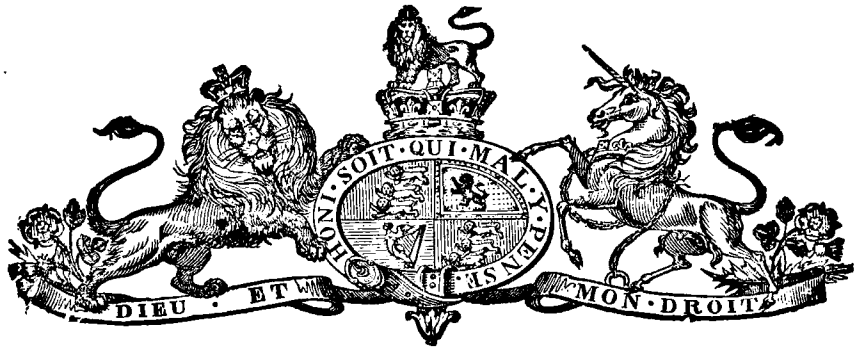


ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

CAP. CII.

An Act to amend the Metropolis Local Management Acts. [7th *August* 1862.]

WHEREAS an Act was passed in the Session of Parliament holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the better Local Management of the Metropolis:* And whereas the said Act was amended by a certain other Act passed in the Session holden in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and twelve, and was further amended, and certain further and other Provisions were made, by another Act passed in the Session holden in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter One hundred and four: And whereas it is expedient further to amend the said first-mentioned Act: 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:

18 & 19 Vict. c. 120.

19 & 20 Vict. c. 112.

21 & 22 Vict. c. 104.

1. Whereas the Metropolitan Commissioners of Sewers, in exercise of the Powers conferred upon them by the Act of the Eleventh and Twelfth

Debt in respect of Counters

Creek Works, and Part of Debt in respect of Ravensbourne Works, redistributed and made payable out of Monies borrowed on the Security of the Main Drainage Rate.

Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and twelve, did cause to be prepared and did approve of certain Plans for the Main Drainage and Sewage Interception of the Metropolis, and certain Sewers and Works included in and forming a Portion of the Plans so prepared and approved were constructed and completed by the said Commissioners or by the Metropolitan Board of Works; that is to say, the Sewers and Works known as the *Counters Creek* Diversion Works: And whereas the Cost of the said Works, amounting to the Sum of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings, was defrayed by Monies borrowed on certain Securities, which Securities and Monies are included amongst and form Part of the Securities and Monies enumerated in Schedule A. to this Act, and the Debt incurred in respect thereof was charged by the said Commissioners upon the following Sewerage Districts; *viz.*, the *Counters Creek*, *Ranelagh*, and *Fulham* and *Hammersmith* Districts, in certain Shares and Proportions, and has been apportioned by the Metropolitan Board of Works, pursuant to the One hundred and eighty-first Section of the firstly-recited Act, among the several Parishes or Parts of Parishes which heretofore constituted the said Districts, that is to say, *Paddington*, *Chelsea*, *St. Mary Abbott's Kensington*, *St. Margaret and St. John the Evangelist Westminster*, *Hammersmith*, *Fulham*, *Willesden*, *St. Marylebone*, *St. George Hanover Square*, *St. John Hampstead*, *Acton*, *Ealing*, and *Chiswick*: And whereas it is just and expedient that the Cost of and incidental to the Construction and Execution of the said Sewers and Works, amounting to the Sum aforesaid, should be deemed to be Part of the Expenses of and incidental to the Works which the said Metropolitan Board are by the said Acts of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four, empowered and directed to construct and execute for the Improvement of the Main Drainage of the Metropolis, and for preventing, as far as may be practicable, the Sewage of the Metropolis from passing into the River *Thames* within the Metropolis: And whereas certain other Works were executed by the said Commissioners, known as the *Ravensbourne* Works, and the Cost of such Works, amounting to the Sum of Twenty-six thousand five hundred and forty-five Pounds Sixteen Shillings and Fivepence, was defrayed out of Monies borrowed on certain Securities, which Securities and Monies are included amongst and form Part of the Securities and Monies enumerated in the said Schedule A. to this Act, and the Debt incurred in respect thereof was charged by the said Commissioners upon the following Sewerage Districts, *viz.*, the *Ravensbourne* and *Greenwich* Districts, in certain Shares and Proportions, and has been apportioned by the said Metropolitan Board of Works, pursuant

pursuant to the said firstly recited Act, among the several Parishes and Places or Parts of Parishes and Places which heretofore constituted the said Districts; that is to say, *St. Paul Deptford, Greenwich, Kidbrooke, Lewisham, Camberwell, Charlton, Eltham,* and *Lee:* And whereas the last-mentioned Works partly enure to the Benefit of the Metropolis at large, and it is just and expedient that a Portion of the Costs and Charges thereof, amounting to the Sum of Ten thousand Pounds, should be deemed to be Part of the said Expenses of and incidental to the Works which the said Metropolitan Board are empowered and directed to construct and execute under the said Acts of the Eighteenth and Nineteenth *Victoria,* Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria,* Chapter One hundred and four: Be it therefore enacted, That the Debts incurred in respect of the Costs and Charges of the said *Counters Creek* Diversion Works, amounting to the said Sum of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings, and in respect of the said Portion of the Costs and Charges of the said *Ravensbourne* Works, amounting to the said Sum of Ten thousand Pounds, making together the Sum of Fifty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings, shall cease to be the special Debts and Obligations of the said Parishes and Places and Parts of Parishes and Places, and the same shall be deemed to have become, on the First Day of *January* One thousand eight hundred and fifty-six, transferred to and charged upon and shall stand charged upon the Metropolis at large, as defined by the said firstly recited Act, including the said Parishes and Places and Parts of Parishes and Places comprised within the Limits thereof; and all Sums becoming payable under or required for the Payment of any Security given for the Monies so borrowed to the Extent of the said Sums of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings and Ten thousand Pounds, or of any Interest due or to accrue thereon, shall be paid by the said Metropolitan Board of Works out of any Monies which they may have already borrowed and raised or may hereafter borrow and raise on the Security of the Assessments or Rates made or to be made by them for the Metropolis Main Drainage Rate under the Provisions of the said Act of the Twenty-first and Twenty-second *Victoria,* Chapter One hundred and four; and the said Board shall take an Account between the Parishes, Places, and Parts aforesaid originally charged with the said Debts and Obligations and the Metropolis at large to which the same are hereby transferred, and shall reimburse or give Credit to the said Parishes, Places, and Parts for any Sums which may have been overpaid by them or any of them on account of Principal or Interest in respect of the said Sums of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings and Ten thousand Pounds respectively (if any),

any), since the First Day of *January* One thousand eight hundred and fifty-six, beyond the Sums which would have been due from them or any of them if the Transfer and Apportionment hereby directed had been in force on the First Day of *January* One thousand eight hundred and fifty-six, and the said Board shall place any such Excess to the Credit of such Parishes, Places, or Parts, in reduction of their next or some future ordinary Assessment upon such Parishes or Parts, for defraying their Expenses in the Execution of the firstly recited Act.

Application of Part of Monies raised on Security of Metropolis Main Drainage Rate to Repayment of Sums expended on Victoria Street Sewer since 1st Jan. 1856.

2. And whereas at certain Times between the First Day of *January* One thousand eight hundred and fifty-six and the passing of this Act certain Works were executed by the said Metropolitan Board of Works for the Reparation and Reconstruction of Portions of One of the Main Sewers of the Metropolis known as the *Victoria Street* Sewer, and the Expenses of and incidental to the Execution of the said Works were charged by the said Board on certain Parishes in the Metropolis, which were heretofore included in the separate Sewerage Districts, known as the Eastern Division of the *Westminster* Sewers, the Western Division of the *Westminster* Sewers, and the *Regent Street* and *Regent's Park* District, in certain Shares and Proportions, and were paid by the said Board partly out of their general Funds and partly by Monies raised in some of the said Parishes: And whereas that Portion of the said Sewer in respect of which the said Works of Reconstruction and Reparation were executed will be incorporated with and form Part of the Main Drainage Works now in course of Execution by the said Board, under the Provisions of the said Acts of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four, and will enure to the Benefit of the Metropolis at large, and the Costs and Charges of executing the same ought to be borne by the Metropolis at large instead of by individual Parishes: Be it therefore enacted, That the Expenses of and incidental to the Execution of the said Works of Reparation and Reconstruction so executed by the said Board between the First Day of *January* One thousand eight hundred and fifty-six and the passing of this Act shall be deemed to be Part of the Expenses of and incidental to the Main Drainage Works which the said Board are empowered to construct and execute under the said Acts of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four; and the said Board shall, out of the Monies borrowed and raised or to be borrowed and raised by them for the Metropolis Main Drainage Rate under the Provisions of the said Act of the Twenty-first and Twenty-second *Victoria*, Chapter One

One hundred and four, replace the said Monies taken from the general Funds of the said Board for the Payment aforesaid, and reimburse the Monies which the said Parishes or any of them may have paid towards the said Works of Reparation and Reconstruction between the First Day of *January* One thousand eight hundred and fifty-six and the passing of this Act; and the said Monies so to be applied in reimbursing the said Parishes shall be retained by the said Board, and shall be carried to the Credit of the said Parishes, in reduction, so far as the same will extend, of the next or some future Assessment upon such Parishes by the said Board for their Expenses in the Execution of the firstly recited Act.

Parishes, Parts, and Places on which Debt on Loan from the Clergy Mutual Assurance Society stands charged.

