Order shall be filed and recorded in manner herein-after mentioned, and thereupon the Amount of Principal and Interest thereby secured shall be a Charge on the House, bearing Interest at Four *per Centum*, and having Priority over all other Estates, Incumbrances, and Interests whatsoever, and the Local Authority shall, for the Purpose of obtaining Satisfaction of the Monies so charged, or of any Interest thereon, be deemed to be a Mortgagee of an absolute Estate in the House, and shall be invested with all the Powers conferred on Mortgagees by Part II. of the Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and forty-five, and in *Scotland* such Order shall be recorded in the appropriate Register of Sasines.

Local Authority to pay Compensation when total Demolition required.

20. If the Requirements of the Order involve the total Demolition and not the Improvement of the Premises specified therein, the Owner shall, within Three Months after Service of the Order, proceed to take down and remove the Premises, and if such Owner fail therein, then the Local Authority shall proceed to take down and remove the same; and the Local Authority shall sell the Materials, and, after deducting the Expenses incident to such taking down and Removal, pay over the Balance of Monies, if any, to the Owner.

Determination of Tenancies.

21. Where at the Time of making the Order the Premises specified therein, or any Part thereof, are or is subject to any Tenancy from Year to Year, or for a Year or for any less Term, the Local Authority shall give Notice to every such Tenant, stating the Time at which such Tenancy will be determined.

Remedies of Owner for Breach of Covenant, &c. not to be prejudiced.

22. Provided always, that nothing in this Act contained shall prejudice or interfere with the Rights or Remedies of any Owner for the Breach, Nonobservance, or Nonperformance of any Covenant or Contract entered into by a Tenant or Lessee in reference to any Premises in respect of which any Order shall be made by a Local Authority; and if any Owner shall be obliged to take possession of any Premises in order to comply with any Order made under the Provisions of this Act, such Entry or taking possession shall not affect his Right to avail himself of any such Breach, Nonobservance, or Nonperformance that may have occurred prior to his so taking possession.

Owner instead of effecting Improvements

23. If the Order be that the Premises require Improvement, the Owner, including therein the Owner of the First Estate of Inheritance, if he think fit, may, instead of effecting the Works required

required by the Plan and Specification, take down the Premises; but in every such Case, and also in the event of the Owner desiring to retain the Site of the Premises required by the Order to be totally demolished, no House or other Building or Erection shall be erected on all or any Part of the Site of the Premises so taken down which shall be injurious to Health; and the Local Authority may at any Time make an Order upon the Owner to abate or alter the said House, Building, or Erection, as the Case may require; and in the event of Noncompliance with such Order the Local Authority may, at the Expense of the Owner thereof, abate or alter any House or other Building or Erection at any Time wholly or partly erected contrary to the Provisions of this Section.

may take down Premises.

24. When there are Two or more Owners of any Premises, and it appears to any Two Justices in Petty Sessions, on Application of any Owner of such Premises, that the Interest of the Applicant in the Premises will be prejudiced by the Neglect and Default of any other Owner to deal with the Premises in conformity with the Order so made, it shall be lawful for such Justices, if the Applicant undertake to their Satisfaction to bring the Premises into conformity with such Order, to make an Order empowering the Applicant forthwith to take possession of the Premises, and to do all such Works as may be necessary for bringing the same into conformity with such Order, and within such Time as shall be fixed by such Justices, and on Non-compliance by such last-mentioned Applicant with his Undertaking it shall be lawful for the Justices to make a like Order in favour of any other Owner.

Application may be made to Justices where more than One Owner of Premises included in Order under Act, and any One Owner neglects to comply with such Order.

25. Where any Owner has completed any Works required to be executed by a Local Authority in pursuance of this Act, he may on the Completion thereof apply to the Local Authority for a Charging Order charging on the Premises on which the Works have been executed an Annuity as Compensation to the Owner for the Expenditure incurred by him in executing such Works, and shall produce to the Local Authority the Certificate of their Surveyor or Engineer that the Works have been executed to his Satisfaction, and also the Accounts and Vouchers for such Works, and the Local Authority, when satisfied that the Owner has duly executed such Works, shall make a Charging Order accordingly.

Grant of Annuity to Owner on Completion of Works.

The Annuity charged shall be a Sum of Six Pounds for every 100*l.* of such Expenditure, and so in proportion for any less Sum, to commence from the Date of the Order, and to be payable for a Term of Thirty Years to the Owner named in such Order, his Executors, Administrators, or Assigns.

Charging Orders made under this Act shall be made according to the Form marked A. in the Second Schedule hereto annexed, or as near thereto as the Circumstances of the Case will admit.

