FORM of CONVICTION and ORDER of ADJUDICATION where the DEFENDANT does not appear.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, or Police District, *or* Stewartry of , *as the Case may be.*

BE it remembered, That *C.D.* of being duly summoned to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections) of the Passengers Act, 1855, in that, *&c.* (2) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated and issued by to for a Passage to in the Ship , did not appear before me (*or* us), pursuant to the said Summons. Nevertheless, I (*or* we) did proceed to examine into the Complaint so preferred against the said *C.D.*, and the same having been duly proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) do, *&c.* (*proceed as in preceding Form of Conviction according to the Circumstances of the Case.*)

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship_____, as the Case may be.

(2) Describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness or Witnesses

CAP. CXX.

An Act for the better Local Management of the Metropolis.

[14th *August* 1855.]

'WHEREAS it is expedient that Provision should be made for the better Local Management of the Metropolis in respect of the Sewerage and Drainage, and the paving, cleansing, lighting, and Improvements thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Election of Vestries and Auditors in Parishes in Schedules (A.) and (B.)

I. The Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter Sixty, "For the better Regulation of Vestries, and for the Appointment of Auditors of Accounts in certain Parishes of *England* and *Wales*," shall be repealed, from and after the passing of this Act, so far as regards any Parish mentioned in either of the Schedules (A.) and (B.) to this Act: Provided always, that the Vestry and Auditors already elected for any such Parish under the said Act shall continue to be such Vestry and Auditors until the First Election of Vestrymen and Auditors for such Parish under this Act has taken place, but no longer; and the Provisions of the said Act of King *William* the Fourth shall continue applicable to every such Vestry and to their Proceedings, and the Books in which the same are entered, and to such Auditors and their Proceedings accordingly.

1 & 2 W. 4. c. 60. repealed so far as regards Parishes in Schedules (A.) and (B.)

II. The Vestry in every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall consist of a certain Number of Persons qualified and elected as herein provided; (that is to say,) Eighteen Vestrymen for every Parish in which the Number of rated Householders shall not exceed One thousand; and Six additional Vestrymen, that is, Twenty-four Vestrymen for every Parish in which the Number of rated Householders shall exceed One thousand; and Twelve additional Vestrymen, that is, Thirty-six Vestrymen, for every Parish in which the Number of rated Householders shall exceed Two Thousand; and so on at the Proportion of Twelve additional Vestrymen for every Thousand rated Householders: Provided always, that in no Case the Number of Vestrymen shall exceed One hundred and twenty: Provided also, that the Incumbent and Churchwardens of each such Parish shall constitute a Part of the Vestry, and shall vote therein, in addition to the elected Vestrymen: Provided also, that every District Rector now constituting in any such Parish a Part of the Vestry thereof shall continue to constitute a Part of the Vestry thereof under this Act: Provided also, that where in any Parish the whole Number of Persons qualified

Vestries in Parishes named in either of the Schedules (A.) and (B.) to consist of not less than 18 or more than 120 Persons qualified and elected as after provided.

qualified to be Vestrymen shall not amount to Eighteen, the Vestry thereof shall consist of so many Persons as are so qualified, anything in this Act to the contrary notwithstanding.

Such Parishes with more than 2,000 rated Householders to be divided into Wards.

III. Each of the said Parishes which at the Time of the passing of this Act contains more than Two thousand rated Householders shall be divided into Wards; and it shall be lawful for such Person or Persons as may be appointed for this Purpose as herein provided to determine and set out, on or before the Tenth Day of *October* next, the Number, Extent, Limits, and Boundary Lines of such Wards, but so nevertheless that no Ward shall contain less than Five hundred rated Householders, and that the whole Number of Wards in any Parish shall not exceed Eight; and the Person or Persons setting out such Wards in any Parish shall apportion among the several Wards the Number of Vestrymen to be elected for such Parish, and shall, in assigning the Number of Vestrymen to each Ward, have regard, as far as in his or their Judgment it is practicable, as well to the Number of Persons rated to the Relief of the Poor in each Ward as to the aggregate Amount of the Sums at which all such Persons are rated; and the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three; and a Copy of the Particulars of such Division and Apportionment shall be forthwith transmitted to One of Her Majesty's Principal Secretaries of State, and also to the Vestry Clerk of the Parish to which such Division and Apportionment relate; and if Her Majesty, by the Advice of Her Privy Council, approve of such Division and Apportionment, the Particulars thereof shall be published in the *London Gazette*; and the Parish shall, after such Publication, be deemed to be divided into such Wards so determined and set out, and such Division shall continue and be in force until the same be altered as herein provided; and the Number of Vestrymen assigned to each Ward shall be the Number to be elected for such Ward until altered as aforesaid: Provided always, that if Her Majesty, by Advice of Her Privy Council, do not approve such Division and Apportionment, such Publication as aforesaid shall nevertheless be made, and such Division and Apportionment be in force for the Purpose of any Election under the Provisions of this Act, until such Time as Her Majesty, by Advice of Her Privy Council, upon further Information and Report from any such Person or Persons, definitively approve the Division of such Parish into Wards, and of the Number of Vestrymen assigned to each Ward in manner herein-before mentioned: Provided also, that where any Parish is already divided into Wards under any Local Act such Parish shall be deemed to be divided into such Wards for the Purposes of this Act, without any Division of such Parish into Wards being made as herein-before provided, but the Number of Vestrymen to be elected for such Parish shall be apportioned as aforesaid among the Wards of such Parish by such Person or Persons as may be appointed for that Purpose as herein provided.

Power to Secretary of State to appoint Persons to set out the Wards, and apportion Number of Vestrymen to be elected.

IV. One of Her Majesty's Principal Secretaries of State shall, as soon as conveniently may be after the passing of this Act, appoint not more than Four fit Persons, the Names of such Persons to be published in the *London Gazette*, to set out the Wards into which the said Parishes are by this Act directed to be divided, and to apportion the Number of Vestrymen to be elected for such Parishes respectively among such Wards, and also to apportion the Number of Vestrymen to be elected for any Parish already divided into Wards as aforesaid among such Wards; and any One or more of such Persons may be appointed to act as aforesaid separately from any other or others of them as such Secretary of State may see fit; and such Secretary of State shall, in case Circumstances appear to him so to require, appoint any other fit Person or Persons in the Place of or in addition to any such Person or Persons originally appointed under this Provision; and every Person appointed to set out such Wards shall be paid at a Rate not exceeding the Sum of Five Guineas for every Day that he is employed by virtue of such Appointment, and the Amount payable to him in respect of such Employment in each Parish shall be determined and certified by the Commissioners of Her Majesty's Treasury, and the Amount so certified shall be paid out of the Poor Rates of the Parish.

If relative Amounts of Population of Wards vary in any future Census, the Numbers of

V. When at any Time, upon any Account taken of the Population by the Authority of Parliament, the relative Numbers of the inhabited Houses in the several Wards of any Parish divided into Wards as aforesaid are found to have varied from those shown by the last previous Census it shall be lawful for the Metropolitan Board of Works, upon the Application of the Vestry or any Ratepayers of such Parish, to alter the Number of Vestrymen

Vestrymen assigned to such Wards or any of them, but so that the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three. Vestrymen may be altered.

VI. The Vestry elected under this Act in any Parish shall consist of Persons rated or assessed to the Relief of the Poor upon a Rental of not less than Forty Pounds *per Annum*: and no Person shall be capable of acting or being elected as One of such Vestry for any Parish unless he be the Occupier of a House, Lands, Tenements, or Hereditaments in such Parish, and be rated or assessed as aforesaid upon such Rental as aforesaid within such Parish: Provided always, that in any Parish in which the Number of Poor Rate Assessments at Forty Pounds or upwards does not exceed One Sixth of the whole Number of such Assessments it shall not be necessary, in order to qualify a Person to be a Vestryman, that the Amount of Rental upon which he is rated or assessed as aforesaid exceed Twenty-five Pounds: Provided also, that the joint Occupation of any such Premises as aforesaid, and a joint Rating in respect thereof, shall be sufficient to qualify each joint Occupier in case the Amount of Rental on which all such Occupiers are jointly rated will, when divided by the Number of Occupiers, give for each such Occupier a Sum not less than the Amount herein-before required. Qualification of Vestrymen.

VII. The First Election of Vestrymen under this Act in every Parish shall be holden in the Month of *November* next after the passing of this Act, and between the Fifth and Twenty-first Days of that Month, and the Day on which such Election shall commence shall be appointed by the Churchwardens of the Parish, and Twenty-one Days previously to the Day of Election Notice of such Election shall be given in manner herein-after directed concerning Notice of Election of Vestrymen and Auditors, and the next such Election shall take place on such Day in the Month of *May* in the Year One thousand eight hundred and fifty-seven as the Vestry shall appoint, and every subsequent Election shall take place annually in the Month of *May* in every Year as the Vestry appoint. As to the First Election of Vestrymen under this Act.

VIII. At the First such Election of Vestrymen as aforesaid for any Parish the full Number of Elective Vestrymen of which such Vestry is to consist as herein-before mentioned shall be elected, and such Vestrymen, with such other Persons as herein-before mentioned, shall forthwith be deemed to constitute the Vestry of such Parish, and shall supersede any existing Vestry therein, and exercise the Powers and Privileges held by such existing Vestry, save as in this Act otherwise provided; and the Authority of such Vestry may be pleaded before any Justice or Justices of the Peace or in any Court of Law in regard to all Parochial Property or Moneys due, or Holdings or Contracts, or other Documents of the like Nature, under the Control or in the Keeping of such existing Vestry; and all Parish Officers or Boards shall account to them in like Manner as they are by Law liable to account to such existing Vestry. The full Number of Vestrymen to be chosen at First Election, and existing Vestries superseded.

IX. One Third of the Vestrymen first elected under this Act in any Parish, or, where such Parish is divided into Wards under this Act in each Ward of such Parish, shall go out of Office at the Time appointed for the Election of Vestrymen in the Year One thousand eight hundred and fifty-seven, One other Third of them at the Time appointed for such Election in the Year One thousand eight hundred and fifty-eight, and the remaining Third at the Time appointed for such Election in the Year One thousand eight hundred and fifty-nine; and the Vestry shall, at some Meeting before the Time of the Election in One thousand eight hundred and fifty-seven, determine by Lot which of the Members first elected shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members from Time to Time elected at the annual Elections after the First Election shall go out of Office at the Time appointed for the annual Election in the Third following Year, except such Members as are elected to supply Vacancies occasioned otherwise than by Effluxion of Time; and such last-mentioned Members shall go out of Office at the respective Times when the Terms of Office of the Members in whose Places they are respectively elected would have expired by Effluxion of Time. As to the Term of Office of Vestrymen elected at First Election, and as to future Elections.

X. At every Election of Vestrymen under this Act, except the First, for any Parish or any Ward of any Parish, the Parishioners of such Parish entitled to vote in such Election shall elect as many Vestrymen as there are Vacancies in the Vestry, or among the Vestrymen Vacancies to be filled up at annual Elections.

men elected for such Ward, whether such Vacancies be occasioned by the Expiration of the Term of Office, or by Death or otherwise.

Appointment of Auditors of Accounts for Parishes in Schedules (A.) and (B.)

XI. For every Parish mentioned in either of the Schedules (A.) and (B.) to this Act there shall be elected such Number as herein-after mentioned of the Ratepayers of the Parish who have signified in Writing their Assent to serve to be Auditors of Accounts, which Auditors shall be so elected at the same Times and in the same Manner as Members of the Vestry; and the Number of Ratepayers so to be elected Auditors in any Parish not divided into Wards under this Act shall be Five, and the Number of Ratepayers so to be elected Auditors in any Parish which is divided into Wards shall be the same as the Number of Wards, One Auditor being elected in each Ward: Provided always, that where the Number of Wards into which any Parish is divided exceeds Five, the Vestry of such Parish shall at their First Meeting after the Election of Auditors as aforesaid, in any Year, elect by Ballot from among such Auditors Five of them, and the Five Persons so elected by Ballot shall be the Auditors for such Parish exclusively of any other Person or Persons who may have been elected an Auditor or Auditors for such Parish under the Provisions herein contained; and a List of the Five Persons so elected by the Vestry shall be forthwith published by the Churchwardens in the Parish as herein provided: Provided also, that no Person shall be eligible to fill the Office of Auditor of Accounts who is not qualified to fill the Office of Vestryman for the Parish; but no Person shall be eligible to fill the Office of Auditor who is a Member of the Vestry; and if any Person be chosen to be both a Member of the Vestry and Auditor of Accounts he shall be incapable of acting as a Vestryman.

As to the Term of Office of Auditors.

XII. The Auditors first elected under this Act in any Parish as aforesaid shall go out of Office at the Time appointed for the Election of Vestrymen and Auditors in the Year One thousand eight hundred and fifty-seven, and the Auditors then elected and to be thereafter elected shall go out of Office at the Election of Vestrymen and Auditors in the Year next following their Election.

Notice of Elections

XIII. The Churchwardens of every Parish mentioned in either of the said Schedules (A.) and (B.), which is not divided into Wards, shall, on some *Sunday* at least Twenty-one Days previously to the Day of annual Election of Vestrymen, cause to be published in such Parish as herein provided a Notice according to the following Form:

'Parish of [*here insert Name of Parish*].

'The Parishioners duly qualified according to the Provisions of the Act of the Session holden in the Eighteenth and Nineteenth Years of the Reign of Queen Victoria, intituled "An Act" [*here insert the Title of the Act*], are hereby required to meet at
'on the Day of conformably to the Provisions of the said Act, and then
'and there to consider of and elect fit and proper Persons to be Vestrymen and Auditors of
'Accounts of the Parish of for the ensuing Year [*the Words* "for the ensuing
'Year" *to be omitted in the Notice of the First Election*]; that is to say,
'Members of the Vestry,
'Auditors of Accounts.

And the Churchwardens of every such Parish as aforesaid which is divided into Wards shall at the Time aforesaid cause to be published as herein provided, in each Ward of the Parish, a Notice according to the following Form:

'Parish of , Ward of [*inserting the Parish and Ward*].

'The Parishioners duly qualified according to the Provisions of the Act of Parliament of
'the Session holden in the Eighteenth and Nineteenth Years of the Reign of Queen Victoria,
'intituled "An Act" [*here insert the Title of this Act*], are hereby required to meet
'at on the Day of , conformably to the
'Provisions of the said Act, and then and there to consider of and elect
'fit and proper Persons to be Vestrymen and an Auditor of Accounts of the Parish
'of for the Ward of for the ensuing Year [*the Words* "for
'the ensuing Year" *to be omitted in the Notice of the First Election*]'.

Churchwardens to appoint Persons to preside at Ward Elections.

XIV. Where any Parish is divided into Wards, the Churchwardens, Three clear Days at least before the Day of Election, shall appoint in Writing under their Hands a Person to preside at such Election as aforesaid in each of the said Wards, except any Ward in which One

One of the Churchwardens shall preside, and notify such Appointment to the Vestry Clerk of the Parish.

Rate Collectors to assist at the Elections.

XV. The Rate Collectors, or Persons appointed by them, shall attend the Churchwardens and Persons presiding at Elections under this Act, and Inspectors of Votes, to assist in ascertaining that the Persons presenting themselves to vote are Parishioners rated to the Relief of the Poor in the Parish, or the respective Wards thereof, and duly qualified to vote at the Election.

Form of Proceeding at Elections.

XVI. On the Day of Election of Vestrymen and Auditors in any Parish under this Act the Parishioners then rated to the Relief of the Poor in the Parish, or, where the Parish is divided into Wards under this Act, in the Ward thereof for which the Election is holden, and who are desirous of voting, shall meet at the Place appointed for such Election, and shall then and there nominate Two Ratepayers of the Parish, or (if the Parish be divided into Wards) of the Ward for which the Election is holden, as fit and proper Persons to be Inspectors of Votes; and the Churchwardens, or, in the Case of a Ward Election, such One of the Churchwardens as is present thereat, or, where One of the Churchwardens is not present, the Person appointed by them to preside thereat, shall, immediately after such Nomination as aforesaid by the Parishioners, nominate Two other such Ratepayers to be such Inspectors; and after such Nominations the said Parishioners shall elect such Persons duly qualified as may be there proposed for the Offices of Vestrymen and Auditors or Auditor; and the Chairman at such Meeting shall declare the Names of the Parishioners who have been elected by a Majority of Votes at such Meeting: Provided nevertheless, that no Person shall be entitled to join or vote in any such Election for any Parish, or any Ward of any Parish, or be deemed a Ratepayer thereof, or be entitled to do any Act as such under this Act, unless he have been rated in such Parish to the Relief of the Poor for One Year next before the Election, and have paid all Parochial Rates, Taxes, and Assessments due from him at the Time of so voting or acting, except such as have been made or become due within Six Months immediately preceding such voting or acting.

Power to demand a Poll, which shall be taken by Ballot.

XVII. Provided always, That any Five Ratepayers may then and there, in Writing or otherwise, demand a Poll, which shall be taken by Ballot on the Day next following, and shall commence at Eight of the Clock in the Forenoon and close at such Hour as herein-after mentioned; that is to say, at Six of the Clock in the Afternoon in the Case of any Election to be holden in *November* One thousand eight hundred and fifty-five, and at Eight of the Clock in the Afternoon in all other Cases; each Ratepayer depositing as herein-after provided Two folded Papers, One of which Papers shall contain the Names of the Persons for whom such Parishioner may vote as fit and proper to be Members of the Vestry, and the other shall contain the Names or Name of the Persons or Person for whom such Parishioner may vote as fit and proper to be Auditors or Auditor of Accounts; and each Ratepayer shall have One Vote and no more for the Members of the Vestry, and One Vote and no more for the Auditors or Auditor of Accounts to be chosen in the said Parish or Ward.

Duty of Inspectors of Votes.

XVIII. The Persons voting shall deposit such folded Papers in Two separate Sets of Balloting Glasses or Boxes, One Set for Voting Papers for Members of Vestry, and another Set for the Voting Papers for Auditors or an Auditor; and the said Balloting Glasses or Boxes shall be closed at the Time herein-before fixed for the closing of the Poll; and the Inspectors for the Parish or Ward (as the Case may be) shall forthwith meet together, and proceed to examine the said Votes, and if necessary shall continue the Examination by Adjournments from Day to Day, not exceeding Two Days (*Sunday* excepted), until they have decided upon the Persons duly qualified according to the Provisions of this Act who may have been chosen to fill the aforesaid Offices.

Provision for Case of Equality of Votes.

XIX. In case an Equality of Votes appear to the aforesaid Inspectors to be given for any Two or more Persons to fill either of the said Offices, the Inspectors shall decide by Lot upon the Person to be chosen.

If in the Interval between

XX. If in the Interval between any Election under this Act of Vestrymen in any Parish and the Time at which the next Election would in the Absence of this Enactment have taken

Elections the Vestry of any Parish be reduced below Two Thirds, the Vacancies to be filled up as herein named.

taken place the Number of such Vestrymen be reduced below Two Thirds of the full Number, so many Vestrymen as may be requisite for filling up such Number shall be forthwith elected in like Manner as in the Case of the annual Election of such Vestrymen, and the Provisions of this Act shall be applicable in the Case of such Election accordingly, save that the Notice of Election shall be varied from the Form prescribed by this Act so far as may be necessary, and where such Parish is divided into Wards under this Act each Ward shall supply the Vacancies among the Members elected for the same; and every Vestryman elected under this Enactment shall go out of Office at the Time when the Term of Office of the Person in whose Place he is elected would have expired by Effluxion of Time.

Penalty for forging or falsifying any Voting Paper or obstructing the Election.

XXI. If any Person knowingly personate and falsely assume to vote in the Name of any Parishioner entitled to vote in any Election under this Act, or forge or in any way falsify any Name or Writing in any Paper purporting to contain the Vote or Votes of any Parishioner voting in any such Election, or by any Contrivance attempt to obstruct or prevent the Purposes of any such Election, the Person so offending shall, upon Conviction before any Two or more Justices of the Peace having Jurisdiction in the Parish, be liable to a Penalty of not less than Ten and not more than Fifty Pounds, and in default of Payment thereof shall be imprisoned for a Term not exceeding Six nor less than Three Months.

A List of Persons elected Vestrymen and Auditors to be published.

XXII. The Inspectors shall, immediately after they have decided upon whom the aforesaid Elections have fallen, deliver to the Churchwardens, or to One of them, or other the Person presiding at the Election, a List of the Persons chosen by the Parishioners to act as Vestrymen and Auditors or an Auditor of Accounts; and the said List, or a Copy thereof, shall be published in the Parish as herein provided.

Penalty on Inspector for making incorrect Return.

XXIII. If any Inspector wilfully make or cause to be made an incorrect Return of the said Votes, every such Offender shall, upon Information laid by any Person before Two or more Justices of the Peace having Jurisdiction in the Parish, and upon Conviction for such Offence, be liable to a Penalty of not less than Twenty-five Pounds and not exceeding Fifty Pounds.

Vestries to provide Places for holding Elections, and pay Expenses of taking Poll, &c.

XXIV. The Vestry of every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall provide such Places as may be requisite for holding Elections of Vestrymen and Auditors under this Act, and taking the Poll thereat; and the Expenses of providing such Places, of publishing Notices, of taking the Poll, and of making the Return at Elections of Vestrymen and Auditors, shall be paid out of the Poor Rates of the Parish by Order of the Vestry: Provided always, that the Places requiring to be provided for the First Election under this Act of Vestrymen and Auditors in any Parish shall be provided by the Churchwardens, and the Expenses of providing the same shall be paid out of the Poor Rates, upon their Order.

As to Parishes having no Churchwardens.

XXV. The Provisions herein-before contained shall, so far as concerns any Parish in either of the said Schedules (A.) and (B.) in which there are no Churchwardens, be construed as referring to the Overseers of the Poor instead of the Churchwardens.

How Notices and Lists to be published.

XXVI. Every Notice and List herein-before required to be published in any Parish or Ward of any Parish shall be so published by being fixed in some public and conspicuous Situation, on the Outside of the outer Door or outer Wall near the Door of every Church and Public Chapel in such Parish or Ward, including Places of Public Worship which do not belong to the Established Church, and if there be no such Building as aforesaid, then in some public and conspicuous Situation within such Parish or Ward.

Churchwardens refusing, &c. guilty of Misdemeanor.

XXVII. If any Churchwarden, Overseer, Rate Collector, or other Parish Officer refuse or neglect to call any Meeting, or give any Notice, or do any other Act required of him under the Provisions of this Act, he shall be deemed guilty of a Misdemeanor.

Quorum of Vestries.

XXVIII. All Powers or Duties to be performed by the Vestry of any Parish under this Act may be exercised and performed respectively by the major Part of such Vestry assembled at any Meeting, there being not less than Five Vestrymen present at a Meeting of

of a Vestry which consists of not more than Eighteen elected Vestrymen, and not being less than Seven Vestrymen present at a Meeting of a Vestry which consists of Twenty-four elected Vestrymen and no more, and not being less than Nine Vestrymen present at a Meeting of a Vestry which consists of Thirty-six elected Vestrymen or upwards; and at every such Meeting all Questions shall be decided by the Votes of the Majority of the Vestrymen present, and the Vestry may act notwithstanding any Vacancies therein.

Meetings not to be holden in the Church.

XXIX. In any Case in which the Vestry-room of any such Parish as aforesaid is not sufficiently large and commodious for any Vestry Meeting, such Meeting shall be held elsewhere within the said Parish, but not in the Church or Chapel thereof.

Meeting to elect a Chairman.

XXX. At every Meeting of any Vestry under this Act, in the Absence of the Persons authorized by Law or Custom to take the Chair, the Members present shall elect a Chairman for the Occasion before proceeding to other Business, and the Chairman, in case of an Equality of Votes on any Question, shall have a Second or Casting Vote.

Formation of Parishes into Districts, and Constitution of District Boards.

Parishes in Schedule (B.) to be united, and District Boards constituted.

XXXI. For the Purposes of this Act the several Parishes mentioned in the Second Column of Schedule (B.) to this Act shall be united, and form the respective Districts mentioned in conjunction therewith and named in the First Column of the same Schedule; and there shall be a Board of Works for each such District, composed of the Members elected as herein-after mentioned for the Parishes forming such District.

Vestries to elect Members of District Boards.

XXXII. The Vestry constituted by this Act in every Parish in any such District shall on the Twenty-eighth Day of *November* in the Year One thousand eight hundred and fifty-five elect the Number of Persons mentioned in the Third Column of the said Schedule (B.) in conjunction with such Parish to be a Member or Members of the Board of Works for such District.

If relative Numbers of inhabited Houses in any District vary on any future Census, the Numbers of Members may be altered.

XXXIII. When at any Time hereafter, upon any Account taken of the Population by the Authority of Parliament, the relative Numbers of the inhabited Houses in the several Parishes forming any such District are found to have varied from those shown by the last previous Census, it shall be lawful for the Metropolitan Board of Works constituted by this Act, upon the Application of the Vestry or any Ratepayers of any such Parish, to alter the Number of the Members of the Board of Works for such District to be elected for all or any of the Parishes therein; but so that the Number of Members to be elected for any such Parish, if exceeding Three, shall be a Number divisible by Three.

As to the Term of Office of Members of District Boards elected at First Election, and as to future Elections.

XXXIV. One Third of the Members of any such Board first elected for any Parish for which Three or more such Members are by this Act appointed to be elected shall go out of Office at the Time herein-after appointed for the Election of Members of such Board in the Year One thousand eight hundred and fifty seven, One other Third of them at the Time appointed for such Election in One thousand eight hundred and fifty-eight, and the remaining Third at the Time appointed for such Election in the Year One thousand eight hundred and fifty-nine; and the Vestry shall at the Time of the First Election under this Act of such Members determine by Lot which of the Members first elected shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty seven and One thousand eight hundred and fifty-eight respectively; and all Members elected to supply Vacancies occasioned by Members going out of Office at the Expiration of their Term of Office shall go out of Office at the Election of Members of such Board in the Third following Year.

Elections to be held annually for supplying Vacancies occasioned by Expiration of Term of Office.

XXXV. The Vestry of every such Parish shall on the First *Wednesday* in the Month of *June* in the Year One thousand eight hundred and fifty-seven, and in every subsequent Year, elect so many Vestrymen of such Parish to be Members of the Board for the District in which such Parish is comprised as may be necessary for supplying the Vacancies among the Members of such Board elected for such Parish occasioned by Expiration of the Term of Office of the Members going out of Office at the Time of such Election.

Provision as to Parishes not electing as

XXXVI. The Members of any such Board first elected for Parishes for which less than Three Members are by this Act appointed to be elected shall go out of Office on the said

many as Three Members of a District Board.

First *Wednesday* in *June* One thousand eight hundred and fifty-nine, and Members subsequently elected for such Parishes to supply Vacancies occasioned by Members going out of Office at the Expiration of their Term of Office shall go out of Office on the First *Wednesday* in *June* in the Third Year following their Election; and the Vestries of such Parishes shall on the said First *Wednesday* in *June* in the Year One thousand eight hundred and fifty-nine, and in every Third following Year, elect Members in the Place of the Members then going out of Office.

Provision as to casual Vacancies.

XXXVII. When any Member of any District Board dies, resigns, or ceases to be such Member, otherwise than by the Expiration of his Term of Office, the Vestry of the Parish for which he was elected shall with all convenient Speed elect a Person to be a Member of such Board in his Place; and every Member of any such Board elected to supply any such Vacancy shall go out of Office when the Term of Office of the Member in whose Place he is elected would have expired by Effluxion of Time.

Powers of District Boards to be exercised at Meetings, not less than Seven Members being present.

XXXVIII. All Powers and Duties vested in the Board of Works for any District may be exercised or performed at any Meeting of such Board holden under this Act, there being not less than Seven Members of the Board present; and at every such Meeting all Questions shall be decided by the Votes of the Majority of the Members present; and the Board may act notwithstanding any Vacancies therein, and notwithstanding any Omission to elect any Member or Members of such Board, in pursuance of this Act.

Ordinary Meetings of District Boards.

XXXIX. The First Meeting of the Board of Works for any District shall be holden on the *Wednesday* in the Week next following the Election of such Board, at Ten o'Clock in the Forenoon, at the Place at which the Vestry of the Parish in such District first named in Schedule (B.) to this Act usually meet; and every subsequent Ordinary Meeting shall be holden on and at such Day, Time, and Place as the Board may from Time to Time appoint in this Behalf, subject, nevertheless, to the Provision herein-after contained, appointing the Day on which Meetings shall be holden for the First Election of the Metropolitan Board of Works.

Special Meetings of District Boards.

XL. A Special Meeting of any such Board may be convened by any Five Members of the Board, or by the Clerk of the Board, upon the Requisition in Writing of Five Members of the Board, by a Notice to the several Members thereof Forty-eight Hours at least before the Time of Meeting, such Notice to be signed by the Members or Clerk convening the Meeting, and to specify the Object thereof.

Chairman to be elected at Meeting of Board.

XLI. Every such Board shall at every Meeting of such Board, before proceeding to Business, elect a Chairman of such Meeting, and such Chairman, in case of an Equality of Votes on any Question, shall have a Second or Casting Vote.

Incorporation of Vestries and District Boards.

District Boards and Vestries of Parishes in Schedule (A.) incorporated.

XLII. The Board to be constituted as aforesaid for every such District shall be a Body Corporate by the Name of "The Board of Works for the District," and the Vestry of every Parish mentioned in Schedule (A.) to this Act shall be a Body Corporate by the Name of "The Vestry of the Parish of in the County of ," and every such Board and Vestry shall by such Name respectively have perpetual Succession and a Common Seal, and shall sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act.

Constitution and Incorporation of Metropolitan Board of Works.

Metropolitan Board of Works constituted and incorporated.

XLIII. A Board, to be called "The Metropolitan Board of Works," shall be constituted as herein-after mentioned, and such Board shall by such Name be a Body Corporate, and have perpetual Succession and a Common Seal, and sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act.

Three Members of Metropolitan Board to be

XLIV. The Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, shall on the Twelfth Day of *December* One thousand eight hundred and fifty-five elect Three Persons to be Members of the said Metropolitan Board, and shall, when any Member

Member of such Board elected by the said Mayor, Aldermen, and Commons, dies, resigns, or otherwise ceases to be such Member, elect some Person in his Place. elected for the City.

XLV. The Vestry of each of the Parishes mentioned in the First Part of the said Schedule (A.) shall, at a Meeting of such Vestry to be holden on the Twelfth Day of *December* One thousand eight hundred and fifty-five, elect Two Persons to be Members of the said Metropolitan Board of Works; and the Vestry of each of the Parishes mentioned in the Second Part of the said Schedule (A.), except the Parish of *Rotherhithe*, and the Board of Works for each of the Districts mentioned in the First Part of the said Schedule (B.), shall, at a Meeting of such Vestry and Board respectively to be holden on the last-mentioned Day, elect One Person to be a Member of the said Metropolitan Board; and every such Vestry and Board shall, when any Member of such Metropolitan Board, elected by such Vestry or Board, dies, resigns, or otherwise ceases to be such Member, elect a Person to be a Member of the said Metropolitan Board in the Place of the Member so dying, resigning, or otherwise ceasing to be such Member. Vestries of Single Parishes and District Boards to elect Members of the Metropolitan Board.

