ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

C A P. LXXIV.

An Act to encourage the Establishment of public Baths and Wash-houses. [26th *August* 1846.]

WHEREAS it is desirable for the Health, Comfort, and Welfare of the Inhabitants of Towns and populous Districts to encourage the Establishment therein of public Baths and Wash-houses and open Bathing Places: 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, That this Act may be adopted for any incorporated Borough in *England* which is regulated under an Act passed in the Sixth Year of the Reign of His late Majesty, to provide for the Regulation of Municipal Corporations, or any Charter granted in pursuance of the said Act, or any Act passed for the Amendment thereof, and also, with the Approval of One of Her Majesty's Principal Secretaries of State, for any Parish in *England* not within any such incorporated Borough.

Act may be adopted in certain Boroughs and Parishes.

II. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless

Interpretation of Act.

unless there be something in the Subject or Context repugnant to such Construction; that is to say,

"Parish" shall mean every Place having separate Overseers of the Poor, and separately maintaining its own Poor:

"Borough" shall mean City, Borough, Port, Cinque Port, or Town Corporate:

"Rate-payers" shall mean such of the Persons for the Time being assessed to and paying Rates for the Relief of the Poor of the Parish as for the Time being shall be duly qualified to vote for the Election of Overseers for the Parish:

"Churchwardens" shall mean also Chapelwardens, or other Persons discharging the Duties of Churchwardens:

"Overseers" shall mean also any Persons authorized and required to make and collect or cause to be collected the Rate for the Relief of the Poor of the Parish, and acting instead of Overseers of the Poor:

"Vestry" shall mean the Inhabitants of the Parish lawfully assembled in Vestry, or for any of the Purposes for which Vestries are holden, except in those Parishes in which there is a Select Vestry elected under an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, or elected under an Act passed in the Second Year of the Reign of His late Majesty, intituled *An Act for the better Regulation of Vestries, and for the Appointment of Auditors of Accounts, in certain Parishes of* England *and* Wales, or elected under the Provisions of any local Act of Parliament for the Government of any Parish by Vestries, in which Parishes it shall mean such Select Vestry:

59 G. 3. c. 12.

1 & 2 W. 4. c. 60.

"Commissioners" shall mean the Commissioners appointed in accordance with this Act for any Parish, and for the Time being in Office and acting as such Commissioners:

"Clerk" shall mean, as regards an incorporated Borough, the Town Clerk of such Borough; and, as regards a Parish, the Clerk appointed pursuant to this Act by the Commissioners:

"Justice" shall mean Justice of the Peace for the County, Riding, Division, Liberty, Borough, or Place where the Matter requiring the Cognizance of Justices shall arise:

"Lands" shall mean Lands, Tenements, and Hereditaments, of whatsoever Nature or Tenure:

Words importing the Masculine Gender shall include the Feminine:

Words of the Plural Number shall include the Singular, and Words of the Singular Number shall include the Plural.

Council of any Borough may adopt the Provisions contained in this Act, if they think fit.

III. And be it enacted, That the Council of any such Borough as aforesaid may, if they think fit, determine that this Act shall be adopted for such Borough, and then and in such Case such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in such Borough, and this Act shall be carried into execution in such Borough in accordance with such Provisions and the Laws for the Time being in force relating to the Municipal Corporation of such Borough.

IV. And

Expences of carrying this Act into execution shall be charged upon the Borough Fund, and Income arising carried to same.

IV. And be it enacted, That the Expences of carrying this Act into execution in any such Borough in which the Council shall have resolved to adopt this Act for their Borough shall be chargeable upon and paid out of the Borough Fund, and for that Purpose the Council may levy with and as Part of the Borough Rate, or by a separate Rate to be assessed, levied, paid, and recovered in like Manner and with the like Powers and Remedies in all respects as the Borough Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expences, and shall apply the same accordingly as if the Expence of carrying this Act into execution were an Expence necessarily incurred in carrying into effect the Provisions of the said Act of the Sixth Year of the Reign of His late Majesty; and the Income arising from the Baths and Wash-houses and open Bathing Places in any Borough shall be paid to the Credit of the Borough Fund thereof, and the Council shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities, with reference to the Execution of this Act, to be called "The public Baths and Wash-houses Account."