3. And whereas the said Metropolitan Commissioners of Sewers did, in exercise of the Powers vested in them by the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, borrow and take up at Interest from a certain Society known as the Clergy Mutual Assurance Society, on the Security of certain Rates authorized to be levied under the last-mentioned Act, the Sum of One hundred and forty thousand Pounds, and there was previous to the First of *November* One thousand eight hundred and sixty due and owing to the said Society from the Metropolitan Board of Works, as the Successors of the said Metropolitan Commissioners of Sewers, in respect of the said Loan, the Sum of One hundred and five thousand Pounds, and it is expedient accurately to ascertain and determine the several Parishes, Parts, and Places on which the Debt in respect of the said Sum of One hundred and five thousand Pounds shall stand charged, and on which Monies or Rates are to be raised or levied for the Payment of the Principal and Interest in respect of the same, and to ascertain and determine the Proportions charged upon each: Be it therefore enacted, That the said Debt of One hundred and five thousand Pounds shall be and stand charged upon and apportioned to the several Parishes, Parts, and Places enumerated in Schedule B. to this Act, in the several Proportions specified in such Schedule, and the said several Parishes, Parts, and Places shall be deemed to be and shall be liable to the Payment of the Sums set against their respective Names therein, and to the Payment of Interest thereon, and the Monies from Time to Time becoming payable under the said Security, or required for or towards Payment of the said Debt or any Part thereof, and the Interest thereon, shall be raised by such Board upon such Parishes, Parts, and Places respectively in manner provided in respect to the Expenses of such Board in the Execution of the firstly-recited Act: Provided always, that Credit shall be given for any Sums paid off in respect of the said Loan previous to the passing of this Act according to the several Proportions specified in the said Schedule.

4. Provided,

Saving Rights and Remedies of Persons holding Securities.

4. Provided, That nothing in this Act contained shall prejudice, abridge, diminish, or affect the Priority secured by the firstly recited Act to the Persons respectively entitled to the Mortgages, Annuities, Securities, and Debts referred to in the One hundred and eighty-first Section of that Act, and the First, Second, and Third Sections of this Act, or the Right of any or either of such Persons to require and enforce Payment of any Principal or Interest thereon, or in respect thereof, in, from, or out of all or any of the Districts, Assessments, Rates, or Monies liable to such Payment under or by virtue of their respective Mortgages or Securities, but all the Securities, Rights, and Remedies of such Persons respectively shall remain as good, ample, and effectual, to all Intents and Purposes, as if this Act had not been passed: Provided also, that nothing herein contained shall prejudice or affect the Power vested in the said Metropolitan Board under the firstly recited Act to borrow Monies for paying off former Securities.

Sums to be assessed by Metropolitan Board.

5. From and after the passing of this Act the One hundred and seventieth Section of the firstly recited Act is hereby repealed; and in lieu thereof be it enacted, That the Metropolitan Board of Works shall from Time to Time ascertain and assess upon the several Parts of the Metropolis the several Sums which, having regard to the annual rateable Value of the Property in such Parts respectively, ought to be charged thereon for defraying the Expenses of the said Board in the Execution of the firstly and secondly recited Acts and of this Act, and any such Sums may be assessed wholly or in part in respect of Expenses incurred or to be incurred, and also in respect of any unpaid Balance of any former Precept of the said Board: Provided always, that such Repeal shall not in any respect affect any Act, Matter, or Thing whatsoever done or commenced to be done under or by virtue of the said firstly and secondly recited Acts, or any Proceeding taken or to be taken under the thirdly recited Act, or to affect or prejudice, except as herein specially provided, in any way the Rights or Liabilities of any District or Part under the One hundred and eighty-first Section of the firstly recited Act, but the same shall be judged of in all respects as if this Act had not been passed.

Basis of Assessment.

6. For the Purpose of making any Assessment under the preceding Section the Board shall estimate the annual Value of Property according to the Estimate or Basis on which any County Rate in force in any Part of the Metropolis is made, or, where there is no such County Rate, according to a like Estimate or Basis.

7. All

Mode of Assessment by the Metropolitan Board of Works

7. All such Assessments to be made by the Metropolitan Board of Works shall be assessed and charged by the said Board upon the same Basis and in the same Manner as the County Rate is assessed and charged by the Justices under the Statutes in force for assessing and charging County Rates in *England* and *Wales*: Provided always, that all Precepts shall be issued and Rates levied by the said Board in manner directed by the several recited Acts relating to the better Local Management of the Metropolis and by this Act, so far as relates to making Precepts and levying Rates.

Assessments and Precepts of Metropolitan Board may be according to Forms in Schedule C.

8. The Assessment of any Monies to be assessed by the Metropolitan Board of Works for the Expenses of executing the firstly and secondly recited Acts and this Act, and the Precepts for obtaining Payment of Monies required by the Board for that Purpose, may be according to the Forms contained in Schedule C. to this Act, or to the like Effect.

Any Vestry or District Board may pay Precept of Metropolitan Board out of any Money in their Possession, and reimburse themselves out of Sewer Rate.

9. The Vestry of any Parish mentioned in Schedule A. to the firstly recited Act, or the Board of Works for any District to whom any Precept of the Metropolitan Board shall be directed, may, if they shall see fit, pay to the Person or Body authorized by the said Metropolitan Board to receive the same the Sum required by such Precept, within such Time as may be therein mentioned, out of any Monies in their Possession at the Time of their receiving such Precept, or which may come into their Hands at any Time within Two Calendar Months next after the Service thereof; and all Payments so made by any Vestry or District Board shall be charged by them against and reimbursed to them out of the Monies which the said Vestry or District Board shall and which they are hereby required to raise and collect by virtue of such Precept.

Vestries may include in the Sewers Rate Precepts of Metropolitan Board.

10. Where, by any Local Act of Parliament, the Poor Rate in any Parish in Schedules A. or B. to the firstly recited Act is made by the Vestry of such Parish at a fixed Period or Periods in every Year, it shall be lawful for such Vestry, at their Discretion, to include in the Sewers Rate for their Parish such Sum or Sums of Money as they may consider necessary to meet any Precepts received or to be received from the Metropolitan Board of Works during the Period for which such Poor Rate extends, to defray the Expenses of the said Board in the Execution of the said first-recited Act; and, at the Time of making such Poor Rate, also to make a separate Rate for the Metropolis Main Drainage, to meet the Precept received or to be received from the Metropolitan Board of Works for the Sum assessed for such Rate during the Year, such Rates to be levied in the same Manner, for the same Period, upon the same Persons, and to be subject to the like

like Provisions as the Sewers Rate by the first-recited Act, and to be contained in the same Book or Books as the Poor Rate of the said Parish, but distinguishing the Title of each of the said separate Rates or Assessments, and to be collected quarterly or otherwise by such Person or Persons as shall be appointed by the said Vestry to receive and collect the same: Provided, that nothing herein contained shall prevent the said Metropolitan Board of Works from requiring Payment, or relieve the Vestry of any Parish from the Payment, of the Sums assessed by such Board at such Times as they are now entitled by Precept to require the same.

Sums collected in Places in Schedule C. to 18 & 19 Vict. c. 120. beyond Amount of Rate for Main Drainage Rate, &c. to be placed to Credit of such Places.

11. Where, under or by virtue of any Rate or Assessment made by an Assessor appointed by the said Metropolitan Board of Works, for the Metropolis Main Drainage Rate, any Monies shall have been or shall be collected in any Place mentioned in Schedule C. to the firstly recited Act beyond the Amount required to satisfy the Amount of the Assessment of the said Board upon the said Place, and the Expenses of and incidental to the preparing, making, collecting, and levying such Rate or Assessment, the Excess shall be placed by the said Board to the Credit of such Place, on account of the next Assessment upon such Place by the said Board for the Metropolis Main Drainage Rate.

Payment of Sums assessed upon Places in said Schedule C.

12. For obtaining Payment of the Sum assessed upon any Place mentioned in Schedule C. to the firstly recited Act for the Metropolis Main Drainage Rate, the said Board shall issue a Precept under their Seal requiring Payment of the Amount mentioned in such Precept to their Treasurer, or into any Bank therein mentioned, within such Time or Times as may be therein limited, and every such Precept shall be directed to the Masters of the Bench, Treasurer, Governors, or other Body or Persons having the chief Control or Authority in any such Place; and the Body or Persons to whom any such Precept shall be directed shall raise and levy the Money required by the same by means of a separate Rate, in like Manner and subject to the like Provisions as the Sewers Rate to be made under the Provisions of the firstly recited Act and this Act; and the said Body or Persons may appoint One or more Persons to collect any such Rate, and may pay him or them such Salary, Poundage, or Allowance as they may deem just and reasonable, and may take such Security from every such Collector for the due Execution of his Duty as they shall think reasonable and proper; and the several Provisions herein-after contained with respect to the levying, paying over, and accounting for Monies levied by Collectors by Direction of any Vestry shall be applicable to every such Collector; and the several Enactments with respect to the levying of Monies by the said Metropolitan Board on the Default of

of Vestries and District Boards shall apply in case of a Default by the Body or Persons to whom any such Precept may be directed by the said Board to levy and pay over the Money therein named according to the Exigency thereof.

Metropolitan Board may amend Assessments and Precepts where necessary.

13. It shall be lawful for the Metropolitan Board of Works, in case of any Omission or other Inaccuracy in any Assessment or Precept which they have made or issued, to make such Amendments or Alterations therein as may render the same conformable to the Provisions of the recited Acts and this Act; and it shall be lawful for the said Board, should they deem it requisite and proper, to revoke any Precept which they may have issued, and to issue another Precept in lieu thereof.

