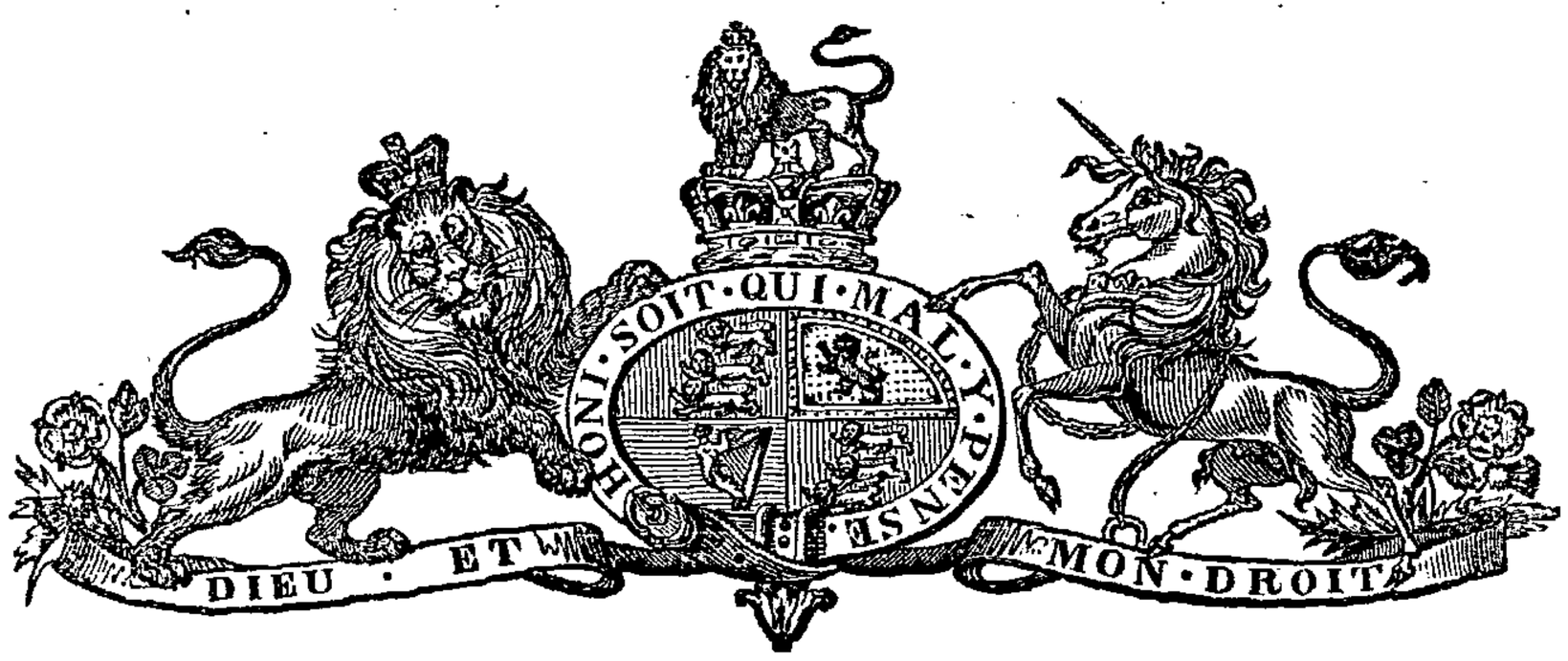


ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. xci.

An Act to continue "The City of *London* Sewers Act, 1848," and to alter and amend the Provisions of the said Act. [24th *July* 1851.]

WHEREAS it is expedient to continue "The City of *London* Sewers Act, 1848," and to alter and amend some of the Provisions thereof: May it therefore please Your Majesty that it may be enacted; and 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,

So much of Sect. 264 of 11 & 12 Vict. c. 163. as relates to Continuance of Act repealed.

I. That so much of the Two hundred and sixty-fourth Section of "The City of *London* Sewers Act, 1848," as declared that the said Act shall continue in force for Two Years next after the First Day of *January* then next, and thence to the End of the then next Session of Parliament, shall be and the same is hereby repealed.

Traps to be affixed to Inlets of Drains.

II. That the Directions contained in the Sixty-first Section of "The City of *London* Sewers Act, 1848," with respect to the providing and affixing a fit and proper Trap to the Mouth of the Drains therein mentioned, shall extend to the providing and affixing a fit and proper

proper Trap to the Inlet of such Drains to the Satisfaction of the Commissioners.

Sect. 69 of 11 & 12 Vict. c. 163. repealed.

III. That the Sixty-ninth Section of "The City of *London* Sewers Act, 1848," which enacts that Dirt shall not be swept into the Sewers, shall be and the same is hereby repealed.

Penalty on Scavengers and others sweeping Dirt, &c. into Sewers.

IV. That no Scavenger or other Person shall sweep, rake, or place any Soil, Rubbish, or Filth, or any other Thing, into or in any Sewer or Drain, or over any Grate communicating with any Sewer or Drain, or into any Dock or Inlet communicating with the Mouth of any Sewer or Drain, or into which any Sewer or Drain may discharge its Contents, or into the River *Thames* contiguous thereto; and every Scavenger or other Person who shall so offend shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Persons permitting Houses, &c. to become Nuisances a Second Time.