On the Requisition of Ten Rate-payers, Churchwardens, &c. to convene Vestry Meeting to determine whether this Act shall be adopted.

If Vestry resolve to adopt the Act, a Copy of Resolution to be sent to Secretary of State, &c.

No Resolution deemed to be carried unless Two Thirds vote for it.

V. And be it enacted, That upon the Requisition in Writing of Ten or more Rate-payers of any such Parish as aforesaid, not being within any such incorporated Borough, the Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry in such Parish shall convene a Meeting of the Vestry for the special Purpose of determining whether this Act shall be adopted for the Parish, after public Notice of such Vestry, and the Place and Hour of holding the same, and the special Purpose thereof, given in the usual Manner in which Notice of the Meetings of the Vestry is given at least Seven Days before the Day to be appointed for holding such Vestry; and if thereupon it shall be resolved by the Vestry that this Act ought to be adopted for the Parish, a Copy of such Resolution extracted from the Minutes of the Vestry, and signed by the Chairman, shall be sent to One of Her Majesty's Principal Secretaries of State for his Approval, and as soon as such Approval shall have been signified in Writing under the Hand of any such Secretary of State, such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in the Parish: Provided always, that no such Resolution of the Vestry shall be deemed to be carried unless at least Two Thirds of the Number of Votes given on the Question according to the usual Manner of voting at such Vestry shall have been given for such Resolution.

Where Act adopted Vestry to appoint Commissioners for carrying the same into execution.

VI. And be it enacted, That in such Case the Vestry shall appoint not less than Three nor more than Seven Persons, being Rate-payers of the Parish, Commissioners for carrying this Act into execution in the Parish, of whom One Third, or as nearly as may be One Third (to be determined among themselves), shall go out of Office yearly, but shall be eligible for immediate Re-appointment.

Resignation of Commissioners.

VII. And be it enacted, That any Commissioner may at any Time resign his Office as a Commissioner on giving Seven Days Notice in Writing of his Intention to resign to the Clerk, and also to the Churchwardens.

VIII. And

Vacancies to be filled up by Vestry.

VIII. And be it enacted, That any Vacancies in the Commissionership may be filled up by the Vestry when and as the Vestry shall think fit.

Meetings of the Commissioners.

IX. And be it enacted, That the Commissioners shall meet at least once in every Calendar Month at their Office, or some other convenient Place previously publicly notified.

Special Meetings of Commissioners.

X. And be it enacted, That the Commissioners may meet at such other Time as at any previous Meeting shall be determined upon, and it shall be at all Times competent for any One Commissioner, by Writing under his Hand, to summon, with at least Forty-eight Hours Notice, the Commissioners for any special Purpose therein named, and to meet at such Times as shall be therein named.

Quorum of Meetings of Commissioners.

XI. And be it enacted, That at all Meetings of the Commissioners any Number not less than One Third of the whole Number when more than Three Commissioners shall have been appointed, and when only Three Commissioners shall have been appointed then any Number not less than Two Commissioners, shall be a sufficient Number for transacting Business, and for exercising all the Powers of the Commissioners.

Commissioners may appoint and remove Officers, &c.

XII. And be it enacted, That the Commissioners shall appoint, and may remove at pleasure, a Clerk and such other Officers and Servants as shall be necessary for effecting the Purposes of this Act, and, with the Approval of the Vestry, may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire and rent a sufficient Office for holding their Meetings and transacting their Business, and may agree for and pay a reasonable Rent for such Office.

Minutes of Proceedings of Commissioners to be entered in a Book.

XIII. And be it enacted, That all Orders and Proceedings of the Commissioners shall be entered in Books, to be kept by them for that Purpose, and shall be signed by the Commissioners, or any Two of them; and all such Orders and Proceedings so entered, and purporting to be so signed, shall be deemed to be original Orders and Proceedings; and such Books may be produced and read as Evidence of all such Orders and Proceedings upon any Appeal, Trial, Information, or other Proceeding, civil or criminal, and in any Court of Law or Equity whatsoever.