Overseers to pay over and account for Monies to Vestries and District Boards.

14. Whenever any Vestry or District Board shall by their Order require the Overseers of any Parish or Place to levy and pay over the Sum or Sums of Money which such Vestry or Board may require, under the Provisions of the said recited Acts or this Act, such Overseers shall, within such Period after the levying of the said Sum or Sums or any Part thereof as the said Vestry or Board shall determine, pay over to the Treasurer of the said Vestry or Board, or to any Officer, or into any Bank in such Order mentioned, the Amount mentioned in such Order, and the Excess, if any, which may have been levied beyond such Amount, less the Expenses of and incidental to the making and collecting of the same, and shall make out and deliver to the said Vestry or Board a true and perfect Account in Writing signed by them, and duly audited by the Auditors appointed for such Parish or Place under the Provisions of the firstly recited Act, of all Monies and Rates received by them in pursuance of the said Order, and shall for such Purpose produce to the said Auditors the Vouchers, Counterfoils, or Receipts for all Payments made to or by them; and such Auditors shall, for the Purposes of the said Audit, have all and every the Powers and Authorities given to the Auditors named in the 195th Section of the firstly recited Act; and in case any Overseers shall fail to pay over such Monies or Rates as aforesaid, or to render such Account, or to produce such Vouchers, Counterfoils, and Receipts for the Space of Twenty-one Days after being thereunto required, they shall be subject to the Penalties mentioned and contained in the Sixty-fifth Section of the firstly recited Act: Provided always, that where the Term "Overseer" or "Overseers" shall extend to and include any Vestry elected under the firstly herein-before recited Act, or any Board of Trustees or Governors of any Parish or Place chosen under any Local Act now in force, the Provisions of this Clause shall not be applicable to such Vestry or Board of Trustees or Governors, so

long as the Orders of the Vestry or Board shall be duly complied with and satisfied; and in every Case in which the Vestry does not appoint a Collector or Collectors to collect such Rates, the said Overseers are hereby authorized to employ and pay One or more Collector or Collectors to collect all such Rates, and to take from every such Collector Security for his duly collecting such Rates, and paying over and accounting for the same, and such Security shall enure to the Benefit of the Overseers for the Time being of every such Parish or Place, who shall have all such and the same Remedies thereon as the Overseers to whom such Security was originally given.

Power to Metropolitan Board, Vestries, and District Boards to demand to be furnished with Copies of Poor Rate, &c.

15. It shall be lawful for the Metropolitan Board of Works, or for the Vestry of any Parish mentioned in Schedule A. to the firstly recited Act, or for any District Board, by Order in Writing, to require the Vestry Clerk, Overseer, Collector, or other Person having the Custody or Control of any Rate for the Relief of the Poor in any Parish or Place, or of any other Rate, or of any Book containing a Copy of any such Rate as aforesaid, to furnish, within such Period, not being less than Seven Days, as shall be limited in such Order, a true Copy of such Rate for the Relief of the Poor, or other Rate, or of such Copy thereof as aforesaid, or of such Part or Parts of the same as shall be specified in such Order, on Payment or Tender for such Copy at the Rate of Sixpence for every Twenty-four Names (inclusive of all the Particulars in the several Columns in the Rate, so far as such Particulars have reference to such Names respectively), and the said Copy shall be examined by and signed by such Vestry Clerk, Overseer, Collector, or other Person, and shall be verified by his solemn Declaration, if the said Metropolitan Board or Vestry or District Board shall require the same, which solemn Declaration any Justice of the Peace, or Commissioner duly authorized, is hereby empowered to administer; and any Person having the Custody or Control of such Rate, or Copy thereof, who shall refuse or neglect to make and deliver to such Metropolitan Board, Vestry, or District Board, or any Person by them authorized to receive the same, such Copy or Extract, or to make such solemn Declaration as aforesaid, shall be liable to a Penalty not exceeding Ten Pounds for every such Offence, and to a further Penalty not exceeding Ten Pounds for each and every Day during which the said Offence shall be continued, to be recovered by a summary Proceeding.

Expenses incurred by Vestries named in Schedule B. in execution of Acts to be paid by District Boards.

16. Whenever the Vestry of any Parish mentioned in Schedule B. to the firstly recited Act shall have lawfully incurred any Expenses in the Execution of the said recited Acts or this Act, the Board of Works for the District in which such Parish may be situate shall, in case the Payment of such Expenses is not otherwise provided for, pay

pay and discharge the Amount of such Expenses out of the Monies which they are by the firstly recited Act authorized to raise for the Payment of the Expenses of the Execution of such Act.

Recovery of Monies assessed by Metropolitan Board on extra-parochial Property for Payment of Debts.

17. The Sums from Time to Time assessed by the Metropolitan Board of Works upon or in respect of any extra-parochial or other Property which was included in any separate Sewerage District under the Metropolitan Commission of Sewers, for or towards Payment of any Debt or Debts charged upon such District at the Determination of the said Act of the Eleventh and Twelfth *Victoria*, Chapter One hundred and twelve, or of any Interest thereon, for the Payment of which Provision is not otherwise made in the said recited Acts or this Act, shall be paid, on Demand, to the said Board, by the Occupier of the Tenements or Premises, or by the Person or Persons in receipt of any Tolls or Profits issuing out of any incorporeal Hereditaments in respect of which such Assessment shall be made, and every such Sum may be recovered by the said Board by an Action at Law or by a summary Proceeding before a Justice, at the Option of the said Board.

One Summons only to issue for the Recovery of Rates.

18. In any Proceedings before any Justice or Justices, by or on behalf of any Vestry, District Board, Overseer, or Collector, against the Occupier or Owner of any Premises, for the Recovery of any Rates assessed under the said Acts or this Act which may be in arrear, all the Rates for the Recovery of which such Proceedings shall be taken shall be included in the same Summons, and the Charge for such Summons shall not exceed One Shilling, and the Signature of any Justice or Justices to any such Summons may be either in Writing or by a Stamp affixed as such Justice or Justices may direct.

Parties lending Money to Metropolitan Board or Vestries or District Boards not bound to inquire into Application of Money, Regularity of Proceedings, &c.

19. Whereas by the firstly recited Act Power is given to the Metropolitan Board of Works and to any District Board or Vestry to borrow Money for the Purpose of defraying any Expenses incurred by them in the Execution of the said Act, on the Credit of all or any of the Monies or Rates authorized to be raised by them under the said Act: Be it enacted, That no Corporate Body or Person or Persons lending or proposing to lend Money to the said Metropolitan Board or any Vestry or District Board, under the Provisions of the said Acts or this Act, or of any Act or Acts for amending the same, or of any Act or Acts empowering them or either of them to borrow Money, shall be bound to see or obliged to inquire whether the Money lent or proposed to be lent is advanced for the Purposes of such Acts, nor to see or inquire into the Application of the Money so lent, or any Part thereof; nor shall any such respective Body or Person

or

or Persons be bound or required to ascertain that the Board or Vestry so borrowing, or the Meeting or Meetings of such Board or Vestry, was or were properly constituted or convened, or that the Proceedings at any Meeting were legal or regular; and the Common Seal of every such Board or Vestry impressed upon or affixed, pursuant to the Order or Resolution of such Board or Vestry, to any Mortgage, Bond, or other Instrument which may have been made or granted by the said Board or Vestry, shall be binding and conclusive on the said Board or Vestry by whom any such Mortgage, Bond, or other Instrument may have been so sealed and executed, and their Successors.

Public Loans Commissioners authorized to lend Money to Metropolitan Board, Vestries, &c.

20. It shall be lawful for the Commissioners acting in the Execution of the Act of the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Seventeen, and in the Execution of any of the Acts recited in that Act, or of any Act or Acts for amending or continuing the same Acts or any of them, to make Advances to the Metropolitan Board of Works, or to any Vestry or District Board, upon the Security of all or any of the Monies or Rates to be assessed or levied by them under the said recited Acts or this Act, and without requiring any further or other Security than a Mortgage of such Monies or Rates, repayable by such Instalments, within a Period not exceeding Thirty Years, as shall in each Case be agreed upon.

Power to stop up Carriage or Foot Ways, &c.

21. It shall be lawful for the said Metropolitan Board, and they are hereby authorized and empowered, during the Construction of any Works by them under the recited Acts or this Act, subject to the Provisions of such Acts, to cause to be stopped up all or such Part of the Carriage or Foot Way of any Streets, Roads, or Ways as shall be necessary for the due Execution of the said Works.

Power to Metropolitan Board to take Lands for Roads, &c.

22. The compulsory Powers of taking Land given to the said Metropolitan Board by the firstly recited Act, and the "Lands Clauses Consolidation Act, 1845," shall, subject to the Conditions and Restrictions in the firstly recited Act contained, extend and be applicable to the taking of any Lands which they may require for the Purpose of making convenient Roads or Ways to or in connexion with any Sewers or Works vested or hereafter to be vested in the said Board, or which they may require for making Roads or Ways during the Construction of any Sewerage Works, or for Spoil Banks or Places of Deposit of surplus Earth or other Materials in the Execution of any such Works.

Votes exceeding 20,000*l.* to be confirmed.

23. No Resolution made or passed after the passing of this Act by the said Metropolitan Board, authorizing the Expenditure upon

or

or the Construction of any Works the estimated Cost of which shall amount to or exceed the Sum of Twenty thousand Pounds, shall be carried into execution or be deemed valid and binding until the same shall have been confirmed at a subsequent Meeting of the said Board duly convened.