XLVI. The Districts of *Plumstead* and *Lewisham*, mentioned in the Second Part of the said Schedule (B.), shall be united for the Purpose of electing from Time to Time a Member of the Metropolitan Board of Works; and the Boards of Works for such Districts shall, at a joint Meeting of such Boards, to be holden on the said Twelfth Day of *December* One thousand eight hundred and fifty-five, at the Place of Meeting of the Board of Works for the District of *Plumstead*, elect a Person to be a Member of the said Metropolitan Board; and when any Member of such Board elected by the Boards of Works for the said united Districts dies, resigns, or otherwise ceases to be such Member, such Boards of Works shall, at a joint Meeting of such Boards to be holden at the Place aforesaid, elect some Person in his Stead; and such Meeting shall be convened as follows; that is to say, the Clerk of the Board of Works for the District of *Plumstead* shall communicate with the Clerk of the Board of Works for the District of *Lewisham*, and arrange with him the Time of such Meeting of the Boards of Works for such Districts; and when such Arrangement has been made, Notice of the Time, Place, and Object of such Meeting shall be given by such Clerks respectively in manner required for Notices of Special Meetings of the Boards for such Districts; and every Election to be made as aforesaid by the said Boards shall be determined by the Votes of the Majority of the Members thereof present at the Meeting; and every such Meeting shall, before proceeding to the Election, choose a Chairman, who shall preside thereat, and shall, in case of an Equality of Votes for Two or more Persons, have a Second or Casting Vote. Boards for Districts of Plumstead and Lewisham united for electing a Member of Metropolitan Board.

XLVII. The Parishes of *Rotherhithe*, *Saint John Horsleydown*, *Saint Olave*, and *Saint Thomas Southwark* shall be united for the Purpose of electing from Time to Time a Member of the Metropolitan Board of Works; and the Vestries of such several Parishes shall, at a joint Meeting of such Vestries to be holden on the said Twelfth Day of *December* One thousand eight hundred and fifty-five, at the Place of Meeting of the Vestry of the Parish of *Saint Olave*, elect a Person to be a Member of the said Metropolitan Board; and when any Member of the said Board elected by such Vestry dies, resigns, or otherwise ceases to be such Member, such Vestry shall, at a joint Meeting of such Vestries to be holden at the Place aforesaid, elect some Person in his Stead; and such Meeting shall be convened as follows; that is to say, the Vestry Clerk of the Parish of *Saint Olave* shall communicate with the Vestry Clerks of the said other Parishes, and arrange with them the Time of such Meeting; and when such Arrangement has been made, Notice of the Time, Place, and Object of such Meeting shall be given by the respective Vestry Clerks of all the said Parishes in manner required for Notices of Vestry Meetings; and every Election to be made as aforesaid by the said Vestries jointly shall be determined by the Votes of the Majority of the Members thereof present at the Meeting; and every such Meeting shall, before proceeding to the Election, choose a Chairman, who shall preside thereat, and shall, in case of an Equality of Votes for Two or more Persons, have a Second or Casting Vote. The Parish of Rotherhithe and District of St. Olave united for electing a Member of the Metropolitan Board of Works.

XLVIII. One Third of the Members first elected as aforesaid of the Metropolitan Board of Works shall go out of Office on the Second *Wednesday* in *June* One thousand eight hundred As to the Term of Office of Members of

Metropolitan Board elected at First Election, and as to future Elections.

hundred and fifty-seven, One other Third of them on the Second *Wednesday* in *June* One thousand eight hundred and fifty-eight, and the remaining Third on the Second *Wednesday* in *June* One thousand eight hundred and fifty-nine; and such first elected Members shall determine by Lot among themselves which of them shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members of the said Board elected to supply any Vacancy occasioned by any Member's going out of Office by the Expiration of his Term of Office shall go out of Office on the Second *Wednesday* in *June* in the Third Year next following the Year of his Election; and every Member of the said Board elected to supply any other Vacancy shall go out of Office when the Term of Office of the Member in whose Place he is elected would have expired by Effluxion of Time.

Elected Members of Metropolitan Board to elect a Chairman.

XLIX. The Members first elected of the Metropolitan Board of Works shall meet at such Time and Place as One of Her Majesty's Principal Secretaries of State shall by Notice in the *London Gazette* appoint in this Behalf, and shall at such Meeting, or some Meeting to be holden by Adjournment thereof (which it shall be competent for the Members present to appoint), elect a Chairman of the said Board, and shall also decide upon the Amount of Salary to be paid to such Chairman, such Salary not to be less than One thousand five hundred Pounds and not to exceed Two thousand Pounds *per Annum*; and such Members, before proceeding at any such Meeting to such Election, or to determine the Amount of such Salary, shall choose from among the Members present a Chairman of such Meeting, and such Election of the future Chairman of the Board shall be determined by the Votes of the Majority of the Members present, and in case of an Equality of Votes the Chairman of the Meeting shall have a Second or Casting Vote; and any Person may be elected as aforesaid, whether he be or be not a Member of the said Board; and such Chairman shall be subject to be removed by a Resolution agreed to by Two Thirds of the Members present at any Meeting specially convened for considering the Question of such Removal; and in case any elected Member of the said Metropolitan Board be appointed Chairman thereof, he shall thenceforth be a Member thereof by virtue only of his Office of Chairman, and his Place as an elected Member shall become vacant, and another shall be elected in his Stead.

As to Appointment of Chairman on any Vacancy.

L. Upon every Vacancy in the Office of Chairman of the said Metropolitan Board a new Chairman shall be appointed, and his Salary fixed, in manner herein-before mentioned, save that the Appointment of such Chairman may be made at any such Meeting as may be provided in this Behalf by the Regulations for the Time being of the said Metropolitan Board.

Powers of Metropolitan Board to be exercised at Meetings, not less than Nine Members being present.

LI. All Powers and Duties vested in the Metropolitan Board of Works may be exercised and performed at any Meeting of such Board at which not less than Nine Members of the Board are present; and at every such Meeting all Questions shall be determined by the Votes of the Majority of the Members present; and such Board may act notwithstanding any Vacancies therein, and notwithstanding any Omission to elect any Member or Members of such Board in pursuance of this Act, but such Board shall not be deemed to be constituted until the First Election of a Chairman of such Board under this Act.

Meetings of the Metropolitan Board.

LII. The First Meeting of the said Metropolitan Board shall be holden at such Time and Place as the Chairman may appoint, of which Notice in Writing, signed by such Chairman, shall be given to each elected Member of the said Board Two clear Days at the least before the Time of such Meeting; and the said Board may meet at such Times and Places as they may from Time to Time appoint; and a Special Meeting of the said Board may be convened by the Chairman of the said Board, or by the Clerk thereof, upon the Requisition in Writing of the Chairman or any Five Members of the Board, by a Notice to the several Members thereof Two clear Days at the least before the Time of meeting, such Notice to be signed by the Chairman or Clerk convening the Meeting, and to specify the Object thereof.

Chairman to preside at Meetings.

LIII. The Chairman of the Metropolitan Board of Works for the Time being elected under this Act shall preside at every Meeting of such Board at which he is present; and in

in case of a Vacancy in the Office of such Chairman, or in his Absence, some other Member of such Board shall be chosen to preside thereat; and in case there be an equal Number of Votes upon any Question, the Chairman presiding at the Meeting shall have a Second or Casting Vote.

In case of Vacancy, &c., a temporary Chairman to be chosen.

Provisions concerning Constitution, Procedure, and Officers of Metropolitan and District Boards and Vestries.

LIV. In case any Member of the Metropolitan Board of Works, or of any District Board of Works, or of any Vestry for any Parish mentioned in Schedule (A.) or (B.) to this Act, or any Auditor of the Accounts of any such Board or Vestry, be declared bankrupt, or apply to take the Benefit of or become subject to any Act for the Relief of Insolvent Debtors, or compound with his Creditors, or accept or hold any Office under the Board or Vestry of which he is a Member, or of whose Accounts he is Auditor, other than, in the Case of any such Auditor, his Office of Auditor, or in any Manner be concerned or interested in any Contract or Work made with or executed for such Board or Vestry, in every such Case such Person shall cease to be such Member or Auditor as aforesaid; Provided always, that no Person being a Shareholder of any Joint Stock Company shall be disabled from continuing or acting as a Member of any such Board or Vestry by reason of any Contract between such Company and such Board or Vestry, or of any Work executed by such Company; but no such Member shall vote upon any Question in which such Company is interested; and any Person who acts as a Member of any such Board or Vestry, or as Auditor of the Accounts thereof, after ceasing to be such Member or Auditor as aforesaid, or who, being a Shareholder in any Joint Stock Company, votes upon any Question in which such Company is interested, and any Person who acts as a Member of any such Vestry as aforesaid without being qualified by Rating and Occupation as required by this Act, shall for every such Offence be liable to a Penalty of Fifty Pounds, which may be recovered by any Person who may sue for the same in any of the Superior Courts of Law, with full Costs of Suit: Provided also, that all Acts and Proceedings of any Person ceasing to be such Member or Auditor, or disabled from acting as aforesaid, shall, if done previously to the Recovery of such Penalty, be valid and effectual to all Intents and Purposes whatsoever.

Disqualifications of Members of Metropolitan Board, of District Boards, of Vestries of Parishes in Schedule (A.) and (B.), and of Auditors.

LV. Any Member of the Metropolitan Board of Works, or of any Vestry elected for any Parish mentioned in Schedule (A.) or (B.) to this Act, or of the Board of Works for any District, may at any Time resign his Office, such Resignation of any Member of the Metropolitan Board of Works to be notified in Writing signed by such Member to the Chairman of such Board, and such Resignation of any Vestryman or Member of any such District Board to be notified in Writing signed by such Vestryman or Member to the Churchwardens of the Parish for which he was elected.

Members of Metropolitan and District Boards, and of Vestries of Parishes in Schedule (A.) or (B.), may resign.

LVI. Any Member of the Metropolitan Board of Works, or of any District Board of Works, or of any such Vestry, going out of Office, shall, if qualified, be capable of immediate Re-election.

Retiring Members may be re-elected.

LVII. No Resolution or other Act of the Metropolitan Board of Works, or of the Board of Works for any District, or of any such Vestry, shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be specially convened for the Purpose, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Members of the Board, or of the Vestrymen present at such subsequent Meeting, if the Number of Members or Vestrymen present at such subsequent Meeting be not greater by One Fifth than the Number present when such Resolution was made or such Act was done, but if the Number of Members or Vestrymen present at such subsequent Meeting be greater by One Fifth than the Number present at such former Meeting, then such Revocation or Alteration may be determined upon by a mere Majority.

No Resolution of Metropolitan or any District Board, or of any Vestry, to be revoked at a subsequent Meeting, unless under certain Circumstances.

LVIII. It shall be lawful for the Metropolitan Board of Works, and the Board of Works for any District, and any such Vestry respectively, to appoint a Committee or Committees for any Purposes which, in the Discretion of the Board or Vestry, would be better regulated and managed by means of such Committee, and at any Meeting to continue, alter, or discontinue

Committees may be appointed.

discontinue such Committee: Provided always, that the Acts of every such Committee shall be submitted to the General Body of the Board or Vestry appointing such Committee for their Approval.

Powers of Committees.

LIX. Every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee are present.

Minutes of Proceedings of Metropolitan and District Boards and of Vestries to be entered.

LX. Entries of all Proceedings of the Metropolitan Board of Works and every such District Board, and of any such Vestry, with the Names of the Members who attend each Meeting, shall be made in Books to be provided and kept for that Purpose, under the Direction of the Board or Vestry, and shall be signed by the Members present, or any Two of them; and all Entries purporting to be so signed shall be received as Evidence, without Proof of any Meeting of the Board or Vestry having been duly convened or held, or of the Presence at any such Meeting of the Persons named in any such Entry as being present thereat, or of such Persons being Members of the Board or Vestry, or of the Signature of any Person by whom any such Entry purports to be signed, all which Matters shall be presumed until the contrary be proved; and every such Board and Vestry shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid by them or under their Authority, and of all Liabilities incurred by them, and of the several Purposes for which such Sums of Money are received and paid and such Liabilities incurred, and Copies of all Contracts entered into by any such Board or Vestry.

All Books to be open to Inspection.

LXI. All such Books shall at all reasonable Times be open to the Examination of every Member of the Board and Vestry respectively to which such Books belong and of every Owner of Property, Churchwarden, Overseer, and Ratepayer within the Metropolis, as regards Books of the said Metropolitan Board, and of every Owner of Property, Churchwarden, Overseer, and Ratepayer within any District or Parish, as regards Books belonging to the District Board or Vestry thereof (as the Case may be), and of every Creditor on the Rates raised under this Act by any such Board or Vestry respectively, 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 Members of the Board or Vestry, or any of them, or any of the Officers or Servants of the Board or Vestry having the Custody of the said Books, being thereunto reasonably requested, refuse to permit or do not permit any such Owner of Property, Churchwarden, Overseer, Ratepayer, or Creditor to examine the same, or take any Copies or Extracts, every such Member, Officer, or Servant so offending shall for every such Offence, upon a summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Ten Pounds.

Power to Metropolitan Board, District Boards, and Vestries to appoint Officers.

LXII. The Metropolitan Board of Works, and (subject to the Provisions herein contained) the Board of Works for every District under this Act, and the Vestry of every Parish mentioned in Schedule (A.) to this Act, shall respectively appoint or employ, or continue for the Purposes of this Act, and may remove at pleasure, such Clerks, Treasurers, and Surveyors, and such other Officers and Servants as may be necessary, and may allow to such Clerks, Treasurers, Surveyors, Officers, and Servants respectively such Salaries and Wages as the Board or Vestry may think fit.

Clerk and Treasurer not to be the same Person.

LXIII. No Person holding the Office of Treasurer under the Metropolitan Board, or any District Board or any such Vestry, nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or in any Manner assist or officiate in the Office of Clerk; and neither the Person holding the Office of Clerk, nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or in any Manner assist or officiate in the Office of Treasurer; and every Person offending in any of the Cases specified in this Provision shall forfeit and pay the Sum of One hundred Pounds, which may be recovered by any Person, with full Costs of Suit, by Action in any of the Superior Courts of Law.

Penalty on Officers, &c. being inte-

LXIV. No Officer or Servant of the Metropolitan Board, or of any District Board or any such Vestry, shall be in anywise concerned or interested in any Contract or Work made

made with or executed for such Board or Vestry; and if any such Officer or Servant be so concerned or interested, or, under colour of his Office or Employment, exact, take, or accept any Fee or Reward whatsoever, other than his proper Salary, Wages, and Allowances, he shall be incapable of afterwards holding or continuing in any Office or Employment under such Board or Vestry, and shall forfeit and pay the Sum of Fifty Pounds, which may be recovered by any Person, with full Costs of Suit, by Action in any of the Superior Courts of Law; provided that no Person, being a Shareholder of any Joint Stock Company, shall be prevented from being employed as an Officer or Servant by reason of any Contract between such Company and such Board or Vestry, or of any Work executed by such Company.

rested in Contracts, or exacting Fees.

LXV. Before any Officer or Servant as aforesaid enters upon any Office or Employment under this Act, by reason whereof he will or may be intrusted with the Custody or Control of Money, the Board or Vestry shall require and take from him such Security for the faithful Execution of such Office or Employment, and for duly accounting for all Monies which may be intrusted to him by reason thereof, as they may think sufficient; and every such Officer and Servant, as well during his Continuance in Office or Employment as upon his Resignation, Dismissal, or ceasing to hold his Office or Employment, shall respectively, when and in such Manner as shall be required by the Board or Vestry, make out and deliver a true and perfect Account, in Writing signed by him, of all Monies received by him for the Purposes of this Act, and stating how, and to whom, and for what Purpose such Monies have been disposed of, and shall together with such Account deliver the Vouchers or Receipts for all Payments made by him, and pay over to the Treasurer or such Person as the Board or Vestry may appoint all Monies owing by him; and if any such Officer or Servant fail to render such Account, or to produce and deliver up such of the said Vouchers and Receipts as may be in his Possession or Power, or to pay over any such Monies as aforesaid, or if, for the Space of Five Days after being thereunto required, he fail to deliver up to the Board or Vestry, or to such Person as they may appoint, all Books, Papers, Writings, Property, Effects, Matters, and Things in his Possession or Power belonging to the Board or Vestry, then and in every such Case a Justice shall, on Complaint being made to him in that Behalf, summon the Party charged to appear and answer the Complaint before Two Justices, at a Time and Place to be specified in the Summons; and upon the Appearance of the Party charged, or upon Proof that the Summons was personally served upon him or left at his last known Place of Abode in *England*, and if it appear to the last-mentioned Justices that he has failed to render any such Account, or to produce and deliver up any such Vouchers or Receipts, or any such Books, Papers, Writings, Property, Effects, Matters, or Things as aforesaid, and that he still fails or refuses so to do, it shall be lawful for them, by Warrant under their Hands and Seals, to commit the Offender to Gaol, there to remain, without Bail, until he shall have rendered such Account, and produced and delivered up all such Vouchers, Receipts, Books, Papers, Writings, Property, Effects, Matters, and Things in respect of which the Charge was made; and if it appears that the Party charged has failed to pay over any such Monies as aforesaid, and that he still fails or refuses so to do, it shall be lawful for the last-mentioned Justices, by a like Warrant, to cause the same to be levied by Distress and Sale of his Goods and Chattels, and in default of any sufficient Distress to commit him to Gaol, there to remain, without Bail, for a Period not exceeding Three Months, unless such Monies be sooner paid: Provided always, that if the Complainant, by Deposition on Oath, show to the Satisfaction of any Justice that there is probable Cause for believing that the Party charged intends to abscond, it shall be lawful for such Justice, without previous Summons, by Warrant under his Hand and Seal to cause him to be forthwith apprehended; and in such Case the said Party shall, within Twenty-four Hours after Apprehension, be brought before the same or some other Justice, who may order that he be discharged from Custody, if such Justice think that there is no sufficient Ground for Detention, or that he be further detained until he be brought before Two Justices at a Time and Place to be named in the Order, unless Bail to the Satisfaction of the Justice be given for the Appearance of the Party before such Two Justices: Provided also, that no such Proceeding shall be construed to relieve or discharge any Surety of the Offender from any Liability whatsoever.

Officers, &c. intrusted with Money to give Security for duly accounting for the same.

If Officer fail to render Account, &c. Justices may commit Offender to Prison.

Power to levy by Distress.

Metropolitan and District Boards and Vestries to provide proper Offices, and to cause daily Attendance to be given.

LXVI. The Metropolitan Board of Works and every such District Board and Vestry respectively shall provide and maintain such Offices within their respective District or Parish as may be necessary for the Purposes of this Act, and shall take care that their Clerk, or some Person duly authorized by them in that Behalf, attends at their Office daily (*Sundays*, *Christmas Day*, and *Good Friday*, and Days appointed for any General Fast or Thanksgiving, alone excepted), for the Purpose of receiving Notices and transacting the ordinary Business of the Board or Vestry under this Act.

Duties and Powers of Vestries and District Boards.

"Vestry" to mean Vestry of a Parish in Schedule (A.)

LXVII. Where in the Provisions herein-after contained any Expression is used referring to the Vestry of a Parish, such Expression shall be construed as referring only to the Vestry of a Parish mentioned in Schedule (A.) to this Act, unless such Construction be repugnant to the Context.

Sewers (except Main Sewers) vested in Vestries and District Boards.

LXVIII. Upon the Commencement of this Act all Sewers vested in the Metropolitan Commissioners of Sewers which are situate in any Parish mentioned in Schedule (A.) to this Act (except such Sewers as are mentioned in Schedule (D.) to this Act), with the Walls, Defences, Banks, Outlets, Sluices, Flaps, Penstocks, Gullies, Grates, Works, and Things thereunto appertaining, and the Materials thereof, with all Rights of Way and Passage used and enjoyed by such Commissioners over or to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall become vested in the Vestry of such Parish; and all Sewers vested in the said Metropolitan Commissioners which are situate within any District mentioned in Schedule (B.) to this Act, except as before excepted, with all such Works and Things as aforesaid appertaining thereto, and all Rights of Way and Passage used and enjoyed by such Commissioners over or to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall become vested in the Board of Works for such District; and all Sewers made and to be made within any such Parish or District, except Sewers and Works vested or to be vested in the Metropolitan Board of Works, as herein-after mentioned, shall be vested in such Vestry and Board respectively.

Vestries and District Boards to repair, &c. all Sewers vested in them, and from Time to Time to construct new Ones, &c.

LXIX. The Vestry of every Parish mentioned in Schedule (A.) to this Act, and the Board of Works for every District mentioned in Schedule (B.) to this Act, shall (subject to the Powers by this Act vested in the Metropolitan Board of Works) from Time to Time repair and maintain the Sewers under this Act vested in them, or such of them as shall not be discontinued, closed up, or destroyed under the Powers herein contained, and shall cause to be made, repaired, and maintained such Sewers and Works, or such Diversions or Alterations of Sewers and Works, as may be necessary for effectually draining their Parish or District, and shall cause all Banks, Wharves, Docks, or Defences abutting on or adjoining any River, Stream, Canal, Pond, or Watercourse in such Parish or District to be raised, strengthened, or altered or repaired, where it may be necessary so to do, for effectually draining, or protecting from Floods or Inundation such Parish or District; and it shall be lawful for any such Vestry or District Board to carry any such Sewers or Works through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, or through or under any Cellar or Vault which may be under the Pavement or Carriageway of any Street, and into, through, or under any Lands whatsoever, making Compensation for any Damage done thereby as herein-after provided; and it shall be lawful for any such Vestry or District Board from Time to Time to enlarge, contract, raise, lower, arch over, or otherwise improve, or alter all or any of the Sewers, Watercourses, and Works which shall be from Time to Time vested in them or subject to their Order and Control, and to discontinue, close up, or destroy such of them as they may deem to have become unnecessary: Provided always, that no new Sewer shall be made without the previous Approval of the Metropolitan Board of Works: Provided also, that the Discontinuance, Closing up, Destruction, or Alteration of any Sewer as aforesaid shall be so done as not to create a Nuisance; and if by reason thereof any Person shall be deprived of the lawful Use of any covered Sewer, it shall be the Duty of the Vestry or District Board to provide some other Sewer or a Drain as effectual for his Use as the Sewer of which he is so deprived: Provided also, that where the Vestry or District

District Board alter any Sewer, or provide a new Sewer in substitution for a Sewer discontinued, closed up, or destroyed, they may contract or otherwise alter the private Drains communicating with the Sewer so altered, or with the Sewer so discontinued, closed up, or destroyed, or may close up or destroy such private Drains, and provide new Drains in lieu thereof, as the Circumstances of the Sewerage may appear to them to require, but so that in every Case the altered or substituted Drain shall be as effectual for the Use of the Person entitled thereto as the Drain previously used.

Power to Vestries and District Boards to do Works of Improvement in Sewers, &c. the Expense of which to be divided between the Party liable and the Parish or District.

LXX. Wherever any Party is, by Prescription, by reason of Tenure, or otherwise, liable by Law to maintain or do any Repairs to Sewers, Banks, Watercourses, or Works in any such Parish or District which the Vestry or District Board judge it necessary to alter or improve, it shall be lawful for them to make such Alterations or Improvements therein as they think proper, and to divide the Expense of such Alterations or Improvements between the Party liable to such Maintenance or Repairs and the Parish, District, or Persons who would have been wholly liable to the Expense of such Alterations or Improvements if no Party had been liable as aforesaid, so as to throw on the Party liable to such Maintenance or Repairs such Part of the Expense of Alterations or Improvements as may be equal to what would be incurred for such Maintenance or Repairs, and to throw on the Parish, District, or Persons aforesaid the Residue of such Expense, and to settle and adjust such Proportions either by some general Regulation or by Order in each particular Case, as they may think proper: Provided always, that nothing in this Act contained shall exempt from Liability to do any Works, or to pay the whole Cost thereof, any Person who, by Prescription, by reason of Tenure, or otherwise by Law, is so liable.

Gullyholes, &c. to be trapped.

LXXI. Every District Board and Vestry shall, by providing proper Traps or other Coverings, or by Ventilation, or by such other Ways and Means as shall be practicable for that Purpose, prevent the Effluvia of Sewers from exhaling through Gullyholes, Gratings, or other Openings of Sewers in any of the Streets or other Places within their District or Parish.

Vestries and District Boards to cause Sewers to be cleansed, &c.

LXXII. Every Vestry and District Board shall cause the Sewers vested in them to be constructed, covered, and kept so as not to be a Nuisance or injurious to Health, and to be properly cleared, cleansed, and emptied, and for the Purpose of clearing, cleansing, and emptying the same they may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, and other Works as may be necessary.

Vestry or District Board in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer.

LXXIII. If any House or Building, whether built before or after the Commencement of this Act, situate within any such Parish or District, be found not to be drained by a sufficient Drain communicating with some Sewer, and emptying itself into the same, to the Satisfaction of the Vestry or Board of such Parish or District, and if a Sewer of sufficient Size be within One hundred Feet of any Part of such House or Building, on a lower Level than such House or Building, it shall be lawful for the Vestry or Board, at their Discretion, by Notice in Writing, to require the Owner of such House or Building forthwith, or within such reasonable Time as may be appointed by the Vestry or Board, to construct and make from such House or Building into any such Sewer a covered Drain, and such Branches thereto, of such Materials, of such Size, at such Level, and with such Fall as shall be adequate for the Drainage of such House or Building, and its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices, (if any,) and for conveying the Soil, Drainage, and Wash therefrom into the said Sewer, and to provide fit and proper paved or impermeable sloped surfaces for conveying Surface Water thereto, and fit and proper Sinks, and fit and proper syphoned or otherwise trapped Inlets and Outlets for hindering Stench therefrom, and fit and proper Water Supply and Water supplying Pipes, Cisterns, and Apparatus for scouring the same, and for causing the same to convey away the Soil, and fit and proper Sand Traps, expanding Inlets, and other Apparatus for hindering the Entry of improper Substances therein, and all other such fit and proper Works and Arrangements as may appear to the Vestry or Board, or to their Officers, requisite to secure the safe and proper working of the said Drain, and to prevent the same from obstructing or otherwise injuring or impeding the Action of the Sewer to which it leads; and it shall be lawful for the said Vestry or Board to cause the said Works to be inspected while in progress, and

from Time to Time during their Execution to order such reasonable Alterations therein, Additions thereto, and Abandonment of Part or Parts thereof, as may to the Vestry or Board or their Officers appear, on the fuller Knowledge afforded by the opening of the Ground, requisite to secure the complete and perfect working of such Works; and if the Owner of such House or Building neglect or refuse, during Twenty-eight Days after the said Notice has been delivered to such Owner, or left at such House or Building, to begin to construct such Drain and other Works aforesaid, or any of them, or thereafter fail to carry them on and complete them with all reasonable Despatch, it shall be lawful for the Vestry or Board to cause the same to be constructed and made, and to recover the Expenses to be incurred thereby from such Owner in the Manner herein-after provided.

Penalty on Owner, &c. for Neglect.

Provision for combined Drainage of Blocks of Houses.

LXXIV. If it appear to the Vestry or Board of any Parish or District that a Group or Block of contiguous Houses, or of adjacent detached or semi-detached Houses, may be drained and improved more economically or advantageously in combination than separately, and a Sewer of sufficient Size already exist or be about to be constructed within One hundred Feet of any Part of such Group or Block of Houses, whether contiguous, detached, or semi-detached, it shall be lawful for such Board or Vestry to order that such Group or Block of Houses be drained and improved, as herein-before provided, by a combined Operation.

No House to be built without Drains constructed to the Satisfaction of the Vestry or District Board.

LXXV. It shall not be lawful to erect any House or other Building in any Parish mentioned in Schedule (A.) to this Act, or in any District mentioned in Schedule (B.) to this Act, or to rebuild any House or Building within any such Parish or District which has been pulled down to or below the Floor commonly called the Ground Floor, or to occupy any House or Building so newly built or rebuilt, unless a Drain and such Branches thereto and other connected Works and Apparatus and Water Supply as herein-before mentioned be constructed and provided to the Satisfaction of the Surveyor of the Vestry of such Parish or Board of Works for such District, of such Materials, of such Size, at such Level, and with such Fall as they may direct, so that the same shall be available for the Drainage of the lowest Floor of such House or Building, and of its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices (if any), which Drain shall lead from such House or Building, or the intended Site of such House or Building, to such Sewer, already made or intended to be constructed near thereto, as the Vestry or Board shall direct and appoint, or if there be no such Sewer existing or intended to be constructed within One hundred Feet of any Part of the intended Site of such House or Building, then to such covered Cesspool or other Place, not being under any Dwelling House, as the Vestry or Board shall direct; and whenever any House or Building is rebuilt as aforesaid, the Level of the lowest Floor of such House or Building shall be raised sufficiently to allow of the Construction of such a Drain and such Branches thereto and other Works and Apparatus as are herein-before required, and for that Purpose the Levels shall be taken and determined under the Direction of the Vestry or District Board.

Notice of Buildings to be given to the Vestry or District Board before commencing the same.

LXXVI. Before beginning to lay or dig out the Foundation of any new House or Building within any such Parish or District, or to rebuild any House or Building therein, and also before making any Drain for the Purpose of draining directly or indirectly into any Sewer under the Jurisdiction of the Vestry or Board of or for any such Parish or District, Seven Days Notice in Writing shall be given to the Vestry or Board by the Person intending to build or rebuild such House or Building or to make such Drain; and every such Foundation shall be laid at such Level as will permit the Drainage of such House or Building in compliance with this Act, and as the Vestry or Board shall order, and every such Drain shall be made in such Direction, Manner, and Form, and of such Materials and Workmanship, and with such Branches thereto and other connected Works and Apparatus and Water Supply as herein-before mentioned, and as the Vestry or Board shall order, and the making of every such Drain shall be under the Survey and Control of the Vestry or Board; and the Vestry or District Board shall make their Order in relation to the Matters aforesaid, and cause the same to be notified to the Person from whom such Notice was received within Seven Days after the Receipt of such Notice, and in default of such Notice, or if such House, Building, or Drain, or Branches thereto or other connected Works and Apparatus and Water Supply, be begun, erected, made, or provided in any respect contrary to any Order

Order of the Vestry or Board made and notified as aforesaid, or the Provisions of this Act, it shall be lawful for the Vestry or Board to cause such House or Building to be demolished or altered, and to cause such Drain or Branches thereto and other connected Works and Apparatus and Water Supply to be relaid, amended, or re-made, or, in the event of Omission, added, as the Case may require, and to recover the Expenses thereof from the Owner thereof in the Manner herein-after provided.

Power to branch Drains into Sewers constructed by Metropolitan Board, or any Vestry or District Board under certain Regulations. Penalty.