Commissioners to keep Accounts, which shall be open to Inspection.

XIV. And be it enacted, That the Commissioners shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act in the Parish, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money shall have been paid and such Liabilities shall have been incurred; and such Books shall at all reasonable Times be open to the Examination of every Commissioner, Churchwarden, Overseer, and Rate-payer, without Fee or Reward, and they respectively may take Copies of or Extracts from such Books, or any Part thereof, without paying for the same; and in case the Commis-

Commissioners, or any of them, or any of their Officers or Servants having the Custody of the said Books, being thereunto reasonably requested, shall refuse to permit or shall not permit any Churchwarden, Overseer, or Rate-payer to examine the same, or take any such Copy or Extract, every Commissioner, Officer, or Servant so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for refusing to allow Inspection.

XV. And be it enacted, That the Vestry shall yearly appoint Two Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners, and at such Time in the Month of *March* in every Year after the Adoption of this Act for the Parish as the Vestry shall appoint the Commissioners shall produce to the Auditors their Accounts, with sufficient Vouchers for all Monies received and paid, and the Auditors shall examine such Accounts and Vouchers, and report thereon to the Vestry.

Auditors to be appointed yearly, who shall examine the Accounts and report to Vestries.

XVI. And be it enacted, That the Expences of carrying this Act into execution in any Parish not within any such incorporated Borough to such Amount as shall be from Time to Time sanctioned by the Vestry shall be chargeable upon and paid out of the Monies to be raised or applicable for the Relief of the Poor of the Parish.

Expences of executing Act in any Parish to be paid out of the Poor's Rate.

XVII. And be it enacted, That for defraying the Expences which shall have been or shall be incurred in carrying this Act into execution in the Parish the Vestry may and shall from Time to Time order the Overseers to levy with and as Part of the Rate for the Relief of the Poor of the Parish such Sums as the Vestry shall deem necessary, and the Amount thereof shall accordingly be assessed, levied, paid, and recovered in like Manner, and with the like Powers and Remedies in all respects, as such Rate, and shall be paid by the Overseers, according to the Order of the Vestry, to such Person as shall be appointed by the Commissioners to receive the same, and his Receipt shall be a sufficient Discharge to the Overseers for the same, and shall be allowed accordingly in passing their Accounts.

Overseers to levy, as Part of the Poor's Rate, such Sums as Vestry shall deem necessary to pay Expences.

XVIII. And be it enacted, That the Money raised for defraying the Expences of carrying this Act into execution, and the Income arising from the Baths and Wash-houses and open Bathing Places in the Parish, shall be applied by the Commissioners in or toward defraying the Expences of carrying this Act into execution in the Parish; and whenever, after Repayment of all Monies borrowed for the Purpose of carrying this Act into execution in the Parish, and the Interest thereof, and after satisfying all the Liabilities of the Commissioners with reference to the Execution of this Act in the Parish, and providing such a Balance as shall be deemed by the Commissioners sufficient to meet their probable Liabilities during the then next Year, there shall be at the Time of holding the Meeting of the Vestry at which the yearly Report of the Auditors shall be produced any surplus Money at the Disposal of the Commissioners, they shall pay the same to the Overseers in aid of the Rate for the Relief of the Poor of the Parish.

Monies raised, and the Income arising from Baths, &c. in the Parish, to be applied towards defraying Expences.

XIX. And be it enacted, That the Vestries of any Two or more neighbouring Parishes which shall have respectively adopted this Act

Vestries of Two or more Parishes may

concur in carrying this Act into execution, subject to the Approval of Secretary of State.

Act may concur in carrying this Act into execution in such Parishes in such Manner not inconsistent with the Provisions of this Act, and for such Time, as they shall mutually agree; and for that Purpose it may, with the Approval of such Secretary of State, be agreed on between such Vestries that any public Baths and Wash-houses and open Bathing Places shall be erected and made in any One of such Parishes, to be vested in the Commissioners thereof, and that the Expences of carrying this Act into execution with reference to the same shall be borne by such Parishes in such Proportions as such Vestries shall mutually agree, and the Proportion for each of such Parishes of such Expences shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of the same respective Parish accordingly; and, according and subject to the Terms which shall have been so agreed on, the Commissioners appointed for each of such Parishes shall, in the Management of the said Baths and Wash-houses and open Bathing Places, form One Body of Commissioners, and shall act accordingly in the Execution of this Act, and the Accounts and Vouchers of such Commissioners shall be examined and reported on by the Auditors of each of such Parishes; and the surplus Money at the Disposal as aforesaid of such Commissioners shall be paid to the Overseers of such Parishes respectively in the same Proportions as those in which such Parishes shall be liable to such Expences.

