

ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

****

CAP. XXVIII.

An Act for the well-ordering of Common Lodging Houses. [24th *July* 1851.]

WHEREAS it would tend greatly to the Comfort and Welfare of many of Her Majesty's poorer Subjects if Provision were made for the well-ordering of Common Lodging Houses: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; to wit,

Short Title.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The Common Lodging Houses Act, 1851."

Interpretation of Terms in this Act.

II. The following Words and Expressions in this Act have, for the Purposes and Execution of this Act, the following Meanings; to wit,

The Word "Place" includes County, Riding, Hundred, and other Division or Part of a County, City, Borough, Parish, District, and other Place whatsoever:

The Word "Borough," and the Expressions "Mayor, Aldermen, and Burgesses," and "Borough Fund," have respectively the same Meaning as in the Act for the Regulation of Municipal Corporations:

The Expression "Improvement Act" means an Act for regulating and managing the Police of, and for draining, cleansing, paving, lighting, watching, and improving a Place, and an Act for any of those Purposes:

The Expression "Common Lodging House" includes, in any Case in which only a Part of a House is used as a Common Lodging House, the Part so used of such House.

By whom the Act is to be executed.

III. This Act shall be executed as follows; to wit,

1. Within and for all or any Part of the Metropolitan Police District, by "The Commissioners of Police of the Metropolis," or such One of them as is from Time to Time appointed in that Behalf by One of Her Majesty's Principal Secretaries of State:

2. Within and for all and any Part of any Place not being within the Metropolitan Police District, but being now or hereafter the District of a Local Board of Health, by the Local Board of Health for the District:

3. Within and for all and any Part of any other Place not being within the Metropolitan Police District, and not being the District of a Local Board of Health, but being now or hereafter an incorporated Borough regulated under the Act for the Regulation of Municipal Corporations, or any Act for the Amendment thereof, or any Charter granted in pursuance of any such Act, by the Mayor, Aldermen, and Burgesses of the Borough acting by the Council of the Borough:

4. Within and for all and any Part of any other Place not being within the Metropolitan Police District, and not being the District of a Local Board of Health, and not being such an incorporated Borough, but being now or hereafter the Place within the Limits of an Improvement Act, by the Commissioners, Trustees, or other Body, by whatever Name, known for executing the Improvement Act:

5. Within and for all and any Part of any other Place not being One of the Places herein-before specified, by the Justices of the Peace acting in Petty Sessions for the Place.

As to Expenses of executing this Act.

IV. The Expenses of and incident to the executing of this Act shall be borne and paid as follows; to wit,

1. With respect to the Metropolitan Police District, as Part of the general Expenses of executing the Acts for the Time being in force relating to the Metropolitan Police Force:

2. With

2. With respect to the District of a Local Board of Health, as Part of the Expenses of executing the Acts for the Time being in force relating to the Local Board of Health, and as charged upon and payable out of the Monies carried, under the Public Health Act, 1848, to the District Fund Account of the Local Board of Health:

3. With respect to an incorporated Borough, as Part of the Expenses of carrying into execution within the Borough the Provisions of the Act for the Regulation of Municipal Corporations, and as charged upon and payable out of the Borough Fund of the Borough:

4. With respect to a Place within the Limits of an Improvement Act, as Part of the general Expenses of executing that Act, and as charged upon and payable out of the Monies from Time to Time applicable for those Expenses:

5. With respect to a Place in which this Act is executed by Justices in Petty Sessions, as Part of the general Expenses of the Constablewick of the Place, and as charged upon and payable out of the Monies from Time to Time applicable for those Expenses:

And the Monies from Time to Time required for the Payment of the Expenses of and incident to the Execution of this Act shall be assessed, levied, raised, recovered, and paid accordingly.

Meaning of the Term "the local Authority."

V. The Expression in this Act "the local Authority" means, with respect to the Purposes and Execution of this Act with respect to any Place, the Body or Person by this Act authorized to execute with respect to the Place the several Provisions of this Act.

Notice of this Act to be given to the Keepers of Common Lodging Houses.

VI. Within Three Months after the passing of this Act the local Authority shall, and from Time to Time thereafter the local Authority may, give to the Keeper of every Common Lodging House already or hereafter within the Jurisdiction under this Act of the local Authority, Notice in Writing of this Act, and shall give such Notice by leaving the same for such Keeper at the House, and shall by such Notice require the Keeper to register the House as by this Act provided, and such Notice may be in the Form in the Schedule to this Act annexed, or to the like Effect.

Registers of Common Lodging Houses to be kept.

VII. The local Authority shall keep a Register in which shall be entered the Names and Residences of the Keepers of all Common Lodging Houses within the Jurisdiction of the local Authority, and the Situation of every such House, and the Number of Lodgers authorized according to this Act to be received therein.

VIII. After

Lodgers not to be received in Common Lodging Houses until registered under this Act.