V. And whereas by the Seventy-seventh Section of the said recited Act the Commissioners are authorized, in certain Cases therein mentioned, to make an Order for the cleansing, whitewashing, or purifying of certain Dwelling Houses or other Buildings, and for the Removal or Abatement of certain Nuisances: Be it enacted, That if the Commissioners, in pursuance of the Provisions contained in the said Act, and in exercise of the Power thereby given to them, shall at any Time find it necessary to make, and shall make for the Second Time, or at any Time subsequently, an Order for the cleansing, whitewashing, or purifying of any Dwelling House or other Building which shall previously or by any former Order have been directed to be cleansed, whitewashed, or purified, or for the Removal or Abatement of any Nuisance proceeding from or existing, or committed or permitted to exist in, upon, or under any House, Building, or Land mentioned in any former Order, and in, upon, under, or from which any Nuisance may have been by such former Order directed to be abated or removed, the Owner or Occupier of such House or Building, if he shall have been the Owner or Occupier of such House or Building at the Time when by any former Order any Nuisance may have been directed to be abated or removed therefrom, or the Person committing, causing, or permitting such Nuisance, if he shall be the same Person who committed, caused, or permitted any former Nuisance in such House or Building, shall forfeit and pay any Sum not exceeding Ten Pounds, and such Penalty shall be wholly irrespective and independent of any Matter or Thing which he may by such Order be directed or required to do or perform, and shall be paid over and above any Costs or Expenses (if any such shall have been incurred) to which he may be subject or liable in pursuance of the Provisions contained in the said recited Act.

Commissioners to determine what shall be considered Refuse of Trade.

VI. And whereas by the Eighty-fourth Section of the said recited Act the Scavengers who may be required by the Owner or Occupier of any House or Land to remove the Refuse of any Trade, Manufacture, or Business therefrom, are entitled to be paid a reasonable Sum for the Removal thereof: And whereas Disputes and Differences of Opinion may arise between the Owner or Occupier of such House or Land and the Scavengers required to remove such Refuse as to what shall be considered as Refuse: Be it enacted, That as often as any Dispute or Difference of Opinion shall arise, it shall be lawful for the Commissioners, upon Application made to them by either of the Parties in difference, to determine whether the Subject Matter of Dispute is or is not Refuse of Trade, Manufacture, or Business, and in every such Case the Decision of the Commissioners shall be final and conclusive, and binding upon all Parties.

Sect. 85 of 11 & 12 Vict. c. 163. repealed.

VII. That the Eighty-fifth Section of "The City of *London* Sewers Act, 1848," containing Regulations for preventing the Accumulation of Dung, shall be and the same is hereby repealed.

Regulations to prevent Accumulation of Dung.

VIII. That if the Dung or Soil of any Stable or Cowhouse, or other Collection of refuse Matter (except Stable Dung in a Stable-yard in a Pit or Heap properly prepared for the Purpose), shall at any Time be allowed to accumulate within the City for more than Fourteen Days, or for more than Three Days after a Quantity exceeding a Cubic Yard shall have been collected, such Dung, Soil, or Refuse shall, if not removed within Twenty-four Hours after Notice from any Officer of the Commissioners, become vested in the Commissioners, and it shall be lawful for them, or the Person for the Time being having the Contract for doing so, to remove and sell and dispose of the same as the Property of the Commissioners, and the Money thence arising shall be applied to the Purposes of the Sewers Rate; and if any Person shall allow any Dung, Soil, Dirt, Ashes, or Filth to accumulate within his Dwelling House or other Building or Place for more than One Day after the Scavengers shall have applied to remove the same, such Person, upon being lawfully convicted, shall be subject to a Penalty not exceeding Forty Shillings and not less than Five Shillings, to be recovered and applied as other Penalties under this Act.

Sect. 91 of 11 & 12 Vict. c. 163. repealed.

IX. That the Ninety-first Section of the said recited Act, providing for the Registration and Inspection of Lodging Houses, shall be and the same is hereby repealed.

Regulations for the Registration and Inspection of Houses

X. And whereas the Owners and Keepers of Lodging Houses of an inferior Description, for the Accommodation of Mendicants, Strangers, and other Persons for the Night or other short Periods, and of other

Lodging Houses.

Houses inhabited by the poorer Classes of People, allow the same to be crowded by receiving more Lodgers than such Lodging Houses are adapted to contain with a due Regard to Health, and allow many Persons of both Sexes to be crowded together in a single Room, and allow Persons afflicted with Fever and other Diseases of a contagious or infectious Nature to remain in them till Infection has been communicated to other Lodgers, and receive other Lodgers into the Apartments and Beds from which diseased Persons have been removed without any purifying or other disinfecting Process: Be it enacted, That whenever the Medical Officer of Health shall certify that the Owner or Keeper of any Common Lodging House has received into such Lodging House more Lodgers than the same is adapted to contain with due Regard to Health, or has suffered them to be crowded together in an indecent and improper Manner, or has allowed Persons afflicted with contagious or infectious Disorders to remain therein, or has received other Lodgers into the Apartments and Beds from which diseased Persons have been removed, without previously purifying and disinfecting the same, or that the House is unfit for the Reception of Lodgers, either from being ill-ventilated or not sufficiently cleansed, or from any other Reason whatever, or that any undue or excessive Sickness or Mortality has occurred in such House, and Notice of the Medical Officer of Health having so certified shall have been given by the Commissioners to the Owner or Keeper of such Lodging House, or left for him at or upon the said House, it shall not be lawful for the Owner or Keeper of such Lodging House, after such Notice shall have been so given or left as aforesaid, to accommodate or receive any Lodgers therein unless and until such House shall have been registered in a Book to be kept by the Commissioners for that Purpose; and it shall be lawful for the Commissioners from Time to Time to fix and determine the Number of Lodgers who may be accommodated in each such Lodging House, and to make such other Regulations as they shall think necessary for the Preservation of Decency and Health, and the Names of the Keepers of such Lodging Houses shall be recorded by the Commissioners in a Register to be kept for that Purpose; and the Commissioners may order that a Ticket containing the Number of Lodgers for which the House is registered, and any Rules or Instructions of the Commissioners regarding Health, Cleanliness, or Ventilation, shall be hung up or placed in a conspicuous Part of each Room into which Lodgers are received; and the Keepers of all such Lodging Houses shall at all Times give Access to such Room when required by any Person appointed by the Commissioners for the Purpose of making an Inspection and Inquiry, or for the Purpose of introducing, using, or performing any disinfecting Process which the Commissioners may order, and the Expenses incurred by the Commissioners in so introducing, using, or performing any disinfecting Process shall be recoverable by them in a summary Manner from the Owner