Incorporation of Commissioners.

XX. And for the more easy Execution of the Purposes of this Act, be it enacted, That the Commissioners of every such Parish shall be a Body Corporate, with perpetual Succession, which shall not be deemed to be interrupted by any partial or total Vacancy from Time to Time in their Office, by the Name of "The Commissioners for public Baths and Wash-houses in the Parish of ( ) in the County of ( )," and by that Name may sue and be sued in all Courts, and before all Justices and others, and may have and use a Common Seal, and by that Name may take, hold, and convey any Lands vested in them for the Purposes of this Act.

Councils, &c. may borrow Money for the Purposes of the Act, with the Approval of the Treasury.

XXI. And be it enacted, That for carrying this Act into execution in any Borough or Parish respectively, the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners, with the Sanction of the Vestry, and also with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time borrow at Interest, on the Security of a Mortgage, as the Case may be, of the Borough Fund, or of the Rates for the Relief of the Poor of the Parish, the Money which may be by them respectively required, and shall apply the Monies so borrowed accordingly.

The Public Works Loan Commissioners may advance Money for the Purposes of this Act.

XXII. And be it enacted, That the Commissioners for carrying into execution an Act passed in the Second Session of the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize 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 to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, may from Time to Time make to the Council of any such Borough, or Commissioners of any such Parish respectively,

tively, for the Purposes of this Act, any Loan under the Provisions of the recited Act or the several Acts therein recited or referred to, upon Security of the Borough Fund, or the Rates for the Relief of the Poor of the Parish, as the Case may be.

8 & 9 Vict. c. 16. incorporated with this Act for certain Purposes

XXIII. And be it enacted, That the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by any Company on Mortgage, and the Provisions of the same Act with respect to the Accountability of the Officers of the Company, and the Provisions of the same Act with respect to the making of Bye Laws, subject to the Provision herein-after contained, and the Provisions of the same Act with respect to the Recovery of Damages not specially provided for, and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act; and the Expressions in such Provisions applicable to the Company and the Directors shall apply as regards a Borough to the Council, and as regards a Parish to the Commissioners; and all Deeds and Writings which under such Provisions are required or directed to be made or executed under the Common Seal of the Company shall in the Application of such Provisions to this Act be deemed to be required or directed to be made or executed as regards a Borough under the Common Seal of the Mayor, Aldermen, and Burgesses, and as regards a Parish under the Common Seal of the Commissioners; and so much of such Provisions as are applicable to the "Secretary of the Company" shall apply to the Clerk; and in such of the said Provisions as relate to the Inspection of Accounts as regards a Borough the Burgesses, and as regards a Parish the Rate-payers, shall have the Privileges of Shareholders.

Council may appropriate, with Consent of the Treasury, Lands vested in the Mayor, &c.

Commissioners may, with Approval of Vestry, &c., appropriate Lands belonging to Parish;

or contract for Purchase of the same.

XXIV. And be it enacted, That in any such Borough the Council, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time appropriate for the Purposes of this Act in the Borough any Lands vested in the Mayor, Aldermen, and Burgesses; and in any such Parish the Commissioners appointed under this Act, with the Approval of the Vestry and of the Guardians of the Poor of the Parish (if any), and of the Poor Law Commissioners for *England* and *Wales*, may from Time to Time appropriate for the Purposes of this Act in the Parish any Lands vested in such Guardians, or in the Churchwardens, or in the Churchwardens and Overseers of the Parish, or in any Feoffees, Trustees, or others, for the general Benefit of the Parish; and in any such Parish the Commissioners, with the Approval of the Vestry, and in any such Borough the Council, may from Time to Time contract for the purchasing or renting of any Lands necessary for the Purposes of this Act, and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Commissioners in the Case of a Parish.

