ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. XXXIV.

An Act to encourage the Establishment of Lodging Houses for the Labouring Classes.

[24th *July* 1851.]

WHEREAS it is desirable, for the Health, Comfort, and Welfare of the Inhabitants of Towns and populous Districts, to encourage the Establishment therein of well-ordered Lodging Houses for the Labouring Classes: 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,

Short Title of Act.

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The Labouring Classes Lodging Houses Act, 1851."

Act may be adopted in certain Boroughs and Parishes.

II. That this Act may be adopted for any incorporated Borough in *England* 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 for any Place being the District of any Local Board of Health regulated under the Public Health Act, 1848, or any Act passed for the Amendment thereof, and also for any Place being the District within

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the Limits of any Act for the paving, lighting, watching, draining, or otherwise improving of such Place, and also, with the Approval of One of Her Majesty's Principal Secretaries of State, for any Parish in *England*, having, according to the then last Census, a Population of not less than Ten thousand, or being a Parish in any such incorporated Borough, having, according to the then last Census, a Population of not less than Ten thousand, and also with the like Approval for each of several Parishes as by this Act in that Behalf provided.

Interpretation of Terms.

III. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

"Parish" shall mean every Place maintaining its own Poor, and having a Vestry:

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

"District" shall mean any Place being the District of such a Local Board of Health, and shall also mean any Place being the District within the Limits of such an Improvement Act:

"Ratepayers" shall mean all Persons for the Time being assessed to and paying Rates for the Relief of the Poor of 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, and shall also mean any Body of Persons, by whatever Name distinguished, acting, by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry:

59 G. 3. c. 12.

1 & 2 W. 4. c. 60.

"Board"

"Board" shall mean, as regards the District of such a Local Board of Health, such Local Board of Health for the Time being in Office and acting as such Local Board of Health, and, as regards the District within the Limits of such an Improvement Act, the Commissioners, Trustees, or other Body of Persons by whatever Name distinguished for the Time being in Office and acting in the Execution of such Act:

"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 District, the Clerk of the Board of such District, 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, District, Parish, or Place where the Matter requiring the Cognizance of Justices shall arise:

"Improvement Rates" shall mean the Rates, Tolls, Rents, Income, and other Monies whatsoever which under the Provisions of any such Improvement Act shall be applicable for the general Purposes of such Act:

"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.

IV. 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.

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

V. That the Expenses 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

defraying such Expenses, and shall apply the same accordingly, as if the Expense of carrying this Act into execution were an Expense 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 Lodging Houses 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 Lodging Houses Account."

Any Local Board of Health may adopt the Provisions of this Act if they think fit.

VI. That the Board of any such District, being the District of a Local Board of Health, may, if they think fit, determine that this Act shall be adopted for such District, 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 District, and this Act shall be carried into execution in such District, in accordance with such Provisions and the Laws for the Time being in force relating to such Board.

On Requisition of Ratepayers Board to postpone Proceedings till after next Day for Election of Members of Board.

VII. Provided always, That the Board shall give not less than Twenty-eight nor more than Forty-two Days public Notice of their Intention to take into consideration the Propriety of adopting this Act, and of the Time and Place for holding the Meeting at which they will take it into consideration; and if there be presented to the Board at that Meeting a Memorial in Writing, signed by not less than One Tenth in Value of the Persons liable to be rated to a General District Rate made by the Board, and requesting the Board to postpone such Consideration until after the then next yearly Day for the Election of Members of the Board, then and in such Case such Consideration shall be postponed until after that Day, and shall be entered on as soon after that Day as the Board think fit.

Expenses of carrying this Act into execution by Local Board of Health shall be charged on the District Fund, and Income arising to be carried to the same.

VIII. That the Expenses of carrying this Act into execution in any such District, being the District of a Local Board of Health in which the Board shall have resolved to adopt this Act for their District, shall be chargeable upon and paid out of the Monies from Time to Time carried to the Credit of the District Fund Account of such District, and for that Purpose the Board may levy with and as Part of the General District Rate of such District, 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 General Rate of such District, such Sums of Money as shall be from Time to Time necessary for defraying such Expenses, and shall apply the same accordingly as if the Expense of carrying this Act into execution were an Expense necessarily incurred in carrying into effect the Provisions

Provisions of the Public Health Act, 1848; and the Income arising from the Lodging Houses in any such District shall be paid to the Credit of the District Fund Account thereof; and the Board shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities with reference to the Execution of this Act, to be called "The Lodging Houses Account."