LXXVII. It shall be lawful for any Person, at his own Expense, to make or branch any Drain into any of the Sewers vested in the Metropolitan Board of Works or any Vestry or District Board under this Act, or authorized to be made by them under this Act, such Drain being of such a Size, and of such Conditions, and branched to such Sewer, in such a Manner and Form of Communication in all respects as the Vestry or Board shall direct or appoint; and in case any Person make or branch any Drain into any of the said Sewers so vested in the Vestry or Board, or authorized to be made by them under this Act, of a larger Size, or of different Conditions, or in a different Manner and Form of Communication than shall be directed or appointed by the Vestry or Board, every Person so offending shall for every such Offence forfeit a Sum not exceeding Fifty Pounds.

Power to Metropolitan Board, &c. to branch private Drains into Sewers, at the Expense of the Party to whom they belong.

LXXVIII. Whenever it is necessary to open any Part of the Pavement or any Street or public Place, for the Purpose of making or branching any private Drain into any of the Sewers or Drains vested in the Metropolitan Board of Works, or any Vestry or District Board under this Act, or authorized to be made by them under this Act, it shall be lawful for the Vestry or Board, in case they think fit so to do, to make so much and such Part of such private Drain, and also to construct so much and such Part of the Works necessary for branching the same into the public Sewers as shall be under or in any Street, and to recover the Expenses incurred thereby from the Owner of the House, Building, or Ground to which such private Drain belongs, in the Manner herein-after provided.

Vestry or District Board may agree to make House Drains at the Expense of Owners or Occupiers.

LXXIX. It shall be lawful for any such Vestry or Board to contract and agree with the Owners or Occupiers of any Houses, Buildings, or Ground that any Drains required to be made, altered, or enlarged by such Owners shall be constructed, made, altered, and enlarged by the Vestry or Board; and the Cost Price of making, altering, or enlarging such Drains, as certified by the Surveyor of the Vestry or Board, shall be repaid by the Owner or Occupier so agreeing to the Vestry or Board, and in default of Payment the same may be recovered in the Manner herein-after provided.

Vestry or District Board may order a Contribution towards Construction of Sewers in certain Cases.

LXXX. Where any Sewer in any of the Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, into which any Drain shall be made or branched, has been built since the Third Day of *September* One thousand eight hundred and thirteen, and before the Commencement of this Act, at the Expense of any Person or Body other than any Commissioners of Sewers, the Vestry or District Board in whom such Sewer is vested may order such Sum as they may deem just to be paid and contributed by the Owner of the House to which such Drain belongs towards the Expense of the Construction of such Sewer, which Sum shall, on the Receipt thereof by such Vestry or Board, be paid over to the Person or Body aforesaid, and such Vestry or Board may, if they see fit, order and accept Payment of such Sum, with Interest after a Rate not exceeding Five Pounds for the Hundred by the Year, by Instalments within any Period not exceeding Twenty Years.

Penalty on erecting or rebuilding Houses without proper Watercloset, &c. Power to Vestry, &c. to require Owners, &c. to provide sufficient

LXXXI. After the Commencement of this Act it shall not be lawful newly to erect any House, or to rebuild any House pulled down to the Extent aforesaid, within any Parish mentioned in Schedule (A.) to this Act, or any District mentioned in Schedule (B.) to this Act, without a sufficient Watercloset or Privy and Ashpit furnished with proper Doors and Coverings, and also furnished as regards the Watercloset with suitable Water Supply and Water Supply Apparatus, and with suitable trapped Soilpan and other suitable Works and Arrangements, so far as may be necessary to ensure the efficient Operation thereof; and whosoever shall offend against this Enactment shall be liable to a Penalty not exceeding Twenty Pounds; and if at any Time it appear to the Vestry or District Board of such Parish or District that any House in any such Parish or District, whether built before or after the Commencement of this Act, is without a sufficient Watercloset or Privy and Ashpit furnished with proper Doors and Coverings, and with other Apparatus and Works as aforesaid,

Waterclosets, &c.

aforesaid, the Vestry or District Board shall, in case the same can be provided without disturbing any Building, give Notice in Writing to the Owner or Occupier of such House, requiring him forthwith, or within such reasonable Time as shall be specified in such Notice, to provide a sufficient Watercloset or Privy and Ashpit so furnished as aforesaid, or either of them, as the Case may require; and if such Notice be not complied with it shall be lawful for the Vestry or District Board to cause to be constructed a sufficient Watercloset or Privy and Ashpit, or either of them, or do such other Works as the Case may require, and to recover the Expenses incurred by them in so doing from the Owner of such House in manner herein-after provided: Provided always, that where a Watercloset or Privy has been and is used in common by the Inmates of Two or more Houses, or if in the Opinion of the Vestry or District Board a Watercloset or Privy may be so used, they need not require the same to be provided for each House.

If Owners fail, Vestry, &c. to cause the Work to be done at their Expense.

Power for Vestries and District Boards to authorize Inspection of Drains, Privies, and Cesspools.

LXXXII. It shall be lawful for any such Vestry or Board, or for their Surveyor or Inspector, or such other Person as they appoint, to inspect any Drain, Watercloset, Privy, Cesspool, or Water Supply Apparatus, or Sinks, Traps, Syphons, Pipes, or other Works or Apparatus connected therewith, within the Parish or District of such Vestry or Board, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing has been given to the Occupier of the Premises to which such Drain, Watercloset, Privy, Cesspool, or Water Supply Apparatus, or other connected Works or Apparatus as aforesaid, is attached, or left upon the Premises, or in case of Emergency without Notice, to enter, by themselves or their Surveyor or Inspector and Workmen, upon any Premises, and cause the Ground to be opened in any Place they think fit, doing as little Damage as may be.

Penalty on Persons improperly making or altering Drains.

LXXXIII. In case any Drain, Watercloset, Privy, Cesspool, or Water Supply, or Water Supply Apparatus, or other connected Works or Apparatus, herein-before mentioned, be found, on Inspection, not to have been made or provided according to the Directions or Regulations of the Vestry or District Board, or contrary to the Provisions of this Act, or in case any Person, without the Consent of the Vestry or District Board, construct, rebuild, or unstop any Sewer, Drain, Watercloset, Privy, or Cesspool, which may have been ordered by them not to be made, or to be demolished or stopped up, or in case any Person discontinue any Water Supply, or destroy any connected Works or Apparatus as aforesaid, or in case any Person, without the Consent of the Vestry or District Board, break into any Sewer vested in such Vestry or Board, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds; and in case the Person so making any Sewer, Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid, contrary to the Directions or Regulations of the Vestry or Board, or contrary to the Provisions of this Act, or without such Consent as aforesaid, constructing, rebuilding, or unstopping any Sewer, Drain, Watercloset, Privy, or Cesspool which may have been ordered to be demolished or stopped up, or discontinuing any Water Supply or destroying any connected Works or Apparatus as aforesaid, or breaking into any such Sewer as aforesaid, do not, within Fourteen Days after Notice in Writing by the Vestry or Board, cause such Sewer, Drain, Watercloset, Privy, or Cesspool to be altered or reinstated in conformity with the Directions of the Vestry or Board, or, as the Case may be, to be demolished or stopped up, or such Water Supply to be renewed, or such connected Works or Apparatus to be restored, then and in every such Case the Vestry or Board may cause the Work to be done, and the Expenses thereof shall be paid by the Person who has so offended.

Where no Default found Expenses to be paid by Vestry or Board.

LXXXIV. If such Drain, Watercloset, Privy, Cesspool, or Water Supply, or Water Supply Apparatus, or other connected Works and Apparatus, be found on Inspection as aforesaid to be made to the Satisfaction of the Vestry or Board, and in proper Order and Condition, they shall cause the same to be reinstated and made good as soon as may be, and the Expenses of Examination, reinstating, and making good such Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid, shall be defrayed by the Vestry or Board, and full Compensation shall be made by them for all Damages or Injuries done or occasioned by the Examination of any such Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid.

LXXXV. If,

LXXXV. If, upon such Inspection as aforesaid, any Drain, Watercloset, Privy, or Cesspool appear to be in bad Order and Condition, or to require cleansing, Alteration, or Amendment, or to be filled up, the Vestry or Board shall cause Notice in Writing to be given to the Owner or Occupier of the Premises upon or in respect of which the Inspection was made, requiring him forthwith, or within such reasonable Time as shall be specified in such Notice, to do the necessary Works; and if such Notice be not complied with by the Person to whom it is given the Vestry or Board may, if they think fit, execute such Works, and the Expenses incurred by them in so doing shall be paid to them by the Owner or Occupier of the Premises.

Vestry or District Board to cause Drains, &c. to be put into proper Condition, &c. where necessary.

LXXXVI. Every Vestry and District Board shall drain, cleanse, cover, or fill up, or cause to be drained, cleansed, covered, or filled up, all Ponds, Pools, open Ditches, Sewers, Drains, and Places containing or used for the Collection of any Drainage, Filth, Water, Matter, or Thing of an offensive Nature, or likely to be prejudicial to Health, which may be situate in their Parish or District; and they shall cause written Notice to be given to the Person causing any such Nuisance, or to the Owner or Occupier of any Premises whereon the same exists, requiring him, within a Time to be specified in such Notice, to drain, cleanse, cover, or fill up such Pond, Pool, Ditch, Sewer, Drain, or Place, or to construct a proper Sewer or Drain for the Discharge of such Filth, Water, Matter, or Thing, or to do such other Works as the Case may require; and if the Person to whom such Notice is given fail to comply therewith, the Vestry or Board shall execute such Works as may be necessary for the Abatement of such Nuisance, and may recover the Expenses thereby incurred from the Owner of the Premises in manner herein-after mentioned: Provided always, that it shall be lawful for such Vestry or Board, where they think it reasonable, to defray all or any Portion of such Expenses, as Expenses of Sewerage are to be defrayed under this Act: Provided also, that where any Work by any Vestry or District Board done or required to be done in pursuance of the Provisions of this Act interferes with or prejudicially affects any ancient Mill, or any Right connected therewith, or other Right to the Use of Water, full Compensation shall be made to all Persons sustaining Damage thereby, in manner herein-after provided, or it shall be lawful for the Vestry or Board, if they think fit, to contract for the Purchase of such Mill, or any such Right connected therewith, or other Right to the Use of Water; and the Provisions of this Act with respect to the Purchases by the Vestry or Board herein-after authorized shall be applicable to every such Purchase as aforesaid.

Vestry and District Board to cause offensive Ditches, Drains, &c to be cleansed or covered.

Where Works interfere with any ancient Mill, &c. Compensation to be made, or Rights therein purchased.

LXXXVII. It shall be lawful for any Vestry or District Board, where they think fit, to cause the Ditches at the Sides of or across public Roads and Byeways and public Footways to be filled up, and to substitute Pipe or other Drains alongside or across such Roads and Ways, with appropriate Shoots and Means of conveying Water from such Roads and Ways thereinto, and from Time to Time to repair and amend the same; and the Surface of Land gained by filling up such Ditches may, if the Vestry or Board so think fit and direct, be thrown into such Roads and Ways, and be repairable as Part thereof, and be under the Control of the Surveyors of the Highways, or other Person in charge of such Roads, Byeways, or Footways.

Power to Vestries and District Boards to fill up Ditches by the Side of Roads, and substitute Pipes.

LXXXVIII. It shall be lawful for every Vestry and District Board to provide and maintain Urinals, Waterclosets, Privies, and like Conveniences, in Situations where they deem such Accommodation to be required, and to supply the same with Water, and to defray the Expense thereof, and any Damage occasioned to any Person by the Erection thereof, and the Expense of keeping the same in good Order, as Expenses of Sewerage are to be defrayed under this Act.

Power to Vestries and District Boards to provide public Conveniences.

LXXXIX. If any Vestry or District Board desire to transfer to the Metropolitan Board of Works the Powers and Duties vested in such Vestry or District Board in relation to Sewerage and Drainage, and a Resolution for so transferring such Powers and Duties be passed by a Majority at a Meeting of such Vestry or District Board specially convened for the Purpose of considering the Question of such Transfer, of which not less than Fourteen Days Notice shall have been given, and at which there shall be present not less than Two Thirds of the whole Number of such Vestry or Board, then such Powers and Duties, and all Sewers and Property vested in such Vestry or Board under this Act, for the Purposes

Vestries and District Boards may transfer their Powers as to Sewerage to the Metropolitan Board of Works.

Purposes of or in connexion with such Powers and Duties, shall, at the Expiration of One Month after Notice from such Vestry or Board shall have been given under their Seal to the said Metropolitan Board of such Resolution having been passed as aforesaid, become vested in the said Metropolitan Board, and the Provisions of this Act for defraying Expenses incurred by such Board in the Execution of this Act shall extend to Expenses incurred by them in the Execution of the Powers and Duties so transferred to them.

All Powers relating to paving, &c. to be vested in Vestries and in District Boards.

XC. All the Duties, Powers, and Authorities for or in relation to the paving, lighting, watering, cleansing, or improving of any Parish mentioned in Schedule (A.) to this Act, or any Part of such Parish, now vested in any Commissioners, or in any Body other than the Vestry of such Parish, or in any Officer of any Commissioners or other Body, and all other Duties, Powers, and Authorities in anywise relating to the Regulation, Government, or Concerns of any such Parish or Part, or of the Inhabitants thereof, (except such Duties, Powers, and Authorities as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, so far as such Duties, Powers, and Authorities relate thereto,) now vested under any Local Act of Parliament in any Commissioners, or in any Body other than the Vestry of such Parish, or in any such Officer, shall cease to be so vested, and shall, save as herein otherwise provided, become vested in and be performed and exercised by the Vestry of such Parish under this Act; and all the Duties, Powers, and Authorities for or in relation to the paving, lighting, watering, cleansing, or improving of any Parish included in any District mentioned in Schedule (B.) to this Act, or any Part of such Parish, now vested in any Commissioners, Vestry, or other Body, or in any Officer of any Commissioners or other Body, and all other Duties, Powers, and Authorities, in anywise relating to the Regulation, Government, or Concerns of any such Parish or Part, or of the Inhabitants thereof, (except such Duties, Powers, and Authorities as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, so far as such Duties, Powers, and Authorities relate thereto), now vested under any Local Act of Parliament in any Commissioners, Vestry, or other Body, or in any such Officer, shall cease to be so vested, and shall, save as herein otherwise provided, become vested in and be performed and exercised by the Board of Works for such District; and the Provisions of every such Act of Parliament as aforesaid shall be applicable to the Vestry of every Parish mentioned in the said Schedule (A.) and to every such District Board accordingly, and the Offices of all Commissioners and Persons whose Powers are determined by this Act shall cease and be determined, and there shall be no new Appointment or Election to any such Office.

Saving as to Baths and Wash-houses, Metropolitan Burials, Markets, and Charitable Trusts Acts.

XCI. Provided always, That, save as regards the Appointment of Auditors, nothing in this Act shall divest the Vestry of any Parish, or any Commissioners or Burial Board appointed by any Vestry, of any Powers or Property vested in them respectively under the Provisions of the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Seventy-four, or any Act amending the same, or under the Provisions of the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, or any Act amending the same, or in anywise affect the Provisions of any of the said Acts; and nothing in this Act shall extend to or affect any Rights, Privileges, Powers, or Authorities vested in any Persons in reference to any Market, or any Powers or Rights for or in relation to the Administration of any Charitable Trusts, save that any Powers or Rights in relation to any such Trusts vested or which would have become vested in the existing Vestry of any Parish shall be vested in the Vestry of such Parish as constituted by this Act.

Expenses incurred under existing Powers relating to paving, &c. to be deemed Expenses incurred in Execution of this Act.

XCII. Provided also, That all Expenses of paving, lighting, watering, cleansing, or improving any Parish or any Part of any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, and all other Expenses in relation to the Regulation, Government, or public Concerns of any such Parish or Part, or of the Inhabitants thereof, except only Expenses incurred in relation to the Affairs of the Church, or for the Management or Relief of the Poor, and other Expenses by Law payable out of any Poor Rate, which are not herein provided for, shall be deemed Expenses incurred in the Execution of this Act, and shall be defrayed accordingly.

XCIII. All

As to the Transfer of Property.

XCIII. All Property, Matters, and Things whatsoever vested in such Commissioners or other Body, or in any such Officer as aforesaid, under any such Act, in connexion with any such Duties or Powers as aforesaid, hereby transferred to the Vestry of any Parish or the Board of Works for any District, shall upon the Commencement of this Act be vested in such Vestry or Board; and where any such Property, Matters, or Things are vested in any such Commissioners or Body, or Officer acting for Parts extending beyond such Parish or District, the Metropolitan Board of Works shall by their Order declare in what Vestry or District Board they shall be vested, and may, if they see fit, apportion the same between the Vestries and District Boards within whose respective Districts and Parishes such Parts may be situate, and the same shall be vested accordingly; and any Money in the Possession of any such Commissioners or other Body, or any such Officer, which becomes vested in any such Vestry or Board under this Enactment, and the Income of any other such Property, until sold or disposed of, shall be applicable, as nearly as may be, for the like Purposes as if this Act had not been passed.

Existing Contracts, &c. to remain valid.

XCIV. Provided always, That all Contracts, Agreements, Bonds, Covenants, or Securities made or entered into with or in favour of or by such Commissioners or Body, or any Person in their Behalf, or any such Officer as aforesaid, before the Commencement of this Act, shall remain as valid and effectual and be proceeded on and enforced as if this Act had not been passed; and no Action, Suit, Prosecution, or Proceeding commenced or carried on by or against such Commissioners or Body or any of them respectively shall abate or be discontinued or prejudicially affected by this Act, but shall continue and take effect as if this Act had not been passed; and all Monies coming to such Commissioners or Body under any such Contract, Agreement, Bond, Covenant, Security, Action, Suit, or Proceeding, and which would have been applicable by them if this Act had not been passed for the Purposes of any of the Duties or Powers hereby transferred to any Vestry or District Board, shall be paid over to such Vestry or Board, or as they may direct, and be applied for the like Purposes; and all Monies and Liabilities which such Commissioners or Body, or Officer would have been liable to pay or discharge, under any such Contract, Agreement, Bond, Covenant, Security, Action, Suit, or Proceeding, out of any Rates to be levied under any such Powers as aforesaid, if this Act had not been passed, and all Costs, Damages, and Expenses which such Commissioners or Body, or any of them respectively, might, if this Act had not been passed, have legally defrayed out of any such Rates, shall be paid out of Rates to be levied by such Vestry or Board as herein-after provided.

Existing Commissioners, &c. under Local Acts continued in Office until Commencement of this Act.

XCV. Where, under the Provisions of any Local Act in relation to the paving, lighting, watering, cleansing, or improving of any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, or any Part of any such Parish, any Election or Appointment of any Commissioners or Persons whose Powers are determined by this Act is appointed to take place at any Time between the Time of the passing of this Act and the Time appointed for the Commencement thereof, the Commissioners or Persons now acting under such Local Act shall remain in Office, and perform and exercise all the Duties, Powers, and Authorities of such Act, until the Commencement of this Act, anything in such Local Act to the contrary notwithstanding.

Powers and Duties of Surveyors of Highways, and Property vested in them, transferred to Vestries and District Boards.

XCVI. Every Vestry and District Board shall, within their Parish or District (exclusively of any other Persons whatsoever), execute the Office of and be Surveyor of Highways, and have all such Powers, Authorities, and Duties, and be subject to all such Liabilities, as any Surveyor of Highways in *England* is now or may hereafter be invested with or liable to by virtue of his Office, under the Laws for the Time being in force, so far as such Powers, Authorities, Duties, and Liabilities are not inconsistent with this Act; but all Expenses which under any such Law ought to be defrayed by Highway Rates shall be defrayed by means of the Rates to be raised under this Act, and all Monies which would be applicable in aid of such Highway Rates shall be applied in aid of the said Rates to be raised under this Act, and no such Vestry or Board shall be subject to any Provisions concerning the Accounts of Surveyors of Highways, or requiring any Returns to be made to any Special Sessions; and all Streets being Highways, and the Pavements, Stones, and other Materials thereof, and all other Things provided for the Purposes thereof by any Surveyor of Highways,

Highways, or by any Person serving the Office of Surveyor of Highways, or by any Vestry or District Board under this Act, shall vest in and be under the Management and Control of the Vestry or District Board of the Parish or District in which such Highways are situate.

Provision as to Rates already made in Parishes mentioned in Schedule (A.)

XCVII. Provided always, That all Rates made previously to the Commencement of this Act for defraying the Expenses of executing any Duties, Powers, and Authorities hereby transferred to any Vestry or District Board, and all Highway Rates made previously to such Commencement, or so much of such respective Rates as may not have been levied and paid, shall be levied and collected as if this Act had not been passed, and, subject to the Payment or Retainer thereout of any Sum or Expenses lawfully payable out of such respective Rates, shall, where such Rates are levied in a Parish mentioned in Schedule (A.) to this Act, be accounted for and paid over to the Vestry of such Parish, and shall, where levied in any other Parish, be accounted for and paid over to the Board of Works for the District in which such Parish is comprised, and shall in every Case be applied in aid of the Rates to be raised for the like Purposes under this Act in the particular Parish or Part in which the said Rates so made previously to the Commencement of this Act are levied.

Vestry or District Board to cause Streets to be paved.

XCVIII. It shall be lawful for every Vestry and District Board from Time to Time to cause all or any of the Streets within their Parish or District, or any Part thereof respectively, to be paved or repaired when and as often and in such Form and Manner and with such Materials as such Vestry or Board think fit, and to cause the Ground or Soil thereof to be raised or lowered, and the Course of the Channels running in, into, or through the same to be turned or altered, in such Manner as they think proper, and to alter the Position of any Mains or Pipes in or under such Street, such Alteration to be made subject to the Approval of the Engineer of the Company to which such Mains or Pipes belong.

Owners possessing Freehold of Courts, &c. to pave the same.

XCIX. Provided always, That whenever the Freehold of any Court, Passage, or public Place, not being a Thoroughfare, is vested in the Owner of any adjoining House, the paving of such Court, Passage, or public Place shall be done by such Owner, if deemed expedient or necessary by the Vestry or District Board.

Owner of Courts to drain them, and keep the Pavement, &c. in repair.

Penalty on Owners for Neglect.

C. The Owner of any such Court, Passage, or public Place, not being a Thoroughfare, shall, if required by the Vestry or District Board of the Parish or District in which the same is situate, to the Satisfaction of such Vestry or District Board sufficiently pave, cover the Surface of, or repair the same, and lay, at a proper Level, through, over, under, or along such Part thereof as such Vestry or Board may require, a Drain, Channel, or Gutter, and keep such Pavement or Covering, and Drain, Channel, or Gutter, in good Repair, to the Satisfaction of such Vestry or Board; and if any such Owner of any Court, Passage, or public Place, not being a Thoroughfare, do not sufficiently pave or cover the same as aforesaid, or do not lay down therein such Drain, Channel, or Gutter, or do not repair the same respectively, to the Satisfaction of such Vestry or Board, within Fourteen Days after Notice in Writing requiring him so to do has been given to him by such Vestry or Board, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds.

Vaults and Cellars under Streets not to be made without the Consent of the Vestry or Board.

CI. No Vault, Arch, or Cellar shall be made under any Street without the Consent of the Vestry or District Board of the Parish or District in which the same is situate; and all such Vaults, Arches, and Cellars hereafter to be made within any Parish or District mentioned in either of the Schedules (A.) and (B.) to this Act shall be substantially made, and so as not to interfere or communicate with any Drain or Sewer under the Control of any Vestry or District Board, or of the Metropolitan Board of Works, without their Consents respectively first obtained; and if any Vault, Arch, or Cellar be made contrary to this Provision, it shall be lawful for the Vestry or District Board, or for the Metropolitan Board of Works, to fill up or alter the same, and the Expenses incurred thereby shall be paid by the Owner of such Vault, Arch, or Cellar.

Vaults, &c. under Streets to be repaired by Owners or Occupiers.

CII. All Vaults, Arches, and Cellars made either before or after the Commencement of this Act under any Street in any Parish or District mentioned in either of the Schedules (A.) and (B.) to this Act, and all Openings into the same in any such Street, shall be repaired and kept in proper Order by the Owners or Occupiers of the Houses or Buildings

to

to which the same respectively belong; and in case any such Vault, Arch, or Cellar be at any Time out of Repair, it shall be lawful for the Vestry or District Board of such Parish or District to cause the same to be repaired and put into good Order, and to recover the Expenses thereof from such Owner in the Manner herein-after provided.

Provisions as to the Occupation of underground Rooms as Dwellings.

CIII. Any Room of a House the Surface of the Floor of which Room is more than Three Feet below the Surface of the Footway of the adjoining Street, and any Cellar, where such Room or Cellar is or has been occupied separately as a Dwelling at or before the Time of the passing of this Act, may continue to be so let or occupied if it possess the following Requisites; that is to say,

If there be an Area not less than Three Feet wide in every Part from Six Inches below the Floor of such Room or Cellar to the Surface or Level of the Ground adjoining to the Front, Back, or external Side thereof, and extending the full Length of such Side;

If such Area, to the Extent of at least Five Feet long and Two Feet Six Inches wide, be in front of the Window of such Room or Cellar, and be open or covered only with open Iron Gratings;

If there be in every such Room or Cellar an open Fireplace, with proper Flue therefrom;

If there be a Window Opening of at least Nine Superficial Feet in Area, which Window Opening must be fitted with a Frame filled in with glazed Sashes, of which at the least Four and a Half Superficial Feet must be made to open for Ventilation:

And no such Room nor any Cellar not so let or occupied as aforesaid at or before the Time of the passing of this Act shall be so let or occupied unless it possess the following Requisites; that is to say,

Unless the same be in every Part thereof at least Seven Feet in Height, measured from the Floor to the Ceiling thereof;

Unless the same be at least One Foot of its Height above the Surface of the Footway of the Street adjoining or nearest to the same;

Unless there be outside of and adjoining the same Room 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 Footway, an open Area at least Three Feet wide in every Part;

Unless the same be effectually drained and secured against the Rise of Effluvia from any Sewer or Drain;

Unless there be appurtenant to such Room or Cellar the Use of a Watercloset or Privy and an Ashpit furnished with proper Doors and Coverings kept and provided according to the Provisions of this Act;

Unless the same have a Fireplace with a proper Chimney or Flue;

Unless the same have an external glazed Window of at least Nine Superficial Feet in Area clear of the Frame, and made to open in such Manner as is approved by the Surveyor of the Metropolitan Board of Works;

Provided always, that in any Area adjoining a Room or Cellar there may be placed Steps necessary for Access to such Room or Cellar, and over or across any such Area there may be Steps necessary for Access to any Building above the Room or Cellar to which such Area adjoins, if the Steps in such respective Cases be so placed as not to be over or across any such external Window:

And whosoever lets, occupies, or continues to let, or knowingly suffers to be occupied, any Room or Cellar contrary to this Act, shall be liable for every such Offence to a Penalty not exceeding Twenty Shillings for every Day during which the same continues to be so let or occupied; and every Room or Cellar in which any Person passes the Night shall be deemed to be occupied as a Dwelling within the Meaning of this Act; and every District Surveyor acting under the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-four, or under any Act repealing or amending the same, shall, without any Fee or Reward, report periodically, and otherwise, as the said Metropolitan Board may order, to such Board all Cases in which Rooms or Cellars are occupied contrary to this Enactment in the District of such Surveyor, and also to the respective Vestries and

District Boards all such Cases occurring within such Parts of his District as may be within their respective Parishes and Districts; but nothing herein contained shall be construed to disable other Persons from enforcing this Enactment, and taking Proceedings for Penalties thereunder.

Power to District Surveyors to enter underground Rooms and Cellars. If Admission refused, Justice may issue an Order.

CIV. For the Purpose of enforcing the Enactment lastly herein-before contained, it shall be lawful for any such District Surveyor, or for any other Person, having reasonable Grounds for believing that any Room or Cellar is occupied contrary to such Enactment, to demand Admission to inspect the same at any Time between Nine o'Clock in the Morning and Six o'Clock in the Evening; and if Admission be not granted, any Justice having Jurisdiction in the Place where such Room or Cellar is situate may, on Oath before him of Belief that such Room or Cellar is occupied contrary to the said Enactment, by Order under his Hand authorize such District Surveyor or other Person to enter into and inspect such Room or Cellar between the Hours aforesaid.

Provisions for paving new Streets.

CV. In case the Owners of the Houses forming the greater Part of any New Street laid out or made or hereafter to be laid out or made, which is not paved to the Satisfaction of the Vestry or District Board of the Parish or District in which such Street is situate, be desirous of having the same paved, as herein-after mentioned, or if such Vestry or Board deem it necessary or expedient that the same should be so paved, then, and in either of such Cases such Vestry or Board shall well and sufficiently pave the same, either throughout the whole Breadth of the Carriageway and Footpaths thereof, or any Part of such Breadth, and from Time to Time keep such Pavement in good and sufficient Repair; and the Owners of the Houses forming such Street, shall, on Demand, pay to such Vestry or Board the Amount of the estimated Expenses of providing and laying such Pavement (such Amount to be determined by the Surveyor for the Time being of the Vestry or Board); and in case such estimated Expenses exceed the actual Expenses of such paving, then the Difference between such estimated Expenses and such actual Expenses shall be repaid by the said Vestry or Board to the Owners of Houses by whom the said Sum of Money has been paid; and in case the said estimated Expenses be less than the actual Expenses of such paving, then the Owners of the said Houses shall, on Demand, pay to the said Vestry or Board such further Sum of Money as, together with the Sum already paid, amounts to such actual Expenses.

Vestry or Board may declare their Intention of repairing any Street, not being a Highway. Proviso.

CVI. The Vestry or District Board of any Parish or District may, if they think fit, by Notice in Writing put up in any Part of any Street in their Parish or District, not being a Highway, declare their Intention of repairing the same under this Act, and thereupon the same shall be from Time to Time repaired by them under the Authority of this Act: Provided always, that no Street shall be repaired as last aforesaid unless such Notice in Writing be also given to all Persons interested in such Street, or if within One Month after Notice in Writing has been put up or given as last aforesaid any Person interested in such Street, or the Person representing or entitled to represent any Person interested as aforesaid, by Notice in Writing to the Vestry or Board object thereto.

Thoroughfare not to be made without the Consent of the Proprietor of the Estate.

CVII. Nothing in this Act shall extend or be construed to extend to authorize the taking down or removing any Bar, Gate, Rail, or other Fence fixed for preventing any Thoroughfare into or from any Square, Street, or Way, without the Consent of the Proprietor of the Estate or Property upon which such Bar, Gate, Rail, or other Fence, Square, Street, or Way shall be situate.

Vestries and District Boards may place Fences, &c. to Footways.

CVIII. It shall be lawful for every Vestry and District Board from Time to Time to place any Posts, Fences, and Rails on the Sides of any Footways or Carriageways in their Parish or District, for the Purposes of Safety, and to prevent any Carriage or Cattle from going on the same, and also to place any Posts or other Erections in any Carriageway so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair and renew any such Posts, Rails, or Fences, or to remove the same, or any other Obstruction or Encroachment on any Carriageway or Footway.