or Person keeping the Lodging House in which the same shall have been so introduced, used, or performed; and if any Keeper of such Lodging House shall offend against any of the Provisions in this Enactment contained, or against any of the Regulations made by the Commissioners from Time to Time by virtue of this Act, he shall be liable for each such Offence to a Penalty not exceeding Five Pounds, and the like Penalty for any Day after the first upon which any such Offence shall be continued; and the Expression "Common Lodging House" shall, for the Purposes of this Act, mean any House, not being a Licensed Victualling House, let or any Part of which is let at a daily or weekly Rent not exceeding the Rate of Three Shillings and Sixpence *per* Week, or in which Persons are harboured or lodged for Hire for a single Night or for less than a Week at One Time, or in which any Room let for Hire is occupied by more than One Family at One Time.

Cellars in Courts not to be occupied as Dwellings.

XI. That it shall not be lawful to let for Occupation, or suffer to be occupied separately as a Dwelling, any Vault or Cellar under any House or Building in any Court.

Cellars, &c. not to be let as Dwelling Rooms, except under certain Conditions.

XII. That it shall not be lawful to let or continue to let for Occupation, or suffer to be occupied separately as a Dwelling, any Vault or Cellar under any House or Building in any Street, unless such Vault or Cellar be in every Part thereof at least Eight Feet in Height, measured from the Floor to the Ceiling thereof, nor unless the same be at least Three Feet of its Height above the Surface of the Street adjoining the same, nor unless there be outside of and adjoining the same Vault or Cellar, 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, an open Area of at least Two Feet and Six Inches wide in every Part, nor unless the same be well and effectually drained by means of a Drain the uppermost Part of which shall be One Foot at least below the Level of the Floor of such Vault or Cellar, nor unless its Floor be so constructed as to render it, in the Judgment of the Commissioners, fit and proper for Habitation, nor unless there be attached to such Vault or Cellar the Use of a Water-closet or Privy, and a Dustbin, furnished with proper Doors and Coverings, kept and provided according to the Provisions of the said recited Act or this Act, nor unless the same Vault or Cellar have a Fireplace with a proper Chimney or Flue, nor unless the same have an external Window of not less than Three Feet square, or otherwise of an Area of not less than Nine Feet clear of the Sash Frame, and made to open in such Manner as shall be approved by the Commissioners, 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 last-mentioned Case the external

external Window may be of any Dimensions not less than Two Feet square, or otherwise of an Area not less than Four Feet clear of the Sash Frame.

Penalty on letting underground Rooms for Dwellings.

XIII. That every Person who shall let, or knowingly suffer to be occupied for Hire or Rent as a Dwelling, any Vault, Cellar, or underground Room, contrary to the Provisions of this Act, shall for every such Offence forfeit any Sum not exceeding Two Pounds, and also any Sum not exceeding Ten Shillings for every Day during which such Vault, Cellar, or underground Room shall be so occupied.

As to placing Steps to Cellars.

XIV. That in any Area adjoining a Vault, Cellar, or underground Room used or intended to be used as a Dwelling there may be placed Steps necessary for Access to such Vault, Cellar, or Room, if such Steps be so placed as not to be over, across, or opposite to the external Window of such Vault, Cellar, or Room, and so as to allow between every Part of such Steps and the external Wall of such Vault, Cellar, or Room a clear Space of Six Inches at the least, and that over or across any such Area there may be placed Steps necessary for Access to any Building above the Vault, Cellar, or Room to which such Area adjoins, if the same be so placed as not to be over, across, or opposite to any such external Window.

When a Cellar is to be deemed a Dwelling Place.

XV. That every Vault, Cellar, or underground Room in which any Person shall pass the Night shall be deemed to have been occupied as a Dwelling within the Meaning of this Act.

Provisions as to letting of Cellars not to come into operation for Six Months.

XVI. That the Provisions of this Act with respect to the letting and Occupation of Vaults, Cellars, and underground Rooms as Dwellings shall not, so far as the same relate to Vaults, Cellars, and underground Rooms which may have been let or occupied as Dwellings before the passing of this Act, come into force or operation until the Expiration of Six Months from the Commencement of this Act; and the Commissioners shall from Time to Time after the passing this Act cause public Notice of the Provisions of this Act with respect to the letting and Occupation of Vaults, Cellars, and underground Rooms to be given in such Manner as may appear to them to be best calculated to make the same generally known.

Sects. 92, 93, 94, & 95 of 11 & 12 Vict. c. 163. repealed.

XVII. That the Ninety-second, Ninety-third, Ninety-fourth, and Ninety-fifth Sections of the said recited Act, relating to the Registration, Erection, and Regulation of Slaughter-houses, shall be and the same are hereby repealed.

No Place to be used as a

XVIII. That no Place shall be used or occupied as a Slaughter-house unless the same shall be duly registered as such at the Time of

of the Commencement of this Act, or unless a Licence from the Commissioners for the Erection thereof, or for the Use and Occupation thereof as a Slaughter-house, shall have been previously obtained; and in case any Person shall use as a Slaughter-house any Place not duly registered as such at the Time of the Commencement of this Act, without having first obtained from the Commissioners such Licence as aforesaid, every Person so offending shall for each Offence forfeit a Sum not exceeding Five Pounds, and the like Penalty for every Day after the first upon which the said Offence shall be continued.