Any Improvement Board may adopt the Provisions of this Act if they think fit.

IX. That the Board of any such District, being the Place within the Limits of any Act for the paving, lighting, watching, draining, or otherwise improving of such Place, may, if they think fit, determine that this Act shall be adopted for such District, 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 District, and this Act shall be carried into execution in such District in accordance with such Provisions and the Laws for the Time being in force relating to such Board.

On Requisition of Ratepayers Board to postpone Proceedings till after next Day for Election of Members of Board.

X. Provided always, That the Board shall give not less than Twenty-eight Days nor more than Forty-two Days public Notice of their Intention to take into consideration the Propriety of adopting this Act, and of the Time and Place for holding the Meeting at which they will take it into consideration; and if there be presented to the Board at that Meeting a Memorial in Writing, signed by not less than One Tenth in Value of the Persons liable to be rated to an Improvement Rate made by the Board, and requesting the Board to postpone such Consideration until after the then next yearly or other Day for the Election or Appointment of Members of the Board, then and in such Case such Consideration shall be postponed until after that Day, and shall be entered on as soon after that Day as the Board think fit.

If Majority of Board not elected by Ratepayers, Consent of Ratepayers to be obtained.

XI. Provided always, That in any Case in which the major Part in Number of the Members of the Board of any such District are elected or appointed in any Manner other than by or with the Concurrence of the Persons liable to be rated to Improvement Rates made by the Board, the Board shall not determine that this Act shall be adopted for the District, except with the Sanction of the major Part in Value of the Persons so liable present at a Meeting specially convened for the Purpose by the Board, by not less than Twenty-eight Days nor more than Forty-two Days public Notice of the Intention of holding such Meeting, and of the Time and Place for holding the same; and such Meeting shall be held at such convenient Place within the District, and at such convenient Time, as the Board think fit; and the Procedure thereat shall be regulated by the Board.

Expenses of carrying this Act into execution by Improvement Commissioners shall be charged on General Improvement Rate, and Income arising to be carried to the same.

XII. That the Expenses of carrying this Act into execution in any such District, being the Place within the Limits of any such Improvement Act in which the Board shall have resolved to adopt this Act for their District, shall be chargeable upon and paid out of the Improvement Rate of such District, and for that Purpose the Board may levy with and as Part of such Improvement 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 such Improvement Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expenses, and shall apply the same accordingly as if the Expenses of carrying this Act into execution were an Expense necessarily incurred in carrying into effect the general Provisions of such Improvement Act; and the Income arising from the Lodging Houses in any such District shall be paid to the Credit of the Improvement Rate thereof; and the Board shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities with reference to the Execution of this Act, to be called "The Lodging Houses Account."

Auditing Accounts of Improvement Commissioners with respect to Act.

XIII. That in every Case in which any such Improvement Act contains Provisions for the auditing of Accounts thereunder, the Accounts of the Board with respect to this Act shall be audited in accordance with those Provisions; and in every Case in which any such Improvement Act does not contain any such Provisions, the Accounts of the Board with respect to this Act shall be audited yearly by the Poor Law Auditor within whose District the District of the Board lies; and the Board shall produce to him their Accounts, with sufficient Vouchers for all Monies received and paid, and he shall examine such Accounts and Vouchers, and report thereon to the Board, and every such Report shall be open at all reasonable Times without Charge to the Inspection of every Person liable to be rated to an Improvement Rate made by the Board.

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

If Vestry resolve to adopt the Act, a Copy

XIV. That, upon the Requisition in Writing of Ten or more Ratepayers of any such Parish as aforesaid, 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, in each of Three successive Weeks 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,

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 such Resolution of the Vestry shall not be deemed to be carried unless at least Two Thirds in Value of the Votes given on the Question, according to the usual Manner of voting at such Vestry, shall have been given for such Resolution.

Resolution of Vestry to be sent to Secretary of State, &c.

Resolution not deemed to be carried unless Two Thirds vote for it.

XV. That in such Case the Vestry shall appoint not less than Three nor more than Seven Persons, being Ratepayers 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, (the Year being reckoned from and exclusive of the Day of the First Appointment of Commissioners,) but shall be eligible for immediate Re-appointment.

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

XVI. 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.

Resignation of Commissioners.

XVII. That any Vacancies in the Commissionership may be filled up by the Vestry, when and as the Vestry shall think fit, but at the latest at the then next yearly Meeting for the Appointment of Commissioners.