Maintenance of Bridges, Culverts, &c.

24. When the said Metropolitan Board shall, in exercise of the Powers conferred upon them, have constructed any Bridges, Culverts, Arches, or Passages in connexion with any Sewers or Works, all such Bridges, Culverts, Arches, and Passages shall at all Times after the Construction thereof be maintained at the Expense of the said Board.

Formation and Maintenance of Bridges, Arches, Culverts, &c.

25. It shall be lawful for the said Metropolitan Board to make and maintain any Bridges, Arches, Culverts, Passages, or Roads over, under, or by the Sides of or leading to or from any Sewerage Works constructed or to be constructed by them, which they may deem necessary and convenient for preserving the Communications between Lands through which the said Works may have been or may be made or carried; provided that it shall be lawful for the said Board to contract and agree with the Owners and Occupiers of Lands to pay them or any of them Compensation in lieu of making or maintaining such Bridges or other Works.

Time limited for Completion of Works specified in Sect. 1. of 21 & 22 Vict. c. 104.

26. The Extension of Time authorized and directed by the Twenty-sixth Section of the thirdly recited Act, the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four, shall be deemed to apply to the Sewers and Works mentioned in the First Section of that Act for the Improvement of the Main Drainage of the Metropolis, and for preventing, as far as may be practicable, the Sewage of the Metropolis from passing into the *Thames* within the Metropolis.

As to trapping of Gullies connected with Main Sewers.

27. No Gully or Ventilating Shaft immediately connected with or appertaining to, or which hereafter may be immediately connected with or appertain to, any Sewer vested in the Metropolitan Board of Works, shall be trapped, covered, or closed up without previous Notice in Writing being given to the said Board, nor if the said Board or their Engineer within One Week after the giving of such Notice shall express in Writing their or his Objection to the same.

Powers as to Sewerage not to be transferred

28. Notwithstanding the Provision contained in the Eighty-ninth Section to the firstly recited Act, relative to the Transfer by Vestries and District Boards to the Metropolitan Board of Works of

 their

to Metropolitan Board without Consent of that Board.

their Powers and Duties in relation to Sewerage and Drainage, it shall not be lawful for any Vestry or District Board to transfer to the Metropolitan Board of Works any such Powers or Duties without the previous Consent in Writing of the said Metropolitan Board.

Orders to be made by Committee on Appeals against Acts of Vestries and District Boards.

29. Under the Provisions of the Two hundred and eleventh and Two hundred and twelfth Sections of the firstly recited Act, empowering the Committee of Appeal of the Metropolitan Board of Works to hear and determine an Appeal against any Order or Act of any Vestry or District Board, the said Committee may allow or dismiss the Appeal, or quash or confirm or vary the Order appealed against.

Committee empowered to make Improvement Rates, &c. for Expenses of Works of private Improvement executed by the Commissioners of Sewers, and take other Proceedings in relation thereto.

30. In any Case in which the Metropolitan Commissioners of Sewers have incurred any Expenses authorized by the 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 Committee of Appeal, appointed under and in pursuance of the Two hundred and twelfth Section of the firstly recited Act, 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 of the Eleventh and Twelfth Years of the Reign of Her Majesty, Chapter One hundred and twelve, and the said Committee shall have all the Rights and Remedies for the Recovery thereof which are vested in the said Metropolitan Board in that Behalf; and if any Person liable to the Payment of any such Improvement Rate or Charges for Default fail to pay the same when due, or for the Space of Fourteen Days after the same shall have been lawfully demanded, the said Committee of Appeal may and they are thereby empowered to summon the Defaulter to appear before them to show Cause why such Improvement Rate or Charges for Default so in arrear should not be paid; and in case the Defaulter fail to appear according to the Exigency of the Summons, or if no sufficient Cause for Nonpayment be shown, the said Committee may by Warrant under the Seal of the Board cause the Amount of such Improvement Rate or Charges for Default so in arrear to be levied by Distress of the Goods and Chattels of the Defaulter.

Part of Sect. 58. of 18 & 19 Vict. c. 120. repealed.

31. So much of Section Fifty-eight of the said Act of the Eighteenth and Nineteenth of *Victoria* as provides that the Acts of every Committee shall be submitted to the general Body of the Board or Vestry appointing such Committee, for their Approval, shall be repealed so far as relates to the Metropolitan Board; and be it enacted in lieu thereof, That the said Metropolitan Board shall be at liberty

liberty to give such Instructions to any Committee appointed by such Board regulating the Conduct of any Business deputed to such Committee, and such Committee shall act in conformity therewith, and shall report to the Board all Acts done by them in conformity with such Instructions.

Communications between Sewers in different Parishes or Districts, and Payment of Compensation, &c. in consideration thereof.

32. Whereas it is in and by the firstly recited Act provided that 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 Orders 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, 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: Be it enacted, That whenever the said Metropolitan Board shall, in exercise of the said Power, have ordered that any Sewer or Sewers vested in the Vestry, District Board, or other Body acting for any Parish or Place comprised in the Schedules of the firstly-recited Act, having Control over the Sewers in One Parish, District, or Part, shall, for the Purpose of Outfall or otherwise, be connected with any Sewer or Sewers vested in the Vestry or District Board of another Parish, District, or Part, or other Body having Control over the Sewers in such Parish, District, or Part, it shall be lawful for the Vestry, District Board, or other Body, for the Drainage of whose Parish, District, or Part such Connexion shall be required, and at whose Instance and Request such Order shall have been made, to execute all necessary Works as well within their own Parish, District, or Part as within any other Parish, District, or Part which shall be specified in the said Order of the Metropolitan Board for effecting such Connexion: Provided that every Communication to be made by any Vestry, District Board, or other Body with any Sewer out of their own Parish, District, or Part shall be made under the Supervision and to the Satisfaction of the Board, Vestry, or other Body having Control over such last-mentioned Sewer; and where it shall appear to the said Metropolitan Board to be equitable and just, under the Circumstances of the Case, that any Vestry, Board, or other Body so connecting their Sewers with the Sewers vested in another Vestry, District Board, or other Body should pay such last-mentioned Vestry, Board, or Body any Compensation or Remuneration, either in One Sum or by yearly or other Payments, for the Use of their Sewer, it shall be lawful for the said Metropolitan Board to order

order and direct Payment of such Compensation or Remuneration accordingly, and the Vestry, Board, or other Body to whom any such Payment shall be directed to be made may recover the same from the Vestry, Board, or Body directed by such Order to make such Payment, either by Action at Law or before a Justice of the Peace in a summary Manner.

Regulations as to breaking up Turnpike Roads.

33. The One hundred and fifty-seventh Section of the firstly recited Act is hereby repealed; and in lieu thereof be it enacted, That the Metropolitan Board of Works, and any Vestry or District Board may, where necessary for the Purpose of executing any Work authorized by the recited Acts or this Act, open and break up any Turnpike Road, under and subject to the Restrictions and Provisions herein-after contained; that is to say, Three 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 Yards in Length, 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 Work 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, or 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.

Plan, &c. of Works affecting Railways or Canals to be submitted to Companies.

34. Where any Works authorized by this or the recited Acts will interfere with any Railway or Canal, the Board or Vestry proposing to construct such Works shall before commencing the same give Notice in Writing of their Intention so to do to the Company owning such Railway or Canal, and shall, together with such Notice, deliver

deliver a Plan and Section showing the Nature of such Interference; and if within Seven Days after the Receipt of such Notice the Company shall by Writing, addressed to the Board or Vestry, object to the Manner in which it is intended to interfere with such Railway or Canal respectively, on account of the probable Interruption or endangering of the Traffic thereon, the same Works shall not be commenced; and it shall thereupon be referred to an Engineer, to be appointed by the Board of Trade, on the Application of either Party, to determine the Manner of executing the said Works, and the Determination come to by such Engineer shall be binding on both Parties.

Line of Railway not to be altered.

35. Provided always, That it shall not be lawful for any Board or Vestry to alter the Level of any Railway or Canal, unless with the Consent of the Company owning the same respectively, or, if that be refused, with the Consent of the Board of Trade; and provided also, that nothing in this Act contained shall take away or affect the Right of any Railway or Canal Company to Compensation for the taking or injuriously affecting of any Land or Property of such Company, or for or by reason of the Interruption of any Traffic on their Railway or Canal, or for any Damages, Costs, or Expenses which such Company may be required to pay in consequence of such Interruption.

Inspectors of Votes to appoint Umpire.

36. The Inspectors of Votes directed to be appointed under the firstly recited Act for any Parish, or, where any Parish is divided into Wards, for any Ward of a Parish, may, before commencing the Duties of their Office under the said Act, appoint by Writing under their Hands an Umpire; and in case the said Inspectors shall be unable to agree upon or determine by a Majority any Matter which they are by the said Act required to determine, such Matter shall be decided by the said Umpire, and his Decision in relation thereto shall be final and conclusive.

Vestries and District Boards may appoint their Days of Meeting.

37. Every Vestry and District Board constituted under the firstly recited Act, or this Act, may hold their Meetings on such Days of the Week, except *Sundays*, as they may from Time to Time determine, notwithstanding any Provision to the contrary contained in any Local Act; and any Business which, by any Local or other Act of Parliament, or Custom, should be done by any such Vestry on a certain Day, may be done at any Meeting of such Vestry duly convened for the Purpose, and held within Seven Days next before or after such certain Day as aforesaid: Provided that where the Hour or Time for holding such Meetings is fixed by the Local Act they shall continue to be held at the same Hour or Time.