The Costs of obtaining the Order to be allowed by the Local Authority shall be deemed to be Part of the Expenditure incurred by the Owner.

Incidence of Charge.

26. Every Annuity created by a Charging Order under this Act shall be a Charge on the Premises comprised in the Order, having Priority over all existing and future Estates, Interests, and Incumbrances, with the Exception of Quitrents and other Charges incident to Tenure, Tithe Commutation Rentcharges, and any Charges created under any Act authorizing Advances of Public Money; and where more Annuities than One are chargeable under this Act on any Premises, such Annuities shall, as between themselves, take order according to their respective Dates.

Charges recoverable as Rentcharges in lieu of Tithes.

27. Every Annuity charged on any Premises by a Charging Order under this Act may be recovered by the Persons for the Time being entitled to the same by the same Means and in the like Manner in all respects as if it were a Rentcharge granted by Deed out of the Premises by the Owner thereof.

An Order to be Evidence of Compliance with Act.

28. An Order made in pursuance of this Act charging an Annuity on any Premises shall be, both at Law and in Equity, conclusive Evidence that all Notices, Acts, and Proceedings by this Act directed with reference to or consequent on the obtaining such Order, or the making such Charge, have been duly served, done, and taken, and that such Charge has been duly created, and that it is a valid Charge on the Premises declared to be subject thereto.

Registry of Charging Order on Premises in Middlesex and Yorkshire.

29. Every Charging Order made in pursuance of this Act relating to Premises in *Middlesex* or *Yorkshire* shall be registered in the same Manner respectively as if such Charge were made by Deed by the absolute Owner of such Lands without the Aid of this Act; and a Copy of every such Charging Order of the Certificate of such Surveyor or Engineer as aforesaid, together with a Copy of the Accounts as passed by the Local Authority, and which Copies shall be certified to be true Copies by the Clerk of such Local Authority, shall, within Six Months after the Date of such Charging Order, be deposited with the Clerk of the Peace of the County in which the Premises are situate, who shall be entitled to a Fee of Ten Shillings for filing and recording the same; and every Charging Order made in pursuance of this Act relating to Premises in *Scotland* shall be recorded in the appropriate Register of Sasines.

30. The

Assignment of Charge.

30. The Proprietor of any Charge may, by Deed under Seal, stamped with the same *ad valorem* Stamp as if it were an Assignment of a Charge created by Deed, assign the Benefit of the Charging Order, or of any Portion of the Charge comprised therein, to any other Person; and on such Assignment being executed the Assignee shall have the same Rights under the Order as the Proprietor would have had if no such Assignment had been executed; and any Assignee of a Charging Order may, by Deed stamped in manner aforesaid, assign the Charge to any other Person. Any Assignment of a Charging Order may be in the Form marked B. in the Schedule hereto, or in any other convenient Form.

As to Expenses of Local Authority.

31. All Expenses incurred by the Local Authority in pursuance of this Act shall be defrayed by them out of a special Local Rate, not exceeding Twopence in the Pound in any Year, which they are hereby empowered to assess and levy for the Purposes of this Act.

Power to Public Works Loan Commissioners to advance Monies to Local Authority.

32. The Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, may, if they think fit, lend to any Local Authority, and any Local Authority may borrow from the said Commissioners, such Sums as the said Authority may require for the Purposes of this Act, but the Amount of every Loan shall be sanctioned by the Lords Commissioners of the Treasury.

Service of Notice on the Local Authority.

33. Any Summons, Notice, Writ, or other Proceeding at Law or in Equity, or otherwise, in relation to carrying into effect the Objects and Purposes of this Act, required to be served upon the Local Authority, may be lawfully served by delivering the same to the Clerk of the Local Authority, or leaving the same at his Office with some Person employed there by him.

Notices served by Local Authority to be signed by the Clerk.

34. Any Notice, Demand, or other written Document served by the Local Authority for the Purposes of this Act shall be signed by the Clerk of the Local Authority.

Penalty for obstructing Officer of Health, &c. in execution of Act.

35. Where any Person at any Time obstructs the Officer of Health or other Person acting in the Performance of anything which the Local Authority or their Officers respectively are by this Act required or authorized to do, every Person so offending shall for every such Offence forfeit not exceeding Twenty Pounds.

Penalty for preventing Execution of Act.