Notice to be given by Companies to Vestries and

CIX. No Company or Person shall break up or open the Pavement, Surface, or Soil of any Street, the Paving whereof is under the Control and Management of the Vestry or District Board of any Parish or District, for the Purpose of making and laying down any Main

Main of Pipes, or for any other Purpose whatsoever, except in Cases of Emergency arising from Defects in Pipes or other Works, without having previously given Three clear Days Notice in Writing to such Vestry or District Board, stating in such Notice the Name of the Street and the particular Part thereof in which such Pavement, Surface, or Soil is intended to be broken up or opened, the Day on which the Work is proposed to be commenced, and the Time within which it will be completed; and in any such Case of Emergency as aforesaid such Company or Person shall, within Twelve Hours after they or he begin to break up or open such Pavement, Surface, or Soil as aforesaid, give such Notice as aforesaid to the said Vestry or District Board; and no such Pavement, Soil, or Surface shall be broken up or opened for the Purpose of laying down any new Main of Pipes, for the Conveyance of Water during any Part of the Months of *December*, *January*, and *February*, without the Consent of the said Vestry or District Board; and no Gaslight Company shall at any Time break up or open any such Pavement, Surface, or Soil for the Purpose of laying down any new Mains of Pipes, without the Consent in Writing of the said Vestry or District Board; and every Company or Person offending against this Enactment shall for every such Offence forfeit a Sum not exceeding Five Pounds, and shall, within Twenty-four Hours after Notice in Writing from the Vestry or District Board, cause such Mains of Pipes to be taken up and removed, and the Pavement, Surface, or Soil to be reinstated and put into its former State: Provided always, that any Gaslight Company may break up or open any such Pavement, Surface, or Soil, for the Purpose of laying down and attaching to Mains and Pipes already existing any new Service Pipes, on giving to the said Vestry or District Board, Three Days at the least before so doing, Notice of their Intention to break up or open such Pavement, Surface, or Soil for such Purpose.

District Boards when Pavement, &c. is required to be taken up.

CX. Whenever it is necessary, from any Cause whatever, for any Company or Person to break up or open the Pavement, Surface, or Soil of any Street, such Street, and the Pavement, Surface, and Soil thereof, shall be broken up and opened under the Superintendence of the Vestry or District Board of the Parish or District in which the same is situate, and in such Manner, and as regards Gas Companies at such Time, as they shall direct; and such Company or Person shall with all convenient Speed complete the Work on account of which the same is broken up or opened, and fill in the Ground and make good the Pavement or Surface or Soil so broken up or opened, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Surface or Soil is so broken up or opened to be fenced and guarded, and shall set up and maintain upon or against the Part of the Pavement, Surface, or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Surface or Soil is continued open or broken up.

Streets not to be broken up, except under the Superintendence of Vestry or Board.

Streets broken up to be reinstated without Delay.

CXI. If any Company or Person authorized to break up or open any of the Pavement or Surface of any Street, for the Purpose of laying, altering, or repairing any Gas, Water, or other Pipe, or other lawful Cause, do not with due Diligence cause the Ground to be filled in, and the Pavement to be reinstated, and the Surface to be made good, in a proper and substantial Manner, or do not in the meantime fence and guard the same, and affix and maintain Lights during the Night near to the Places where any Ground is open, so as to prevent any Accident, every such Company or other Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds, and also a further Sum not exceeding Forty Shillings, for every Day during which such Offence continues; and no such Pavement shall be considered to have been reinstated in a proper and substantial Manner by any such Company or other Person unless the same have been reinstated with the same or similar Materials of the like Quality and Thickness, and cemented and bound together in the same or in an equally substantial Manner, as those of which it was composed, in such Manner as is satisfactory to the Vestry or Board.

Penalty on Persons taking up Pavements neglecting to reinstate them, and to place Lights during the Night-time to prevent Accidents.

CXII. In case any Part of the Pavement of any Street be sunk, broken, injured, or damaged, by reason of the breaking, bursting, or Want of Repair of any Pipe belonging to any Water, Gas, or other Company, it shall be lawful for the Vestry or District Board of the Parish or District in which such Pavement is situate, if they deem it expedient so to do, to cause Notice to be given to the Company to whom such Pipe is supposed to belong forthwith

Vestry or District Board to direct Pavements injured by Water or Gas Pipes to

be repaired by Company. Penalty for Neglect.

with well and sufficiently to repair and make good such Pavement; and if the Company to whom such Notice is given do not, within Forty-eight Hours next after such Notice, take up such Pavement, and well and sufficiently repair and amend such Pipe, and cause the Ground to be well and sufficiently filled in and rammed down, and the said Pavement to be relaid and repaired, to the Satisfaction of the Vestry or District Board, then such Company so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Company opening the Ground to repair a Pipe discovered to belong to another Company, to give Notice to such Company, and to be reimbursed Expenses.

CXIII. Provided always, That in case it be discovered, after any Pavement in any Street has been taken up by any Company, and the Ground opened, that the Pipe beneath the Surface of such Pavement required to be repaired and amended does not belong to the Company to whom such Notice has been given as aforesaid, but to some other Company, then such first-mentioned Company to whom such Notice has been so given as aforesaid shall, within Forty-eight Hours after such Discovery, cause a Copy of such Notice to be in like Manner given to the Company to whom such Pipe belongs, and require them to obey, conform to, and comply with the original Notice, instead of the Company to whom such original Notice was given as aforesaid; and such other Company to whom such last-mentioned Notice is given as aforesaid shall reimburse and pay, on Demand, to the first-mentioned Company, the reasonable Costs and Charges incurred in and about the taking up of the Pavement and opening the Ground; and the said last-mentioned Company shall obey, conform to, and comply with the said original Notice, and execute and perform the Work mentioned therein, in such and the same Manner, and within such and the same Time, in all respects, as if the said original Notice had been given to such last-mentioned Company, and they shall be liable to and shall incur the same Penalties and Forfeitures, on Neglect so to do, as they would have incurred and been liable to if the said original Notice had been given to them in manner before directed with respect to such first-mentioned Company; and if the Company by whom such Pavement has been first taken up, and who have opened the Ground, neglect to give the Notice hereby required to the Company to whom such Pipe actually belongs, such Company so neglecting shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Power to Vestry or District Board to reinstate Pavement, and charge the Expenses to the Parties.

CXIV. Provided also, That whenever the permanent Surface or Soil of any Street is broken up or opened, it shall be lawful for the Vestry or District Board of the Parish or District in which the same is situate, in case they think it expedient so to do, to fill in the Ground and to make good the Pavement or Surface or Soil so broken up or opened, and to carry away the Rubbish occasioned thereby, instead of permitting such Work to be done by the Company or Person by whom such Surface or Soil is broken up or opened; and the Expenses of filling in such Ground and of making good the Pavement or Soil so broken up or opened shall be repaid, on Demand, to the Vestry or Board by such Company or Person.

Power for Vestry or District Board to contract with Company for restoring Pavements.

CXV. It shall be lawful for the Vestry or District Board of any Parish or District to contract and agree, for any Term of Years or otherwise, with the several Companies or Persons authorized to take up any of the Pavements or other formed Surface of any of the Streets within such Parish or District, for the filling in, paving, and restoring of such Parts of the said Streets as may be from Time to Time required to be taken up for the Purpose of laying, altering, or repairing any Pipes or other like Purpose.

As to the watering of Streets.

CXVI. Every Vestry and District Board shall have full Power and Authority to cause all or any of the Streets in their Parish or District to be watered as often as they think fit, and also to cause any Wells to be dug and sunk in such public Places as they think proper, and also to erect and fix any Pumps in any public Places, for the gratuitous Supply of Water to the Inhabitants of the Parish or District.

Vestry or District Board to cause Footways to be cleansed.

CXVII. Every Vestry and District Board shall cause any Footway within their Parish or District to be scraped, swept, or cleansed in such Manner and at such Times as they think fit; but this Enactment shall not relieve any Occupier of any House or Building or any Company whatsoever from any Liability to scrape, sweep, or cleanse, or cause to be scraped, swept, or cleansed, any Part of any such Footway, or from any Penalty for Neglect so to do.

CXVIII. It

Vestries and District Boards may appoint and pay Crossing Sweepers.

CXVIII. It shall be lawful for every Vestry and District Board to appoint and pay, or for Two or more Vestries and District Boards to unite, when necessary, in appointing and paying, suitable Persons to cleanse and sweep, and to keep properly cleansed and swept daily, Crossings for Passengers over the Streets and public Thoroughfares within their respective Jurisdictions, and in such Situations as the said Vestries or District Boards may from Time to Time fix and determine, which Persons so appointed shall be distinguished by their Dress or some distinctive Mark as Public Servants.

Owners, &c. to remove future Projections, on Notice from Vestry or District Board.

CXIX. If any Porch, Shed, projecting Window, Step, Cellar Door or Window, or Steps leading into any Cellar or otherwise, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, Fence, or Opening, or any other Projection or Obstruction placed or made against or in Front of any House or Building after the Commencement of this Act, shall be an Annoyance, in consequence of the same projecting into or being made in or endangering or rendering less commodious the Passage along any Street in their Parish or District, it shall be lawful for the Vestry or District Board to give Notice in Writing to the Owner or Occupier of such House or Building to remove such Projection or Obstruction, or to alter the same, in such Manner as the Vestry or Board think fit; and such Owner or Occupier shall within Fourteen Days after the Service of such Notice upon him remove such Projection or Obstruction, or alter the same in the Manner directed by the Vestry or Board; and if the Owner or Occupier of any such House or Building neglect or refuse, within Fourteen Days after such Notice, to remove such Projection or Obstruction, or to alter the same, in the Manner directed by the Vestry or Board, he shall forfeit any Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during which such Projection or Obstruction continues after the Expiration of such Fourteen Days from the Time when he may be convicted of any Offence contrary to the Provisions hereof.

Penalty for Neglect.

Vestry or District Board may remove existing Projections, and make Compensation for the same.

CXX. It shall be lawful for every Vestry and District Board, if any Projection or Obstruction which has been placed or made against or in front of any House or Building in any such Street before the Commencement of this Act shall be an Annoyance as aforesaid, to cause the same to be removed or altered as they think fit: Provided always, that the Vestry or Board shall give Notice in Writing of such intended Removal or Alteration to the Owner or Occupier against or in front of whose House or Building such Projection or Obstruction shall be, Seven Days before such Removal or Alteration shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal, excepting in Cases where the Obstruction or Projection may now be removable under any Act, in which Case no Compensation shall be made.

Hoards to be erected during Repairs.

CXXI. Every Person who shall build or begin to build, or to take down or begin to take down, any House, Building, or Wall, or alter or repair, or begin to alter or repair, the outward Part of any House, Building, or Wall, shall, in all Cases in which the Footway is thereby obstructed or rendered inconvenient, cause to be put up a proper and sufficient Hoard or Fence, with a convenient Platform and Handrail, if there be Room enough for the same, to serve as a Footway for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, in such Cases as aforesaid, with such Platform and Handrail, standing and in good Condition, to the Satisfaction of the Vestry or District Board of the Parish or District in which such House, Building, or Wall is situate, during such Time as may be necessary for the Public Safety or Convenience, and shall, in all Cases in which the same is necessary to prevent Accidents, cause such Hoard or Fence to be well lighted during the Night; and every such Person who fails to put up such Hoard or Fence and such Platform, with such Handrail as aforesaid, or who does not, whilst the said Hoard or Fence is standing, keep the same well lighted during the Night, shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during the Continuance of such Default.

Penalty on not erecting Hoards.

No Hoard to be erected without Licence from Vestry or District Board.

CXXII. It shall not be lawful for any Person to erect or set up in any Street any Hoard or Fence or Scaffold for any Purpose whatever, or any Posts, Bars, Rails, Boards, or other Things by way of Inclosure, for the Purpose of making Mortar, or of depositing Bricks, Lime, Rubbish, or other Materials, without a Licence in Writing first had and obtained from

from the Clerk or Surveyor of the Vestry or District Board of the Parish or District in which such Street is situate; and every such Licence shall state the Place where and the Purpose for which such Hoard or Fence, Scaffold or Inclosure, is to be set up or made, and the Size thereof, and the Time for which it is to be permitted to continue.

If Hoard be erected or Materials be deposited in any Manner otherwise than to the Satisfaction of the Vestry or District Board, the same may be removed.

CXXIII. If any Person erect or set up in any Street any Hoard or Fence or Scaffold for any Purpose whatever, or any Posts, Bars, Rails, Boards, or other Things by way of Inclosure, for the Purpose of making Mortar, or of depositing Bricks, Lime, Rubbish, or other Materials, without a Licence from the Vestry or District Board, or do any such Act as aforesaid in any other Manner than as permitted by such Licence, or continue the same beyond the Time stated in such Licence, or fail to keep any Hoard, Fence, Platform, or Handrail in good Repair, he shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during the Continuance of such Offence; and it shall be lawful for the Vestry or Board to cause such Hoard, Fence, Scaffold, or Inclosure to be pulled down, and the Materials thereof, and also all the Bricks, Mortar, Lime, or other Building Materials, or other Matters or Things contained within any such Inclosure, to be removed, and deposited in such Place as the Vestry or Board may think fit, and to be kept until the Charges of pulling down and removing the same be paid to the Vestry or Board; and in case the same be not claimed and the said Charges paid within the Space of Eight Days next after such Seizure thereof, it shall be lawful for the Vestry or Board to order the same to be sold, and by and out of the Proceeds of such Sale to pay such Charges, rendering any Surplus to the Owner or other Person by Law entitled thereto; and in case the Proceeds of such Sale be insufficient to cover such Charges, and the Charges of selling and disposing of such Materials, Matters, and Things, the Deficiency shall be repaid by the Owner of such Materials, Matters, and Things to the Vestry or District Board, on Demand.

Providing against Accidents in laying out new Streets, &c.

CXXIV. Every Person laying out or opening any new Street, or building therein, shall, during the Operations necessary for forming such new Street, or for building therein, take all such Precautions for guarding against Injury to the Passengers along such Street as may be directed by the Vestry or District Board of the Parish or District within which such Operations are being carried on; and if any Person fail to comply with the Directions of such Vestry or District Board, within such Time as may be limited by them, such Vestry or District Board may do whatever may be necessary for carrying the same into effect, and the Expenses thereby incurred shall be repaid to such Vestry or District Board by the Person laying out or opening such new Street, or building therein, as aforesaid, and shall be recoverable by them from such Person in manner provided by this Act.

Vestries and District Boards to appoint Scavengers.

CXXV. It shall be lawful for every Vestry and District Board and they are hereby required to appoint and employ a sufficient Number of Persons, or to contract with any Company or Persons, for the sweeping and cleansing of the several Streets within their Parish or District, and for collecting and removing all Dirt, Ashes, Rubbish, Ice, Snow, and Filth, and for the cleansing out and emptying of Privies and Cesspools, Sewers and Drains, in or under Houses and Places within their Parish or District; and such Company or Persons are herein-after referred to as Scavengers; and such Scavengers or their Servants shall, on such Days and at such Hours and in such Manner as the Vestry or District Board shall from Time to Time appoint, sufficiently execute and perform all such Works and Duties as they respectively are employed or contract to execute or perform; and if any such Company or Person fail in any respect properly to execute and perform such Works and Duties such Company or Person shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for obstructing Scavengers in Performance of their Duty.

CXXVI. Any Occupier of any House or Land or other Person who refuses or does not permit any Soil, Dirt, Ashes, or Filth to be taken away by the Scavengers appointed by or contracting with any Vestry or Board as aforesaid, or who obstructs the said Scavengers in the Performance of their Duty, shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Refuse collected to be vested in

CXXVII. All Dirt, Dust, Nightsoil, Ashes, and Rubbish collected as aforesaid shall be the Property of such Vestry or Board, and such Vestry or Board shall have full Power to sell

sell and dispose of the same for the Purposes of this Act as they shall think proper, and the Person purchasing the same shall have full Power to take, carry away, and dispose of the same for his own Use, and the Money arising from the Sale thereof shall be applied towards defraying the Expenses of the Execution of this Act, other than the Sewerage Expenses.

Vestry or District Board, who may dispose of the same.

CXXVIII. In case any Scavenger be required by the Owner or Occupier of any House or Land to remove the Refuse of any Trade, Manufacture, or Business, or of any Building Materials, such Owner or Occupier shall pay to the Scavenger a reasonable Sum for such Removal, such Sum, in case of Dispute, to be settled by Two Justices.

Scavengers to be paid for Removal of Refuse of Trades.

CXXIX. If any Dispute or Difference of Opinion arise between the Owner or Occupier of any such House or Land and the Scavengers required to remove such Refuse as to what shall be considered as Refuse, it shall be lawful for any Two Justices, 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, or of any Building Materials, and in every such Case the Decision of such Justices shall be final and conclusive.

Dispute as to what is Refuse of Trade, &c. to be determined by Justices.

CXXX. Every Vestry and District Board shall cause the several Streets within their Parish or District to be well and sufficiently lighted, and for that Purpose shall maintain, or set up and maintain, a sufficient Number of Lamps in every such Street, and shall cause the same to be lighted with Gas or otherwise, and to continue lighted at and during such Times as such Vestry or Board may think fit, necessary, or proper; and all public Lamps, and the Lamp Posts and Lamp Irons and Fittings thereof, to be provided by any Vestry or District Board, shall vest in such Vestry or Board.

Vestries and District Boards to cause Streets to be lighted.

CXXXI. Before any Licence for the Use of any Place within any Parish mentioned in either of the Schedules (A.) and (B.) to this Act as a Slaughter-house is granted by any Quarter Sessions of the Peace under the Provisions of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-one, (the Metropolitan Market Act, 1851,) One Month's previous Notice of the Intention to apply for such Licence shall be given to the Vestry or District Board of the Parish or District in which such Place is situate, to the Intent that such Vestry or District Board, if they think fit, may show Cause against the Grant of such Licence.

No Slaughter-house to be licensed under 14 & 15 Vict. c. 61. without Notice to Vestry or District Board.

CXXXII. Every Vestry and District Board shall from Time to Time appoint One or more legally qualified Medical Practitioner or Practitioners of Skill and Experience to inspect and report periodically upon the sanitary Condition of their Parish or District, to ascertain the Existence of Diseases, more especially Epidemics increasing the Rate of Mortality, and to point out the Existence of any Nuisance or other local Causes which are likely to originate and maintain such Diseases, and injuriously affect the Health of the Inhabitants, and to take cognizance of the Fact of the Existence of any contagious or epidemic Diseases, and to point out the most efficacious Mode of checking or preventing the Spread of such Diseases, and also to point out the most efficient Modes for the Ventilation of Churches, Chapels, Schools, Lodging Houses, and other public Edifices within the Parish or District, and to perform any other Duties of a like Nature which may be required of him or them; and such Persons shall be called "Medical Officers of Health;" and it shall be lawful for the Vestry or Board to pay to every such Officer such Salary as they think fit, and also to remove any such Officer at the Pleasure of such Vestry or Board.

Vestries and District Boards to appoint Medical Officers of Health.

CXXXIII. Every Vestry and District Board shall nominate and appoint such Number of Persons to be Inspectors of Nuisances in their Parish or District as the Vestry or Board may think fit; and the Inspectors of Nuisances shall superintend and enforce the due Execution of all Duties to be performed by the Scavengers employed or contracted with under this Act, and report to the Vestry or District Board the Existence of any Nuisances; and the Vestry or Board shall require every such Inspector to provide and keep a Book in which shall be entered all Complaints made by any Inhabitant of the Parish or District of any Infringement of the Provisions of this Act, or of any Byelaws made thereunder, or of Nuisances; and every such Inspector shall forthwith inquire into the Truth or otherwise of such Complaints, and report upon the same to the Vestry or Board at their next Meeting; and such Report, and the Order of the Vestry or Board thereon, shall be entered in a Book,

Appointment of Inspectors of Nuisances.

which shall be kept at their Office, and shall be open at all reasonable Times to the Inspection of any Inhabitant of the Parish or District; and it shall be the Duty of such Inspector, subject to the Direction of the Vestry or Board, to make Complaints before any Justices, and take legal Proceedings for the Punishment of any Person for any Offence under this Act or any such Byelaws.

Vestries and District Boards to be the Local Authorities to execute the Nuisances Removal Acts.

CXXXIV. Every Vestry and District Board under this Act shall execute, within their respective Parish or District, all the Duties and Powers exercisable under the Nuisances Removal and Diseases Prevention Act, 1848, and the Nuisances Removal and Diseases Prevention Act, 1849, by any Commissioners or other Body, or any Officers having under any Act Powers of cleansing, and shall be the Local Authority to execute any Act passed or to be passed in the present Session amending or repealing the said Acts or either of them.

Duties and Powers of Metropolitan Board of Works.

Main Sewers vested in the Metropolitan Board of Works, and Power to such Board to make Sewers.

CXXXV. The Sewers mentioned in Schedule (D.) to this Act, being the Main Sewers now vested in the Commissioners of Sewers of the City of *London* and in the Metropolitan Commissioners of Sewers respectively, with the Walls, Defences, Banks, Outlets, Sluices, Flaps, Penstocks, Gullies, Grates, Works, and Things thereunto belonging, and the Materials thereof, with all Rights of Way and Passage used and enjoyed by such Commissioners respectively over and to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall be vested in the Metropolitan Board of Works, and such Board shall make such Sewers and Works as they may think necessary for preventing all or any Part of the Sewage within the Metropolis from flowing or passing into the River *Thames* in or near the Metropolis, and shall cause such Sewers and Works to be completed on or before the Thirty-first Day of *December* One thousand eight hundred and sixty, and shall also make all such other Sewers and Works, and such Diversions or Alterations of any existing Sewers or Works vested in them under this Act, as they may from Time to Time think necessary for the effectual Sewerage and Drainage of the Metropolis, and shall discontinue, close up, or destroy such Sewers for the Time being vested in them under this Act as they may deem unnecessary, and such Board shall from Time to Time repair and maintain the Sewers so vested in them, or such of them as may not be discontinued, closed up, or destroyed as aforesaid; and for the Purposes aforesaid such Board shall have full Power and Authority to carry any such Sewers or Works through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, as well beyond as within the Limits of the Metropolis, or through or under any Cellar or Vault under the Carriageway or Pavement of any Street, and into, through, or under any Lands whatsoever within or beyond the said Limits, making Compensation for any Damage done thereby as herein-after provided, and all Sewers and Works from Time to Time made by the said Board shall vest in them; and the said Board shall cause the Sewers vested in them to be constructed, covered, and kept so as not to be a Nuisance or injurious to Health, and to be properly cleared, cleansed, and emptied, and for the Purpose of clearing, cleansing, and emptying the same they may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, and other Works as may be necessary, and may cause the Sewage and Refuse from such Sewers to be sold or disposed of as they may see fit, but so as not to create a Nuisance, and the Money arising thereby shall be applied towards defraying the Expenses of such Board.

Before Works for intercepting the Sewage are commenced, Plans, &c. to be submitted.

CXXXVI. Before the Metropolitan Board of Works commence any Sewers and Works for preventing the Sewage from passing into the *Thames* as aforesaid, the Plan of the intended Sewers and Works for the Purpose aforesaid, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings; and no such Plan shall be carried into effect until the same has been approved by such Commissioners.

Metropolitan Board may declare Sewers to be Main Sewers, and

CXXXVII. In case it appear to the Metropolitan Board of Works that any Sewers in the Metropolis not herein-before vested in such Board ought to be considered Main Sewers, and to be under their Management, it shall be lawful for such Board, by an Order under their Seal, to declare the same to be Main Sewers, and thereupon the same shall vest in and be

be under the Management of the said Board; and it shall also be lawful for the said Board by any such Order to take under their Jurisdiction and Authority any other Matters in relation to Sewerage and to Drainage with respect to which Jurisdiction or Authority is by this Act vested in any Vestry or District Board.

take under their Jurisdiction certain Sewerage Matters.

CXXXVIII. The Metropolitan Board of Works shall from Time to Time, in order to secure the efficient Maintenance of the main and general Sewerage of the Metropolis, make such General or Special Order as to them may seem proper for the Guidance, Direction, and Control of the Vestries of Parishes and District Boards in the Levels, Construction, Alteration, and Maintenance and cleansing of Sewers in their respective Parishes or Districts, and for securing the proper Connexion and Intercommunication of the Sewers of the several Parishes and Districts and their Communications with the Main Sewers vested in the said Metropolitan Board, and generally for the Guidance, Direction, and Control of Vestries and District Boards in the Exercise of their Powers and Duties in relation to Sewerage; and all such Orders shall be binding upon such Vestries and Boards.

Metropolitan Board to make Orders for controlling Vestries and District Boards in Construction of Sewers, &c.

CXXXIX. The Metropolitan Board of Works, where it appears to them expedient that any Officer or Set of Officers necessary for any of the Purposes of this Act should act for a larger Area than is comprised in One Parish or District, or for Parts of different Parishes or Districts, may, with the Consent of the Vestries or Boards of such Parishes or Districts, direct that such Vestries or Boards shall unite in the Appointment and Removal of such Officer or Set of Officers; and the said Metropolitan Board shall in such Case direct the Mode in which the respective Bodies or Committees thereof shall act together for the Purposes of every such Appointment and Removal, and the Proportions in which the Salary or Salaries of such Officer or Officers shall be borne and paid by every such Parish and District respectively.

Metropolitan Board may direct Appointments to be made for Two Parishes or Districts jointly.

CXL. It shall be lawful for the Metropolitan Board of Works, where it appears to them that any Street or Line of Street, being in more than One Parish or District, should be placed under the exclusive Management of One Vestry or District Board for the Purposes of paving, lighting, watering, and cleansing, or any of them, or for the Purposes of Sewerage and Drainage, or for all the Purposes of this Act, to order that the same shall be under the Management of such Vestry or Board accordingly; and it shall also be lawful for the said Metropolitan Board, where it appears to them that any Part of any Parish or District is so detached or situate that it would be convenient for the Purposes of Sewerage or Drainage that the same should be placed under the Management of the Vestry or District Board of any adjoining Parish or District, to order that such Part shall, for such Purposes, be under the Management of such Vestry or District Board.

Or may place a Street in different Parishes under the Management of One Vestry, or Part of a Parish under the Management of Vestry of adjoining Parish.

CXLI. It shall be lawful for the Metropolitan Board of Works from Time to Time to cause to be painted or affixed on a conspicuous Part of some House or Building at or near each End, Corner, or Entrance of every Street in the Metropolis the Name of such Street, and the Board may, where more than One Street in the Metropolis is called by the same Name, alter the Name of any or all such Streets, except One, to any other Name which to such Board may seem fit, and which may be approved by the Commissioners of Her Majesty's Works and Public Buildings; and before any Name is given to any new Street Notice of the intended Name shall be given to the said Board, and if there be any Street in the Metropolis called or about to be called by the same Name, the said Board may, by Notice in Writing stating that there is already a Street in the Metropolis called or about to be called by the same Name, and describing the Locality thereof, given to the Person by whom Notice of such intended Name was given to them, at any Time within Fourteen Days after Receipt of such last-mentioned Notice, object to such intended Name; and it shall not be lawful to set up any Name to any new Street in the Metropolis until the Expiration of Fourteen Days after Notice thereof has been given as aforesaid to the said Board, or to set up any Name objected to as aforesaid; and the Owners or Occupiers of Houses and Buildings in the several Streets in the Metropolis shall mark such Houses or Buildings with such Numbers or Names, for the Purpose of distinguishing the same, as the said Board may direct or approve, and shall renew the Numbers or Names of such Houses or Buildings as often as they are obliterated or defaced; and if any Occupier of any such House or Building neglect for One

Metropolitan Board to regulate naming of Streets and numbering of Houses.

Week after Notice from the said Board to mark such House or Building with such Number or Name as the said Board may direct or approve, or to renew the Number or Name thereof as aforesaid, he shall be liable to a Penalty of not exceeding Forty Shillings, and the said Board may cause such Number or Name to be so marked or renewed, and recover the Expense thereof from the Owner of such House or Building in manner herein-after provided; and if any Person wilfully or maliciously destroy, pull down, obliterate, or deface the Name of any Street in the Metropolis, or the Name or Number of any House or Building in any such Street, or paint, affix, or set up any Name to any Street, or any Name or Number to any House or Building, contrary to this Enactment, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Board to cause such Name or Number so painted, affixed, or set up contrary to their Directions to be obliterated or destroyed.

Register to be kept of Alterations in Names of Street.

CXLII. The said Metropolitan Board shall keep a Register of all Alterations made by them in the Names of Streets, and such Register shall be kept in such Form as to show the Date of every such Alteration, and the Name of the Street previous to such Alteration as well as the new Name thereof.

Buildings not to be brought beyond Line of Street.

CXLIII. No building shall, without the Consent in Writing of the Metropolitan Board of Works, be erected beyond the regular Line of Buildings in the Street in which the same is situate, in case the Distance of such Line of Buildings from the Highway do not exceed Thirty Feet, or within Thirty Feet of the Highway where the Distance of the Line of Buildings therefrom amounts to or exceeds Thirty Feet, notwithstanding there being Gardens or vacant Spaces between the Line of Buildings and the Highway; and in case any Building be erected contrary to this Enactment, it shall be lawful for the Vestry or District Board in whose Parish or District such Building is situate to cause the same to be demolished or set back (as the Case may require), and to recover the Expenses incurred by them from the Owner of the Premises in manner provided by this Act.

Power to Metropolitan Board to make Improvements.

CXLIV. The Metropolitan Board of Works shall have Power to make, widen, or improve any Streets, Roads, or Ways, for facilitating the Passage and Traffic between different Parts of the Metropolis, or to contribute and join with any Persons in any such Improvements as aforesaid, and to take, by Agreement or by Gift, any Land, Rights in Land, or Property, for the Purposes aforesaid (or otherwise) for the Improvement of the Metropolis, on such Terms and Conditions as they may think fit; and such Board, where it appears to them that further Powers are required for the Purpose of any Work for the Improvement of the Metropolis or public Benefit of the Inhabitants thereof, may make Applications to Parliament for that Purpose, and the Expenses of such Application may be defrayed as other Expenses of the said Board: Provided always, that before the Metropolitan Board of Works commence any such Works the estimated Expense whereof shall exceed Fifty thousand Pounds the Plan of such Works, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings; and no such Plan shall be carried into effect until the same has been approved by such Commissioners; and no such Work shall be commenced in Cases where the estimated Expense thereof shall exceed the Sum of One hundred thousand Pounds without the previous Sanction of Parliament.

Determination of Metropolitan Commissioners of Sewers.

Powers of Metropolitan Commissioners of Sewers to cease.

CXLV. From and after the Commencement of this Act, all Duties, Powers, and Authorities vested in the Metropolitan Commissioners of Sewers shall cease to be so vested; and in the meantime, and until such Commencement, the Metropolitan Commission of Sewers, and the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and Twelve, and the Acts amending the same, shall continue in force.