38. Notwith-

Certiorari for Auditors Allowances or Disallowances.

38. Notwithstanding anything in the One hundred and ninety-fifth Section of the firstly recited Act contained to the contrary, if any Person aggrieved by any Allowance, Disallowance, or Surcharge by any Auditors of the Accounts of any Vestry or District Board require such Auditors to state the Reasons for the said Allowance, Disallowance, or Surcharge, the Auditors shall state such Reasons in Writing in the Book of Account in which the Allowance, Disallowance, or Surcharge may be made; and it shall be lawful for every Person aggrieved by such Allowance, Disallowance, or Surcharge to apply to the Court of Queen's Bench for a Writ of Certiorari to remove into the said Court the said Allowance, Disallowance, or Surcharge, in the like Manner and subject to the like Conditions as are provided in respect of Persons suing forth Writs of Certiorari for the Removal of Orders of Justices of the Peace, except that the Condition of the Recognizance shall be to prosecute such Certiorari at the Costs and Charges of such Person, without any wilful or affected Delay, and if such Allowance, Disallowance, or Surcharge be confirmed, to pay to such Auditors or their Successors, within One Month after the same may be confirmed, their full Costs and Charges, to be taxed according to the Course of the said Court, and except that the Notice of the intended Application, which shall contain a Statement of the Matter complained of, shall be given to such Auditors or their Successors, who shall in return to such Writ return a Copy under the Hands of a Majority of them of the Entry or Entries in such Book of Account to which such Notice shall refer, and shall appear before the said Court, and defend the Allowance, Disallowance, or Surcharge so impeached in the said Court, and shall be reimbursed all such Costs and Charges as they may incur in such Defence out of the Funds of the Vestry or District Board respectively interested in the Decision of the Question, unless the said Court make any Order to the contrary; and on the Removal of such Allowance, Disallowance, or Surcharge the said Court shall decide the particular Matter of Complaint set forth in such Statement, and no other; and if it appear to such Court that the Decision of the said Auditors was erroneous, they shall, by Rule of the Court, order such Sum of Money as may have been improperly allowed, disallowed, or surcharged to be paid to the Party entitled thereto by the Party who ought to repay or discharge the same, and they may also, if they see fit, by Rule of the Court, order the Costs of the Person prosecuting such Certiorari to be paid by the Vestry or District Board to which such Accounts relate, as to such Court may seem fit, which Rules of Court respectively shall be enforced in like Manner as other Rules of the said Court are enforceable.

39. If

Provision in case of a Vestryman being returned for more than One Ward.

39. If any Person be returned to serve in any Vestry for more than One Ward, he shall on or before the next Meeting of the Vestry after such Election signify in Writing to the Clerk of such Vestry his Decision as to the Ward which he may desire to represent on such Return; and if before or at such Meeting he shall refuse or neglect so to do, the Vestry shall determine the Ward which he shall represent; and the Vacancy occasioned by such Determination or Decision shall be filled up by an Election to be held for that Purpose within One Month from the Date of such Determination or Decision, such Elections to be conducted in the like Manner as the annual Elections of Vestrymen.

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

40. The Thirty-fifth Section of the recited Act of the Eighteenth and Nineteenth *Victoria* is hereby repealed; and in lieu thereof be it enacted, That the Vestry constituted by the said Act in every Parish mentioned in the Second Column of Schedule B. to the same Act shall, on the First *Wednesday* in the Month of *June* in the Year One thousand eight hundred and sixty-three, and in every subsequent Year, elect so many Persons qualified by Rating and Occupation, as required by the same Act and the recited Act of the Nineteenth and Twentieth *Victoria* to be elected 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.

As to Division into Wards when Parish contains 2,000 Houses.

41. When at any Time, upon any Account taken of the Population by the Authority of Parliament, any of the Parishes within the Metropolis not now divided into Wards for the Purpose of electing Vestrymen shall be found to contain more than Two thousand rated Householders, it shall be lawful for the Metropolitan Board of Works, upon the Application in Writing of the Vestry, or of not less than Five hundred rated Householders of the Parish, to divide such Parish into Wards, and to determine and set out 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 shall not exceed Eight; and the Metropolitan Board 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 their Judgment 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

Majesty's Principal Secretaries of State for his Approval, and also to the Vestry Clerk of the Parish to which such Division and Apportionment relate; and the said Particulars shall, within Seven Days after such Transmission, be published by the said Board in the *London Gazette;* and at the Expiration of not less than Two Calendar Months the said Secretary of State shall, if he approve of the same, publish the said Particulars again with his Approval affixed thereto in the *London Gazette;* but if the said Secretary of State disapprove of the proposed Division into Wards or Apportionment of Vestrymen, then he shall, subject, however, to all the above Limitations, make such other Division or Apportionment as in his Judgment shall be more conducive to a fair Representation in the Vestry of the Interests of the Ratepayers of the said Parish, and shall publish the Particulars of such fairer Division and Apportionment in the *London Gazette*, and the Parish shall, after such Publication by him in the *London Gazette*, be deemed to be divided into such Wards so determined and set out.

No Parish shall be annexed without previous Notice.

42. No Representation shall be made under the Two hundred and forty-ninth Section of the firstly recited Act, unless and until the Metropolitan Board of Works shall have given to the Churchwardens and Surveyors of Highways of the Parish to which such Representation relates Two Months Notice in Writing under their Common Seal of their Intention to make such Representation and of the Provisions which it is intended to propose in such Representation; and the said Churchwardens and Surveyors of Highways shall, immediately after receiving such Notice as aforesaid, summon a Vestry Meeting of the Parish, and submit such Notice to the Consideration of the said Meeting; and such Representation of the said Metropolitan Board shall be accompanied by a Copy of all Resolutions or Statements that may have been made to the said Board in Writing by the said Churchwardens and Surveyors of Highways, or either of them, by Direction of such Vestry Meeting.

Annual Report of Officer of Health.

43. The Officer or Officers of Health for each Parish or District shall make an annual Report to the Vestry or District Board of the sanitary Condition of the Parish or District, and upon the other Matters set forth in the One hundred and thirty-second Section of the firstly recited Act, and it shall not be necessary to append to the annual Report of the Vestry or District Board, to be made in the Month of *June* in each Year, a Copy of any other Report of such Officer or Officers than such annual Report.

Owners and Occupiers of Land may execute Works of

44. It shall be lawful for the Owners or Occupiers of any Land or Premises in any Parish, District, or Part within the Limits of the Metropolis as defined by the firstly recited Act, with the Consent and subject to the Regulations and Conditions herein-after mentioned,

to

to construct Sewers at their own Expense for the Purpose of draining such Land or Premises; and it shall be lawful for any Vestry or District Board in whom the Sewers in any Parish, District, or Part are vested, if they shall deem it just and proper so to do, to contribute out of the Rates under their Control applicable to the Execution of Works of Sewerage to the Cost of any Sewers constructed for the Purpose aforesaid.

Drainage at their own Expense.

45. Any Vestry or District Board intending to construct any Sewer shall, before commencing any Works for that Purpose, submit to the Metropolitan Board of Works a Plan of the Street or Place in which it is proposed to construct such Sewer, drawn to such a convenient Scale or Scales as the said Metropolitan Board shall direct, and there shall be shown on such Plan the Position, Course, and Dimensions of the proposed Sewer, with a Section or Sections thereof, and such other Particulars in relation thereto as the said Metropolitan Board shall deem necessary and require, and no such Sewer or Works shall be proceeded with without the Approval in Writing or contrary to the Directions of the said Board.

Vestries, &c. to submit Plans of new Sewers to Metropolitan Board.

46. Three clear Days Notice in Writing shall be given to the Metropolitan Board of Works by any Vestry or District Board previously to the Connexion of any Sewer or Drain with a Main Sewer; and the necessary Junction or Communication for that Purpose shall be made by such Vestry or District Board to the Satisfaction of the said Metropolitan Board.

Communications with Main Sewers.

47. Every Person other than a Vestry or District Board intending to make or branch a Sewer, either into a Sewer vested in the Metropolitan Board of Works, or into a Sewer vested in any Vestry or District Board, shall in the first instance lay the Plan and Section thereof before, and apply for the Sanction of, the Vestry or District Board of the Parish, District, or Part in which such last-mentioned Sewers shall be situate; and no Sewer shall be begun to be made by such Person until the Sanction in Writing of such Vestry or District Board shall have been obtained.

Private Parties before branching Sewers into Main or District Sewers to apply for Sanction of Vestries, &c.

48. Before any Vestry or District Board shall sanction the Construction of any such Sewer they shall submit the Plan and Section thereof to the Metropolitan Board of Works for their Approval, in the same Manner as if such Sewer were proposed to be constructed by such Vestry or District Board; and no Vestry or District Board shall sanction the Construction of any such Sewer without the Approval in Writing of the said Metropolitan Board first had and obtained.

Vestries, &c. before sanctioning Sewers, to apply for Approval of Metropolitan Board.

49. All Persons intending to make or branch any Drain into a Sewer vested in the Metropolitan Board of Works shall, Seven clear Days

Seven Days Notice must be given

before Drains can be branched into Main Sewers.

Days before commencing any Works for that Purpose, make written Application to the Vestry or Board of the Parish, District, or Part in which such Sewer shall be situate, accompanied by a Plan showing such Particulars as may be required by any Byelaw or Resolution of the said Metropolitan Board; and no such Work shall be commenced until the Sanction in Writing of the said Vestry or District Board shall have been given.

Regulations as to Abandonment, Alteration, &c. of Designs for Sewers previously approved.