36. If the Occupier of any Premises prevents the Owner thereof, or if the Owner or Occupier of any Premises prevents the Officer of Health, or their Officers, Agents, Servants, or Workmen, from carrying into effect with respect to the Premises any of the Provisions of this Act, after Notice of the Intention so to do has been

been given to the Occupier, or, as the Case shall be, to the Owner, any Justice on Proof thereof may make an Order in Writing requiring the Occupier to permit the Owner, or, as the Case shall be, requiring the Owner or Occupier, or both, to permit the Officer of Health, or the Local Authority, and their Officers, Agents, Servants, and Workmen, to do all things requisite for carrying into effect with respect to the Premises the Provisions of this Act; and if at the Expiration of Ten Days after the Service of such Order of the Justice the Occupier or Owner fails to comply therewith, every Person so offending shall for every Day during which the Failure continues forfeit not exceeding Twenty Pounds: Provided that during any such Failure by the Occupier the Owner, unless assenting thereto, shall not be liable to the Forfeiture.

Appearance of Local Authority.

37. The Local Authority may appear before any Judge, Justices, Borough Magistrates, Sheriff, or Sheriff Substitute, by their Clerk, and any Company or Body Corporate may appear before the said Magistrate or Magistrates by any Member of their Board of Management.

Recovery of Penalties.

38. Penalties under this Act may be recovered before Two Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*, or any Act amending the same, and in *Scotland* by summary Complaint before the Sheriff, Sheriff Substitute, or Two Justices, or in Boroughs before the Magistrates, in manner provided by "The Summary Procedure Act, 1864," and in *Ireland* in manner directed by "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same.

Application of Act to Scotland.

39. For the Purpose of adapting this Act to *Scotland* the following Alteration shall be made; that is to say,

1. "The Lands Clauses Consolidation Act (*Scotland*), 1845," shall be substituted for "The Lands Clauses Consolidation Act, 1845:"
2. All the Judicial Powers given to Justices in Quarter Sessions by this Act shall be exercised by Sheriffs of Counties or Sheriff Substitutes; and wherever by this Act an Appeal is given to the Court of Quarter Sessions, and thence to the Court of Queen's Bench, such Appeal shall be to the Sheriff of the County, and from him to the Court of Session in the usual Manner.

40. For

Application of Act to Ireland.

40. For the Purpose of adapting this Act to *Ireland* the Words "The Lands Clauses Consolidation Act, 1845," shall mean "The Railways Act, *Ireland*, 1851," and the several Acts amending the same.

Jurisdiction of certain Magistrates.

41. Any Act, Power, or Jurisdiction hereby authorized to be done or exercised by Two Justices may be done or exercised by the following Magistrates within their respective Jurisdictions; that is to say: As to *England*, by any Metropolitan Police Magistrate or other Stipendiary Magistrate sitting alone at a Police Court or other appointed Place, or by the Lord Mayor of the City of *London*, or any Alderman of the said City, sitting alone or with others, at the *Mansion House* or *Guildhall*; as to *Scotland*, by the Sheriff or Sheriff Substitute, or by any Two Magistrates of a Burgh; and as to *Ireland*, by any One or more Divisional Magistrates of Police in the Police District of *Dublin*, and elsewhere by Two or more Justices of the Peace in Petty Sessions.

SCHEDULES.

FIRST SCHEDULE.

TABLE A.

ENGLAND AND WALES.

Places to which Act applies.	Description of Local Authority.	Description of Local Rate.	Description of Clerk of Local Authority.
The City of London and the Liberties thereof. Local Acts { 11 & 12 Vict. c. 163. 14 & 15 Vict. c. 91.	Commissioners of Sewers of the City of London. Local Act 11 & 12 Vict. c. 163.	The Consolidated Rate 11 & 12 Vict. c. 163. s. 158.	The Clerk to the Commissioners. 11 & 12 Vict. c. 163. s. 25.
The Metropolis - -	The Vestries and District Boards under the Act 18 & 19 Vict. c. 120. within their respective Parishes and Districts.	Rate to be levied for defraying the Expenses of the Act 18 & 19 Vict. c. 120.	Clerk of the Vestries or District Boards.
Boroughs not within the Jurisdiction of such Local Board as aforesaid.	The Mayor, Aldermen, and Burgesses, acting by the Council.	The Borough Fund or other Property applicable to the Purposes of a Borough Rate or the Borough Rate.	The Town Clerk.
Any Town not included in the above Descriptions, and under the Jurisdiction of Commissioners, Trustees, or other Persons entrusted by any Local Act with Powers of improving, cleansing, or paving any Town.	The Commissioners, Trustees, or other Persons entrusted by the Local Act with Powers of improving, cleansing, or paving the Town.	Any Rate leviable by such Commissioners, Trustees, or other Persons, or other Funds applicable by them to the Purposes of improving, cleansing, or paving the Town.	The Clerk of the Commissioners or Trustees or other Persons or other Officer performing the Duties of Clerk.
Places within the Jurisdiction of Local Boards, constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or One of such Acts.	The Local Board -	General District Rate 11 & 12 Vict. c. 63. s. 87.	Clerk of the Local Board or other Officer performing Duties of Clerk. 11 & 12 Vict. c. 63. s. 37.