Vacancies to be filled up by Vestry.

XVIII. That the Commissioners shall meet at least once in every Calendar Month, and at such other Times as they think fit, at their Office, or some other convenient Place, public Notice of the Times and Place of Meeting being previously given.

Meetings of the Commissioners.

XIX. That 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 Time as shall be therein named; and the Commissioners may meet accordingly without further Notice.

Special Meetings of Commissioners.

XX. 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

Quorum of Meetings of Commissioners.

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.

XXI. That the Commissioners, with the Approval of the Vestry, may appoint reasonable Salaries, Wages, and Allowances for a Clerk and such other Officers and Servants as shall be necessary for the Purposes of this Act, and shall appoint and may remove at Pleasure 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 Books.

XXII. 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.

XXIII. 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 Ratepayer, 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 Commissioners or any of them, or any of their Officers or Servants, having the Custody of such Books, being thereunto reasonably requested, shall refuse to permit or shall not permit any Churchwarden, Overseer, or Ratepayer 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.

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

XXIV. 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

sufficient Vouchers for all Monies received and paid, and the Auditors shall examine such Accounts and Vouchers, and report thereon to the Vestry: Provided always, that if the general Accounts of the Parish be audited by a Poor Law Auditor, the Accounts of the Commissioners shall be audited by such Poor Law Auditor.

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

XXV. That the Expenses of carrying this Act into execution in any Parish 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; provided always, that the Vestry shall be convened in the Manner usual in the Parish, and the Amount for the Time being proposed to be raised or applied for such Expenses shall be expressed in the Notice convening the Vestry.

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

XXVI. That for defraying the Expenses so sanctioned 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: Provided always, that in the Notices requiring the Payment of the Rate the Proportion which the Amount to be thereby raised for the Purposes of this Act shall bear to the total Amount to be thereby raised shall be stated as accurately as Circumstances may admit.

Monies raised, and the Income arising from Lodging Houses in the Parish, to be applied towards defraying Expenses.

XXVII. That the Money raised for defraying the Expenses of carrying this Act into execution, and the Income arising from the Lodging Houses in the Parish, shall be applied by the Commissioners in or towards defraying the Expenses 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

they shall pay the same to the Overseers, in aid of the Rate for the Relief of the Poor of the Parish.

Vestries of Two or more Parishes may concur in carrying this Act into execution, subject to the Approval of Secretary of State.

XXVIII. That the Vestries of any Two or more neighbouring Parishes having, according to the then last Census, an aggregate Population of not less than Ten thousand may, for the Purpose of concurring in carrying this Act into execution, respectively adopt this Act in like Manner as if the Population of each of those Parishes were, according to the then last Census, not less than Ten thousand; and the Vestries of any Two or more neighbouring Parishes which shall have respectively adopted this 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 Lodging Houses shall be erected and made in any One of such Parishes, to be vested in the Commissioners thereof, and that the Expenses 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 Expenses 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 Lodging Houses 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 Expenses.

Incorporation of Commissioners.

XXIX. That for the more easy Execution of the Purposes of this Act 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 Lodging 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.

XXX. That

Acts of Commissioners to be good notwithstanding Informalities.

XXX. That all Acts and Proceedings of any Person in possession of the Office of such Commissioner, and acting in good Faith as such Commissioner, shall, notwithstanding his Disqualification or Want of Qualification for, or any Defect or Irregularity in, or in any way concerning his Appointment to such Office, be as valid and effectual as if he were duly qualified, or there had not been any such Defect or Irregularity.

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

XXXI. That for carrying this Act into execution in any Borough, District, or Parish respectively, the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and also with the Approval of the General Board of Health, and the Board, with the Approval of the Commissioners of Her Majesty's Treasury, and also with the Approval of the General Board of Health, and the Commissioners, with the Sanction of the Vestry, and also with the Approval of the Commissioners of Her Majesty's Treasury, and also with the Approval of the General Board of Health, 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 General District Rates, or of the Improvement Rates, 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.

XXXII. That the Commissioners for carrying into execution an Act passed in the Tenth Year of the Reign of Her Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and Employment of the Poor*, may from Time to Time make to the Council of any such Borough or to any Board or to the Commissioners of any such Parish respectively, 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 General District Rates, or the Improvement Rates, or the Rates for the Relief of the Poor of the Parish, as the Case may be.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated with this Act.