VIII. After One Month after the giving of such Notice to register as by this Act provided, the Keeper of any Common Lodging House or any other Person shall not receive any Lodger in such House until the same has been inspected and approved for that Purpose by some Officer appointed in that Behalf by the local Authority, and has been registered as by this Act provided.

Power to local Authority to make Regulations respecting Common Lodging Houses.

IX. The local Authority may from Time to Time make Regulations respecting Common Lodging Houses within its Jurisdiction for all or any of the Purposes respecting the same for which the Local Board of Health are by the Public Health Act, 1848, authorized to make Byelaws, and for the well-ordering of such Houses, and for the Separation of the Sexes therein: Provided always, that the Regulations made under this Act by the local Authority shall not be in force until they have been confirmed by One of Her Majesty's Principal Secretaries of State.

Power to local Authority to impose Penalties for Offences committed against Regulations.

X. The local Authority shall have the same Power of imposing Penalties on Offenders against the said Regulations, subject to the same Restrictions, as the Local Board with respect to Offenders against such Byelaws, and such Penalties shall be recoverable in the same Way as is provided in the said Act with respect to the Penalties imposed on Offenders against such Byelaws; and a Copy of the said Regulations, purporting to be signed by the Secretary of State, and also to be signed by the local Authority, (or to be sealed with the Seal of the same, in case it have a Seal,) shall be receivable in Evidence of such Regulations, and of the duly making and confirming thereof.

Keepers of Common Lodging Houses to give Notice of Fever, &c. therein.

XI. The Keeper of a Common Lodging House shall, when a Person in such House is ill of Fever or any infectious or contagious Disease, give immediate Notice thereof to the local Authority, or some Officer of the local Authority, and also to the Poor Law Medical Officer and the Poor Law Relieving Officer of the Union or Parish in which the Common Lodging House stands.

As to Inspection of Common Lodging Houses.

XII. The Keeper of a Common Lodging House, and every other Person having or acting in the Care or Management thereof, shall, at all Times when required by any Officer of the local Authority, give him free Access to such House or any Part thereof.

As to cleansing of Common Lodging Houses.

XIII. The Keeper of a Common Lodging House shall thoroughly cleanse all the Rooms, Passages, Stairs, Floors, Windows, Doors, Walls, Ceilings, Privies, Cesspools, and Drains thereof, to the Satisfaction of and so often as shall be required by or in accordance with any

any Regulation or Byelaw of the local Authority, and shall well and sufficiently, and to the like Satisfaction, limewash the Walls and Ceilings thereof in the First Week of each of the Months of *April* and *October* in every Year.

Penalty for Offences against this Act.

XIV. If the Keeper of a Common Lodging House, or any other Person having or acting in the Care or Management thereof, offend against any of the Provisions of this Act, or any of the Byelaws or Regulations made in pursuance of this Act, or if any Person in any Common Lodging House be confined to his Bed for Forty-eight Hours by Fever or any infectious or contagious Disease, without the Keeper of such House giving Notice thereof as required by this Act, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and to a further Penalty not exceeding Forty Shillings for every Day during which the Offence continues: Provided always, that this Act shall not exempt any Person from any Penalty or other Liability to which he may be subject irrespective of this Act.

Recovery of Penalties.

XV. The Clauses and Provisions of the Railways Clauses Consolidation Act, 1845, "with respect to the Recovery of Damages "not specially provided for, and of Penalties, and to the Determina- "tion of any other Matter referred to Justices," are for the Purposes and Execution of this Act incorporated with this Act.

General Powers of local Authority, &c.

XVI. The local Authority, and all Justices, Constables, and others, shall respectively have full Jurisdiction, Powers, Authorities, and Indemnities for executing the several Provisions of this Act; and the Restrictions of the Public Health Act, 1848, as to the Hours within which Common Lodging Houses may be entered by Persons authorized by a Local Board of Health, shall not apply to this Act.

Act not to extend to the City of London;

XVII. That this Act shall not extend to the City of *London* or the Liberties thereof.

nor to Scotland.

XVIII. That nothing in this Act shall extend to *Scotland*.

SCHEDULE.

FORM OF NOTICE.

TAKE notice, That on the [ ] Day of [ ] an Act called "The Common Lodging Houses Act, 1851," was passed, and that before the [ ] Day of [ ] you, being the Keeper of a Common Lodging House within [*here state the Place over which the Jurisdiction of the local Authority giving the Notice extends*], must have your Common Lodging House registered, and that the Register is to be kept at [*here state where the Register is to be kept*], and that if you do not have your Common Lodging House so registered you will be liable to a Penalty not exceeding Five Pounds for every Lodger whom you receive in your Common Lodging House while it is not so registered; and that on your applying to [*here give the Name and Address of the Person to keep the Register*] he will register your Common Lodging House free of all Charge to you. Dated [*&c.*].

LONDON:
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Printers to the Queen's most Excellent Majesty. 1851.