50. When it shall be desired to abandon either wholly or in part, or to extend, contract, or alter, any Design for a Sewer previously submitted to and approved by the Metropolitan Board of Works, Notice in Writing of such Desire shall be given by the Vestry or District Board by whom such Approval shall have been obtained to the said Metropolitan Board, accompanied by Plans and Sections showing the Nature of the Abandonment, Extension, Contraction, or Alteration desired; and no such Abandonment, Extension, Contraction, or Alteration shall be made without the previous Approval in Writing of the said Metropolitan Board; and no Person other than a Vestry or District Board shall abandon wholly or in part, or extend, contract, or alter in Construction, any Sewer approved or sanctioned by the Metropolitan Board of Works, without the previous Sanction in Writing of the Vestry or District Board in whose Parish or District the Works were intended to be executed, to be applied for and given in the same Manner as herein-before directed with respect to new Sewers.

In case Sewer be not constructed within 12 Months, fresh Application to be made.

51. In case any Sewer sanctioned and approved by the Metropolitan Board of Works as herein-before provided shall not be constructed or executed within Twelve Calendar Months from the Date of such Sanction or Approval, the Works for the Construction of such Sewer shall not be executed without a fresh Permission by the Metropolitan Board, and their written Sanction that the necessary Works for the Construction of such Sewer may proceed, to be applied for and obtained in manner herein-before provided with respect to the original Permission for the Construction of such Sewer.

Expense of constructing Sewers in new Streets and Streets laid out since 1st Jan. 1856.

52. Where any Sewer shall, after the passing of this Act, be constructed by any Vestry or District Board in or for the Drainage of any new Street, or of any House or Houses erected since the First Day of *January* One thousand eight hundred and fifty-six, the Expense of constructing such Sewer and the Works appertaining thereto, including the Cost of Gullies, Side Entrances, Lengths of Sewer at the Intersection of Streets, and other incidental Charges and Expenses, shall be borne and defrayed by the Owners of such Street or Houses, and of the Land bounding or abutting on such Street respectively, and the said Expenses shall be apportioned by the Vestry or District Board in such Proportions as they may deem just, and the Amount charged upon or payable in respect of each House or Premises shall be

be payable before the Works shall be commenced, during their Progress, or after their Completion, as the Vestry or District Board shall in each Case determine, either in One Sum or by Instalments, within such Period, not exceeding Twenty Years, as the Vestry or District Board shall direct; and any such Sum or Instalments shall be recoverable from the present or any future Owner of the said House or Premises either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Vestry or Board.

Expense of constructing Sewers where there had before been only open Sewers.

53. Where any Sewer shall be constructed by any Vestry or District Board in a Street in which previously to such Construction there had been no Sewer, or only an open Sewer, but where Sewers Rates have been levied previously to such Construction, the Expense of constructing such Sewer and the Works appertaining thereto, including the Cost of Gullies, Side Entrances, Lengths of Sewer at the Intersection of Streets, and other incidental Charges and Expenses, shall be borne and defrayed in part only by the Owners of the Houses situate in and of the Land bounding and abutting on such Street respectively; and the Amount to be borne by such Owners shall be determined by the Vestry or District Board in each particular Case, and the Residue of such Expenses shall be defrayed by the Vestry or District Board out of the Sewers Rates levied in their Parish or District; and the Amount so charged by the Vestry or District Board upon or in respect of each House or Premises shall be payable, either before the Works shall be commenced, during their Progress, or after their Completion, as the Vestry or Board shall in each Case determine, either in One Sum or by Instalments within such Period, not exceeding Twenty Years, as the Vestry or Board shall direct; and any such Sum or Instalment shall be recoverable from the present or any future Owner of such House or Premises either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Vestry or Board: Provided that no Street or Property in respect of which Sewers Rates have been levied for Five Years prior to the First Day of *January* One thousand eight hundred and fifty-six shall be subject to be charged under the Provision contained in this Section.

Land may be charged in a less Proportion than House Property.

54. In apportioning the Cost of constructing Sewers under the Provisions contained in the Two last preceding Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties, it shall be lawful for any Vestry or District Board to charge the Owners of Land bounding or abutting on any Street in a less Proportion than the Owners of House Property, should they, under the Circumstances of the Case, deem it just and expedient so to do.

Where estimated Expenses ex-

55. In any Case in which the estimated Expenses shall exceed the actual Cost of constructing Sewers under the Provisions contained in

ceed actual Cost, Difference to be refunded by, and where less to be paid to, Vestry, &c.

in the said Two preceding Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties, then the Difference between such estimated Expenses and the actual Cost shall be repaid by the Vestry or Board to the Owners of the Houses or Premises by whom the Amount of any such estimated Expenses may have been paid; and in any Case in which the estimated Expenses shall be less than the actual Cost of constructing any Sewer or Sewers under the Provisions aforesaid, then the Owners of the said Houses or Premises shall, on Demand, pay to the said Vestry or Board such further Sum of Money as, together with any Sums already paid, will make up the Amount of the actual Cost; and the Vestry or District Board shall have all the same Remedies for the Recovery of such further Sum as are herein-before given for recovering any Expenses apportioned by Vestries or District Boards under the said Enactments.

Vestry or District Board may defray Part of Expense out of Sewer Rates.

56. It shall be lawful for the Vestry or District Board, should they deem it reasonable and just so to do, at their Discretion to defray, out of the Sewers Rates to be levied in their Parish or District, any Portion of the Expenses of and incident to the Construction of Sewers under the Provisions contained in the said Two Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties.

Appeal against Orders of Vestries, &c. as to Amount or Apportionment of Expenses.

57. Any Person who may deem himself aggrieved by any Order or Resolution of any Vestry or District Board in relation to the Expenses of constructing Works under the said Two Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties, or the Apportionment of such Expenses, may appeal to the Metropolitan Board of Works against such Order or Resolution, subject in all respects to the Directions and Provisions contained in the Two hundred and eleventh Section of the firstly-recited Act, and the Section of this Act relative to the Form of Order to be made by the Committee of Appeal of the Metropolitan Board of Works against Orders or Acts of Vestries or District Boards.

Execution of Works of Sewerage by Vestries and District Boards beyond the Limits of the Metropolis.

58. Whereas the Vestries of the Parishes mentioned in Schedule A. of the firstly-recited Act and District Boards are, by the Sixty-ninth Section of the said Act, subject to the Powers vested in the Metropolitan Board of Works, empowered to make, repair, and maintain Sewers vested in them, and to do and perform other Works and Matters as in the said Section is mentioned, and it is expedient to give increased Facilities to such Vestries and District Boards for the Execution and Performance of such Works and Matters: Be it therefore enacted, That whenever it shall be found necessary by the Vestry of any Parish mentioned in Schedule A. to the said Act, or by the Board

Board of Works of any District mentioned in Schedule B. to the said Act, for the Purpose of executing Works for any of the Purposes mentioned in the said Section, to carry any Sewer or Work beyond the Limits of the Metropolis as defined by the said Act, it shall be lawful for any such Vestry or District Board to execute Works in Parts situate beyond or without such Limits, and to cleanse, repair, and maintain such Works as they shall from Time to Time deem necessary: Provided always, that no Work shall be performed or commenced by any Vestry or District Board beyond the Limits of the Metropolis as above defined, except for the Purpose of continuing or forming Part of a Work commenced or executed within their respective Parish or District; nor shall any such Works be performed or commenced without the Consent in Writing of the Metropolitan Board of Works for that Purpose first had and obtained, nor without the Consent of the Vestry or District Board, or Authorities of the Parish or Place through which the Work may pass; but if any such Vestry or District Board or Authority shall refuse such Consent, One of Her Majesty's Chief Secretaries of State shall have Authority under this Act to decide whether such Consent ought to be withheld, and such Secretary of State may make such Order as to him shall seem just; but nothing herein contained shall apply to any Work for the Purpose of the Main Drainage of the Metropolis under the recited Acts: Provided also, that no new Sewer, either within or beyond the Limits of the Metropolis shall be made or executed by any Vestry, District Board, or other Body having Control over Sewers within the Metropolis without the previous Approval of the said Metropolitan Board. Proviso.

59. The Provisions contained in the Eightieth Section of the firstly-recited Act, empowering Vestries and District Boards to order, at their Discretion, under the Circumstances therein mentioned, such Sums as they shall deem just to be paid and contributed by the Owners of Houses towards the Expense of the Construction of Sewers into which Drains from such Houses shall be made or branched, shall be extended, and the same are hereby extended and made applicable to the Metropolitan Board of Works with respect to Houses draining into Main Sewers constructed at the Expense of any Person or Body other than any Commissioners of Sewers, and which are vested in the Metropolitan Board; and the same Provisions are hereby extended and made applicable to all Sewers within the Limits of the Metropolis as defined by the firstly-recited Act, built since the First Day of *January* One thousand eight hundred and fifty-six, or which may hereafter be built at the Expense of any Person or Body other than the Metropolitan Board of Works, or any Vestry, District Board, or other Body having Control over Sewers within Contribution to Cost of Main Sewers and Sewers built since 1st January 1856, or hereafter to be built.

within the Metropolis, into which House Drains may be made or branched; and the said Metropolitan Board, Vestry, District Board, or other Body, as the Case may be, may at their Discretion accept Payment of Contribution from the Owners of Houses draining into such Sewers respectively, either in One Sum or by Instalments within any Period not exceeding Twenty Years, with Interest after a Rate not exceeding Five Pounds by the Hundred by the Year, as the said Board, Vestry, or other Body shall in each Case determine, and shall on receipt of any such Contribution or Instalment pay over the same to the Person or Body entitled thereto; and every Sum payable to the said Board, Vestry, or other Body by way of Contribution to the Construction of Sewers shall be recoverable from the present or any future Owner of the said Premises either by Action at Law or before a Justice of the Peace in a summary Manner, at the Option of the Board or Vestry: Provided that nothing herein contained shall prejudice or affect the Right of Vestries and District Boards to demand and recover from the Owners of Houses and Land the Sums charged upon them by such Vestry and District Boards respectively under the Provisions contained in this Act.