Artizans and Labourers Dwellings.

Places to which Act applies.	Description of Local Authority.	Description of Local Rate.	Description of Clerk of Local Authority.
SCOTLAND.			
Burghs - - -	The Magistrates and Town Council.	The Revenue of the Burgh or the Local Rate leviable for Prison Purposes under 23 & 24 Vict. c. 105., or any other Local Rate leviable by the Town Council.	Town Clerk.
Places where Police Commissioners or Trustees exercise the Functions of Police Commissioners acting under "The General Police and Improvement (Scotland) Act," or Trustees or Commissioners acting under any General or Local Act.	The Police or other Commissioners or Trustees.	Property or Rate belonging to or leviable by the Commissioners or Trustees.	Clerk of the Commissioners or Trustees or any other Officer performing the Duties of Clerk.
IRELAND.			
The City of Dublin -	The Right Honourable the Lord Mayor, Aldermen, and Burgesses, acting by the Council.	The Borough Fund or Borough or Improvement Rate.	The Town Clerk.
Towns Corporate or Boroughs (with the Exception of the City of Dublin).	The Mayor, Aldermen, and Burgesses, acting by the Council.	The Borough Fund, or Town Fund, or Borough Rate.	The Town Clerk.
Towns having Town Commissioners under 9 G. 4. c. 82. or 17 & 18 Vict. c. 103., or any Acts amending the same, or having Commissioners or other Governing Body under any Local Act.	The Town Commissioners or other Governing Body.	Any Rate leviable by these Bodies, or any Fund belonging to them applicable in the whole or in part to the making or repairing of Sewers within their Jurisdiction.	The Clerk of the Commissioners or other Governing Body.

SECOND

SECOND SCHEDULE.

FORM MARKED A.

The Artizans and Labourers Dwellings Act, 1868.

County of
Parish of
No.

Charging Order.

Insert Description of Local Authority.

The being the Local Authority under the above-mentioned Act, do, by this Order under their Hands and Seal, charge the Inheritance or Fee of the Premises mentioned in the Schedule hereto with the Payment to of the Sum of Pounds, payable yearly on the Day of for the Term of Years, and being in consideration of an Expenditure of Pounds incurred by him in respect of the said Premises.

SCHEDULE.

Insert Description of Premises charged.

FORM MARKED B.

Form of Assignment of Charge.

To be endorsed on Charging Order.

Dated the Day of

I, the within-named in pursuance of the Artizans and Labourers Dwellings Act, 1868, and in consideration of Pounds this Day paid to me, hereby assign to the within-mentioned Charge.

(Signed)

THIRD

THIRD SCHEDULE.

I. *Form of Order by Court of Quarter Sessions or Petty Sessions, or Court of Burgh Magistrates in Scotland.*

Be it remembered, That on the Day of 18 upon the Report herein-after mentioned, we, the undersigned Justices, assembled at the Court of Quarter Sessions holden in and for the County of , *or* assembled in Petty Sessions for the Division or District of the Borough or County of , *or* Members of the Court of Burgh Magistrates for [*as the Case may be*], do hereby order and determine that One or more House or Houses or Buildings situate in a certain Court or Alley within the Borough or Burgh, known or designated as Court or Alley [*or otherwise distinguishing the Premises*], and specified in the Report of the Officer of Health for the dated the Day of 18 , is or are unfit for Human Habitation, and ought to be improved or demolished [*as the Case may be*], in pursuance of "The Artizans and Labourers Dwellings Act, 1868."

II. *Form of Notice by Clerk of the Peace, Clerk of the Justices, or Clerk of the Court of Burgh Magistrates in Scotland to Clerk of Local Authority.*

Artizans and Labourers Dwellings Act, 1868.

I, *A.B.*, Clerk of the Peace *or* Clerk of the Justices [*or* Clerk of the Court of Burgh Magistrates] for the , do hereby certify, That on the Day of 18 the Justices assembled at the Court of Quarter Sessions, *or* assembled at the Petty Sessions for the [*or* Court of the Burgh

Magistrates] [*as the Case may be*], made an Order, of which the following is a true Copy:

[*Here give a Copy of the Presentment, Form* I.]

As witness my Hand, this Day of in the Year of our Lord 18 .

(Signed) (*A.B.*) Clerk of the Peace *or* Clerk of the Justices for
[*or* Clerk of the Court of Burgh Magistrates].

To the Clerk of the
of .

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