Councils and Commissioners may erect, &c. public Baths

XXV. And be it enacted, That the Council and Commissioners respectively may from Time to Time, on any Lands so appropriated, purchased, or rented, or contracted so to be respectively, erect any Buildings suitable for public Baths and Wash-houses, and as to such Wash-

and Wash-houses and open Bathing Places.

Wash-houses either with or without open Drying Grounds, and make any open Bathing Places, and convert any Buildings into public Baths and Wash-houses, and may from Time to Time alter, enlarge, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Councils and Commissioners may enter into Contracts for the Purposes of this Act.

XXVI. And be it enacted, That the Council and Commissioners respectively may from Time to Time enter into any Contract with any Persons or Companies for building and making, and for altering, enlarging, repairing, and improving, such public Baths and Wash-houses and open Bathing Places, and for supplying the same respectively with Water, and for lighting the same respectively, and for fitting up the same respectively, and for furnishing any Materials and Things, and for executing and doing any other Works and Things necessary for the Purposes of this Act; which Contracts respectively shall specify the several Works and Things to be executed, furnished, and done, and the Prices to be paid for the same, and the Times when the Works and Things are to be executed, furnished, and done, and the Penalties to be suffered in Cases of Non-performance; and all such Contracts, or true Copies thereof, shall be entered in Books to be kept for that Purpose: Provided always, that no Contract above the Value or Sum of One hundred Pounds shall be entered into by the Council or the Commissioners, for the Purposes of this Act, unless previous to the making thereof Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the Borough or Parish shall be situated, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered to the Council or Commissioners at a certain Time and Place in such Notice to be mentioned, but it shall not be incumbent on the Council or Commissioners to contract with the Person offering the lowest Price.

No Contract above 100*l.* to be entered into without Notice.

Council or Commissioners may purchase existing Baths, &c.

XXVII. And be it enacted, That the Council of any such Borough, and the Commissioners, with the Approval of the Vestry of any such Parish, may, if they shall think fit, contract for the Purchase or Lease of any Baths and Wash-houses already or hereafter to be built and provided in any such Borough or Parish, and appropriate the same to the Purposes of this Act, with such Additions or Alterations as they shall respectively deem necessary; and the Trustees of any public Baths and Wash-houses which have been already or may hereafter be built or provided in any such Borough or Parish by private Subscriptions or otherwise may, with the Consent of the Council of any such Borough, or with the Consent of the Commissioners, and Approval of the Vestry of any such Parish, and with the Consent of a Majority of the Committee or other Persons by whom they were appointed Trustees, sell or lease the said Baths and Wash-houses to the said Council or Commissioners respectively, or make over to them the Management of such Baths and Wash-houses; and in all such Cases the Baths and Wash-houses so purchased or leased, or of which the Management has been so made over, shall be deemed to be within the Provisions of this Act as fully as if they had been built or provided by the said Council or Commissioners; and the Property therein

shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Commissioners in the Case of a Parish.

Power to Water and Gas Companies to supply Water and Gas to Baths, &c.

XXVIII. And be it enacted, That any Commissioners of Waterworks, Trustees of Waterworks, Water Companies, Canal Companies, Gas Companies, and other Corporations, Bodies, and Persons having the Management of any Waterworks, Canals, Reservoirs, Wells, Springs, and Streams of Water, and Gas Works respectively, may in their Discretion grant and furnish Supplies of Water or Gas for such public Baths and Wash-houses and open Bathing Places either without Charge or on such other favourable Terms as they shall think fit.

Councillors and Commissioners not to be personally liable.

XXIX. And be it enacted, That nothing in this Act contained shall render any Member of the Council of any Borough, or any Commissioner, personally, or any of their Lands, Goods, Chattels, or Monies (other than such Lands, Goods, Chattels, or Monies as may be vested in or under the Management or Control of the Council or Commissioners respectively in pursuance of this Act), liable to the Payment of any Sum of Money as or by way of Compensation or Satisfaction for or in respect of any thing done or suffered in due pursuance of this Act.