Slaughter-house, unless registered as such at the Commencement of this Act, or unless a Licence shall be first obtained.

XIX. That the Commissioners shall duly keep and preserve the Register of Slaughter-houses which shall have been made and kept by them in pursuance of the Provisions contained in the said recited Act, and such Register shall be of the same Force and Validity in all respects as if made and kept under the Authority of the Provisions contained in this Act.

Existing Register of Slaughter-houses to be kept.

XX. That it shall be lawful for the Commissioners and they are hereby authorized and empowered, if they shall think proper so to do, but not otherwise, upon Application made to them for that Purpose, to grant Licences from Time to Time for the Erection of Slaughter-houses, or for the Use and Occupation of Buildings as Slaughter-houses, upon such Terms and Conditions as the Commissioners shall think proper.

Commissioners authorized to grant Licences for Slaughter-houses.

XXI. That in case any Place which, having been registered as a Slaughter-house, shall not be used as such at the Time of the Commencement of this Act, or shall subsequently be discontinued to be used as such, the same shall not again be used as a Slaughter-house until duly licensed as such under the Provisions of this Act; and in case any Person shall use any such Place as aforesaid as a Slaughter-house before the same shall have been so licensed as aforesaid, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds, and the like Penalty for every Day after the first upon which the said Offence shall be continued.

Existing Slaughter-houses, if discontinued, not to be used again without a new Licence.

XXII. That it shall be lawful for the Commissioners from Time to Time to make such Rules and Regulations as to them may seem proper for the Preservation of Cleanliness in and the better Regulation and Management of any Place now used or hereafter to be used for the Purpose of or as a Slaughter-house, or for the killing of Cattle, and also to fix and appoint such pecuniary Penalties for the Non-observance or Nonperformance of such Rules and Regulations as the Commissioners may think just and reasonable not exceeding Five Pounds

Commissioners may make Rules for the Cleanliness and Regulation of Slaughter-houses, and fix Penalties for Non-

observance of the same.

Pounds for any One Offence, to be recoverable in like Manner as other Penalties under this Act may be recovered,

After a certain Time, no Cellar, &c. to be used as a Slaughter-house.

XXIII. That after the Expiration of Six Months from the Commencement of this Act no Cellar, Vault, or other Place, the Floor whereof shall be more than Eighteen Inches below the Surface of the Street or Ground adjoining the same, shall be used as a Slaughter-house; and in case any Person shall use as a Slaughter-house any such Place as aforesaid, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Commissioners to appoint Inspectors of Slaughter-houses and Meat.

XXIV. That it shall be lawful for the Commissioners and they are hereby authorized to nominate and appoint such and so many fit and proper Persons as they shall think fit to be the "Inspectors of Slaughter-houses and Meat," with such Salaries and other Allowances, to be paid out of the Consolidated Rate, as the Commissioners shall think proper.

Inspectors to make a Declaration before acting.

XXV. That every such Inspector, before he shall enter upon the Duties of his Office, shall make and subscribe before some Alderman a Declaration in the Words or to the Effect following; (that is to say,)

'I *A. B.*, One of the Inspectors of Slaughter-houses and Meat, 'appointed in pursuance of [*here set forth the Title of this Act*], 'do declare, That I will diligently, impartially, and faithfully execute 'the said Office of Inspector of Slaughter-houses and Meat, and to 'the utmost of my Abilities endeavour to cause to be strictly 'observed the Prescriptions and Regulations prescribed in the said 'Act, and that without Favour or Affection, Prejudice or Malice, to 'any Person whomsoever.'

And every such Inspector shall hold his Office during the Pleasure of the Commissioners; and the Commissioners shall have Power and Authority (if they shall think fit so to do) to define and fix the Districts within which the said Inspectors are to act, and to do all Matters and Things relating in anywise to the Appointment and Direction of such Inspectors, and the Commissioners are hereby authorized and empowered to provide an Office for the Use of such Inspectors.

Inspectors to enter and inspect Slaughter-houses, &c.

XXVI. That it shall be lawful for every Inspector of Slaughter-houses and Meat, and he is hereby authorized and empowered, at any Time between the Hours of Five in the Morning and Ten at Night, and in case he shall have reasonable Cause to suspect any diseased or unsound Cattle, or the Carcass of any diseased or unsound Cattle, or any bad or unwholesome Meat, or any Meat unfit for the Food of Man, to be therein, then and in such Case, at any Time after the Hour of Ten at Night and before the Hour of Five in the Morning, with or without any

any Servants or Assistants, to enter into and inspect any Slaughter-house, or any Shop, Building, or Place whatsoever, now or at any Time hereafter kept or used for the slaughtering or killing of Cattle of any kind by any Person whomsoever, and also any Building, Shed, Yard, or Place belonging thereto, or wherein any Cattle, or the Carcass of any Cattle, or any Meat of any kind, is or may be placed, deposited, or kept, and then and there to examine and inspect the State and Condition of such Cattle, Carcass, or Meat; and in case such Inspector shall find any Cattle, or the Carcass or Part of the Carcass of any Cattle, or any Meat, which shall appear to him to be unsound or unwholesome, or not fit for the Food of Man, it shall be lawful for such Inspector to seize, take, and carry away, or direct the same to be seized, taken, and carried away, by any Servant or Assistant, for the Purpose of being further inspected and examined by competent Persons, or for the Purpose of carrying the same before a Justice, who shall in such Case forthwith order the same to be further inspected and examined by competent Persons; and if upon such further Inspection and Examination such Cattle or Carcass, or Part of a Carcass, or such Meat, shall be found and declared to be diseased or unsound or unwholesome, or not fit for the Food of Man, the same shall be immediately burnt or destroyed, or otherwise disposed of in such Way as to prevent the same from being exposed for Sale or used for the Food of Man; and in case any Person shall obstruct or prevent or in any Manner impede any such Inspector in or from entering into any such Slaughter-house, or any House, Building, or Place kept or used for the slaughtering or killing of Cattle, or wherein any Cattle, or the Carcass of any Cattle, or any Part thereof, or any Meat, shall be placed, deposited, or kept, or any Building, Shed, Yard, or Place belonging thereto, or in or from inspecting the same, or examining, seizing, taking, carrying away, or destroying any such Cattle, Carcass, or Part of a Carcass, or any Meat which shall so appear to him to be unsound and unwholesome or unfit for the Food of Man, every such Person so offending shall forfeit a Sum not exceeding Five Pounds for each Offence.