Where Time is given for Payment of Contribution, the Metropolitan Board shall keep a Register.

60. In all Cases in which Time shall be given by the Metropolitan Board of Works, or by any Vestry, District Board, or other Body, for the Payment of any Contribution to the Cost of a Sewer as aforesaid, the Metropolitan Board of Works shall keep a Register of all such Orders for Contribution, which Register shall contain the Description of the Premises, the Amounts payable, the Periods for Payment, and other necessary Particulars; and such Register shall be open to Inspection by Parties interested during Office Hours without Payment of Fee or Reward; and every Vestry, District Board, or other Body giving Time for Payment of any such Contribution as aforesaid shall forthwith transmit to the said Metropolitan Board a Copy of their Order or Resolution in that Behalf made, and such other Particulars in relation thereto as the said Board may deem necessary and require.

Regulations respecting Openings into Sewers.

61. The Seventy-seventh Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That no Person shall make or branch any Sewer or Drain, or make any Opening into any Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without the previous Consent in Writing of such Board or Vestry: Provided that it shall be lawful for any Person, with such Consent, at his own Expense, to make or branch any Drain into any Sewer vested in such Board or Vestry, or authorized to be made by them or either of them under the firstly-recited Act

or

or this Act, such Drain being of such Size, Materials, and other Conditions, and branched into such Sewer in such Manner and Form of Communication in all respects, as the Board or Vestry shall direct or appoint: Provided also, that where any Contribution to the Cost of a Sewer is payable in respect of Drainage into the same, it shall not be lawful for any Person to make or branch any Drain into such Sewer, except in conformity with the Directions of the Board or Vestry in whom the same shall be vested with respect to Payment of Contribution under the Provisions contained in the firstly-recited Act and this Act in that Behalf; and in case any Person, without the Consent of the said Metropolitan Board, District Board, or Vestry as aforesaid, make or branch, or cause to be made or branched, any Sewer or Drain, or make any Opening into any of the Sewers vested in any such Board or Vestry, or authorized to be made by them as aforesaid, or if any Person make or branch, or cause to be made or branched, any Drain of a different Construction, Size, Material, or other Conditions, or in another Manner or Form of Communication than shall be directed or appointed by such Board or Vestry, every Person so offending shall for every such Offence forfeit a Sum not exceeding Fifty Pounds; and the Board or Vestry may cut off the Connexion between such Drain and their Sewer, or if they shall see fit execute the necessary Works for making the said Drain conformable to their Regulations or Directions at the Expense of the Person making such Drain or causing the same to be made, such Expenses to be recovered either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Board or Vestry.

Reports as to underground Rooms occupied as Dwellings.

62. Every District Surveyor required to report by the One hundred and third Section of the firstly-recited Act shall, without Fee or Reward, report to the Metropolitan Board, and to every Vestry and District Board in the District in which such Surveyor may act, in the Months of *June* and *December* in each Year, and at all other Times when he shall be required so to do by any such Board or Vestry, all underground Rooms or Cellars occupied as Dwellings within the Meaning of the first-recited Act that are not built or constructed in conformity with the Rules contained in the said Section, and shall in such Report set forth the exact Locality in which such underground Rooms or Cellars are situate; and in any Proceedings taken to recover the Penalty under the said One hundred and third Section of the said Act, such Evidence as may give rise to a probable Presumption that some Person passes the Night in such Room or Cellar shall be Evidence, until the contrary be made to appear, that such has been the Case.

63. Whereas

Extension of Time under Sect. 76. of 18 & 19 Vict. c. 120. for making Orders by Vestries and District Boards.

63. Whereas by the Seventy-sixth Section of the firstly-recited Act it is provided that the Vestry or District Board shall make their Order in relation to the Matters therein referred to, and cause the same to be notified to the Person from whom the Notice mentioned in the said Section was received within Seven Days after the Receipt of such Notice, and it is expedient that the Time for making such Order should be extended: Be it therefore enacted, That where any Notice shall have been given to any Vestry or District Board pursuant to the said Section, it shall be lawful for the Surveyor of such Vestry or Board, if he shall deem it necessary and proper so to do, within Three Days after the Receipt of such Notice by the Vestry or District Board, by Writing under his Hand directed to and served upon the Person giving such Notice, to require that the Building or Works referred to therein shall not be proceeded with until after the then next Meeting of the said Vestry or District Board, and until their Directions in reference thereto shall have been notified to such Person, provided that the Order of the said Vestry or District Board shall be made and notified to the said Person at the latest within Fifteen Days after the Receipt of such Notice by the Vestry or District Board; and in case any Person shall proceed with any Building or Works contrary to this Enactment he shall forfeit and pay to the Vestry or District Board a Sum not exceeding Five Pounds, and also a further Sum of Forty Shillings for every Day during which such Offence shall continue, to be recovered by Action at Law or in a summary Manner at the Option of the Vestry or Board.

Where Parties neglect to carry out Works pursuant to Order of Vestry, the Vestry may recover Penalty or do the Works.

64. Whereas by the Seventy-third, Seventy-fourth, Seventy-sixth, Eighty-first, Eighty-fifth, and Eighty-sixth Sections of the firstly-recited Act, certain Works, Matters, and Things are required to be constructed, made, or executed on the Requisition of Vestries and District Boards by the Owners or Occupiers of the Premises therein referred to; and in case any such Owner or Occupier refuse or neglect to commence, proceed with, or complete the same, as the Case may be, the Vestry or District Board are authorized to perform and execute such Works, Matters, and Things, and recover the Costs incurred thereby in manner therein provided: Be it enacted, That in case of any such Neglect or Default by any Person or Persons to comply with the Order of any Vestry or District Board to execute any Works, Matters, or Things under any of the said Provisions, the Person or Persons so offending shall forfeit and pay to the Vestry or District Board a Sum not exceeding Five Pounds, and also a further Sum not exceeding Forty Shillings for every Day during which such Offence shall continue, to be recovered by Action at Law or before a Justice of the Peace in a summary Manner, at the Option of the Vestry or District Board; and the Vestry or District Board may at their

their Discretion either execute or perform any such Works, Matters, or Things, and recover the Costs and Expenses thereof from the Owner of the Property as aforesaid, or proceed for and recover the said Penalty or Penalties; but nothing herein contained shall render any Person or Persons liable to be proceeded against for the Penalty as well as for the Costs and Expenses of the Works.

Penalties in 18 & 19 Vict. c. 120. extended to Persons causing Offences.

65. The Penalties declared by the firstly-recited Act in the Case of Persons committing the Offences mentioned therein are hereby extended and made applicable to all Persons causing the Commission of any such Offences, or by whose Order or Direction any such Offences shall have been committed.

Temporary Provision for Drainage of Property where no proper Sewer within 200 Feet.

66. Whereas certain Property within the Limits of the Metropolis is so situate as to render it impracticable, or practicable only at undue Expense, to connect such Property with covered Sewers, and it is expedient that some temporary Provision should be made for draining such Property and abating the Nuisances existing thereon or caused thereby: Be it therefore enacted, That in any Case in which any House or other Building, whether erected before or after the passing of this Act, is without sufficient Drainage, and there is no proper Sewer within Two hundred Feet of any Part of such House or Building, it shall be lawful for the Vestry or District Board of the Parish or District in which such House or Building is situate by Notice in Writing to require the Owner of such House or Building to construct and lay from such House or Building a covered Drain to lead therefrom into a covered water-tight Cesspool or Tank or other suitable Receptacle, not being under a House or within such Distance from a House as the Vestry or Board shall direct, and to construct such Cesspool, Tank, or Receptacle; and the several Provisions in the firstly-recited Act with respect to the laying of House Drains at the Expense of the Owners of Property, and the Recovery of such Expenses of and the Penalties for any Omission in respect to the Performance of any such Works pursuant to the Orders of Vestries or District Boards in accordance with the Directions of the said Act, shall be extended to and apply to the making of such Cesspools, Tanks, Receptacles, and Drains, and the Orders of Vestries and District Boards in relation thereto and the Expenses thereof.

Vestries, &c. may compel Supply of Water for Houses.