Actions, &c. not to abate, but to continue for or against Metropolitan

CXLVI. No Action, Suit, Prosecution, or other Proceeding whatsoever, commenced or carried on by or against the said Commissioners, shall abate or be discontinued or prejudicially affected by the Determination of the Powers of such Commissioners, but shall continue and take effect in favour of or against the Metropolitan Board of Works in the same Manner in all respects as the same would have continued and taken effect in relation to the

the said Commissioners if this Act had not been passed, and the Powers of the said Commissioners had continued in full Force; and all Decrees and Orders made, and all Fines, Amerciaments, and Penalties imposed and incurred, respectively, previously to the Commencement of this Act, shall and may be enforced, levied, recovered, and proceeded for, and all administrative Proceedings commenced previously to the Commencement of this Act shall and may be continued, proceeded with, and completed, the Metropolitan Board of Works being, in reference to the Matters aforesaid, in all respects substituted in the Place of the said Commissioners. Board of Works.

CXLVII. All Rates made by the said Commissioners previously to the Commencement of this Act, or so much thereof as may not have been levied and paid, shall be levied by and paid to the Metropolitan Board of Works, and such Board shall have the same Rights and Remedies in all respects in relation thereto as would have been had and might have been exercised by the said Commissioners; but all such Rates respectively shall, so far as Circumstances admit, be applied to the same Purposes as the same would have been applicable to in case the Powers of the said Commissioners had continued in force, and shall for the Purposes of such Application (where the Circumstances so require) be paid over by the Metropolitan Board of Works, or by their Order, to the Vestry or District Board having the Management of the Sewers in any Parish or District under this Act, or as such Vestry or Board may direct. Rates made by Metropolitan Commissioners of Sewers to be recoverable under this Act.

CXLVIII. All Property, Matters, and Things whatsoever vested in the Metropolitan Commissioners of Sewers, except such Sewers as are hereby vested in any Vestry or District Board, and except such Sewers as are not within the Limits of the Parishes and Places mentioned in the Schedules to this Act, shall be vested in the Metropolitan Board of Works; and all Persons who then owe any Money to the said Commissioners of Sewers, or to any Person on behalf of such Commissioners, shall pay the same to the Metropolitan Board of Works, or as they may direct; and all Monies then due and owing by or recoverable from the said Commissioners shall be paid by or recoverable from the Metropolitan Board of Works; and all Contracts, Agreements, Bonds, Covenants, and Securities theretofore made or entered into with or in favour of or by the said Commissioners, and all Contracts, Agreements, Bonds, Covenants, and Securities made or entered with or in favour of or by any former or other Commissioners, which under the said Act of the Eleventh and Twelfth Years of Her Majesty were to take effect in favour of, against, and with reference to the said Metropolitan Commissioners of Sewers, and are now in force, shall take effect and may be proceeded on and enforced, as near as Circumstances admit, in favour of, by, against, and with reference to the Metropolitan Board of Works, as the same would have taken effect and might have been proceeded on and enforced in favour of, by, against, and with reference to the said Metropolitan Commissioners of Sewers if this Act had not been passed, and the Powers of such Commissioners had continued in full Force; and any Retiring Pension or Allowance granted under Section Twenty-seven of the said Act of the Eleventh and Twelfth Years of Her Majesty shall continue payable on the like Terms by the said Metropolitan Board of Works. Property vested in Metropolitan Commissioners of Sewers (except Sewers transferred to Vestries and District Boards) transferred to the Metropolitan Board of Works.

Auxiliary Powers common to the Metropolitan Board of Works and to Vestries and District Boards.

CXLIX. The Metropolitan Board of Works, and every District Board and Vestry, may enter into all such Contracts as they may think necessary for carrying this Act into execution; and every such Contract for Works or Materials whereof the Value or Amount exceeds Ten Pounds shall be in Writing or Print, or partly in Writing and partly in Print, sealed with the Seal of the Board or Vestry; and every Contract so entered into, and duly executed by the other Parties thereto, shall be binding on the Board or Vestry and their Successors, and upon all other Parties thereto: Provided always, that it shall be lawful for any such Board or Vestry to compound with any Contractor or other Person in respect of any Penalty incurred by reason of the Nonperformance of any Contract entered into as aforesaid, whether such Penalty be mentioned in any such Contract or in any Bond or otherwise, for such Sum of Money or other Recompence as to the Board or Vestry may seem proper. Power to Boards and Vestries to enter into Contracts for carrying Act into execution. Power to compound for Penalties in respect of Breach of Contracts.

CL. It

Power to Boards and Vestries to purchase Lands, &c. for the Purposes of this Act.

CL. It shall be lawful for the Metropolitan Board of Works and every District Board and Vestry to purchase, or to take on Lease for such Term as they may think fit, any Land, or any Right or Easement in or over any Land which they may deem necessary or expedient for the Formation or Protection of any Works which they are authorized to execute under this Act, also any Offices and other Buildings, Yards, Stations, or Places for Deposit of Refuse, Materials, and Things, or any Land for the Erection and Formation of such Offices and other Buildings, Yards, Stations, or Places for Deposit; and also to contract for the Purchase, Removal, or Abatement of any Milldam, Pound, Weir, Bank, Wall, Lock, or other Obstruction to the Flow of Water, whereby Sewerage or Drainage is interrupted or impeded, and for the Purchase of any Land, or any Right or Easement in or over any Land, which it may be necessary or expedient to purchase to prevent the Obstruction of Sewerage or Drainage; and also to purchase or take on Lease as aforesaid the whole or any Part of any Streams or Springs of Water, or any Rights therein, which it appears to them necessary to acquire and use for the Purposes of cleansing Sewers and Drains and the other Purposes of this Act, or any Land which is deemed by them advisable to purchase or take on Lease for the Purpose of drawing or obtaining Water from Springs, or by sinking of Wells, and for making and providing Reservoirs, Tanks, Aqueducts, Watercourses, and other Works, or for any other Purpose connected with the Works for obtaining such Supply of Water as aforesaid: Provided always, that nothing herein contained shall authorize the said Metropolitan Board, or any District Board or Vestry, to use or permit to be used any such Works for the Purpose of carrying Water by Supply Pipes into any House or Factory for domestic, manufacturing, or commercial Purposes.

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

CLI. For the Purpose of enabling the said Metropolitan Board, and every District Board and Vestry, to obtain any Land, or any Right or Easement in or over any Land, which they respectively may require for the Purposes of this Act, "The Lands Clauses Consolidation Act, 1845," except the Provisions of that Act with respect to the Recovery of Forfeitures, Penalties, and Costs, shall, subject to the Provisions herein contained, be incorporated with this Act; and the Provisions of the said Act so incorporated with this Act which would be applicable in the Case of a Purchase of any Land shall be applicable in the Case of the Purchase of a Right or Easement in or over any Land; and for the Purposes of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean the Metropolitan Board, or the District Board, or Vestry, acting under the Provisions of the said Act and this Act, as the Case may be.

Lands not to be taken compulsorily except by Metropolitan Board with Consent of Secretary of State.

CLII. Provided always, That the Provisions of the said Lands Clauses Consolidation Act "with respect to the Purchase and taking of Lands, otherwise than by Agreement" shall not be incorporated with this Act, save for enabling the Metropolitan Board of Works to take Land, or any Right or Easement in or over Land, for the Purpose of making any Sewers or Works for preventing the Sewage or any Part of the Sewage within the Metropolis from passing into the *Thames* in or near the Metropolis, or otherwise for the Purpose of the Sewerage or Drainage of the Metropolis: Provided also, that no Land, or Right or Easement in or over Land, for the Purposes aforesaid, shall be taken compulsorily by the said Board, without the previous Consent in Writing of One of Her Majesty's Principal Secretaries of State.

Previous Notice to be given.

CLIII. The Metropolitan Board of Works, before applying for the Consent of the Secretary of State for taking Land, or any Right or Easement in or over Land compulsorily, as aforesaid, shall publish, once at the least in each of Four consecutive Weeks, in One of the daily Newspapers published in the Metropolis, an Advertisement describing the Nature of the Works in respect of which the Land, Right or Easement, is proposed to be taken, naming a Place where a Plan of the proposed Works is open for Inspection at all reasonable Hours, and stating the Quantity of Land or the Particulars of the Right or Easement that they require for the Purpose of such Works, and shall serve a Notice on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Land intended to be taken, or of the Land in or over which such Right or Easement is intended to be taken, such Service to be made Four Weeks previously to the Application to such Secretary of State, and such Notice shall state the Particulars of the Land, Right, or Easement so required, and that the Metropolitan Board are willing to treat for the Purchase thereof, and

as to the Compensation to be made for the Damage that may be sustained by reason of the proposed Works.

Power to dispose of Lands or Property not wanted.

CLIV. The Metropolitan Board of Works, and any District Board or Vestry, may sell and dispose of any Land purchased by them under this Act, and any Property whatsoever vested in them under this Act, which it may appear to them may be properly sold or disposed of; and for completing and carrying any such Sale of any Land into effect such Board may make and execute a Conveyance of the Land sold and disposed of as aforesaid unto the Purchaser, or as he shall direct, and such Conveyance shall be under the Seal of the said Board or Vestry; and the Word "grant" in such Conveyance shall have the same Operation as by the said Lands Clauses Consolidation Act, 1845, is given to the same Word in a Conveyance of Lands made by the Promoters of the Undertaking; and a Receipt under the Seal of the said Board or Vestry shall be a sufficient Discharge to the Purchaser of any such Land or any other such Property as aforesaid for the Purchase Money in such Receipt expressed to be received; and the Money arising from such Sale of any Land purchased under this Act, and (except as herein-after otherwise provided) of any such Property, shall be applied in aid of the Rate out of which the Expenses of the Purchase of such Land or providing such Property have been or are authorized to be defrayed under this Act; and the Money arising from the Sale of any Property vested in any such Board or Vestry under this Act, and which, before becoming so vested, was vested in any Commissioners or other Body, or in any Officer of any Commissioners or other Body, or in any Surveyor of Highways, shall be applied in or towards the Discharge of any Debts or Liabilities for the Discharge whereof Rates are by this Act authorized to be raised in the Parish, or Part, to the Commissioners or other Body for the Management of the paving, lighting, or cleansing whereof such Property may have belonged before the Commencement of this Act, and, subject as aforesaid, shall be applied in aid of such Rate to be raised under this Act in such Parish or Part as to the Board or Vestry disposing of such Property may seem just; and any such Board or Vestry may let any Land purchased by or vested in them under this Act, and which for the Time being is not required for the Purposes thereof, in such Manner and on such Terms as such Board or Vestry may see fit.

Owners of Land may on Sale reserve a Right of Pre-emption.

CLV. Provided always, That where any Land or any Right or Easement in or over Land is purchased by the said Metropolitan Board, or any District Board or Vestry, under this Act, it shall be lawful for the Owners of or Parties entitled to sell or convey such Land, Right, or Easement to reserve upon the Sale thereof to such Board or Vestry in and by the Conveyance such Right of Pre-emption to the Person for the Time being entitled to the Land (if any) from which the Land so purchased was severed, or in or over which such Right or Easement is granted, as is provided by Sections 128, 129, and 130 of the said Lands Clauses Consolidation Act; but, except where such Right of Pre-emption is so reserved, there shall be no such Right, notwithstanding the Incorporation of the said Lands Clauses Consolidation Act with this Act.

Penalty for withholding Property transferred to Metropolitan Board or any Vestry or District Board.

CLVI. In case any Person having the Charge, Control, or Possession of any Property, Matters, or Things vested in the Metropolitan Board of Works, or the Vestry of any Parish, or any District Board, by or under this Act, neglect or refuse to give up the same, on Demand, to such Board or Vestry, or such Person as they respectively may order, every Person so offending shall, upon being convicted thereof before any Two Justices of the Peace, for every such Offence forfeit and pay, over and above the Value of the Property not given up, such Sum not exceeding Five Pounds as the said Justices may think fit.

Regulations as to breaking up Turnpike Roads.

CLVII. The Metropolitan Board of Works, and any Vestry or District Board, may, where necessary for the Purpose of executing any Work authorized by this Act, open and break up any Turnpike Road, under and subject to the Restrictions and Provisions herein-after contained; that is to say, Seven Days previous Notice, with a full Description of any intended Works, shall be left at the Office of the Commissioners or Trustees of the Road; and, except by the Permission of the said Commissioners or Trustees, the Traffic of the Road shall not at One Time be stopped or hindered along more than Half of its Width, nor, if the Half left open be of less than the clear Width of Fourteen Feet, along more than One hundred

hundred Yards in length; and no Alteration shall, except by such Permission as aforesaid, be made in the Inclination of any Part of the Road of more than One Foot in Sixty Feet; and all Work shall be done under the Superintendence of the Surveyor of the said Commissioners or Trustees; and the Party doing the Works shall cause all Openings in the Road to be effectually secured and fenced, and affix and maintain Lights during the Night near to the Place where the Ground is open, so as to prevent Accidents; and the said Commissioners or Trustees are hereby absolved from all Liability in respect of any Accident arising in consequence of such Works; and the Party doing the Works shall restore every Road so opened or broken up to its original State as to Surface and Materials, and, in order to meet the future Expenses consequent on the Subsidence of Materials newly filled in, shall pay to such Commissioners or Trustees, on Demand, such Sum as they shall require for such Purpose, not exceeding One Shilling for every Superficial Square Yard, and, so far as the Works affect the same, shall make good all Drainage, paving of Water Channels, Kerbs of Footpaths, and other Matters and Things connected with the Maintenance of the Road; and in default the Surveyor of the said Commissioners or Trustees may cause the necessary Work to be done; and in all Cases of Expense incurred by any such Surveyor, on the Default of the Party doing the Works, such Party shall pay such Expense to the Commissioners or Trustees, on Demand.

Provisions for defraying Expenses of Vestries and District Boards.

How Sums to be raised by Vestries and District Boards for defraying their Expenses.

CLVIII. Every Vestry and District Board shall from Time to Time, by Order under their Seal, require the Overseers of their Parish, or of the several Parishes in their District, to levy, and to pay over to the Treasurer of such Vestry or Board, or into any Bank in such Order mentioned, and within the Time or Times thereby limited, the Sums which such Vestry or Board may require for defraying the Expenses of the Execution of this Act (and such Orders may be made wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred); and every such Vestry and Board shall distinguish in their Orders Sums required for defraying Expenses of constructing, altering, maintaining, and cleansing the Sewers or otherwise connected with Sewerage, and also, where the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, or any other Act by virtue whereof Land is rated in respect of Expenses of Lighting at a less Amount in proportion to the annual Value thereof than Houses, or is wholly exempted from being rated in respect of such Expenses, is in force in any Parish, or any Part of any Parish, at the Time of the passing of this Act, distinguish, as regards such Parish, or Part, the Sums required for defraying Expenses of lighting their Parish or District from Sums required for defraying other Expenses of executing this Act; but every such Vestry and Board may cause to be raised as Expenses connected with Sewerage such Portion of the Expenses incident to the Conduct of their Business in relation to Sewerage, in common with the Conduct of their other Business under this Act, as to such Vestry or Board may seem just; and the Overseers or Collectors, in the Receipts to be given for the Sums levied or collected by them, shall distinguish the Rate in the Pound required for Sewerage Expenses, and the Rate required for the other Expenses of this Act.

Vestries and Boards may exempt Parts not benefited by Expenditure from Payment.

CLIX. Where it appears to any Vestry or District Board that all or any Part of the Expenses for defraying which any Sum is by such Vestry or Board ordered to be levied as aforesaid have or has been incurred for the special Benefit of any particular Part of their Parish or District, or otherwise have or has not been incurred for the equal Benefit of the whole of their Parish or District, such Vestry or Board may, by any such Order, direct the Sum or Sums necessary for defraying such Expenses or any Part thereof to be levied in such Part, or exempt any Part of such Parish or District from the Levy, or require a less Rate to be levied thereon, as the Circumstances of the Case may require; and any such Board may refrain, where any entire Parish ought in their Judgment to be so exempt, from issuing an Order for levying any Money thereon, notwithstanding they may issue an Order or Orders for levying Sums upon any other Parish or Parishes in their District.

Provisions for Cases where a Part of a

CLX. Where Part of any Parish is placed for all or any of the Purposes of this Act under the Management of the Vestry or District Board of an adjoining Parish or District, the Sums which such Vestry or Board may require for defraying the Expenses of executing this

this Act by such Vestry or Board in the Part so placed under their Management shall be from Time to Time paid, upon their Orders, by the Vestry of the Parish whereof such Part is so placed under the Management of such other Vestry or Board, or if such Parish is comprised in a District formed by this Act then by the District Board of such District; and such Sums shall be raised by the Vestry or Board upon whom such Orders are made in like Manner as if the Expenses in respect whereof the same are required had been incurred by them in executing this Act.

Parish is placed under the Management of the Vestry or Board of adjoining Parish or District.

CLXI. The Overseers of the Poor of every Parish to whom any such Order as aforesaid is issued shall levy the Amount mentioned therein according to the Exigency thereof, and shall for that Purpose make separate equal Pound Rates upon their Parish, or the Part thereof upon which any Sum specified in such Order is required to be levied, in respect of each Sum thereby ordered to be levied; that is to say, a separate Rate in respect of each Sum ordered to be levied for defraying Expenses connected with Sewerage, to be called a Sewers Rate; a separate Rate in respect of each Sum ordered to be levied for defraying Expenses of lighting (where a separate Sum is ordered to be levied for defraying such Expenses), to be called a Lighting Rate; and a separate Rate in respect of each Sum ordered to be levied for defraying other Expenses of executing this Act, to be called a General Rate; and shall make such respective Rates of such Amount in the Pound on the annual Value of the Property rateable as will in their Judgment, having regard to all Circumstances, be sufficient to raise the Sums specified in such Order; and such Rates shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in the respective Parishes, and shall be assessed upon the net annual Value of such Property ascertained by the Rate for the Time being for the Relief of the Poor; and the said Overseers shall, for the Purpose of levying such Rates, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor; and all such Rates shall be allowed in the same Manner, and be subject to all the same Provisions in relation to Appeal and to excusing Persons from Payment on account of Poverty and otherwise, as the Rate for the Relief of the Poor in the same Parish; and such Overseers shall pay to the Treasurer of the Vestry or Board, or otherwise, as in such Order directed, the Amount mentioned in the Order, within the Time or respective Times specified for that Purpose, and the Excess, if any, which may have been levied beyond such Amount, which Excess shall be placed to the Credit of the Parish or Part in which the same has been levied; and the said Overseers shall at the Time of making any such Payment deliver with the Money a Note in Writing signed by them, specifying the Amount so paid, which Note shall be kept as a Voucher for the Receipt of that particular Amount; and the Receipt of the Treasurer of the Vestry or Board, or of any proper Officer or Person of or belonging to any Bank into which such Money is so paid, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount.

Overseers to collect the Rate in the same Manner as the Poor Rate.

CLXII. Provided always, That all such Hospitals, public Schools, and other public Buildings, dead Walls, and void Spaces of Ground as are now by Law rateable to any Rate for the Costs and Charges of paving or repairing the Pavements within any parochial or other District, either separately or jointly with any other Object or Objects, (except only Places of Religious Worship, and Burial Grounds, or Places which have been used for Burial Grounds, and are not used for any other Purpose,) shall be rateable under this Act to the like Extent and for the like Objects or Purposes as they may now be rated, and the Rates to be made in respect of such Objects or Purposes shall be payable by the Persons now liable to pay the same, and be recoverable in like Manner, as any Rate to which such Buildings and Spaces of Ground are now rateable as aforesaid in respect of the like Objects or Purposes.

Public Buildings and void Spaces now rateable (except Churches and Burial Grounds) to continue rateable.

CLXIII. Provided also, That any Sewers Rate raised under this Act shall, as regards all Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Orchard, Market Garden, Hop, Herb, Flower, Fruit, or Nursery Ground, be assessed and levied in the Proportion of One Fourth Part only of the net annual Value of such Land.

Land to be rated to the Sewers Rate at One Fourth Part of its annual Value.

CLXIV. Provided also, That where any Property was at the Time of the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, entitled to Exemption from or to any Reduction or Allowance

Existing Exemptions in respect of Sewers Rate to be allowed.

Allowance in respect of the Sewers Rate, such Exemption, Reduction, or Allowance shall be observed and allowed in levying any Sewers Rate under this Act.

Existing Exemptions of Land from Lighting Rates to be allowed.

CLXV. Provided also, That in every Parish or Part of a Parish in which at the Time of the passing of this Act the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, is in force, the Owners and Occupiers of Houses, Buildings, and Property other than Land shall be rated to every Lighting Rate made under this Act at a Rate in the Pound Three Times greater than that at which the Owners and Occupiers of Land shall be rated in such Lighting Rate; and in every Parish or Part of a Parish in which under any other Act Land is now rated in respect of Expenses of lighting at a less Amount in proportion to the annual Value thereof than Houses, or is now wholly exempted from being rated in respect of such Expenses, such Land shall continue to be rated to every Lighting Rate made under this Act at such less Amount, or, where such Land is now wholly exempted as aforesaid, shall be wholly exempted from such Rate.

Overseers on Nonpayment of the Rate, shall be distrained upon;

and in default of sufficient Distress the Arrears may be levied on the Parish.

CLXVI. In case the Amount ordered by any such Order as aforesaid to be paid by the Overseers of any Parish be not paid in manner directed by such Order and within the Time therein specified for that Purpose, it shall be lawful for any Justice of the Peace, upon the Complaint by the Vestry or Board, or by any Person authorized by them for this Purpose, to issue his Warrant for levying the Amount, or so much thereof as may be in arrear, by Distress and Sale of the Goods of all or any of the said Overseers; and in case the Goods of all the Overseers be not sufficient to pay the same, the Arrears thereof shall be added to the Amount of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Methods.

Provision for Cases where the Vestry of any Parish in Schedule (A.) make the Poor Rate.

CLXVII. Where the Vestry of any Parish mentioned in Schedule (A.) to this Act make the Rate for the Relief of the Poor in such Parish, such Vestry shall from Time to Time raise and levy the Sums required for defraying their Expenses of executing this Act in like Manner as Overseers are required to do with respect to the Sums for which Orders are made upon them by any Vestry under this Act, and shall, in raising such Sums, act upon the like Principles and have the like Discretion as any Vestry making Orders upon Overseers under this Act; and where any Parishes maintain their Poor in common by a common Rate, the Orders for levying any Money by this Act directed to be made on the Overseers of such Parishes shall be made on the Overseers by Law authorized to levy such Rate thereon, and such Sums shall be levied by such Overseers, in manner provided by this Act, as if such Parishes were One Parish.

Special Persons may be appointed to levy Rates in certain Cases.

CLXVIII. Any Vestry or District Board may, in case of any Default or Neglect of any Overseers to pay the Amount required by any such Order as aforesaid within the Time and in the Manner directed by such Order, and the said Metropolitan Board may, in case of any Default or Neglect of any Vestry or District Board to pay the Amount required by any Precept of the said Metropolitan Board within such Time and in such Manner as may be therein mentioned, appoint Persons to levy any Money required by such Vestry or Board for the Purposes of this Act in any Parish or District, and such Persons shall proceed in the same Manner, and have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Money, as any Overseers would have had or been subject to with reference to levying any such Money in pursuance of an Order of the Vestry or District Board, or, where the same might be levied by the Vestry under this Act, as such Vestry would have had or been subject to with reference to levying the same.

Provision for Deduction by Tenants of Sewers Rate.

CLXIX. As between Landlord and Tenant, every Tenant, whether his Tenancy have commenced before or after the passing of this Act, and who if this Act had not been passed would have been entitled to deduct against or to be repaid by his Landlord any Sum paid by such Tenant on account of the Sewers Rate, shall in like Manner be entitled to deduct against or to be repaid by his Landlord any Sewers Rate levied on him under this Act.

Provisions for defraying Expenses of Metropolitan Board.

Sums to be assessed upon the City and other Parts of

CLXX. The Metropolitan Board of Works shall from Time to Time ascertain and assess upon the City of *London* and the other Parts of the Metropolis the Sums which in their Judgment ought to be charged upon the said City and such other Parts respectively for defraying

defraying the Expenses of the said Board in the Execution of this Act, having regard to the annual Value of the Property in the several Parts of the Metropolis, and having regard, in the Case of Expenditure on Works of Drainage, to the Benefit derived from such Expenditure by the several Parts of the Metropolis affected thereby; and any such Sum may be so assessed wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred; and for the Purposes of such Assessment the annual Value of the Property in such several Parts shall be estimated according to the Estimate or Basis on which the County Rate is assessed, or, where there is no such County Rate, according to a like Estimate.

the Metropolis by Metropolitan Board for defraying Expenses.

CLXXI. The Clerk of the said Metropolitan Board, or any Person authorized by the said Board in this Behalf, may from Time to Time inspect any Rate made or to be made for any County any Part of which is within the Metropolis; and any Basis or Standard for the County Rate of any such County, and any Returns concerning all or any of the Parishes and Places, whether parochial or extra-parochial, in the Metropolis, delivered or to be delivered in pursuance of any Act relating to County Rates, and any Rate made by the Commissioners of Sewers of the City of *London*, and any Valuation on which the same is made, and may take Copies or Extracts from any such Rates, Basis or Standard, Returns or Valuation, without Payment of any Fee or Reward; and if any Person having the Custody of any such Rate, Basis or Standard, Return or Valuation, wilfully neglect or refuse to permit any such Clerk or Person authorized as aforesaid to inspect the same, or to take Copies or Extracts of or from the same, at all reasonable Times, he shall forfeit for every such Offence any Sum not exceeding Ten Pounds.

Power to Metropolitan Board, or any One authorized by them, to inspect Rates made for County or Part of County within the Metropolis.

CLXXII. For obtaining Payment of the Sums so assessed upon the City of *London* and the Parishes mentioned in Schedules (A.) and (B.) to this Act, the said Board shall issue Precepts under their Seal, requiring Payment thereof to their Treasurer, or into any Bank therein mentioned, within such Time as may be therein limited, and every such Precept for any Sum assessed upon the City of *London* shall be directed to the Chamberlain of the said City; and every such Precept for any Sum assessed upon any Parish mentioned in Schedule (A.) to this Act shall be directed to the Vestry thereof; and every such Precept for any Sum assessed upon any District mentioned in Schedule (B.) to this Act, or any Parish comprised therein, shall be directed to the Board of Works for such District; and where any such Sum is assessed upon any Part of any Parish or District, the said Metropolitan Board shall specify in their Precept the Part of such Parish or District upon which such Sum is assessed.

Payment to be obtained from the City and from Parishes by Precepts to the Chamberlain of the City and to Vestries and District Boards.

CLXXIII. The Chamberlain of the City of *London* shall, out of any Monies in the Chamber of the said City, pay to the Treasurer of the Metropolitan Board of Works, or otherwise as they may direct, the Sums required by their Precepts, within such Time as may be therein mentioned; and all Payments so made by the said Chamberlain shall be charged by him against and reimbursed to him out of any Rates which the Commissioners of Sewers of the City of *London* are authorized to direct to be made under any Act relating to the Sewerage of the said City; and such Commissioners shall have full Power to raise every such Sum by any such Rate which they may be authorized to direct to be made as aforesaid, or by any Addition thereto.

Payment of Sums assessed upon the City.

CLXXIV. All Sums which any Vestry or District Board may be required to pay by such Precepts as aforesaid shall be paid by such Vestry and Board respectively within such Time as may be therein mentioned, and shall be raised in like Manner as if the same were required by the said Vestry or Board for defraying the Expenses of such Vestry or Board in the Execution of their Powers and Duties under this Act in relation to the Sewerage of their Parish or District.

Payment by Vestries and District Boards of Sums assessed by Metropolitan Board.

CLXXV. The Sums which may be assessed from Time to Time upon any Place mentioned in Schedule (C.) to this Act, or such Part thereof as may not be comprised within any Parish, or the City of *London*, shall be raised by means of a Rate to be made and levied as herein provided; that is to say, the said Metropolitan Board shall from Time to Time by Warrant under their Seal, appoint a proper Person to be an Assessor for the Purpose of assessing the full and fair annual Value of all Property in every such Place, or such Part thereof

Provision for assessing and levying Rates in Places where there is no Poor Rate.

Mode of making the Assessment.

thereof as aforesaid, which, if the same were not extra-parochial, would be liable to be rated to the Relief of the Poor, and rating the same to a Rate to be levied under this Act; and such Assessor shall, within Forty Days after the Delivery to him of the Warrant of his Appointment, make, sign, and return to the said Board an Assessment for the Place named in such Warrant; and the Assessment shall be fairly written in a Book, and shall specify, in different Columns, the Names of the respective Inhabitants or Occupiers of all Messuages, Lands, Tenements, and Hereditaments, the full and fair annual Value of the same, and the Amount of Rate charged on the Inhabitants or Occupiers thereof, and when the Premises are unoccupied, the full and fair annual Value thereof to let; and every such Assessor shall be allowed for his Trouble and Expenses such Remuneration as the said Board may think fit; and the same shall be paid out of the Amount of the Rate which shall be collected after such Assessment; and the said Rate to be levied as aforesaid shall, for the Purposes of the Provisions of this Act relating to Exemption from and Reduction or Allowance in respect of Sewers Rate, and relating to Deduction and Repayment of Sums paid on account of Sewers Rate, be deemed a Sewers Rate.

Allowance to Assessors.

Places not now under rating for Sewers not to be rated except for intercepting Sewers.

CLXXVI. Provided always, That the Places mentioned in Schedule (C.) to this Act which are not now under rating for Sewers shall not be liable to be rated under this Act, except for the Purpose of their contributing to the Expense of carrying into effect any Plan for preventing the Sewage of the Metropolis from flowing into the River *Thames* in or near the Metropolis, so far as such Places respectively shall be benefited.

When Assessment is made, Notice thereof to be given, and Persons to have Liberty to inspect it, &c.

CLXXVII. When such Assessment has been allowed by the said Board, public Notice of such Assessment, and of the Place where the same may be inspected, shall be given by fixing such Notice on the Door of the Church or Chapel or some other conspicuous Part of the Place to which such Assessment relates, upon the *Sunday* next or next but one after the same has been so allowed; and any Person in whose Custody such Assessment may be shall permit every Inhabitant or Owner or Occupier of Property included in such Assessment to inspect the same, and to make any Extracts therefrom, without Payment of any Fee or Reward; and if such Person wilfully neglect or refuse to permit any such Inhabitant, Owner, or Occupier to inspect such Assessment or to make any Extract therefrom, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit for every such Offence such Sum, not exceeding Five Pounds, as the Justices think meet.

Penalty for refusing Inspection.

As to the Collection of the Rate charged in such Assessment.

CLXXVIII. The said Board shall from Time to Time nominate One or more Person or Persons for levying the Amount of Rate charged in every such Assessment, who shall proceed in the same Manner, and shall have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Rate, as if he or they were an Overseer or Overseers of the Poor in a Place rated to the Relief of the Poor, and shall pay over the Amount of such Rate to the Treasurer of the said Board or otherwise as the said Board may direct, or in default thereof shall be proceeded against in the same Manner as Overseers are by this Act to be proceeded against for Nonpayment.