Power to Inspectors to inspect Meat hawked about or exposed for Sale.

XXVII. That it shall be lawful for any Inspector of Slaughter-houses and Meat, and he is hereby authorized and empowered, to examine and inspect any Meat exposed for Sale in any Part of the City; and if upon such Examination and Inspection any Meat shall appear to him to be unsound or unwholesome, or not fit for the Food of Man, it shall be lawful for such Inspector to seize, take, and carry away, or direct the same to be seized, taken, and carried away, by any Servant or Assistant, and to cause the same to be forthwith immediately burnt or destroyed; and in case any Person shall obstruct or hinder such Inspector in, or endeavour to prevent him from examining and inspecting, seizing, taking, carrying away, or destroying any such Meat as aforesaid, which shall so appear to him to be unsound and unwholesome, or unfit for the

Food of Man, he shall forfeit and pay a Sum not exceeding Five Pounds for each Offence.

Ashpit to include Dustbin.

XXVIII. That throughout the said recited Act, wherever the Word "Ashpit" shall be used, it shall be deemed and taken to include "Dustbin."

Sect. 103 of 11 & 12 Vict. c. 163. repealed.

XXIX. That the One hundred and third Section of the said recited Act, relating to the emptying of Privies and Cesspools, shall be and the same is hereby repealed.

If Owners or Occupiers do not empty Privies within Two Days after Notice, Commissioners may, at the Expense of Owners, &c.

XXX. That if the Owner or Occupier of any House shall not, within Two Days after Notice from the Commissioners requiring him to empty and cleanse the Privy or Cesspool belonging to such House, or used by the Inmates or Occupiers thereof, cause such Privy or Cesspool to be effectually emptied and cleansed, it shall be lawful for the Commissioners to cause such Privy or Cesspool to be emptied and cleansed, and to dispose of the Soil removed therefrom, in such Manner as they shall think fit; and it shall be lawful for the Commissioners to recover from such Owner or Occupier the Costs and Expenses incurred thereby, in the Manner provided by this Act for the Recovery of Penalties and Forfeitures.

Upon a continuous Supply of Water being provided, the Necessity to provide Cisterns shall cease.

XXXI. That if at any Time hereafter, owing to a continuous Supply of Water having been provided for the Use of the Inhabitants of the City, it shall, in the Opinion of the Commissioners, cease to be necessary that every House should be provided with a Cistern, then and in such Case the Provisions contained in the said recited Act requiring that every House then existing, as well as those that should thereafter be built, should be provided with a Cistern, with a proper Covering and Cock, to the Satisfaction of the Commissioners, shall be no longer binding or obligatory.

Burial Grounds, when closed, may be appropriated for public Improvements.

XXXII. That after any Churchyard or Burial Ground shall have ceased to be used for the Interment of the Dead it shall be lawful for the Commissioners, with the Consent of the Bishop of *London*, to be signified by any Instrument in Writing under his Hand and Seal, to enter into such Arrangements as may be agreed upon with the Incumbent and Churchwardens of the Parish in which such Churchyard or Burial Ground may be situated, for the Appropriation thereof or of any Part thereof to public Improvements, or to enlarge and improve the public Streets.

Power to remove Bodies from Burial Grounds.

XXXIII. That it shall be lawful for the Relative of any deceased Person, with the Consent of the Incumbent or other Person having the Care or Control of any such Churchyard or Burial Ground as aforesaid

in which the Body of such deceased Person has been interred or deposited, but subject to the Regulations of the Commissioners, to cause such Body to be removed to and interred in any Burial Ground or in any Cemetery without the City, without any Faculty for that Purpose.

Burial Grounds may be lowered and covered over.

XXXIV. That it shall be lawful for the Commissioners, with the Consent of the Bishop of *London*, to cause any Churchyard or Burial Ground within the City, after the same shall have been finally closed, to be planted, paved, or otherwise covered over, or any Part thereof, and if the Surface of such Churchyard or Burial Ground shall be above the Level of the adjoining Ground, to cause the same to be lowered, and for such Purpose to dig and carry away the Soil of such Churchyard or Burial Ground.

If Burial Ground lowered, the Graves to be disturbed as little as possible, and Bodies to be removed.

XXXV. Provided always, That if the Commissioners shall cause any Churchyard or Burial Ground to be lowered, the Graves and Vaults in such Churchyard or Burial Ground shall be as little disturbed as possible, and it shall be lawful for the Relatives of any deceased Person whose Body may within the last Twenty Years have been interred or deposited in any Grave or Vault which may be so disturbed, to cause the Remains of such Person to be removed, carried away, and placed in some other Churchyard or Burial Ground, in such Manner as the Bishop of *London* or such Person as he may appoint shall direct, and the Expenses of such removing, carrying away, and placing (not exceeding in any One Case the Sum of Ten Pounds) shall be paid by the Commissioners; and the Remains of such Persons as shall have been interred or deposited in the Graves or Vaults so disturbed as aforesaid which shall not be removed or carried away as aforesaid shall (except such Graves or Vaults as shall be finally closed up), at the Expense of the Commissioners, be removed from such Graves or Vaults, and be interred in such Manner as the Bishop of *London* or such Person as he shall appoint shall direct.