Persons may appeal against Orders of Councils and Commissioners.

XXX. And be it enacted, That every Person who shall feel aggrieved by any Bye Law, Order, Direction, or Appointment of or by the Council or Commissioners shall have the like Power of Appeal to the General Quarter Sessions as under the Provisions of the Companies Clauses Consolidation Act, 1845, incorporated with this Act, he might have if feeling aggrieved by any Determination of any Justice with respect to any Penalty.

Council, &c. empowered to make Sale and Exchange of Lands, with Consent.

XXXI. And be it enacted, That the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners appointed under this Act, with the Approval of the Vestry, and of the Commissioners of Her Majesty's Treasury respectively, may from Time to Time make Sale and dispose of any Lands vested in the Mayor, Aldermen, and Burgesses, or in the Commissioners respectively for the Purposes of this Act, and apply the Proceeds in or towards the Purchase of other Lands better adapted for such Purposes, and may, with the like Approval, exchange any Lands so vested, and either with or without paying or receiving any Money for Equality of Exchange, for any other Lands better adapted for such Purposes, and the Mayor, Aldermen, and Burgesses, or the Commissioners, may convey the Lands so sold or exchanged accordingly.

When Baths, &c. are considered too expensive they may, with Approval of Treasury, be sold, and Proceeds

XXXII. And be it enacted, That whenever any public Baths or Wash-houses or open Bathing Places which shall have been for Seven Years or upwards established under the Authority of this Act shall be determined by the Council or by the Vestry, in accordance with a previous Recommendation of the Commissioners, to be unnecessary or too expensive to be kept up, the Council or Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may sell the same for the best Price that can reasonably be obtained for

of Sale carried to Borough Fund or Poor's Rate.

the same, and the Mayor, Aldermen, and Burgesses, or the Commissioners, shall convey the same accordingly; and the Purchase Money shall be paid to such Person as the Council or Commissioners shall appoint, and his Receipt shall be a sufficient Discharge for the same; and the net Proceeds of such Sale shall be paid to the Credit of the Borough Fund, or of the Rate for the Relief of the Poor of the Parish.

Management to be vested in Councils and Parish Commissioners.

XXXIII. And be it enacted, That the general Management, Regulation, and Control of the public Baths and Wash-houses and open Bathing Places established under this Act shall, subject to the Provisions of this Act, be as to any Borough vested in and exercised by the Council, and as to any Parish vested in and exercised by the Commissioners.

Council, &c. may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat.

XXXIV. And be it enacted, That the Bye Laws which the Council and Commissioners respectively may from Time to Time make, alter, repeal, and enforce shall include such Bye Laws for the Management, Use, and Regulation of the public Baths and Wash-houses and open Bathing Places, and of the Persons resorting thereto respectively, and for determining from Time to Time the Charges for the Use of such Baths and Wash-houses and open Bathing Places respectively, as the Council and Commissioners respectively shall think fit, and they respectively may appoint any Penalty not exceeding Five Pounds for any and every Breach, whether by their Officers or Servants, or by other Persons, of any Bye Law made by them respectively; and such Bye Laws shall make sufficient Provision for the several Purposes respectively expressed in the Schedule (A.) to this Act: Provided always, that no Bye Law made under the Authority of this Act shall be of any legal Force until the same shall have received the Approval of One of Her Majesty's Principal Secretaries of State.

Bye Laws to be approved by the Secretary of State.

Copies or Abstracts of Bye Laws to be hung up in every Bath Room, &c.

XXXV. And be it enacted, That a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Baths and open Bathing Places respectively shall be put up in every Bath Room and open Bathing Place respectively; and a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Wash-houses shall be put up in some convenient Place near every Washing Tub or Trough, or every Pair of Washing Tubs or Troughs, in every Wash-house.

Proportion of Baths for the labouring Classes.

XXXVI. And be it enacted, That the Number of Baths for the labouring Classes in any Building or Buildings under the Management of the same Council or Commissioners shall not be less than Twice the Number of the Baths of any higher Class if but One, or of all the Baths of any higher Classes if more than One, in the same Building or Buildings.