Appeal against Assessment.

CLXXIX. Provided always, That if any Person who has paid the Amount of Rate charged upon him by the Assessment made by an Assessor appointed under this Act think himself aggrieved by such Assessment, on the Ground that such Assessment includes Property for which he is not rateable under this Act, or that it assesses his rateable Property beyond its full and fair annual Value, or that any Person is omitted out of such Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Person so aggrieved may appeal to the next Court of General or Quarter Sessions for the County or Franchise in which the Cause of Appeal arises, not less than Twenty-one Days after public Notice of such Assessment has been given as herein-before mentioned; provided that the Person so intending to appeal shall give to the said Board a Notice in Writing of such Appeal, and of the Cause and Matter thereof, Ten clear Days at the least before such Sessions, and shall also, within Three Days after his Notice of Appeal, enter into a Recognizance before some Justice of the Peace of the County or Franchise, with Two sufficient Sureties, conditioned to try such Appeal at the said Sessions, and to abide the Order of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and in case such Person appeal on the Ground

Ground that any Person is omitted out of the Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Party so appealing shall not only give such Notice of Appeal to the said Board, and enter into such Recognizance as aforesaid, but shall also give a like Notice of Appeal to the Person so interested in the event of such Appeal as aforesaid; and the Person so interested shall, if he desire it, be heard upon the Appeal; and the Justices of the Peace at such Sessions or some Adjournment thereof, upon due Proof of the Notice having been given, and of the Recognizance having been entered into as aforesaid, shall hear and determine the Matter of the Appeal in a summary Manner, and shall make such Order therein, with or without Costs to either Party, as the said Justices think proper; and in case the said Justices think the Appellant entitled to Relief, they shall order the Assessment to be amended in such Manner as may be necessary for giving him Relief, and shall also order any Money paid by him which he was not liable to pay to be returned to him; and in case he have appealed on the Ground that any Person is omitted out of the Assessment, the said Justices may order the Name of such Person to be inserted in the Assessment, and to be therein rated at such Amount as they deem just; and in case the Appellant have appealed on the Ground that the Property of any Person is assessed below its full and fair annual Value, the said Justices may order the Amount at which such Person is rated in the Assessment to be altered in such Manner as they deem just; and the proper Officer of the Court shall in each of the Cases aforesaid forthwith amend the Assessment accordingly, but the Assessment shall not be quashed or altered with respect to any other Persons named therein; and the Determination of the Justices at any such Sessions or Adjournment shall be final and conclusive.

The Assessment may be altered to relieve the Appellant, without altering any other Part of it.

Provisions for discharging existing Liabilities of Boards or Bodies having Powers of paving, &c., and of the Metropolitan Commissioners of Sewers.

CLXXX. All Debts and Liabilities legally charged upon, or payable out of any Rates or Assessments authorized to be levied or made under any Act relating to the paving, lighting, watering, cleansing, or improving of any Parish in either of the Schedules (A.) and (B.) to this Act, or any Part of any such Parish, shall be charged upon the Rates (other than those to be raised for defraying Expenses of Sewerage, and (where separate Rates are made under this Act for defraying Expenses of lighting) Expenses of lighting,) to be raised under this Act in such Parish or Part, and the several District Boards and Vestries shall cause the Sums necessary for discharging such Debts and Liabilities to be raised in their respective Districts and Parishes accordingly; and such Boards and Vestries shall once in every Year set aside, out of the Rates charged under this Act with such Debts and Liabilities, such Sum as they think proper, not being less than such Per-centage as hereinafter mentioned; that is to say, Three Pounds *per Centum* where the Amount of Principal Debt (exclusive of Annuities) does not exceed One Fourth of the rateable Value of the Property rateable for Payment thereof, and in other Cases Two Pounds *per Centum* on the Amount of the Principal Debt (exclusive of Annuities), for the Purpose of paying off such Principal, except where the Interest only of such Debt is charged upon such Rates or Assessments as aforesaid, and except also where any such Debt was contracted under the Authority of a Local Act, and the Local Act did not require that the Principal of such Debt should be paid off within a limited Time; and the Sums so from Time to Time set aside and all Monies applied in augmentation thereof, and the Proceeds thereof respectively, shall be applied and dealt with, for the Purpose of paying off such Principal as aforesaid, in manner by this Act provided with respect to Sums set aside for the Purpose of providing a Fund for paying off Mortgages granted under this Act: Provided always, that where any Debts or Liabilities are charged on any Rates or Assessments not wholly levied or made in or upon any One Parish mentioned in Schedule (A.) to this Act, or any One District mentioned in Schedule (B.) to this Act, the Metropolitan Board of Works shall apportion such Debts and Liabilities between the respective Parishes and Districts in or upon which such Rates or Assessments are authorized to be levied or made, and shall certify to the District Board and Vestry respectively of every such District and Parish the Amount of the apportioned Part of such Debts and Liabilities to be discharged by Rates to be raised in such Parish or District, or any Part thereof, under this Act, and such apportioned Part shall be discharged accordingly: Provided also, that nothing in this Enactment

Provision for discharging existing Liabilities under Local Acts relating to paving, &c.

Enactment shall affect the Right of any Creditor to require Payment of any such Debt as aforesaid within any less Time than is prescribed by this Enactment for the Payment thereof.

Provision for Payment of Liabilities of Metropolitan Commissioners of Sewers.

CLXXXI. Notwithstanding the Determination or Expiration of the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and Twelve, all Mortgages, Annuities, Securities, and other Debts and Liabilities which at or immediately before such Determination or Expiration may be a Charge on or payable out of all or any of the Rates authorized to be levied thereunder shall continue in full Force, and be a Charge on the Districts or Parts in which such Rates would have been authorized to be levied in case such Act had continued in force, and all Persons who may be entitled to any such Mortgages, Annuities, or Debts shall have Priority in respect of all Monies advanced before the passing of this Act over any Monies advanced to the Metropolitan Board of Works under this Act, and shall have the like Priority among themselves as they are now entitled to under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, or any Act continuing or amending the same; and the Sums from Time to Time becoming payable under or required for Payment of the said Mortgages, Annuities, Securities, Debts, and Liabilities shall be raised by the Metropolitan Board of Works in such Districts or Parts in like Manner as the Expenses of such Board in the Execution of this Act; and in case any such District or Part be wholly or in part without the Limits of the Metropolis, as defined by this Act, the said Metropolitan Board shall from Time to Time issue Precepts under their Seal to the Overseers of the Parish or Parishes in which any Part without such Limits is comprised, requiring Payment to the Treasurer of the said Board or into any Bank in such Precepts respectively mentioned, within such respective Times as may be therein limited, of such Sums as it may be necessary to raise in such Part for the Purposes aforesaid; and the Provisions herein contained respecting the levying and Payment of Money by Overseers in pursuance of any Order of a Vestry or District Board shall be applicable, *mutatis mutandis*, to and for the levying and Payment of Money by Overseers in pursuance of any such Precept as aforesaid of the said Metropolitan Board; and the said Board shall once in every Year set aside such Sum as they think proper, not being less than Two Pounds *per Centum* on the Amount of all Principal Monies (exclusive of Annuities) becoming payable by them under this Enactment, for the Purpose of paying off all such Principal Monies; and the Sums so from Time to Time set aside, and all Monies applied in augmentation thereof, and the Proceeds thereof respectively, shall be applied and dealt with, for the Purpose of paying off such Principal Monies as aforesaid, in manner by this Act provided with respect to Sums set aside for the Purpose of providing a Fund for paying off Mortgages granted under this Act, and the Sums to be so set aside shall be raised by such Board in manner aforesaid.

Where Commissioners of Sewers have incurred Expenses to be paid by Improvement Rates, &c. Metropolitan Board may levy Rates due.

CLXXXII. Where the Metropolitan Commissioners of Sewers have incurred any Expenses authorized by the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to be paid by an Improvement Rate, or as Charges for Default, it shall be lawful for the Metropolitan Board of Works to levy Improvement Rates or Charges for Default for the Recovery of the whole of such Expenses, or such Portion thereof as shall still remain due and unpaid, in the Manner directed by the said Act, and the said Board shall have all the Rights and Remedies for the Recovery thereof which are now vested in the Metropolitan Commissioners of Sewers in this Behalf.

General Powers to Metropolitan and District Boards and Vestries to borrow.

Power to Boards and Vestries to borrow Money on Mortgage.

CLXXXIII. It shall be lawful for the Metropolitan Board and every District Board and Vestry, for the Purposes of defraying any Expenses incurred or to be incurred by them in the Execution of this Act, to borrow and take up at Interest, on the Credit of all or any of the Monies or Rates authorized to be raised by them under this Act, any Sums of Money necessary for defraying any such Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as aforesaid, such Board or Vestry may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced the respective Monies or Rates upon the Credit of which such Sums are borrowed; and the respective Mortgagees shall be entitled to a Proportion of the Monies

or

or Rates comprised in their respective Mortgages, according to the Sums in such Mortgages mentioned to have been advanced; and each Mortgagee shall be entitled to be repaid the Sums so advanced, with Interest, without any Preference over any other Mortgagee or Mortgagees by reason of any Priority of Advance or the Date of his Mortgage: Provided always, that no Monies shall be so borrowed by any District Board or Vestry without the previous Sanction in Writing of the said Metropolitan Board.

No Priority amongst Mortgagees.

CLXXXIV. It shall be lawful for the Commissioners acting in the Execution of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Twenty-three, "to authorize for a further Period the Advance of Money out of the "Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries and "Employment of the Poor," and any Act or Acts for amending or continuing the same, to make Advances to any such Board or Vestry upon the Security of all or any of the Monies or Rates to be raised by them under this Act, and without requiring any further or other Security than a Mortgage of such Monies or Rates.

Power to Commissioners acting under 14 & 15 Vict. c. 23. to make Advances.

CLXXXV. Every Mortgage authorized to be made under this Act shall be by Deed duly stamped, truly stating the Date, Consideration, and the Time of Payment, and shall be sealed with the Seal of the Board or Vestry and may be made according to the Form (E.) contained in the Schedule to this Act annexed, or to the like Effect, or with such Variations or Additions in each Case as the Board or Vestry and the Party advancing the Money intended to be thereby secured may agree to; and there shall be kept at the Office of the Board or Vestry a Register of the Mortgages made by them, and within Fourteen Days after the Date of any Mortgage an Entry shall be made in the Register of the Number and Date thereof, and of the Names and Descriptions of the Parties thereto, as stated in the Deed; and every such Register shall be open to public Inspection during Office Hours at the said Office, without Fee or Reward; and any Clerk or other Person having the Custody of the same, refusing to allow such Inspection, shall be liable to a Penalty not exceeding Five Pounds.

Form of Mortgage.

Register of Mortgages.

CLXXXVI. The Board or Vestry making any such Mortgage may, if they think proper, fix a Time or Times for the Repayment of all or any Principal Monies borrowed under this Act, and the Payment of the Interest thereof respectively, and may provide for the Repayment of such Monies, with Interest, by Instalments or otherwise, as they may think fit; and in case the Board or Vestry fix the Time or Times of Repayment they shall cause such Time or Times to be inserted in the Mortgage Deed; and at the Time or Times so fixed for Payment thereof such Principal Monies and Interest respectively shall, on Demand, be paid to the Party entitled to receive the same accordingly; and if no other Place of Payment be inserted in the Mortgage Deed, the Principal and Interest shall be payable at the principal Office of the Board or Vestry, and, unless otherwise provided by any Mortgage, the Interest of the Money borrowed thereupon shall be paid half-yearly; and if no Time be fixed in the Mortgage Deed for the Repayment of the Money so borrowed, the Party entitled to receive such Money may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Deed, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and in the like Case the Board or Vestry may at any Time pay off the Money borrowed, on giving the like Notice; and every such Notice shall be in Writing or Print, or both, and if given by a Mortgagee shall be given in manner herein provided for Service of Notices on the Board or Vestry, and if given by the Board or Vestry shall be given either personally to such Mortgagee or left at his Residence, or if such Mortgagee or his Residence be unknown to them, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the *London Gazette;* and if the Board or Vestry have given Notice of their Intention to pay off any such Mortgage at a Time when the same may lawfully be paid off by them, then at the Expiration of such Notice all further Interest shall cease to be payable thereon, unless, on Demand of Payment made pursuant to such Notice, or at any Time thereafter, the Board or Vestry fail to pay the Principal and Interest due at the Expiration of such Notice on such Mortgage.

Repayment of Money borrowed at a Time agreed upon.

Interest on Mortgages to be paid halfyearly.

As to Re-payment of Money borrowed when no Time has been agreed upon.

Interest to cease on Expiration of Notice to pay off a Mortgage Debt.

CLXXXVII. It shall be lawful for the said Metropolitan Board, with respect to any Security granted by the Metropolitan Commissioners of Sewers, or granted by such Board

Power to borrow to pay off existing Securities.

Board under this Act, and for every District Board and Vestry, with respect to any Security for any existing Debt or Liability which such Board or Vestry are by this Act required to discharge, and any Security granted by such Board or Vestry under this Act, to raise and borrow the Monies necessary for paying off such Security, and to pay off the same; and the Monies borrowed for the Purpose of such Payment shall be secured and repaid in like Manner as if borrowed for defraying the Expenses of the Execution of this Act: Provided always, that nothing herein contained shall extend to authorize the paying off of any Security otherwise than in accordance with the Provisions thereof.

Payment of Principal and Interest may be enforced by the Appointment of a Receiver.

CLXXXVIII. If at the Expiration of Six Months from the Time when any Principal Money or Interest has become due upon any Mortgage made under this Act, or under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, or any Act continuing or amending the same, and after Demand in Writing, the same be not paid, the Mortgagee may, without Prejudice to any other Mode of Recovery, apply for the Appointment of a Receiver to Two Justices, who are hereby empowered, after hearing the Parties, to appoint, in Writing under their Hands and Seals, some Person to collect and receive the whole or a competent Part of the Monies or Rates liable to the Payment of the Principal or Interest in respect of which the Application is made, until such Principal or Interest, or both, as the Case may be, together with the Costs of the Application, and the Costs of Collection, are fully paid; and upon such Appointment being made all such Monies or Rates, or such competent Part thereof as aforesaid, shall be paid to the Person appointed, and when so paid shall be so much Money received by or to the Use of the Mortgagee or Mortgagees, and shall be rateably apportioned between or among them, but subject and without Prejudice to such Rights of Priority, if any, as shall then be subsisting between the Mortgagees or any of them: Provided always, that no Mortgagee shall be prejudiced, either directly or indirectly, by any Loss which may be occasioned by the Misapplication or Nonapplication of any Monies or Rates received by any Receiver appointed otherwise than upon the Application or with the express Consent of such Mortgagee, or by any Act, Deed, Neglect, or Default on the Part of such Receiver, but such Loss shall be wholly borne by the Mortgagee or Mortgagees upon whose Application or with whose express Consent such Receiver was appointed: Provided also, that no such Application shall be entertained unless the Sum or Sums due and owing to the Applicant amount to One thousand Pounds, or unless a joint Application be made by Two or more Mortgagees to whom there may be due, after such Lapse of Time, and Demand, as last aforesaid, Monies collectively amounting to that Sum.

Transfer of Mortgages.

Register of Transfers.

CLXXXIX. Any Mortgagee or other Person entitled to any Mortgage under this Act may transfer his Estate and Interest therein to any other Person by Deed duly stamped, truly stating its Date, the Names and Descriptions of the Parties thereto, and the Consideration for the Transfer; and such Transfer may be according to the Form contained in the Schedule (F.) to this Act annexed, or to the like Effect; and there shall be kept at the Office of every Board and Vestry making any Mortgages under this Act a Register of the Transfers of such Mortgages; and within Thirty Days after the Date of any such Deed of Transfer, if executed within the United Kingdom, or within Thirty Days after its Arrival in the United Kingdom if executed elsewhere, the same shall be produced to the Clerk of the Board or Vestry making the Mortgage; and such Clerk shall, upon Payment of the Sum of Five Shillings, cause an Entry to be made in such Register of its Date, and of the Names and Description of the Parties thereto, as stated in the Transfer; and upon any Transfer being so registered, the Transferee, his Executors, Administrators, or Assigns, shall be entitled to the full Benefit of the original Mortgage, and the Principal and Interest secured thereby; and every such Transferee may in like Manner transfer his Estate and Interest in any such Mortgage; and no Person, except the Person to whom the same has been last transferred, his Executors, Administrators, or Assigns, shall be entitled to release or discharge any such Mortgage, or any Money secured thereby.

Sinking Fund to be formed for paying off Mortgages.

CXC. For the Purpose of providing a Fund for paying off Mortgages granted under this Act, the Board or Vestry granting such Mortgage shall once in every Year set aside, out of the Monies or Rates charged thereby, such Sum as they think proper, being not less than Two Pounds *per Centum* on the Amount of the Principal Monies secured thereby; and

and the Sum so from Time to Time set aside, and all other Monies applied by the Board or Vestry in augmentation of the said Fund, shall be applied, in the Manner hereinafter directed, in Payment, so far as the same will extend, of the Principal Money secured by such Mortgages, or the same shall be invested in the Public Funds, or on Government or Real Security, in the Name of the Board or Vestry; and the Dividends and Interest of the Monies so invested, when and as the same become due, shall from Time to Time be received and invested in like Manner, in order that the said Monies so set aside and invested may accumulate at Compound Interest; and when such accumulated Fund amounts to a Sum which, in the Opinion of the Board or Vestry, can be conveniently applied for that Purpose, the Stocks, Funds, or Securities whereon the same is invested shall be sold or otherwise converted into Money, and the Monies arising from any such Sale and Conversion shall be applied, in the Manner herein-after directed, in Payment, so far as the same will extend, of the said Principal Monies, and so from Time to Time until the whole of the said Principal Monies are discharged.

Mode of paying off Mortgages.

CXCI. When and as often as the Board or Vestry are enabled and think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in a similar Form, and put in a Box, and the Clerk of the said Board or Vestry shall, at a Meeting of the Board or Vestry, draw separately out of the said Box one of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn shall be paid off by the Board or Vestry; and after every such Ballot the Board or Vestry shall cause a Notice, signed by the Clerk, to be given to the Person entitled to the Money to be paid off, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on Demand, pursuant to such Notice; but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable, on Demand.

Audit of Accounts.

Accounts of Metropolitan Board, District Boards, and Vestries to be balanced up to the End of each Year.

CXCII. The Metropolitan Board of Works, every District Board, and the Vestry of every Parish mentioned in either of the Schedules (A.) and (B.) to this Act, shall, in the Month of *April* in every Year, cause their Accounts to be balanced up to the Twenty-fifth Day of *March* next preceding, and shall cause a full Statement and Account to be drawn out of the Amount of all Contracts entered into and of all Monies received and expended by them during the preceding Year, under the several distinct Heads of Receipt and Expenditure, and also of all Arrears of Rates and other Monies then owing to such respective Board or Vestry, and of all Mortgages and other Debts and Liabilities then owing by such Board or Vestry: Provided always, that where by reason of the Time established by or under any Local Act for making and collecting Rates in any Parish the Time hereby fixed for making up the Accounts is inconvenient, it shall be lawful for the Metropolitan Board of Works to order that the Time of making and collecting such Rates, and the Period for which any such Rate may be made, shall be altered as to the said Board may appear convenient.

Auditor of Accounts of Metropolitan Board to be appointed by Secretary of State.

CXCIII. One of Her Majesty's Principal Secretaries of State shall, in the Month of *April* in every Year, by Order under his Hand, appoint some fit Person to be the Auditor of the Accounts of the said Metropolitan Board for the preceding Year; and every such Auditor shall be paid by such Board not exceeding Five Guineas for every Day he is fully employed on such Audit, and all Expenses he is put to in the auditing of such Accounts; provided always, that such Payment shall not exceed Fifty Guineas.

Auditors to be elected annually by the District Boards.

CXCIV. Every District Board shall, in the Month of *April* in every Year, elect by Ballot from among the Persons acting as Auditors for the Parishes in the District Three Persons, not being Members of such Board, to be Auditors for the current Year of the Accounts of such Board; and in case of the Death of any such Auditor the Board by whom he was elected shall forthwith elect in a similar Manner some other such Person as aforesaid

in his Place, and the Powers hereby given to the said Auditors may be exercised by any Two of them.

As to the Audit of Accounts.

CXCV. The Auditor of the Accounts of the said Metropolitan Board, and the Auditors of the Accounts of every District Board and every such Vestry as aforesaid, shall in the Month of *May*, on such Day or Days as shall be fixed by him or them for the Audit of such respective Accounts, attend at the Office or principal Office of the Metropolitan Board of Works, or of such District Board or Vestry, (as the Case may require,) for the Purpose of auditing their Accounts; and such respective Boards and every such Vestry shall by their Clerks, Treasurers, and other Officers, produce and lay before such Auditor or Auditors at every such Audit their Accounts for the Year preceding, together with the Statement and Account herein-before mentioned, accompanied by proper Vouchers for the Support of the same, and submit to his or their Inspection all Books, Papers, Instruments, and Writings in their Custody or Control relating thereto; and such Auditor or Auditors, in the Presence of such of the Members of such respective Boards or Vestries and of the Ratepayers and Creditors on the Rates as desire to attend, shall audit the Accounts herein-before mentioned, and may examine any of the Members of such respective Boards or Vestries or their Officers whom he or they shall deem accountable (and whom he and they is and are hereby empowered to summon, by Writing under his or their Hand or Hands or under the Hand of any One of them, to appear before him or them for the Purpose of such Examination), touching the said Accounts, and shall also hear any Complaint which any such Ratepayer or Creditor shall at the Time of such Audit make touching such Accounts; and such Auditor or Auditors shall have full Power to examine, audit, allow, and disallow the said Accounts and Items therein, and shall charge in such Accounts all Sums (if any) which ought to be accounted for, and are not brought into account; and if such Accounts be found correct, such Auditor or Auditors, or the major Part of them, shall sign the same in token of his or their Allowance thereof, and such Allowance shall be final and conclusive on all Parties.

Abstract of Accounts to be made.

CXCVI. The Auditor or Auditors of the Accounts of the Metropolitan Board of Works, and of every District Board and Vestry, shall, after such Audit of Accounts as aforesaid, cause an Account in Abstract to be prepared, showing the Receipt and Expenditure under this Act for the preceding Year, under the several distinct Heads of Receipt and Expenditure, with the Statement of the Allowance of the Auditor or Auditors, if he or they has or have allowed such Accounts, or of the Parts, if any, which he or they have disallowed of such Accounts, and also a summary Statement of all Contracts entered into by such Board or Vestry in such preceding Year, and of the Monies owing to and Debts and Liabilities owing by such Board or Vestry on the Twenty-fifth Day of *March* next preceding.

Accounts of other Parochial Boards to be audited by the Auditors elected under this Act.

CXCVII. In all Parishes mentioned in the Schedules (A.) and (B.) to this Act, in which other Boards have Control over any Part of the Parochial Expenditure, the Auditors of Accounts of the Parish elected under this Act shall have the same Power of examining the Accounts and Officers of the said Boards as of examining the Accounts and Officers of the Vestry, and shall audit the Accounts of the said Boards in the same Manner as they audit the Accounts of the Vestry, and the Accounts of the said Boards shall not be subject to any other Audit: Provided always, that nothing herein contained shall apply to Accounts which if this Act had not been passed would have been subject to the Audit of any Auditor already or hereafter appointed under the Authority of the Act of the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-six, or any Act incorporated therewith.

Annual Reports.

Annual Reports by Vestries and District Boards.

CXCVIII. Every such Vestry as aforesaid and District Board shall in the Month of *June* in every Year cause to be printed the said Account in abstract and summary Statement for the preceding Year, relating to such Vestry or Board, and also make and cause to be printed therewith a Report of their Proceedings in the Execution of this Act, and of the Works commenced and completed respectively in the preceding Year by such Vestry or Board, and the Works remaining in progress at the Termination of such Year,

Year, and also of any Proceedings taken by them or under their Authority in the preceding Year, in pursuance of any Regulations of the General Board of Health for the Time being in force, or otherwise, for the Removal of Nuisances or the Improvement of the Sanitary Condition of their Parish or District; and to every such Report there shall be appended a Copy of every Report made to such Vestry or Board during the preceding Year by the Officer or Officers of Health for their Parish or District; and every such Vestry and Board shall in the said Month of *June* send a Copy of every such Account in abstract, Statement, and Report, together with a printed List of the Names and Addresses of the Members of such Vestry and Board, and of their Officers, to the Metropolitan Board of Works; and every Vestry and District Board shall permit Inspection at their Office of a Copy of any such Account in abstract, Statement, and Report by any Ratepayer in their Parish or District, without Payment, at all reasonable Times, and shall also permit the like Inspection by the Public generally of such List of Officers; and Copies of such Account in abstract, Statement, and Report, and List of Officers, shall be delivered to any Person applying for the same, on Payment of such reasonable Sums not exceeding Twopence for each such Copy, as may be fixed by such Vestry or Board in this Behalf.

Vestry to make out and publish yearly a List of Estates, Charities, and Bequests, &c. with the Application thereof.

CXCIX. Every such Vestry as aforesaid shall cause to be made out once at least in every Year a List of the several Freehold, Copyhold, and Leasehold Estates, and of all Charitable Foundations and Bequests, if any, belonging to the Parish, and under the Control of the Vestry, the List to contain a true and detailed Account of the Place where such Estate or Charitable Foundation may be situate, or in what Mode and Security such Bequest may be invested, specifying also the yearly Rental of each, and the particular Appropriation thereof, together with the Names of the Persons partaking of their Benefit (except where such Benefit shall be allotted to the Poor of the Parish generally), and to what Amount in each Case, and also stating the Name and Description of the Persons in whom such Estates are vested, and the Names and Description of the Trustees for each Charity; and such Lists shall be open for the Inspection of the Ratepayers at the Office of the Vestry Clerk at the same Time with the Accounts when audited according to the Provisions of this Act.

Annual Report of Metropolitan Board of Works.

CC. The Metropolitan Board of Works shall, in the Month of *June* in every Year, make a Report of their Proceedings in the Execution of this Act, and shall in the said Month send a Copy thereof, together with a Copy of the said Account in abstract and summary Statement for the preceding Year relating to such Board, to One of Her Majesty's Principal Secretaries of State, to the Commissioners of Her Majesty's Works and Public Buildings, to the General Board of Health, to the Lord Mayor of the City of *London*, and to each of the Vestries and District Boards in the other Parts of the Metropolis.

Reports, &c. of Metropolitan Board to be laid before Parliament.

CCI. Every such Report, Account in abstract, and Statement to be sent to One of Her Majesty's Principal Secretaries of State as aforesaid shall be laid before both Houses of Parliament within One Month after the Receipt thereof if Parliament be sitting, or if Parliament be not sitting, then within One Month after the next Meeting of Parliament.

Byelaws.

Power to Metropolitan Board of Works to make Byelaws.

CCII. The Metropolitan Board of Works and every District Board and Vestry respectively may from Time to Time make, alter, and repeal Byelaws for all or any of the Purposes following; (that is to say,) for regulating the Business and Proceedings at their Meetings and of Committees appointed by them, the Appointment and Removal of their Officers and Servants, and the Duties, Conduct, and Remuneration of such Officers and Servants; and the said Metropolitan Board may also from Time to Time make, alter, and repeal Byelaws for regulating the Plans, Level, Width, Surface Inclination, and the Material of the Pavement and Roadway of new Streets and Roads, and the Plans and Level of Sites for building, and for regulating the Dimensions, Form, and Mode of Construction, and the keeping, cleansing, and repairing, of the Pipes, Drains, and other Means of communicating with Sewers, and the Traps and Apparatus connected therewith; for the emptying, cleansing, closing, and filling up of Cesspools and Privies; and for other Works of cleansing, and of removing and disposing of Refuse, and for regulating the Form of Appeal and Mode of Proceeding thereon; and generally for carrying into effect the Purposes of this Act; and every such Board and Vestry may thereby impose such reason-

Penalty for Breach of Byelaws.

Power to Justices to remit Penalties.

able Penalties as they think fit, not exceeding Forty Shillings, for each Breach of such Byelaws, and in case of a continuing Offence a further Penalty not exceeding Twenty Shillings for each Day after Notice of the Offence from the Board or Vestry: Provided always, that under every such Byelaw it shall be lawful for the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty: Provided also, that no Byelaws shall be repugnant to the Laws of *England* or to the Provisions of this Act; and that no Byelaw shall be of any Force or Effect unless and until the same be submitted to and confirmed at a subsequent Meeting of the Board or Vestry: Provided also, that no Penalty shall be imposed by any such Byelaw unless the same be approved by One of Her Majesty's Principal Secretaries of State.

Publication of Byelaws.

Evidence of Byelaws.

CCIII. All Byelaws made and confirmed as aforesaid in pursuance of this Act shall be printed, and hung up in the principal Office of the Board or Vestry, and be open to public Inspection without Payment, and Copies thereof shall be delivered to any Person applying for the same, on Payment of such Sum, not exceeding Twopence, as the Board or Vestry shall direct; and such Byelaws, when so published, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same; and the Production of a printed Copy of such Byelaws, authenticated by the Seal of the Board or Vestry, shall be Evidence of the Existence, and of the due making, Confirmation, and Publication of such Byelaws, in all Prosecutions under the same, without adducing Proof of such Seal or of the Fact of such Confirmation or Publication of such Byelaws.

Provisions for Protection of Property and Works of Metropolitan and District Boards and Vestries, and preventing Obstruction in Execution of Works.

Buildings not to be made over Sewers without Consent.

CCIV. No Building shall be erected in, over, or under any Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without their Consent first obtained in Writing, and if any Building be erected contrary to this Provision the Board or Vestry in whom such Sewer is vested may demolish the same, and the Expenses incurred thereby shall be paid by the Person erecting such Building.

Penalty on Persons sweeping Dirt into Sewers.

CCV. 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 for wilfully damaging, &c. Lamps or other Property of Vestries or District Boards, or of the Metropolitan Board.

CCVI. If any Person wilfully take away, break, throw down, or damage any Lamp set up for lighting any of the Streets in any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, or wilfully extinguish the Light within the same, or damage the Iron or other Furniture thereof, or wilfully damage any other Property vested in any Vestry or District Board, or any Property vested in the said Metropolitan Board, it shall be lawful for any Person who sees such Offence committed to seize, as also for any other Person to assist in seizing, the Offender, and by Authority of this Act, and without any other Warrant, to convey him, or to deliver him into the Custody of a Police Officer in order to be secured and conveyed, before some Justice; and if the Party accused be convicted of such Offence he shall forfeit the Sum of Forty Shillings, and shall also pay to such Vestry or Board the Amount of Damage done.

Persons damaging Lamps, &c. to make Satisfaction.

CCVII. In case any Person carelessly or accidentally break, throw down, or damage any such Lamp, or the Iron or other Furniture thereof, or other such Property as aforesaid, he shall pay the Amount of Damage done.

Penalty on interrupting Workmen, &c. in Execution of Duties.