XXXIII. 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 Byelaws, 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

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 Ratepayers, shall have the Privileges of Shareholders.

Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

XXXIV. That the Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act: Provided always, that the Council, the Board, and the Commissioners respectively shall not purchase or take any Lands otherwise than by Agreement.

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

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

or contract for Purchase of the same.

XXXV. 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 District the Board, with the Approval of the General Board of Health, may from Time to Time appropriate for the Purposes of this Act in the District any Lands vested in the Board or at the Disposal of the Board; 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 Board, 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, and in any such Borough the Council, and in any such District the Board, may from Time to Time, with the like respective Approval, 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 Board in the Case of a District, or in the Commissioners in the Case of a Parish.

Councils and Commissioners may erect Lodging Houses.

XXXVI. That the Council and Board 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 Lodging Houses for the Labouring Classes, and convert

convert any Buildings into Lodging Houses for the Labouring Classes, 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.

XXXVII. That the Council and Board 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 Lodging Houses, 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 Purpose 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 Nonperformance; and all such Contracts, or true Copies thereof, shall be entered in the Books to be kept for that Purpose: Provided always, that a Contract above the Value or Sum of One hundred Pounds shall not be entered into by the Council or the Board 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 District 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 Board or Commissioners at a certain Time and Place in such Notice to be mentioned; but it shall not be incumbent on the Council or Board or Commissioners to accept any of the Proposals so offered.

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

Council or Commissioners may purchase existing Lodging Houses.

XXXVIII. That the Council of any such Borough, and the Board of any such District, and the Commissioners, with such respective Approval as is by this Act required with respect to the purchasing or renting in any other Case of any Lands necessary for the Purposes of this Act, may, if they shall think fit, contract for the Purchase or Lease of any Lodging Houses for the Labouring Classes already or hereafter to be built and provided in any such Borough or District 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 Lodging Houses for the Labouring Classes which have been already or may hereafter be provided in any such Borough or District or Parish, by private Subscriptions or otherwise, may, with the Consent of the Council of any

such Borough, or with the Consent of the Board of any such District, or with the Consent of the Commissioners, and with the like respective Approval, and with the Consent of a Majority of the Committee or other Persons by whom they were appointed Trustees, sell or lease the said Lodging Houses to the said Council or Board or Commissioners respectively, or make over to them the Management of such Lodging Houses; and in all such Cases the Lodging 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 Council or Board or Commissioners, and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Board in the Case of a District, or in the Commissioners in the Case of a Parish.

Power to Water and Gas Companies to supply Water and Gas to Lodging Houses.

XXXIX. That any Commissioners of Waterworks, Trustees of Waterworks, Water Companies, Gas Companies, and other Corporations, Bodies, and Persons having the Management of any Waterworks, Reservoirs, Wells, Springs, and Streams of Water, and Gasworks respectively, may, in their Discretion, grant and furnish Supplies of Water or Gas for such Lodging Houses, either without Charge or on such other favourable Terms as they shall think fit.

Councillors and Commissioners not to be personally liable.

XL. That anything in this Act contained shall not render any Member of the Council of any Borough, or any Member of any such Board, 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 Board 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 anything done or suffered in due pursuance of this Act.

Persons may appeal against Orders of Councils and Commissioners.

XLI. That every Person who shall feel aggrieved by any Bye-law, Order, Direction, or Appointment of or by the Council or Board 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.

XLII. That the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Board, with the Approval of the General Board of Health, and the Commissioners appointed under this Act, with the Approval of the Vestry and of the Commissioners

missioners 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 Board, or in the Commissioners, respectively, for the Purposes of this Act, and apply the Proceeds, or a sufficient Part thereof, 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 Board, or the Commissioners, may convey the Lands so sold or exchanged accordingly.

When Lodging Houses are considered too expensive, they may, with Approval of Treasury, be sold, and Proceeds of Sale carried to Borough Fund or Poor's Rate.

XLIII. That whenever any Lodging Houses 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 Board, 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, or the Board with the Approval of the General Board of Health, may sell the same for the best Price that can reasonably be obtained for the same, and the Mayor, Aldermen, and Burgesses, or the Board, or the Commissioners, shall convey the same accordingly, and the Purchase Money shall be paid to such Person as the Council or Board or Commissioners shall appoint, and his Receipt shall be a sufficient Discharge for the same, and the net Proceeds of such Sale shall be applied in the first instance in or towards Payment or Satisfaction of all the Debts, Liabilities, and Engagements whatsoever, with respect to the Purposes of this Act, of the Council, the Board, or the Commissioners, and the Surplus, if any, of such net Proceeds paid to the Credit of the Borough Fund, or of the General District Rate, or of the Improvement Rate, or of the Rate for the Relief of the Poor of the Parish.