Charges to be fixed by Councils and Commissioners, not exceeding those in Schedule (B.)

XXXVII. And be it enacted, That the Council and the Commissioners respectively may from Time to Time make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places respectively provided under this Act as they shall think fit, but not exceeding such Charges as are mentioned in the Schedule (B.) annexed to this Act, unless for the Use of any Washing Tub or

Trough for more than Two Hours in any one Day, for which any Charges may be made which the Council or Commissioners respectively shall deem reasonable.

As to Recovery of Charges at Wash-houses.

XXXVIII. And be it enacted, That for the Recovery of the Charges at such Wash-houses the Officers, Servants, and others having the Management thereof may detain the Clothes brought to be washed or other Goods and Chattels of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made, and in case such Payment be not made within Seven Days may sell such Clothes, Goods, and Chattels, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge and the Expences of such Detention and Sale, and the unsold Articles, if any, on demand, to such Person.

Penalty for Council, Commissioners, or Officers taking Fees beyond Salaries, or being interested in Contracts.

XXXIX. And be it enacted, That if any Clerk or other Officer, or any Servant who shall be in anywise employed by any Council or Commissioners in pursuance of this Act, shall exact or accept any Fee or Reward whatsoever for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any account whatsoever relative to putting this Act into execution, other than such Salaries, Wages, or Allowances as shall have been appointed by the Council or Commissioners, or shall in anywise be concerned or interested in any Bargain or Contract made by the Council or Commissioners for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any account whatsoever relative to the putting of this Act into execution, or if any Person during the Time he holds the Office of Member of the Council or Commissioner shall exact or accept any such Fee or Reward, or shall accept or hold any Office or Place of Trust created by virtue of this Act, or be concerned directly or indirectly in any such Bargain or Contract, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall for every such Offence also forfeit the Sum of Fifty Pounds.

Application of Penalties.

XL. And be it enacted, That such Part of any Penalty recovered under this Act as shall not be awarded to the Informer shall be paid to the Credit as regards a Borough of the Borough Fund, and as regards a Parish of the Rate for the Relief of the Poor thereof.

Act may be amended, &c.

XLI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Bye Laws to be made in all Cases.

For securing that the Baths and Wash-houses and open Bathing Places shall be under the due Management and Control of the Officers, Servants,

Servants, or others appointed or employed in that Behalf by the Council or Commissioners.

For securing adequate Privacy to Persons using the Baths and Wash-houses and open Bathing Places, and Security against Accidents to Persons using the open Bathing Places.

For securing that Men and Boys above Eight Years old shall bathe separately from Women and Girls and Children under Eight Years old.

For preventing Damage, Disturbance, Interruption, and indecent and offensive Language and Behaviour, and Nuisances.

For determining the Duties of the Officers, Servants, and others appointed by the Council or Commissioners.

In Parishes. For regulating the Procedure of the Commissioners.

SCHEDULE (B.)

Maximum Charges during the First Seven Years after the Establishments are opened for public Use; and after such Seven Years, except only so long after such Seven Years as higher Charges may be necessary for defraying the current Expences of the Establishments.

Baths for the labouring Classes, supplied with clean Water for every Bather, or for several Children bathing together:

For One Person above Eight Years old, including the Use of One clean Towel:	
Cold Bath	One Penny.
Warm Bath	Two-pence.
For several Children, not exceeding Four, including the Use of One clean Towel for every Child:	
Cold Bath	Two-pence.
Warm Bath	Four-pence.

Wash-houses for the labouring Classes, supplied with Conveniences for washing and drying Clothes and other Articles:

For the Use by One Person of One Washing Tub or Trough, or One Pair of Washing Tubs or Troughs:	
For One Hour only in any One Day	One Penny.
For Two consecutive Hours only in any One Day	Three-pence.

Such Charges to include the Use of the drying Apparatus for drying all the Articles washed. The Time occupied in drying not to be included in the Hour or Two Hours. A Fraction of an Hour, exceeding Five Minutes, to be reckoned One Hour.

Open Bathing Places, where several Persons bathe in the same Water:

For One Person	One Halfpenny.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1846.