CCVIII. If any Person at any Time obstruct, hinder, or molest any Surveyor, Inspector, Collector, or other Officer, Workman, or Person whomsoever, employed by virtue of this Act, in the Performance or Execution of his Duty, every such Person so offending shall for the First Offence forfeit and pay the Sum of Five Shillings, for the Second Offence the Sum of Twenty Shillings, and for any subsequent Offence the Sum of Five Pounds.

CCIX. If

CCIX. If the Occupier of any Premises prevent the Owner thereof from carrying into effect, with respect to such Premises, any of the Provisions of this Act, or any Order of any Vestry or District Board made in pursuance thereof, he shall be liable to a Penalty not exceeding Five Pounds for every Day during the Continuance of such Refusal or Neglect; and if the Occupier of any Premises, when requested by or on behalf of the Vestry or District Board to state the Name and Description of the Owner of the Premises occupied by him, refuse or wilfully omit to disclose or wilfully mis-state the same, it shall be lawful for any Justice to summon the Party to appear before him or some other Justice at a Time and Place to be appointed in such Summons; and if the Party so summoned neglect or refuse to attend at the Time and Place so appointed, or if he do not show good Cause for such Refusal, or if such wilful Omission or Mis-statement be proved, the Justice before whom the Party is so summoned may impose upon the Offender a Penalty not exceeding Five Pounds.

Penalty upon Occupiers obstructing Execution of Works, or not disclosing Owner's Name.

CCX. All Savings and Provisions in Turnpike, Railway, Waterworks, Improvement, and other Acts, saving and providing for the Rights, Powers, and Authorities of the Commissioners of Sewers for any of the Parts which shall be within the Metropolis as defined by this Act, shall, so far as the same are not inconsistent with the Provisions of this Act, continue and be in force in favour of and with reference to the Metropolitan Board of Works and the several District Boards of Works and Vestries having the Management of Sewers under this Act, and in favour of the Commissioners of Sewers of the City of *London*, so far as such Savings and Provisions respectively are now applicable to them, or to any Officer or Person so continued by the said Board.

Savings and Provisions in Local Acts applicable to Commissioners of Sewers to apply to Metropolitan and District Boards and Vestries.

Appeals.

CCXI. Any Person who deems himself aggrieved by any Order of any Vestry or District Board in relation to the Level of any Building, or any Order or Act of any Vestry or District Board in relation to the Construction, Repair, Alteration, stopping or filling up, or Demolition of any Building, Sewer, Drain, Watercloset, Privy, Ashpit, or Cesspool, may, within Seven Days after Notice of any such Order to the Occupier of the Premises affected thereby, or after such Act, appeal to the Metropolitan Board of Works against the same; and all such Appeals shall stand referred to the Committee appointed by such Board for hearing Appeals as herein provided; and such Committee shall hear and determine all such Appeals, and may order any Costs of such Appeals to be paid to or by the Vestry or District Board by or to the Party appealing, and may, where they see fit, award any Compensation in respect of any Act done by any such Vestry or District Board in relation to the Matters aforesaid; provided that no such Compensation shall be awarded in respect of any such Act which may have been done under any of the Provisions of this Act on any Default to comply with any such Order as aforesaid, unless the Appeal be lodged within Seven Days after Notice of such Order has been given to the Occupier of the Premises to which the same relates.

Power to appeal against Orders and Acts of Vestries and District Boards in relation to Construction of Works.

CCXII. The Metropolitan Board of Works shall appoint a Committee for the Purpose of hearing all such Appeals as may be made to the said Board as aforesaid, which Committee shall have Power to hear and decide all such Appeals, and the Metropolitan Board of Works shall from Time to Time fill up any Vacancy in such Committee, and the Chairman of the said Board shall, by virtue of his Office of Chairman, be a Member of the said Committee in addition to the Members appointed by the said Board, and shall preside at all Meetings of such Committee at which he is present; and in case of a Vacancy in the Office of such Chairman, or, in his Absence, some other Member of the Committee shall be chosen to preside, and all the Powers of such Committee may be exercised by any Three of them, and any Member of such Committee may at any Time resign his Office.

Metropolitan Board to appoint a Committee for hearing Appeals.

Retiring Allowances to Officers of Commissioners of Sewers, and Compensations to other Officers.

CCXIII. The Metropolitan Board of Works may, if they deem it just, order the Payment of Retiring Pensions or Allowances, of such Amounts and upon such Terms as they deem just, to any Officers or Persons who have been employed under the Metropolitan Commissioners of Sewers, and who shall not continue to be employed by the Metropolitan Board of Works, or to any Officer or Person continued by the said Board, having regard in the Case

Power to grant Retiring Allowances to Persons employed under Metropolitan Commissioners of Sewers.

Case of Persons who have been employed under any of the Commissions determined by the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to their Employment under any of such Commissions, as well as under the said Metropolitan Commissioners of Sewers, and to pay such Pensions or Allowances out of such Monies raised by the said Metropolitan Board under this Act as to them may seem meet.

Compensation to Officers of Paving Boards.

CCXIV. Every Officer to any Commissioners, Vestry, or other Body whose Powers in relation to paving, lighting, watering, cleansing, or improving, or otherwise in relation to the Regulation, Government, or public Concerns of any of the Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, or any Part of any of such Parishes, are determined by this Act, and any paid Surveyor of Highways of any of such Parishes, shall be entitled within Six Months after the Commencement of this Act to make a Claim for Compensation in respect of any Loss of Emoluments arising from the passing of this Act, such Claim to be made to the Vestry of the Parish in case the Office of the Claimant existed in any Parish mentioned in the said Schedule (A.), and in other Cases to the District Board of the District in which the Office existed; and it shall be lawful for such Vestry or Board respectively to inquire, in such Manner as they think fit, what were the Nature and Tenure of the Office and the Period for which the same has been holden by the Claimant, and what were the lawful Emoluments in respect of which Compensation should be awarded; and the Vestry or District Board shall award a gross or yearly Sum, and, in the Case of a yearly Sum, for such Time as they think just upon consideration of the special Circumstances of each Case; but no such Award shall be final until confirmed by the Metropolitan Board of Works, and One Month before any such Award is taken into consideration by such Board, Notice of such Award shall be given to the Party in whose Favour the same is made, and such Board shall take into consideration any Representations which may in the meantime be made to them by the Party in whose Favour the Award is made, and by the Vestry or District Board making the same, and such further Information or Representations in relation to the Matter of any such Award as the said Metropolitan Board may see fit to require or receive; and such Board may confirm such Award with or without any Alteration therein as to them may seem just; and any Person making any such Claim to Compensation whose Claim is rejected by any Vestry or District Board may, within One Month after Notice to him of the Rejection thereof, appeal against the Determination of such Vestry or District Board to the Metropolitan Board of Works, and such Board shall consider all the Circumstances of the Case, and may, if it appear to them just, award Compensation to the Claimant in like Manner as the Vestry or District Board are herein empowered to do; and the Determination or Award of the said Metropolitan Board in reference to such Claim shall be final; and all Compensation awarded as aforesaid shall be paid out of the general Rates to be levied under this Act in the Parish or particular Part of any Parish to which the Office in respect whereof the Compensation is awarded related, so as to charge such Parish or particular Part therewith in exoneration of other Parishes and Parts: Provided always, that if any Person to whom a yearly Sum is awarded by way of Compensation as aforesaid be appointed to any Office or Employment under the Vestry of any of the said Parishes, or under any District Board, or the Metropolitan Board of Works, or in the Public Service, the Payment of the Compensation so awarded shall be suspended so long as he continues to hold such Office or Employment if the Emoluments thereof be equal to or greater than the Amount of the Emoluments of the Office formerly held by him, and in case the Emoluments of the Office or Employment to which he is appointed be not equal in Amount to those of his former Office, then no more of such Compensation shall be paid to him than will, with the Salary of his new Appointment, be equal to the Emoluments of his former Office.

Miscellaneous Clauses.

Where Two or more Persons are to do any Act or pay any Sum of Money,

CCXV. Where, under the Authority of this Act, Two or more Persons are or may be directed by any Vestry or District Board to do or join in doing any Act, or to pay or join in paying any Sum of Money, Costs, or Expenses, or where any Vestry or District Board are authorized or think proper to permit Two or more Persons to join together in doing any Act,

or

or paying any Sum of Money, Costs, or Expenses, it shall be lawful for the Vestry or District Board to apportion the Matter to be done, or the Sum of Money, Costs, or Expenses to be paid, between such Persons, in such Manner as the Vestry or Board consider just and reasonable. Vestry or District Board may apportion the same.

CCXVI. In all Cases where any Vestry or District Board is authorized to order any Costs, Charges, or Expenses to be paid by private Parties it shall be lawful for such Vestry or District Board to order and accept Payment of such Costs, Charges, Expenses, together with Interest thereon after a Rate not exceeding Five Pounds for the Hundred by the Year, by Instalments, within such Period, not exceeding Twenty Years in each Case, as they may determine, the Amount thereof to be recoverable in the same Manner as other Expenses are to be recovered under this Act. Power to Vestries and District Boards to spread Repayment of Expenses over Twenty Years.

CCXVII. It shall be lawful for any Vestry or District Board to require the Payment of any Costs or Expenses which the Owner of any Premises may be liable to pay under this Act from any Person who then or at any Time thereafter occupies such Premises; and the Owner shall allow every such Occupier to deduct all Sums of Money which he so pays, or which are levied by Distress, out of the Rent from Time to Time becoming due in respect of the said Premises, as if the same had been actually paid to such Owner as Part of such Rent. Occupiers to pay Expenses for which Owners are liable, and to be reimbursed out of the Rent.

CCXVIII. Provided always, That no such Occupier shall be required to pay any further Sum than the Amount of Rent for the Time being due from him, or which, after such Demand of such Costs or Expenses from such Occupier, and after Notice not to pay his Landlord any Rent without first deducting the Amount of such Costs or Expenses, becomes payable by such Occupier, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Vestry or District Board, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier. Occupier not to be required to pay more than the Amount of Rent owing by him.

CCXIX. Provided also, That nothing herein contained shall be taken to affect any Contract made or to be made between any Owner and Occupier of any House, Building, or other Property whereof it is or may be agreed that the Occupier shall pay and discharge all Rates, Dues, and Sums of Money payable in respect of such House, Building, or other Property, or to affect any Contract whatsoever between Landlord and Tenant. Agreements between Landlord and Tenant not to be affected.

CCXX. Any Summons or Notice, or any Writ or other Process at Law or in Equity, or any other Matter or Thing whatsoever, required to be served upon the Metropolitan Board of Works or any District Board or Vestry, may, unless herein otherwise provided, lawfully be served by delivering the same personally to the Clerk of such respective Board or Vestry, or by leaving the same at the principal Office of such Board or Vestry. As to Service of Notices, &c. on Metropolitan and District Boards and Vestries.

CCXXI. All Notices by this Act required to be given to the Owner or Occupier of any Land or Premises, or other Person, may be served personally on such Owner, Occupier, or Person, or left with some Inmate of his Place of Abode, and any Notice required to be given to any such Owner or Occupier may, if there be no Occupier, be affixed to some conspicuous Part of the Land or Premises, and it shall not be necessary in any Notice to any Owner or Occupier of any Land or Premises to name such Owner or Occupier: Provided always, that where there is no Occupier, and the Owner of any such Land or Premises, and his Place of Abode or that of his Agent is known to the Vestry or Board by or on behalf of whom such Notice is given, or any of their Officers, such Notice shall be served on such Owner personally, or left with some Inmate of his Place of Abode, or transmitted to such Owner through the Post Office, addressed to him at his Place of Abode or last known Place of Abode in the United Kingdom, or served on his Agent as aforesaid. As to Service of Notices on Owners and Occupiers and other Persons.

CCXXII. Every Notice, Demand, or like Document given by or on behalf of the Metropolitan Board of Works, or any Vestry or District Board, under this Act, may be in Writing or Print, or partly in Writing and partly in Print, and shall be sufficiently authenticated if signed by their Clerk or by the Officer by whom the same is given. Authentication of Documents.

CCXXIII. If

Proof of Debts in Bankruptcy.

CCXXIII. If any Person against whom the Metropolitan Board of Works, or any District Board or Vestry, have any Claim or Demand, become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Clerk or Collector, in all Proceedings under the Bankruptcy or Insolvency, to represent such Board or Vestry, and act in their Behalf in all respects as if such Claim or Demand were the Claim or Demand of the Clerk or Collector, and not of such Board or Vestry.

Tender of Amends.

CCXXIV. If any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or any Act incorporated therewith, or by virtue of any Power or Authority given by this Act or such other Act as aforesaid, and if before Action brought in respect thereof such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action.

Compensation, Damage, and Expenses how to be ascertained and recovered.

CCXXV. In every Case where the Amount of any Damage, Costs, or Expenses is by this Act directed to be ascertained or recovered in a summary Manner, or the Amount of any Damage, Costs, or Expenses is by this Act directed to be paid, and the Method of ascertaining the Amount or enforcing the Payment thereof is not provided for, such Amount shall, in case of Dispute, be ascertained and determined by and shall be recovered before Two Justices; and the Amount of any Compensation to be made under this Act by the said Metropolitan Board, or any Vestry or District Board, shall, unless herein otherwise provided, be settled, in case of Dispute, by and shall be recovered before Two Justices, unless the Amount of Compensation claimed exceed Fifty Pounds, in which Case the Amount thereof shall be settled by Arbitration, according to the Provisions contained in the Lands Clauses Consolidation Act, 1845, which are applicable where Questions of disputed Compensation are authorized or required to be settled by Arbitration.

Method of proceeding before Justices in Questions of Damages, &c.

CCXXVI. Where the Amount of any Compensation, or of any Damage, Costs, or Expenses, is to be determined by or to be recovered before Two Justices, it shall be lawful for any Justice, upon the Application of either Party, to summon the other Party to appear before Two Justices, at a Time and Place to be named in such Summons; and upon the Appearance of such Parties, or, in the Absence of either of them, upon Proof of due Service of the Summons, it shall be lawful for such Two Justices to hear and determine the Matter, and for that Purpose to examine such Parties, or any of them, and their Witnesses, on Oath, and make such Order, as well as to Costs as otherwise, as to them may seem just.

Penalties, &c. to be recovered as provided by 11 & 12 Vict. c. 43.

CCXXVII. Every Penalty or Forfeiture imposed by this Act, or by any Byelaw made in pursuance thereof, the Recovery of which is not otherwise provided for, may be recovered by summary Proceedings before any Justice in manner provided by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, "to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within *England* and *Wales* with respect to summary Convictions and Orders."

Damages to be made good in addition to Penalty.

CCXXVIII. If, through any Act, Neglect, or Default on account whereof any Person has incurred any Penalty imposed by this Act, any Damage to the Property of the said Metropolitan Board, or any Vestry or District Board, has been committed by such Person, he shall be liable to make good such Damage, as well as to pay such Penalty; and the Amount of such Damage, in case of Dispute, shall be determined by the Justices by whom the Party incurring such Penalty is convicted, and the Payment of the Amount of such Damage may be enforced in all respects as such Penalty.

Transient Offenders.

CCXXIX. It shall be lawful for any Officer or Servant of the said Metropolitan Board, or any Vestry or District Board, and for any Police Constable, and all Persons called by him to his Assistance, to seize and detain any Person who has committed any Offence against the Provisions of this Act, or any Byelaw made in pursuance thereof, and whose Name and Residence shall be unknown to such Officer or Servant or Police Constable, and convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Proceedings not to be quashed for Want of Form.

CCXXX. No Act, Order, or Proceeding in pursuance of this Act, or in relation to the Execution thereof, shall be quashed or vacated for Want of Form, nor shall the same be removed

removed by Certiorari or otherwise into any of the Superior Courts, except as herein specially provided.

Parties allowed to appeal to Quarter Sessions, on giving Security.

CCXXXI. If any Person feel aggrieved by any Adjudication or Determination of any Justice or Justices with respect to any Penalty or Forfeiture under the Provisions of this Act, such Party may appeal to the General or Quarter Sessions; but no such Appeal shall be entertained unless it be made within Four Months next after the making such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal is brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two Sureties, before Two Justices conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

CCXXXII. At the General or Quarter Sessions for which such Notice is given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid to the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Penalties to be sued for within Six Months.

CCXXXIII. No Person shall be liable to the Payment of any Penalty or Forfeiture under this Act, or any Bylaw made by virtue thereof, for any Offence made cognizable before a Justice, unless the Complaint respecting such Offence have been made before such Justice within Three Months next after the Commission or Discovery of such Offence.

Application of Penalties.

CCXXXIV. If the Application of any Penalty or Forfeiture be not otherwise provided for, One Half thereof shall go to the Informer, and the Remainder shall go to the Vestry or District Board of the Parish or District in which the Offence was committed, or if such Vestry or Board be the Informers, the whole of the Penalty recovered shall go to them; and all Sums which shall go to or be recovered by any such Vestry or Board on account of any such Penalty or Forfeiture shall be paid to their Treasurer, or otherwise into such Bank, to their Account, as they may direct, and shall be applicable to the general Expenses of the Vestry or Board; provided that in every Case where any Vestry or Board are liable to any Penalty or Forfeiture the whole of such Penalty or Forfeiture shall go to the Informer.

Special Provisions and Savings.

Provision for joint Action of Vestries, and Elections out of Vestries under Local Acts.

CXXXV. Where the Vestries of any Parishes mentioned in either of the Schedules (A.) and (B.) to this Act now act jointly or in union, or exercise any Powers or Privileges jointly or in union, or elect Guardians, Directors, Trustees, or other Persons whomsoever whose Offices are not expressed to be determined by this Act for any joint Purposes, the Vestries of such Parishes elected under this Act may act jointly or in union, and shall have the like Powers and Privileges jointly or in union, and elect for such joint Purposes in like Manner and with the like Effect; and where in any of the said Parishes any Guardians, Directors, Trustees, or other Persons whosoever whose Offices are not expressed to be determined by this Act are now by Law elected out of the Vestry of any such Parish, such Guardians, Directors, Trustees, or other Persons as aforesaid may be elected out of or from the Vestrymen and Persons who under this Act are eligible as Vestrymen for the same Parish; and the Office of no such Guardian, Director, Trustee, or other Person shall be determined by reason of his ceasing to be a Vestryman in consequence of the passing of this Act; but every such Guardian, Director, Trustee, or other Person shall continue in Office until such Time as he would otherwise have ceased to hold his Office.

Agreement between the London and North-western Railway Company and certain Paving

CCXXXVI. 'And whereas by an Agreement, made on the Tenth Day of *August* One 'thousand eight hundred and fifty-four, between the *London and North-western* Railway 'Company of the One Part, and Five of the Commissioners acting under certain Acts of 'Parliament relating to the paving and improving of certain Streets in the Parish of *Saint* '*Pancras* in the County of *Middlesex* of the other Part, it was agreed that the Commissioners acting

Commissioners confirmed.

'acting under the said Acts should, in consideration of the Payment of the Sums of Three 'thousand Pounds and Five hundred Pounds to the said Commissioners by the said Company, 'put into good and complete State of Repair and Condition certain Roads therein particularly mentioned, and (except in the event therein mentioned of an Act not being obtained 'during the then next Session to authorize the transfer to the said Commissioners of the 'Management of the said Roads) would maintain the said Roads at their own Charge and 'Expense: And whereas the said Sums have been paid to the said Commissioners, and it is 'expedient that the said Agreement should be confirmed, as herein-after mentioned:'

The said Agreement shall be confirmed so far as the same relates to the Repair and Maintenance of the said Roads; and the Maintenance thereof shall be vested in the Vestry of the said Parish of *Saint Pancras* in like Manner as if the said Commissioners had been by Act of Parliament liable to maintain and repair the said Roads at the Time of the Commencement of this Act; and the Sums paid to the said Commissioners as aforesaid, or such Part thereof as may not have been already applied for the Purpose of putting the said Roads into good and complete Repair, shall be paid over to the Vestry of the Parish of *Saint Pancras*, and be applied for the general Benefit of such Parish in aid of any Rates to be raised in such Parish to defray Expenses of paving, anything in this Act or in any Act relating to the said Company to the contrary notwithstanding.

Special Provision as to Powers of Commissioners acting under 5 & 6 Vict. c. xlviii. as to paving Ely Place, &c.

CCXXXVII. This Act shall not divest the Commissioners under an Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Forty-eight (Local), "For "paving, lighting, watching, cleansing, and improving *Ely Place* and *Ely Mews, Holborn*, "in the County of *Middlesex*," of any of the Powers or Property vested in them under that Act, nor shall any of the Provisions of this Act in relation to the paving, lighting, watering, and cleansing of Streets apply to the Parts within the Limits of the said Local Act, nor shall such Parts be assessed or rated under this Act for defraying any Expenses incurred by the District Board for the *Holborn* District in relation to paving, lighting, watering, and cleansing; but such Parts shall be subject to all the Provisions of this Act relating to Sewerage and House Drainage, and to be assessed or rated for Sewerage Expenses incurred by the said District Board, and for Expenses incurred by the Metropolitan Board of Works, and towards any Sums required to be raised by such Board under this Act, in like Manner as other Parts within the said District.

Special Provision as to Parish of Woolwich.

CCXXXVIII. Notwithstanding anything in this Act contained to the contrary, the Provisions of this Act shall extend and apply to the Parish of *Woolwich* only to the Extent and in manner herein-after mentioned; (that is to say,)

A Member of the Metropolitan Board of Works shall be from Time to Time elected by the Local Board of Health of *Woolwich*, at a Meeting of such Board, as by this Act directed with respect to the Vestry of each of the Parishes mentioned in the said Schedule (A.):

The said Metropolitan Board shall have and perform, within and in relation to the said Parish, all the Powers and Duties vested in them under this Act, in like Manner as within and in relation to other Parishes mentioned in the said Schedule (A.), save that the said Local Board shall be subject to all Orders of the said Metropolitan Board in relation to Sewerage and otherwise, and to all Precepts requiring Payment of Money, in all respects as the Vestries of other Parishes in the said Schedule (A.) are subject to the same, in lieu of the Vestry of the said Parish; and all Sums required to be paid by such Precepts shall be defrayed out of any Moneys carried to the District Fund Account, or by means of a General District Rate to be levied on the whole of the Parish of *Woolwich*, or such Part thereof as may be specified in the Precept of the said Metropolitan Board.

Special Provisions as to inclosed Gardens in Squares, &c.

CCXXXIX. Where any enclosed Garden or ornamental Ground is vested in or under the Maintenance or Management of any Commissioners or other Body, for the Use of the Inhabitants of any Square, Crescent, Circus, Street, or Place, surrounding or adjoining such Garden or Ground, and the Powers of such Commissioners or other Body do not extend beyond such Garden or Ground, and such Square, Crescent, Circus, Street, or Place, or any adjoining Street, Way, or Passage, so far as the same may abut upon any Part of any House, Shop, Building, or Tenement, situate in or fronting any such Square, Crescent, Circus,

Circus, Street, or Place, nothing in this Act shall divest such Commissioners or Body of any Property in such Garden or Ground, or in any Railing or Footway bounding the same, or of any Duties, Powers, or Authorities now or hereafter vested in any such Commissioners or other Body, for or in relation to the paving, watering, cleansing, improving, or regulating of such enclosed Garden or ornamental Ground, or in relation to the Railing or Footway bounding the same, or to levy Rates for defraying any Expenses incurred in the Execution of such Duties or Powers; and where the Maintenance or Management of any enclosed Garden or ornamental Ground is vested in any Commissioners or other Body, for the Use or Benefit of the Inhabitants of any Square, Crescent, Circus, Street, or Place surrounding or adjoining the same, who are liable to be assessed for the Maintenance thereof, and the Powers of such Commissioners or other Body extend beyond such enclosed Garden or ornamental Ground, and such Square, Crescent, Circus, Street, or Place, or such adjoining Street, Way, or Passage as aforesaid, the Maintenance and Management of such enclosed Garden or ornamental Ground shall be vested in a Committee, consisting of not more than Nine nor fewer than Three of such Inhabitants, and such Committee shall be appointed annually in the First Week in *June* by such Inhabitants; and the Vestry or Board shall from Time to Time cause to be raised the Sums required by such Committee for defraying the Expenses of the Maintenance and Management of such enclosed Garden or ornamental Ground, or of such Part thereof as is situate within their Parish or District, by an Addition to the General Rate to be assessed on the Occupiers of the Houses or Buildings the Occupiers whereof are now liable to be assessed for the same Purpose: Provided always, that where any such Rate which may now be levied for such Purpose is limited in Amount the Rate to be levied under this Provision shall be subject to the like Limit.

Saving of Powers and Property of Commissioners under 14 & 15 Vict. c. 95.

CCXL. This Act shall not divest the Commissioners for carrying into execution "The Crown Estate Paving Act, 1851," and the subsisting Provisions of the Acts therein recited, or the Commissioners of Her Majesty's Works and Public Buildings, of any of the Powers, Duties, Authorities, or Property vested in them respectively under the said Acts; and nothing in this Act shall extend to authorize or empower any Vestry or District Board to exercise any Power or Control whatsoever in respect of paving, maintaining, lighting, watering, cleansing, and regulating any Streets or Places in the Neighbourhood of the Houses of Parliament, delineated on a Plan marked E., referred to by "The Crown Estate Paving Act, 1851," or any Portion of the District now under the Management of the Commissioners for carrying into execution the said Crown Estate Paving Act, and the subsisting Provisions aforesaid, or to exercise any Power or Control whatsoever in or over any of the Gardens or Pleasure Grounds the Management whereof is now or may for the Time being be vested in such last-mentioned Commissioners; nor shall any such Street or Place, or any Portion of such District, as aforesaid, be assessed or rated under this Act for defraying any Expenses incurred by any Vestry or District Board in relation to paving, lighting, watering, or cleansing, but such Streets, Places, and District shall be subject to all the Provisions of this Act relating to Sewerage and House Drainage, and to be assessed or rated for Sewerage Expenses incurred by any such Vestry or Board, and for Expenses incurred by the Metropolitan Board of Works, and towards any Sums required to be raised by such Board under this Act as by this Act provided.

Saving of the Rights of the Commissioners of Works.

CCXLI. Nothing in this Act shall divest the Commissioners for the Time being of Her Majesty's Works and Public Buildings of any Power or Property now or which for the Time being may be vested in them; and nothing in this Act shall extend to authorize or empower any Vestry or District Board to exercise any Power or Control whatsoever in or over any of the Royal or Public Parks, Gardens, or Pleasure Grounds, the Management whereof is now or may be for the Time being vested in such Commissioners; and nothing in this Act shall abridge, alter, or affect any Right, Power, Exemption, or Remedy of the Queen's most Excellent Majesty, Her Heirs or Successors, or the said Commissioners, in, over, or in relation to the Possessions of the Crown or of the Public.

Saving of certain Powers of City Commissioners of Sewers.

CCXLII. Nothing in this Act shall divest the Commissioners of Sewers of the City of *London* of any Powers or Property vested in them in relation to such Parts of any of the Parishes mentioned in Schedule (B.) to this Act as are within the City of *London*, nor shall such

such Parts be subject to be rated or assessed by any District Board, but shall be subject to all the Powers of the Metropolitan Board of Works as other Places in the City of *London*.

Saving Rights of Metropolitan Sewage Manure Company, acting under 9 & 10 Vict. c. cccxcviii. and 10 & 11 Vict. c. cxxxviii.

CCXLIII. Nothing in this Act shall extend to or affect any of the Rights, Privileges, Powers, or Authorities vested in the Metropolitan Sewage Manure Company by an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, intituled *An Act to incorporate a Company by the Name of the Metropolitan Sewage Manure Company*, or an Act of the Session then next following, intituled *An Act for enabling the Metropolitan Sewage Manure Company to alter the Line of their Works, and for other Purposes:* Provided always, that all Rights, Powers, and Authorities by either of the said Acts vested in the Commissioners of Sewers for the Time being for the City and Liberty of *Westminster* and Part of the County of *Middlesex* shall be vested in the Metropolitan Board of Works, and the Provisions of the said Acts shall be construed as applying to such Board in lieu of such Commissioners, but any Order or Act which might have been made or done by the said Commissioners at a Court of Sewers may be made or done by the said Metropolitan Board at any Meeting of such Board.

Saving Rights of Commissioners or Trustees of Turnpike Roads.

CCXLIV. Nothing in this Act shall divest the Commissioners or Trustees of any Turnpike Road of any Powers or Property vested in them as such Commissioners or Trustees, save as herein expressly provided with respect to Turnpike Roads, and save that the Footpaths of any such Road shall be under the Care and Management of the Vestries and District Boards of the Parishes or Districts in which the same are situate in like Manner as other Footpaths in such Parishes and Districts: Provided always, that the Provisions of this Act transferring to Vestries and District Boards Powers and Property vested in any Commissioner or other Body in relation to the paving, lighting, watering, cleansing, and improving of their Parishes and Districts, and all other Provisions of this Act incident to or consequent upon such Transfer, shall apply to all Powers and Property vested in the Trustees of the *Commercial Road*, so far as regards any Streets or Highways other than such Road, and also so far as regards the Footpaths of such Road.

Saving for Police Commissioners.

CCXLV. Nothing in this Act shall interfere with the Powers given by Law to the Commissioners of the Police of the Metropolis.

Battersea and Penge Dispute not affected.

CCXLVI. Nothing in this Act shall be construed to prejudice or affect any Question as to whether the Hamlet of *Penge* is or is not a Part of the Parish of *Battersea*.

Repeal of Acts inconsistent with this Act.

CCXLVII. All Acts of Parliament in force in any Parish or Place to which this Act extends, or in any Part of such Parish or Place, shall, so far as the same are inconsistent with the Provisions of this Act, be repealed as regards such Parish or Place, or such Part thereof, notwithstanding any Provisions of this Act continuing and transferring respectively to Vestries of Parishes and transferring to District Boards any Duties, Powers, or Authorities now vested in Vestries, Commissioners, or other Bodies.

In case of Conflict with the Provisions of this Act, Provisions of Local Acts may be varied by Order in Council, on Petition of Boards or Vestries.

CCXLVIII. Upon the Petition of the Metropolitan Board of Works, or of any District Board or Vestry, representing to Her Majesty in Council that by reason of the Provisions of any Local Act of Parliament relating to any District or Parish, or any Part thereof respectively, Difficulties have arisen in the Execution of this Act and of such Local Act or either of them, and praying for a Suspension or Alteration of all or any of the Provisions of such Local Act, or for the Establishment of other Provisions in lieu thereof under this Enactment, it shall be lawful for Her Majesty, by Order in Council, to suspend or alter all or any of the Provisions of such Local Act, and to make other Provisions in relation to the Matters thereof as Her Majesty, with the Advice of Her Privy Council, may think necessary under the Circumstances of the Case; and every such Order in Council shall be laid before both Houses of Parliament within One Month after the making thereof, if Parliament be then sitting, or, if Parliament be not sitting, then within One Month after the next Meeting of Parliament, and shall be published in the *London Gazette:* Provided always, that no such Order in Council shall remain in force beyond the Term of One Year from the making thereof.