Relatives may remove Tombs, &c. at their own Expense.

XXXVI. That if the Commissioners shall cause the Soil of any Churchyard or Burial Ground to be planted, paved, or covered over; it shall be lawful for the Relatives of any deceased Person who may have been buried therein, or to whose Memory any Tomb, Monument, or Inscription may have been erected or placed, to cause such Tomb, Monument, or Inscription to be removed and taken away, but such Removal and taking away shall be at the Expense of the Person causing the same to be done.

For preventing Damage to Property of Commissioners.

XXXVII. That the Provisions in the One hundred and seventeenth and One hundred and eighteenth Sections of the said recited Act, relating to the wilful or accidental Damage of Lamps, or the Iron or other

other Furniture thereof, shall extend and be applied to the wilful or accidental Damage of any other Property belonging to the Commissioners.

Sects. 123 and 124 of 11 & 12 Vict. c. 163. repealed.

XXXVIII. That the One hundred and twenty-third and One hundred and twenty-fourth Sections of the said recited Act, directing the Manner in which the Water shall be conveyed from Houses, shall be and the same are hereby repealed.

Offensive Liquids to be conveyed into the Sewers without flowing over the Pavement.

Penalty.

XXXIX. That no Urine or filthy or offensive Liquid of any kind shall be permitted to flow from any House or Building, private Court or Passage, upon the Footway of any Street, or upon the Pavement of any Court or Passage, or into the Surface Drain or Channel of any Street, but all such Houses, Buildings, private Courts or Passages, shall be drained into the public Sewers by close Drains or Pipes or Tunnels placed below the Surface of the Pavement of the Streets; and if any Person shall wilfully permit or suffer any Urine or offensive Fluid of any kind to flow from any House or Building, or private Court or Passage, upon the Footway of any Street, or upon the Pavement of any Court or Passage, or into the Surface Drain or Channel of any Street, such Person shall be liable to a Penalty not exceeding Five Pounds for every such Offence: Provided always, that in the Case of any Tempest, Flood, or other unavoidable Necessity, in which it may be requisite that Water should be pumped up or discharged from any House, Building, or Place, such Water may be conveyed over or under the Footway, or over or under the Pavement of any Court or Passage, by Spouts or Troughs, into the Surface Drain or Channel of the Street.

Provisions in Sect. 151 of recited Act, relating to Inspectors of Pavements, to apply to Inspectors appointed under this Act.

XL. That all the Provisions in the One hundred and fifty-first Section of the said recited Act contained, with reference or in relation to Persons appointed to act as Inspectors of Pavements, shall extend and be applicable and shall be applied to every Person who shall be appointed an Inspector under the Provisions of the said recited Act or of this Act.

Provisions in Sect. 157 of recited Act, with reference to taking down, &c. Houses, to extend to Houses unfit for Human Habitation.

XLI. That the Provisions contained in the One hundred and fifty-seventh Section of the said recited Act, with reference to the taking down, securing, or repairing any House, Building, Wall, or other Thing which shall be deemed by the Surveyor of the Commissioners to be in a ruinous State, and dangerous to Passengers or to the Occupiers of any neighbouring House or Building, shall extend and be applied to any House or Building which in the Opinion of the Medical Officer of Health is permanently unwholesome and unfit for Human Habitation.

XLII. That

Sects. 170 and 177 of recited Act to extend to Buildings as well as Houses,

XLII. That the One hundred and seventieth and One hundred and seventy-seventh Sections of the said recited Act shall extend to and be deemed to comprise Buildings as well as Houses.

No Rate on public Buildings and vacant Spaces of Ground to exceed hereafter Threepence per Square Yard.

XLIII. And whereas by the One hundred and eighty-seventh Section of the said recited Act it was enacted, that it should be lawful for the Alderman or his Deputy, and the major Part of the Common Councilmen of each Ward, and they were thereby required, at such Times as the Rates therein-before directed to be made by them should from Time to Time be made, to rate all Parish and other Churches, Chapels, Churchyards, Burial Grounds, Meeting Houses, Prisons, Hospitals for sick Persons, and public Buildings whatsoever, and all vacant Spaces of Ground, situate, lying, and being within the City, (other than and except the Cathedral Church of *Saint Paul*, and the Churchyards and Ground within the Iron Rails encompassing the said Cathedral Church,) at such Rate as the Commissioners should order and direct, for every Square Yard of such public Buildings and vacant Spaces of Ground, not exceeding the Rate of Ninepence *per* Square Yard towards the Sewers Rate, and Threepence *per* Square Yard towards the Consolidated Rate: Be it enacted, That no such Rate hereafter to be made in pursuance of the said Provision, either towards the Sewers Rate or the Consolidated Rate, shall exceed the Sum of Threepence *per* Square Yard.

Saint Bartholomew's and Christ's Hospitals not to be assessed to Sewer or Consolidated Rate.

XLIV. And whereas the Royal Hospitals of *Saint Bartholomew* and *Christ* were not rated to the Sewer Rate or Consolidated Rate previously to the passing of "The City of *London* Sewers Act, 1848:" Be it enacted, That neither of the said Royal Hospitals shall hereafter be assessed to the said Rates or either of them.

Sects. 11 & 12 of 22 & 23 Car. 2. c. 17., Sects. 15, 16, & 17 of 32 G. 2. c. 16., the whole of 28 G. 2. c. 37., and 9 G. 3. c. 23. repealed.