Commissioners to cease to be a Corporation when their Duties have ceased.

XLIV. Provided always, That whenever by reason of the Sale of all the Lodging Houses provided under this Act for a Parish, and the Application as by this Act required of the net Proceeds of such Sale, and the Performance of all other the Duties under this Act of the Commissioners for the Parish, or by any other Reason, it becomes needless for the Commissioners for a Parish to continue to be a Corporation, such Commissioners shall thereupon cease to be a Corporation, and their Office as Commissioners for the Parish shall thereupon cease, and this Act shall thereupon cease to be in force in the Parish, but nevertheless this Act may thereafter be adopted for the Parish.

XLV. That

Lodging Houses.

Management to be vested in Council and Parish Commissioners.

XLV. That the general Management, Regulation, and Control of the Lodging Houses 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 District vested in and exercised by the Board, and as to any Parish vested in and exercised by the Commissioners.

Council, &c. may make Byelaws for regulating the Lodging Houses.

XLVI. That the Byelaws which the Council and Board and Commissioners respectively may from Time to Time make, alter, repeal, and enforce shall include such Byelaws for the Management, Use, and Regulation of the Lodging Houses, and of the Tenants or Occupiers thereof, and for determining from Time to Time the Charges for the Tenancy or Occupation of the Lodging Houses, as the Council and Board 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 Byelaw made by them respectively, and such Byelaws shall make sufficient Provision for the several Purposes respectively expressed in the Schedule to this Act: Provided always, that a Byelaw made under the Authority of this Act shall not be of any legal Force until the same shall have received the Approval of One of Her Majesty's Principal Secretaries of State.

Byelaws to be approved by the Secretary of State.

Byelaws to be hung up in every Room in the Lodging Houses.

XLVII. That a printed Copy or sufficient Abstract of the Byelaws relating to the Management, Use, and Regulation of the Lodging Houses shall be put up and at all Times kept in every Room therein.

Charges for Occupation, &c. to be fixed by Councils and Commissioners.

XLVIII. That the Council and the Board and the Commissioners respectively may from Time to Time make such reasonable Charges for the Tenancy or Occupation of the Lodging Houses provided under this Act as they shall think fit.

As to Tenants of Lodging Houses receiving Parochial Relief.

XLIX. That any Person who, or whose Wife or Husband, at any Time while such Person is a Tenant or Occupier of any such Lodging House or any Part of such a Lodging House, receives any such Relief, other than such Relief granted on account only of Accident or temporary Illness, shall thereupon be disqualified for continuing to be such a Tenant or Occupier.

Lodging Houses to be open to Inspection of Local Boards of Health.

L. That every Lodging House established under this Act which shall be within the District of a Local Board of Health shall at all Times be open to the Inspection of such Board, and the Officers thereof from Time to Time authorized by such Board to make such Inspection.

LI. That

Lodging Houses.

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

LI. That if any Clerk or other Officer or any Servant who shall be in anywise employed by any Council or Board or Commissioners in pursuance of this Act shall exact or accept any Fee or Reward whatsoever for or on account of anything 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 Board or Commissioners, or shall in anywise be concerned or interested in any Bargain or Contract made by the Council or Board or Commissioners for or on account of anything 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 Member of the Board, 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 not exceeding the Sum of Fifty Pounds.

Application of Penalties.

LII. 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 District, of the General District Rate thereof or the Improvement Rate thereof, and, as regards a Parish, of the Rate for the Relief of the Poor thereof.

Not to extend to Scotland

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

SCHEDULE referred to by the foregoing Act.

1. BYELAWS to be made in all Cases.

For securing that the Lodging Houses shall be under the Management and Control of the Officers, Servants, or others appointed or employed in that Behalf by the Council or Board or Commissioners.

For securing the due Separation at Night of Men, and Boys above Eight Years old, from Women and Girls.

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 Board or Commissioners.

2. BYELAWS to be made in Boroughs, Districts, and Parishes wholly or partially within the Districts of Local Boards of Health.

For carrying out the Regulations of the Local Boards of Health.

3. BYELAWS to be made in Parishes.

For regulating the Procedure of the Commissioners.

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