Power

Power to extend Act to adjoining Parishes.

Act may be extended by Order in Council to Parishes adjoining the Metropolis not having less than 750 Rate-payers.

CCXLIX. In case and when and so often as it is made to appear to Her Majesty in Council, upon the Representation of the Metropolitan Board of Works, that the Provisions of this Act should be extended to any Parish adjoining the Metropolis, and in which there are not less than Seven hundred and fifty Inhabitants rated to the Relief of the Poor, it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that the Provisions of this Act shall extend to such Parish, from and after a Day to be mentioned in this Behalf in the Order in Council, and that such Parish shall join with any Parish or Parishes or District in such Order named in the Election from Time to Time of the Member or Members of the Metropolitan Board of Works by this Act directed to be elected for such Parish or Parishes or District, and to make such Provision as to the Mode in which every such joint Election shall take place, and otherwise in relation thereto, as to Her Majesty in Council may seem necessary and proper; and every such Order shall be published in the *London Gazette*; and from and after the Time mentioned in such Order for the Extension of the Provisions of this Act to any Parish as aforesaid, the Provisions of this Act shall extend to and be in force therein, in like Manner, so far as Circumstances will admit, as such Provisions apply to any Parish mentioned in Schedule (A.) of this Act, subject, nevertheless, to the Provisions in such Order contained in relation to the Election by such Parish jointly as aforesaid of a Member or Members of the said Metropolitan Board: Provided always, that Notice of every such Representation, and of the Time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published in the *London Gazette* One Month at least before such Representation is so considered.

Interpretation and Commencement of Act.

Interpretation of Terms: "The Metropolis:" "the City of London;" "Parish:" "Overseers of the Poor:" "Rates:" "Owner:" "Street:" "Drain:" "Sewer:"

CCL. In the Construction of this Act "the Metropolis" shall be deemed to include the City of *London*, and the Parishes and Places mentioned in the Schedules (A.), (B.), and (C.) to this Act; "the City of *London*" shall be deemed to include all Parts now within the Jurisdiction of the Commissioners of Sewers for the City of *London*; and the Word "Parish" shall include any Place mentioned in Schedule (A.) to this Act, and any Place or Combination of Places mentioned in Schedule (B.) to this Act, for which One or more Member or Members is or are to be elected to any District Board; the Expression "the Overseers of the Poor" shall include any Persons authorized to make and collect or cause to be collected the Rate for the Relief of the Poor in any Parish; any Expression referring to any Rate or Rates raised under this Act by the Metropolitan Board of Works or any Vestry or District Board shall mean the Sums and Rates authorized to be raised by the said Metropolitan Board and the Sums authorized to be raised by any Vestry and District Board respectively; the Word "Owner" shall, except for the Purpose of the Provisions of this Act requiring Notice to be served on Owners or reputed Owners of Land, before Application to One of Her Majesty's Principal Secretaries of State for his Consent to exercise Powers of taking Land, or any Right or Easement in or over Land, compulsorily, mean the Person for the Time being receiving the Rackrent of the Lands or Premises in connexion with which the said Word is used, whether on his own Account or as Agent or Trustee for any other Person, or who would so receive the same if such Lands or Premises were let at a Rackrent; the Word "Street" shall apply to and include any Highway (except the Carriageway of any Turnpike Road), and any Road, Bridge (not being a County Bridge), Lane, Footway, Square, Court, Alley, Passage, whether a Thoroughfare or not, and a Part of any such Highway, Road, Bridge, Lane, Footway, Square, Court, Alley, or Passage; the Word "Drain" shall mean and include any Drain of and used for the Drainage of One Building only, or Premises within the same Curtilage, and made merely for the Purpose of communicating with a Cesspool or other like Receptacle for Drainage, or with a Sewer into which the Drainage of Two or more Buildings or Premises occupied by different Persons is conveyed, and shall also include any Drain for draining any Group or Block of Houses by a combined Operation under the Order of any Vestry or District Board; and the Word "Sewer" shall mean and include Sewers and Drains of every Description, except Drains to which

"Ashpit." which the Word "Drain," interpreted as aforesaid, applies; and the Word "Ashpit" shall include "Dustbin."

Commencement of Act. CCLI. This Act shall commence and come into operation, save as herein otherwise provided, on the First Day of *January* One thousand eight hundred and fifty-six.

SCHEDULE (A.)

PART I.

Parishes each electing Two Members of the Metropolitan Board of Works.

Saint Marylebone.
Saint Pancras.
Lambeth.
Saint George Hanover Square.
Islington, Saint Mary.
Shoreditch, Saint Leonard.

PART II.

Parishes each electing One Member of the Metropolitan Board of Works.

Paddington.
Saint Matthew Bethnal Green.
Saint Mary Newington, Surrey.
Camberwell.
Saint James Westminster.
Saint James and Saint John Clerkenwell to be considered as One Parish.
Chelsea.
Kensington, Saint Mary Abbot.
Saint Luke Middlesex.
Saint George the Martyr Southwark.
Bermondsey.
Saint George in the East.
Saint Martin in the Fields.
Hamlet of Mile End Old Town.
Woolwich.
Rotherhithe.
Saint John Hampstead.

SCHEDULE (B.)

PARISHES UNITED INTO DISTRICTS FOR THE PURPOSES OF THE ACT.

PART I.

Districts each electing One Member of the Metropolitan Board of Works.

Name of District.	Parishes.	Number of Members to be elected to District Board.
Whitechapel District -	Saint Mary Whitechapel - - -	27
	Christchurch Spitalfields - - - -	12
	Saint Botolph without Aldgate, in the County of Middlesex - -	6
	Holy Trinity, Minories - - - -	1
	Saint Katherine, Precinct of - -	1
	Mile End New Town, Hamlet of - -	6
	Liberty of Norton Folgate - -	3
	Old Artillery Ground - - - -	1
	Tower, District of - - - -	1
	TOTAL - - - -	58

Name of District.	Parishes.	Number of Members to be elected to District Board.
Westminster District	Saint Margaret	30
	Saint John the Evangelist	27
	TOTAL	57
Greenwich District	Saint Paul Deptford, including Hatcham	21
	Saint Nicholas Deptford	6
	Greenwich	30
	TOTAL	57
Wandsworth District	Clapham	18
	Tooting Graveney	3
	Streatham	9
	Saint Mary Battersea, excluding Penge	12
	Wandsworth	9
	Putney, including Roehampton	6
	TOTAL	57
Hackney District	Hackney	51
	Saint Mary Stoke Newington	6
	TOTAL	57
Saint Giles District	Saint Giles in the Fields	27
	Saint George Bloomsbury	21
	TOTAL	48
Holborn District	Saint Andrew Holborn above Bars	24
	Saint George the Martyr	9
	Saint Sepulchre, in the County of Middlesex	6
	Saffron Hill, Hatton Garden, Ely Rents, and Ely Place	9
	The Liberty of Glasshouse Yard	1
	TOTAL	49
Strand District	Saint Anne Soho	18
	Saint Paul Covent Garden	9
	Saint John the Baptist Savoy, or Precinct of the Savoy	1
	Saint Mary-le-Strand	3
	Saint Clement Danes	15
	Liberty of the Rolls	3
	TOTAL	49

Name of District.	Parishes.	Number of Members to be elected to District Board.
Fulham District	Saint Peter and Saint Paul Hammersmith	24
	Fulham	15
	TOTAL	39
Limehouse District	Saint Anne Limehouse	15
	Saint John Wapping	3
	Saint Paul Shadwell	6
	Ratcliffe, Hamlet of	12
	TOTAL	36
Poplar District	All Saints Poplar	24
	Saint Mary Stratford-le-Bow	9
	Saint Leonard Bromley	15
	TOTAL	48
Saint Saviour's District	Christchurch	15
	Saint Saviour (including the Liberty of the Clink)	24
	TOTAL	39

PART II.

Districts united for electing One Member of the Metropolitan Board of Works.

Plumstead District	Charlton next Woolwich	9
	Plumstead	12
	Eltham	6
	Lee	9
united with	Kidbrooke	1
	TOTAL	37
Lewisham District	Lewisham, including Sydenham Chapelry	24
	Hamlet of Penge	3
	TOTAL	27

PART III.

Parish and District united for electing One Member of the Metropolitan Board of Works.

The Parish of Rotherhithe, unted with Saint Olave District	Saint Olave	12
	South Thomas Southwark	1
	Saint John Horsleydown	15
	TOTAL	28

SCHEDULE (C.)

The Close of the Collegiate Church of Saint Peter.	Inner Temple.	Lincoln's Inn.
	Middle Temple.	Staple Inn.
The Charter House.	Gray's Inn.	Furnival's Inn.

SCHEDULE (D.)

MAIN SEWERS OF THE METROPOLIS.

NORTH SIDE OF THE THAMES.

Stamford Brook (West Branch).

Commences at an Angle in the Boundary between the Parishes of Hammersmith and Acton, on the South of the Uxbridge and London Road, and tangent to a Footpath running South from East Acton Lane, extending thence in a South-easterly Direction to Paddenswick Green, when it joins the East Arm of the said Brook.

Stamford Brook (East Branch).

Commences at a Point on the Boundary between the Parishes of Hammersmith, Willesden, and Acton, about 100 Feet North-east of the Old Oak Bridge over the North-western Railway, extending thence in a Southerly Direction to Paddenswick Green.

The united Streams of the above Two Branches discharge into Hammersmith Creek.

Brook Green Sewer.

Commences in Wood Lane, at the Keeper's Lodge, on the South Side of Wormwood Scrubs, and discharges into the River Thames by Two Outlets, viz., Bridge Road and Queen Street, on the East Side of Hammersmith Suspension Bridge.

A Branch from the above commences in New Road, at the North End of the Grove, and joins the Main Sewer at Broadway Hammersmith.

Fulham Sewer.

Commences at a Sluice in the Moat surrounding the Bishop of London's Palace, on the West Side of the Junction of High Street, Fulham, with the Fulham Road, and discharges into the Thames under the Toll House of Fulham Bridge.

Eel Brook Sewer.

Commences at a Point in North End Road, about 80 Feet North-west of Walham Green Church, and discharges into Kensington Canal on the South-east Side of the Imperial Gasworks.

Counters Creek Sewer (Main Line).

Commences at a Point in the Harrow Road, about 200 Feet West of Kensal Green Cemetery Gate, and discharges into the Thames at the Outlet now forming on the South-west Side of Cremorne Gardens.

Counters Creek Sewer (West Branch).

Commences at a Culvert under the Grand Junction Canal, on the Boundary between the Parishes of Kensington and Hammersmith, at the South-west Corner of Kensal Green Cemetery, and joins the above Main Line in Latimer Road at its Junction with Bromley Road.

Counters Creek Sewer (East Branch).

Drains the whole of Kensal New Town, situate in a detached Portion of the Parish of St. Luke Chelsea, and Part of the Parish of St. Mary Paddington, and passes under the Great Western Railway at a Bridge leading to Portobello Lane, on the South-east Side of the Western Gasworks, and joins the Main Sewer at a Point about a Quarter of a Mile North-west of Notting Barn Farm.

Counters Creek Sewer (Kensington Branch).

Commences in Victoria Grove at about 50 Feet to the North of Uxbridge Road, and joins the Main Line at the Junction of Pembroke and Warwick Roads.

Sewer to the Metropolitan Sewage Manure Works.

Commences at Knightsbridge at its Junction with the Ranelagh Sewer, and extends thence in a South-westerly Direction to the Works at Stanley Bridge.

Millman's Row Sewer.

Commences in Fulham Road, at about 780 Feet West, and at about 230 Feet East of the Junction of Park Walk with Fulham Road, and discharges into the River Thames opposite to Millman's Row.

Church Street Sewer.

Commences in Gloucester Road at its Junction with Canning Place, at about 750 Feet South of Hogmore Lane Gate, and discharges into the Thames on the South Side of Chelsea Old Church:

Queen Street Sewer.

Commences between Gloucester Road and Hyde Park Gate South, on the South of Kensington Road, and about 300 Feet South of Kensington Gate runs through Old Brompton, and discharges into the River Thames on the East Side of Chelsea Free Dock.

Smith Street Sewer.

Commences in the Kensington Road at a Point about 750 Feet West of Prince of Wales Gate, and extends thence by Rutland Gate, Rutland Street, and Fulham Road, on the West of Brompton Crescent, and along College and Markham Streets, and discharges into the Thames on the West Side of Chelsea Royal Hospital.

Ranelagh Sewer.

The Branch Sewers from Edgware Road, Finchley Road, and Kilburn Vale unite at Kilburn Bridge, and for the Main Line, which, running in a Southerly Direction, discharges into the River Thames on the South-east Side of Chelsea Royal Hospital.

This Sewer has several Branches, the chief of which commences in Grove End Road, at about 900 Feet West of St. John's Wood Road, extending thence by Lisson Grove, New Road, Grand Junction Road, and Albion Street, to a Tumbling Bay, where it joins the Main Sewer in Uxbridge Road.

King's Scholars Pond Sewer.

Commences in the Finchley Road, at about 1500 Feet above Junction Road Toll Gate, and discharges into the River Thames at the Equitable Gasworks about 700 Feet above Vauxhall Bridge.

King's Scholars Pond Sewer (Pall Mall Branch).

Commences at Waterloo Place, and joins the Main Line opposite the Entrance of Buckingham Palace.

Grosvenor Ditch.

Commences in Page Street, at about 150 Feet East of the Junction with Regent Street, Vauxhall Bridge Road, and discharges into the River Thames at the Northern Extremity of Millbank Road.

Horseferry Road Sewer.

Commences in Grey Coat Place, and discharges into the River Thames at the Horseferry Stairs.

Wood Street Sewer.

Commences in Grey Coat Place, and discharges into the River Thames in the Prolongation of Wood Street.

Victoria Street Sewer.

Commences at Shaftesbury Terrace, Pimlico, and discharges into the Thames at Percy Wharf.

Regent Street Sewer (Western Branch).

Commences in the outer Circle of the Regent's Park, at about 200 Feet North-west of Hanover Gate Entrance, and joins the Eastern Branch in the New Road, opposite to the Prolongation of Portland Place.

Regent Street Sewer (Eastern Branch).

Commences in Upper Albany Street, at about 200 Feet South of Collateral Cut Bridge over the Regent's Canal, and joins the Western Branch at the aforesaid Point in the New Road.

The Main Sewer proceeds thence along Regent Street, and discharges into the River Thames at Percy Wharf.

Northumberland Street Sewer (Western Branch).

Commences in Warren Street, on the North of Fitzroy Square, and proceeds in a Southerly Direction along Cleveland, Newman, Wardour, Princes, and Panton Streets, Haymarket, to Charing Cross, opposite the District Post Office.

Northumberland Street Sewer (Eastern Branch).

Commences in New Road, at about 170 Feet West of the Junction with Hampstead Road, and proceeds along Tottenham Court Road, High Street, Seven Dials, and St. Martin's Lane, to Charing Cross, when it joins the Western Branch.

The Main Line proceeds along Northumberland Street, and discharges into the Thames at Northumberland Wharf.

Savoy Street Sewer.

Commences in Stanhope Street, Regent's Park Basin, at a Point at about 160 Feet North of the Junction with Edward Street, and proceeds along Robert, George, Gower, Charlotte, Bloomsbury, Endell, Bow, Wellington, and Savoy Streets, and discharges into the Thames at a Point about 100 Feet above Waterloo Bridge.

Norfolk Street Sewer.

Commences at the Junction of Drury Lane and Long Acre, and passes by the Olympic Theatre, and along Newcastle Street and Strand, and discharges into the River Thames opposite Norfolk Street.

Essex Street Sewer (Western Branch).

Commences in Russell Square, opposite Montague Place, and proceeds along Montague, Russell, and Museum Streets, Drury Lane, Great Wild Street, and Vere Street, to the Junction of the Eastern Branch at the Intersection of Sheffield and Gilbert Streets, Clare Market.

Essex Street Sewer (Eastern Branch).

Commences at the Corner of Tottenham Court Road, and proceeds along New Oxford Street, Newton Street, and Cross Lane, Parker and Great Queen Streets, West Side of Lincoln's Inn Fields, to the Junction with the Western Arm above described.

The Main Sewer proceeds thence along Gilbert Street, Clement's Lane, Pickett Street, and Essex Street, and discharges into the River Thames at Temple Pier.

Fleet Sewer.

Commences in High Street, Hampstead, at the Junction of High Street with Flask Walk, extending thence through South End Green, Gordon House Lane, Victoria Road, Great College Street, Old St. Pancras Road, Bagnigge Wells Road, West of Middlesex House of Correction, and by Farringdon Street to Blackfriars Bridge, where it discharges into the River Thames.

This Sewer has numerous Tributaries running into other Districts, the chief of which are Camden Road, Caledonian Road, Pentonville Hill, River Street, St. John's Road, Holborn Hill, and Guildford Street.

Goswell Street Sewer.

Commences in Sydney Street, at the Junction of Sydney Grove, and discharges into the Thames at Walbrook.

London Bridge Sewer (City Road Branch).

Commences at Duncan Terrace, on the West Side of the New River, and joins the Main Line at the North End of Finsbury Pavement.

Another Branch commences in Lonsdale Square, Islington, and extending thence through Barnsbury Street, Richmond Grove, passes under the New River at New North Road Bridge, thence along Portland Place, King Street, under the Regent's Canal, by Sturt's Lock, Walbrook Street, and Critchill Place, where it joins another Branch at St. John's Church Hoxton.

London Bridge Sewer (Balls Pond Branch).

Commences on the Boundary between St. Mary Islington and St. John Hackney, at Cock and Castle Lane, Dalston, and passes by Balls Pond and Rosemary Branch Bridge to the Junction at St. John's Church, above described. The united Sewers then discharge into the River Thames at London Bridge.

London Bridge Sewer (Shoreditch Branch).

Commences in Queen's Road, at the Junction with Laurel Street, Dalston, and extending thence along Queen's Road, Great Cambridge Street, Hackney Road, Shoreditch, and Bishopsgate, joins the Main Line at King William's Statue.

Irongate Sewer.

Commences in the City, and proceeds along the South-west Side of Houndsditch, West Side of Minories, and by the Precincts of Old Tower without, and discharges into the River Thames at Irongate Stairs, on the East of the Tower.

Nightingale Lane Sewer.

Commences in Union Street, Old Artillery Ground, and Booth Street, Spitalfields, and extends thence along Commercial, Leonard, Wells, and Parson Streets, and Nightingale Lane, and discharges into the Thames on the Western Side of the Entrance into Hermitage Basin.

Hermitage Street Sewer.

Commences in Redmead Lane, on the Boundary between the Parishes of St. John Wapping and St. George in the East, and extends thence along Great Hermitage Street, and discharges into the River Thames at about 50 Feet East of Union Stairs.

Old Gravel Lane Sewer.

Commences at the Boundary between the Parishes of St. George in the East and St. John Wapping, in Old Gravel Lane, and discharges into the River Thames at a Point about 110 Feet West of the Thames Tunnel.

Wapping Wall Sewer.

Commences in Green Bank, at the Junction of Upper Well Alley, and passes through King Street, and discharges into the River Thames at about 120 Feet on the North-east Side of New Crane Dock.

Shadwell Basin Sewer.

Commences on the North Side of the Eastern Dock at the Termination of West Gardens, and extends thence between the Warehouses and New Gravel Lane, on the North Side of Shadwell Basin, and along Shadwell Dock Street, and discharges into the River Thames at the Eastern Pier of the Shadwell Entrance to the London Docks.

Pennington Street Sewer.

Commences at the Boundary between the Parishes of St. George in the East and St. John Wapping, in St. George Street, and extends thence along Pennington Street, Old Gravel Lane, West Gardens, Cow Lane, Little Spring Street, Labour-in-Vain Street, and Lower Shadwell, and discharges into the River Thames at Shadwell Dock Stairs.

Ratcliffe

Ratcliffe Highway Sewer (Western Branch).

Commences at the Junction of Sherwood Place with Meed Street, at about 900 Feet South-east of Shoreditch Church, and extends along Turvile, Thomas, and High Streets, and Whitechapel Road, to the Junction of New Road with Whitechapel Road.

Ratcliffe Highway Sewer (Eastern Branch).

Commences at the Junction of Hague Street with Bethnal Green Road, and extends along Hague Street, Wellington and Charles Streets, to the Junction of New Road with Whitechapel Road, above described.

Ratcliffe Highway Sewer (North-eastern Branch).

Commences from the Rear of Shoreditch Church, and proceeds along Old Castle Street, Virginia Row, Wellington Row, Old Bethnal Green Road, Cambridge Road, Cleveland Street, King Street, Jamaica Street, Havering Street, and Love Lane, to Ratcliffe Highway.

The Main Sewer proceeds along New Road, Cannon Street Road, St. George's Street, High Street, Shadwell, and Broad Street, and discharges into the River Thames at Ratcliffe Cross Stairs.

Limekiln Dock Sewer.

Commences at the Junction of Victoria Road with Bishop's Road, on the South-western Side of Bonner's Hall Bridge, leading into Victoria Park, and extends along Victoria Road, East Side of Bethnal Green, Globe Road, White Horse Lane, and Rhodeswell Road, and passes under the Regent's Canal at Rhodeswell Wharf, thence along the Black Ditch, Upper North Street, and North Street, and discharges into the River Thames at Limekiln Dock.

Great Sluice and Drunken Dock Sluice.

These Sluices are situated on the Eastern Side of the Isle of Dogs, and drain the whole of that Part of the Isle South of the West India Dock Basin. They have Four inlet Sluices for Purposes of flushing.

Blackwall Sluice.

Commences at Batson's Inlet, near Limehouse Entrance to the West India Dock, and discharges into the Thames on the North Side of the Blackwall Entrance to the West India Dock.

Eastern Counties Railway Sewer.

Commences at Mile End Bridge, over the Regent's Canal in Bow Road, proceeds along Bow Road, Tredegar Square, and by the Railway, and discharges into the River Lea, where the Viaduct of the said Railway crosses that River.

Hackney Brook Sewer (Main Line).

Commences in the High Road opposite to St. John's Church Upper Holloway, and extends thence in a South-east Direction along Holloway Road to a Point about 450 Feet South of Tollington Road, thence in an Easterly Direction by the North of Abney Park Cemetery, Hackney Downs, and Hackney Wick, and discharges into the River Lea, immediately to the North of Old Ford Wharf.

Hackney Brook Sewer (Wick Lane Branch).

Commences in Old Ford Road, on the East Side of Old Ford Bridge, crossing the Regent's Canal, and extends along Grove Road, Wick Lane, and joins the Main Sewer at Hackney Wick.

SOUTH SIDE OF THE THAMES.

Beverley Brook.

Commences on the Boundary between the Parishes of Putney and Wimbledon, at a Point about 1,800 Feet South of Beverley Bridge, on the Kingston Road, and discharges into the River Thames about Half a Mile above Putney Town.

Sewer

Sewer between Parishes of Putney and Wandsworth.

Commences on the Road from Kingston to Wandsworth, and discharges into the River Thames at a Point about 1,500 Feet below Fulham Bridge.

Wandle River.

Commences at a Point where the Parishes of Streatham and Tooting intersect the River, and discharges into the River Thames at the Town of Wandsworth.

Falcon Brook.

Commences at Tooting Common, and discharges into the River Thames at Battersea Creek.

Lord Spencer's Sewer.

Commences in the Town of Battersea, and extends in an Easterly Direction through Battersea Park, and discharges into the River Thames at about 400 Feet below Battersea New Bridge.

Heath Wall Sewer (Main Line).

Commences at the Falcon Brook at a Sluice about 300 Feet North of the South-western Railway, and extending along the South Margin of Battersea Fields, discharges into the Thames at Heath Wall Mill.

Heath Wall Sewer (Clapham Rise Branch).

Commences on the Boundary between the Parishes of Clapham and Lambeth at the Intersection of New Road with Clapham Rise, and extends along the East Side of Clifton Street, and joins the Main Sewer at a Point about 100 Feet North-east of New Road, Battersea Fields.

Effra Sewer.

Commences at the Boundary between the Parishes of St. Mary Lambeth and Croydon, in Westow Hill Road, immediately opposite to the Convent of "Our Lady," and discharges into the River Thames at Vauxhall Creek, on the South Side of the Phœnix Gasworks, and near to Vauxhall Bridge.

Effra Sewer (Upper Norwood Branch).

Commences in Westow Hill Road on the Boundary between the Parishes of Lambeth and Croydon, at about 200 Feet West of the Crystal Palace Hotel, and proceeds Northward along the Boundary between the Parishes of St. Mary Lambeth and St. Giles Camberwell, and joins the Main Sewer at a Point about 230 Feet West of Croxted Lane.

Duffield and Battle Bridge Sewers.

These Sewers drain the most densely inhabited Portions of the South Side. The Inlets for flushing Purposes are at Kennington, Vauxhall, Lambeth Church, and Stangate. The Outlets are by the following Sluices, viz., the Arnold and Dover Sluices, near Waterloo Bridge; Pudding Mill, near Blackfriars Bridge; the Boar's Head, Welsh Troopers, Black Lion, and Bear Sluices, near Southwark Bridge; the Bridge Yard, Battle Bridge; and Green Bank, in St. Olave Southwark; Freeman's Lane, St. John Jerusalem; and Great St. John, in Horsleydown; and the Salisbury and Duffield Sluices in Bermondsey.

Limekiln Sluice.

Drains the open Fields of Part of the Parish of Rotherhithe, and proceeds along Swan Lane, and discharges into the River Thames at about 300 Feet East of the Thames Tunnel.

Globe Stairs Sewer.

Drains the Northern Basin of the Commercial Dock Company, and extends along the Eastern Side of St. Paul's Church, Rotherhithe, and Part of Rotherhithe Street, and discharges into the River Thames at Globe Stairs.

Sewer

Sewer at Durand's Wharf (Rotherhithe).

Commences to the South-east of Bull-Head Dock, Rotherhithe, and pursues an Easterly Course by Rotherhithe and Lower Queen Street, and discharges into the River Thames at a "10 Footway," opposite to Cow Lane.

Rotherhithe Pier Sewer.

Commences in Trinity Street, at a Point about 400 Feet South of Cow Lane, and proceeds along Trinity Street, and discharges into the River Thames at Rotherhithe Boat Pier.

Earl Sewer (Main Line).

Commences in Cold Harbour Lane, at a Point about 1,100 Feet North-east of its Junction with Loughborough Road, and proceeds along High Street, Camberwell, Camberwell Road, Boundary Lane, and Eastward along the Boundaries of several Parishes, and discharges into the River Thames on the Boundary between the Counties of Surrey and Kent, near to the Royal Dock Yard, Deptford.

Earl Sewer (Wyndham Road Branch).

Commences on the East Side of Kennington Park, and proceeds along New Row, and Southward on the East of Thomas Street, Eastward along Wyndham Road, and joins the Main Sewer at a Point about 100 Feet South of Southampton Street, Camberwell.

Earl Sewer (White Post Lane Branch).

Commences in Victoria Road, at the Junction with Choumert Place and Cutthroat Lane, near Peckham Rye, and proceeds along Victoria Road, Hanover Street, Rye Lane, High Street, Meeting-house Lane, Halfway House Lane, and White Post Lane, and joins the Main Sewer at the Junction of the Parishes of Rotherhithe, St. Paul's Deptford, and St. Giles Camberwell.

Royal Dock Yard Sewer.

Commences on the East of Black Horse Bridge, and extends Eastward on the South Side of the Mast Pond, and discharges into the River Thames opposite to the Royal Victualling Yard.

Ravensbourne and Sydenham Sewer.

Commences at Bell Green, and extends along and by Catsford Hill Road, Lewisham, and Bromley Road, Silver Street, Loam Pit Vale, and Mill Lane, and discharges into Deptford Creek at Parish Wharf, near Kingsford Mill.

Ravensbourne and Lee Green Sewer.

Commences in the Eltham Road, about 300 Feet East of Lee Green, and proceeds along Lee Road, Lewisham Road, Bath Place, Egerton Road, and North Pole Lane, to a pumping Station, where it discharges into Deptford Creek, at a Point about 400 Feet North of the London and Greenwich Railway.

Horseferry Road (Greenwich).

Commences in Caroline Street and Roan Street, and proceeds along Union and Bridge Streets, and discharges into the River Thames at Horseferry.

SCHEDULE (E.)

Form of Mortgage of Rates.

Mortgage, Number ( )

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], the Metropolitan Board of Works, *or* the Board of Works for the District of *or* the Vestry of the Parish of (*as the Case may be*), in consideration of the Sum of paid to by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said

said *A.B.* his Executors, Administrators, and Assigns, all [*here describe the Monies or Rates to be mortgaged*], to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from the Day of the Date hereof until the said Sum of with Interest at the Rate of per Centum per Annum for the same shall be fully paid and satisfied; and it is hereby declared that the said Principal Sum shall be repaid on the Day of and that in the meantime the Interest thereof shall be paid on the Day of and the Day of in every Year.

In witness whereof the Metropolitan Board of Works, *or* the said District Board, *or* the said Vestry, (*as the Case may be,*) have hereunto set their Seal, this Day of One thousand eight hundred and .

SCHEDULE (F.)

Form of Transfer of Mortgage.

I *A.B.* of in consideration of the Sum of Pounds paid to me by *C.D.* of do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number , bearing Date the Day of and made by the Metropolitan Board of Works, *or* the Board of Works for the District of *or* the Vestry of the Parish of for securing the Sum of and Interest [*or if such Transfer be by Indorsement on the Mortgage, insert, instead of the Words after "Assigns,"* the within Security], and all my Property, Right, and Interest in and to the Money thereby secured, and in and to the Monies thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

A.B. (L.S.)

CAP. CXXI.

An Act to consolidate and amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849. [14th *August* 1855.]

11 & 12 Vict. c. 123. 12 & 13 Vict. c. 111.

'WHEREAS the Provisions of "The Nuisances Removal and Diseases Prevention Act, 1848," amended by "The Nuisances Removal and Diseases Prevention Amendment Act, 1849," are defective, and it is expedient to repeal the said Acts as far as relates to *England*, and to substitute other Provisions more effectual in that Behalf:' 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:

Recited Acts repealed as far as relates to England, except as to Proceedings commenced.

I. From and after the passing of this Act, the said Acts are by this Section repealed, as far as relates to *England:* Provided always, that all Proceedings commenced or taken under the said Acts, and not yet completed, may be proceeded with under the said Acts; and all Contracts or Works undertaken by virtue of the said Acts shall continue and be as effectual as if the said Acts had not been repealed.

Interpretation of certain Terms used in this Act.

II. In this Act the following Words and Expressions have the Meanings by this Section herein-after assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,) the word "Place" includes any City, Borough, District under the Public Health Act, Parish, Township, or Hamlet, or Part of any such City, Borough, District, Town, Parish, Township, or Hamlet; the Word "Guardians" includes the Directors, Wardens, Overseers, Governors, or other like Officers having the Management of the Poor for any Parish or Place where the Matter or any Part of the Matter requiring the Cognizance