XLV. That Sections Eleven and Twelve of an Act passed in the Session of Parliament holden in the Twenty-second and Twenty-third Years of the Reign of King *Charles* the Second, Chapter Seventeen, empowering the Mayor, Aldermen, and Commons to provide Laystalls; and Sections Fifteen, Sixteen, and Seventeen of an Act passed in the Thirty-second Year of the Reign of King *George* the Second, Chapter Sixteen, conferring certain Powers on the Lessees and Occupiers of Laystalls; and the whole of an Act passed in the Twenty-eighth Year of the Reign of King *George* the Second, Chapter Thirty-seven, for better lighting, cleansing, watching, and paving the Parish of *Saint Bartholomew the Great*; and also the whole of an Act passed in the Ninth Year of the Reign of King *George* the Third, Chapter Twenty-three, for amending the last-mentioned Act, shall be and the same are hereby repealed.

Power for the Commissioners, with the Consent of the Trustees of the Fabric, &c., to lay open the Ground, Area, &c. in the West Front of St. Paul's Cathedral into the public Street.

XLVI. And whereas it may hereafter be thought desirable to open and lay into the public Street the Ground, Area, or Space in the West Front of the Cathedral Church of *Saint Paul*, now enclosed with an Iron Rail or Fence, or some Part thereof: Be it therefore enacted, That it shall be lawful for the Commissioners to treat and agree with the Archbishop of *Canterbury*, the Lord Bishop of *London*, and the Lord Mayor of *London*, the Trustees for the Fabric of the said Cathedral Church, or any Two of them, and with the Dean and Chapter of the said Cathedral Church, (who are hereby severally authorized and empowered to contract, if they shall think fit to do so, with the Commissioners accordingly,) for opening and laying into the said public Street all or any Part of the Ground, Area, or Space lying Westward of the great Steps leading up to the said Church (except that Part encompassed with an Iron Rail whereon the Statue of the late Queen *Anne* is erected); and in the event of any such Agreement being entered into as to all or any Part of the said Ground, Area, or open Space, the Commissioners are hereby authorized and empowered, by and out of the Monies arising from the Consolidated Rate, to make such Compensation for the same to the said Trustees as shall be mutually agreed upon, and thereupon to cause the said Ground, Area, or Space (except as before excepted), or so much thereof as shall be so agreed for, to be opened and laid into the public Street, any Law or Prescription to the contrary thereof in anywise notwithstanding.

No live Cattle to be kept in Cellars, &c.

XLVII. That no Bull, Cow, Heifer, Ox, Steer, Calf, Ram, Ewe, Wether, Lamb, or Swine shall be placed or kept in any Cellar, Vault, or other Place the Floor whereof shall be more than Eighteen Inches below the Surface of the Street or Ground adjoining the Entrance Front; and every Person who shall keep or place any Bull, Cow, Heifer, Ox, Steer, Calf, Ram, Ewe, Wether, Lamb, or Swine in any such Cellar, Vault, or other Place aforesaid shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

After 1st Jan. 1852, Furnaces to consume their own Smoke.

XLVIII. That from and after the First Day of *January* One thousand eight hundred and fifty-two every Furnace employed or to be employed in the working of Engines by Steam, and every Furnace employed or to be employed in any Mill, Factory, Printing House, Dyehouse, Iron Foundry, Glasshouse, Distillery, Brewhouse, Bakehouse, Gasworks, Waterworks, or other Buildings used for the Purpose of Trade or Manufacture within the City (although a Steam Engine be not used or employed therein), shall in all Cases be constructed or altered so as to consume the Smoke arising from such Furnace; and if any Person shall, after the First Day of *January* One thousand eight hundred and fifty-two, use any such Furnace which shall not be constructed so as to consume or burn its own Smoke, or

Penalty on Neglect.

shall so negligently use any such Furnace as that the Smoke arising therefrom shall not be effectually consumed or burnt, or shall carry on any Trade or Business which shall occasion any noxious or offensive Effluvia, or otherwise annoy the Neighbourhood or Inhabitants, without using, to the Satisfaction of the Commissioners, the best practicable Means for preventing or counteracting such Annoyance, every Person so offending shall forfeit and pay a Sum of not more than Five Pounds nor less than Forty Shillings, for and in respect of every Day during which or any Part of which such Furnace or Annoyance shall be so used or continued.

Penalty on exposing Hides, &c. in Streets, in an offensive State.

XLIX. That every Person who shall expose for Sale or deposit in any Building, Market, or Street any raw or undressed Hide of any Beast or Cattle which from the putrid or offensive State or Condition thereof shall, in the Opinion of the Inspector of Nuisances, be a Nuisance, or be injurious or prejudicial to the Public Health, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Commissioners empowered to execute incidental Works necessary to complete compulsory Works.

L. And whereas in the course of the Execution of compulsory Works by the Commissioners, under the Powers for that Purpose vested in them by the said City of *London* Sewers Act, 1848, various incidental Works have been found necessary to be done which are not specifically described or specified as to be done in the aforesaid Act, and the Commissioners are therefore unable to recover the Costs and Expenses of executing such incidental Works: Be it enacted, That in all Cases in which the Commissioners shall execute any compulsory Works under the Powers of the aforesaid Act they shall be at liberty and they are hereby empowered to execute all such incidental Works as shall in their Estimation be necessary for the due and proper Completion of any such compulsory Works, and shall recover the Costs and Expenses of executing all such incidental Works in the Manner provided by the said Act for the Recovery of the Costs and Expenses of executing compulsory Works.

Costs of compulsory Works may be recovered from any of the Parties interested, in the first instance.

LI. And whereas Difficulties have occurred in the Recovery by the Commissioners of the Costs and Expenses of executing compulsory Works under the said Act from the Owners of Premises: Be it therefore enacted, That in all Cases in which the Commissioners are authorized to execute compulsory Works they shall recover the Costs and Expenses thereof, in the first instance, from any One of the Parties interested in the said Premises, in the Manner provided by the said Act, who shall be at liberty to recover over from the other Persons interested in the same Premises a proportionate Part of the said Costs and Expenses, according to their several Estates and Interests therein.

LII. That

Penalty on Butchers or other Persons exposing for Sale unsound Meat or Provisions.

LII. That if any Butcher, Dealer in Meat, or other Peson shall expose or offer for Sale, in any Shop, Stall, Warehouse, Building, or other Place, any unsound or unwholesome Meat, Fish, Poultry, Fruit, Vegetables, or other Provisions unfit for the Food of Man, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings, and such Meat, Fish, Poultry, Fruit, Vegetables, or other Provisions shall and may be seized, carried away, and dealt with by the Inspectors of Slaughter-houses and Meat in such Manner as is herein-before provided touching the seizing and Disposal of unsound Meat.

Commissioners not to sit or vote upon Undertakings they are interested in as Shareholders, &c.

LIII. That no Person, being a Commissioner, who is a Shareholder in, or Surveyor, Solicitor, or Agent for, any Gas Company, Water Company, Paving Company, or any Work, Undertaking, or Speculation the contracting with or the Promotion or carrying out of which shall be discussed at any Meeting of the Commissioners, shall be eligible to sit or vote as a Commissioner while such Subject is under the Discussion of the Commissioners.

Re-sale of Lands not wanted.

LIV. That it shall be lawful for the Commissioners to sell and dispose of, in such Manner as they may think fit, to any Person, and by Indenture under the Hands and Seals of Seven of the Commissioners, to grant and convey by way of absolute Sale in Fee Simple for a Consideration in Money, any Lands which have been or may be purchased by the Commissioners for the Purpose of altering, widening, turning, or extending, lengthening, continuing, or opening any of the Streets or public Places within the City, and which by the Commissioners may be deemed unnecessary for the Purposes aforesaid; and upon the Payment of the Money which shall arise by or from the Sale of any such Lands it shall be lawful for the principal Clerk for the Time being of the Commissioners to sign and give a Receipt for the Money for which the same shall be sold, which Receipt shall be a sufficient Discharge to any Person for the Money therein expressed or acknowledged to be received; and such Person shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money.

Commissioners may grant Leases of Lands.

LV. That it shall be lawful for the Commissioners and they are hereby authorized, by Writing under the Hands and Seals of Seven of the Commissioners, to demise or lease such Lands as shall be deemed unnecessary for the Purposes aforesaid to any Person, for the Purpose of building upon or for any other Purpose, and for such Rent and upon such Terms and Conditions as the Commissioners shall think proper: Provided always, that within Five Years from the Date of any such Demise or Lease to be executed by the Commissioners for any Term exceeding Twenty-one Years the Commissioners shall sell

and

and absolutely dispose of the Reversion of the Lands to be comprised in any such Demise or Lease, and of the Rent thereby reserved, to such Persons and in such Manner and Form as is herein-before directed with respect to the Sale of Lands deemed unnecessary for the Purposes aforesaid.

Actions, &c. not to abate.

LVI. That no Action, Suit, or other Proceeding whatsoever, commenced either by or against the Commissioners previously to the Commencement of this Act, shall abate or be discontinued or prejudicially affected in consequence of any Section in the said recited Act having been repealed, but the same shall continue and take effect, either in favour of or against the Commissioners, in the same Manner in all respects as the same would have continued and taken effect if this Act had not been passed; and also that all Penalties by reason of any Offence which may have been committed before the Commencement of this Act against the Provisions of any Section in the said recited Act hereby repealed shall and may be sued for, and all Offences which may have been committed before the Commencement of this Act against the Provisions of any such Clause may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if this Act had not been passed.

Provisions of recited Act incorporated with this Act.

LVII. That all the Clauses, Provisions, Matters, and Things in the said recited Act contained, except such of them as are hereby varied, altered, or repealed, or as are repugnant to the Provisions in this Act contained, shall extend to this Act, and shall be in force in respect to the Objects and Purposes of this Act, as fully and effectually, to all Intents and Purposes, as if the same Clauses, Provisions, Matters, and Things were re-enacted in this Act with reference to the Objects and Purposes thereof, and the said Act and this Act shall be, as to all Matters and Things whatsoever, except as aforesaid, read and construed together as One Act.

Saving the Rights of the Crown, &c.

LVIII. Provided always, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Queen's Majesty, Her Heirs or Successors, or of the Mayor and Commonalty and Citizens of the City of *London*, or of the Lord Mayor of the said City for the Time being.

Saving Rights of the Metropolitan Commissioners of Sewers.

LIX. That nothing in this Act contained shall abridge, lessen, or interfere with any of the Rights, Powers, or Authorities of the Metropolitan Commissioners of Sewers, but all such Rights, Powers, and Authorities shall remain unaffected and unimpaired by this Act.

Expenses of Act.

LX. That the Costs, Charges, and Expenses attending or incident to the obtaining and passing of this Act shall be paid by the Commissioners out of any Monies in their Hands at the Time of the passing of this Act, or which shall otherwise come to their Hands by virtue of the said recited Act or of this Act, in such Proportions and in such Manner as they shall think fit.

Commencement of Act.

LXI. That this Act shall commence and come into operation from and immediately after the End of this present Session of Parliament, and not before.

Short Title.

LXII. That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The City of *London* Sewers Act, 1851."

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