67. If it shall appear to any Vestry or District Board that any House within their respective Parishes or Districts is without a proper Supply of Water, and that such Supply can be furnished to such House at a Rate not exceeding Threepence *per* Week, conformably with the Scale of Rates authorized to be charged by any Water Company within the Metropolis as defined by the firstly-recited Act,

the said Vestry or District Board may give Notice in Writing to the Owner or Occupier of such House, requiring him, within a Time specified therein, to obtain such Supply, and to do all such Works as may be necessary for that Purpose; and if such Notice be not complied with, the said Vestry or District Board shall do such Works and recover the Expenses thereof from the Owner of the Premises as herein-after provided; and any Water Company shall, upon the Requisition of such Vestry or Board, supply with Water such House, and the Rates for the Supply of such House or Houses as aforesaid shall be due and payable by the said Owner, and shall be recovered by the Company as if such Owner had contracted with the Company for the Supply of such Water. In any Case where it shall appear to any Vestry or District Board that the existing Supply of Water to any House within their respective Parishes or Districts would be sufficient for such House if the same were inhabited by a lesser Number of Persons, but is insufficient by reason that the same is inhabited by numerous Persons (being more than One single Family), it shall be lawful for such Vestry or District Board to give Notice in Writing to the Occupier of such House, requiring him, within a Time specified therein, to obtain such further Supply (not exceeding a Supply at the Rate of Thirty Gallons *per* Day for each Person) as to them shall appear necessary, and to do all such Works as may be necessary for that Purpose; and if such Notice be not complied with within the Time therein specified, it shall be lawful to take Proceedings for overcrowding, in the Manner provided by the "Nuisances Removal Act for *England*, 1855;" and upon Proof of the Fact that the Water Supply is not sufficient by reason of the Number of Persons inhabiting the said House (being more than One Family), it shall be lawful for the Justices to make the like Order and to inflict the like Penalty as in any other Case of overcrowding.

Penalty on Persons placing Buildings or Encroachments on Sewers.

68. Every Person who shall knowingly erect or place any Building, Wall, Bridge, Fence, Obstruction, Annoyance, or Encroachment in, upon, over, or under any Sewer under the Jurisdiction of the Metropolitan Board of Works, or of any Vestry or District Board, and every Person obstructing, filling in, or diverting any Sewer or Drain under the Jurisdiction, Survey, or Control of the Metropolitan Board, or of any Vestry or District Board, without the previous Consent in Writing of the Board or Vestry in whom the same may be vested, shall, in addition to any other Proceeding to which he may be liable therefor, forfeit and pay to such respective Board or Vestry a Sum not exceeding Twenty Pounds for every such Offence; and the Board or Vestry may demolish and remove any such Building, Wall, Bridge, Fence, Obstruction, Annoyance, or Encroachment, and perform any Works necessary for restoring or reinstating the Sewer

or other Work or Thing damaged; and the Party erecting such Building, Wall, Bridge, Fence, or causing such Obstruction, Annoyance, or Encroachment, shall also pay the Expense of removing and abating them respectively, and of re-opening, restoring, repairing, or reinstating any Sewer or Drain obstructed, filled in, closed up, or diverted; and in case of a continuing Offence in any of the Cases aforesaid the Offender shall be liable to a further Penalty, not exceeding Five Pounds, for each Day after Notice thereof from the Metropolitan Board of Works, or from the Vestry or District Board, to be recovered by Action at Law or before any Justice of the Peace by a summary Proceeding, at the Option of the Board or Vestry: Provided always, that nothing herein contained shall extend to prevent or impede the Maintenance, Repair, or Renewal of any Buildings or Works under which a Sewer or Drain has been constructed, but so, nevertheless, that such Buildings or Works shall not injure or obstruct the said Sewer or Drain.

Penalty on Persons interfering with Sewers.

69. Any Person who shall take up, remove, demolish, or otherwise interfere with any Sewer or Part of a Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without the previous Permission in Writing of such Board or Vestry, or who shall wilfully damage any Sewer, Bank, Defence, Wall, Penstock, Grating, Gully, Side Entrance, Tide Valve, Flap, Work, or Thing vested in the Metropolitan Board or any Vestry or District Board, or do any Act by which the Drainage of the Metropolis or any Part thereof may be obstructed or injured, shall for every such Offence forfeit and pay to the said Metropolitan Board of Works, or to the Vestry or District Board aggrieved by any such Act, for every such Offence a Sum not exceeding Twenty Pounds, and shall also pay to such Board or Vestry all the Expenses of repairing, restoring, reinstating, or amending any Sewer or other Work or Thing so taken up, removed, demolished, damaged, or interfered with, to be recovered by Action at Law or before a Justice of the Peace by a summary Proceeding, at the Option of the Board or Vestry.

Vestries in Schedule A. and District Boards empowered to provide and maintain Drinking Fountains.

70. The Vestry of any Parish mentioned in Schedule A. to the said firstly-recited Act and any District Board may provide and maintain Drinking Fountains in such convenient and suitable Situations as they may deem proper, and may undertake the Maintenance of any Drinking Fountain already erected within such Parish or District, and supply the same with Water and defray the Expenses thereof; and any Expenses incurred by any Vestry or District Board in providing or maintaining any such Fountains or supplying the same with Water shall be paid out of the general Rate authorized to be raised and levied under the firstly-recited Act; and any Person guilty of

of wilfully fouling the Water in any Drinking Fountain so erected or maintained, or of wilfully damaging any of the said Fountains, or any Part thereof, shall forfeit and pay to such Vestry or District Board for every such Offence a Sum not exceeding Five Pounds, to be recovered by a summary Proceeding, and shall also pay to such Vestry or District Board the Expenses of repairing or reinstating any such Fountain, or any Part thereof, so injured as aforesaid.

Income of Estates, Property, &c., subject to Trusts for Repair of Highways, to be paid over to Vestry or District Board.

71. All Property, Rights, Matters, and Things whatsoever which before the passing of the firstly-recited Act were vested in any Surveyor or Surveyors of Highways in connexion with their Duties and Powers as such Surveyor or Surveyors, transferred by that Act to any Vestry or District Board, shall be deemed to have become transferred to and to have vested in such Vestry or District Board by virtue of the said Act; and so much of the yearly and other Income of all Estates, Property, and Effects of whatsoever Description so vested and transferred as aforesaid as is or may be subject to any Use or Trust for or in respect of and applicable to the Repair of any Highways within the Metropolis shall be applicable to the Repair, Maintenance, and Improvement of the Highways within the Metropolis under the Provisions of the said Act, and shall from Time to Time be accounted for and paid over to the respective Vestries and District Boards, and be applied by them for the Purposes of the Highways within their Parishes and Districts, in the same Manner as the same could lawfully have been applied before the passing of the said Act.

Vestries and District Boards may, with Consent of Metropolitan Board, effect Improvements within their Parish or District.

72. The Vestry of every Parish mentioned in Schedule A. to the firstly-recited Act, and the District Board of every District, shall, with the previous Consent in Writing of the Metropolitan Board of Works, have Power within their respective Parish or District to make, extend, widen, alter, or improve any Street, Road, or Way, or any Bridge over a Canal traversing any Part of such Parish or District, for the Purpose of facilitating Passage and Traffic, or for any other public Purpose; or to contribute and join with the Metropolitan Board, or with any other Body or Persons, in any such Improvements; and to take by Agreement or Gift any Land, Right in Land, or Property for the Purposes aforesaid, or any of them, on such Terms and Conditions as they may think fit; and for the Purposes aforesaid it shall be lawful for any Vestry or District Board, should they see fit, to take down the present Bridges over Canals within their Parish or District, and to erect others in their Place and Stead, or to erect new Bridges over such Canals in such Situations as they may deem beneficial, and from Time to Time to repair and maintain such existing or new Bridges, and to indemnify the Canal

Canal Company or other Body or Persons interested in such Bridges against the future Repairs and Maintenance of any such Bridges; and the Expenses incurred by any Vestry or District Board in any such Improvements shall be paid out of the general Rate authorized to be raised in their Parish or District under the firstly-recited Act: Provided that no such Extension, Widening, Alteration, Improvement, taking down, or Re-erection of any existing Bridge over any such Canal, or the Erection of any new Bridge over the same, shall be made without the previous Consent in Writing under their Common Seal of the Company owning such Canal, and the Provisions of the One hundred and seventh Section of the firstly-recited Act shall remain in force and be applicable to this Enactment: Provided also, that it shall be lawful for any such Vestry or District Board, under the Provision contained in the One hundred and eighty-third Section of the firstly-recited 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 that Act any Sums necessary for defraying the Expenses of any such Improvements: Provided, that 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: Provided that this Enactment shall not limit the Powers in force given by the Act next herein-after referred to, or by any Local Act.

Act as to paving and improving Parts of Metropolis to extend to Metropolis as defined by this Act.

73. The Powers of improving and regulating Streets and for the Suppression of Nuisances contained in the Act of the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, Chapter Twenty-nine, Local and Personal, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, shall, so far as the same is in force, and is not inconsistent with the Provisions of the recited Acts and this Act, extend and apply to the Metropolis as defined in the firstly recited Act and in this Act, including any unpaved Streets, and notwithstanding any Exceptions therein contained.

Buildings projecting beyond general Line when taken down to be set back.

74. In case any Building, situated within any of the Parishes, Districts, or Places comprised in the Schedules of the firstly-recited Act, which shall in any Part thereof project beyond the general Line of the Street in which the same may be situate, or beyond the Front of the Building, Wall, or Railing on either Side thereof, shall at any Time be taken down to an Extent exceeding One Half of such Building, such Half to be measured in Cubic Feet, or shall be destroyed by Fire or other Casualty, or demolished, pulled down, or removed from any other Cause to the Extent aforesaid,

it shall be lawful for the Metropolitan Board of Works to require the same to be set back to such a Line and in such a Manner for the Improvement of any Street as the said Board shall direct; provided that the said Board shall make Compensation to the Owner of such Building for any Damage and Expenses which he may sustain and incur thereby: Provided also, that this Section shall not apply to any Building in the Places mentioned in Schedule (C.) to the Metropolis Local Management Act which does not abut upon any public Street or Place.

Mode of proceeding with regard to Buildings beyond Line of Street.

75. The One hundred and forty-third Section of the first-recited Act, and the One hundred and fortieth Section of the Act passed in the Seventh Year of His Majesty King *George* the Fourth, Chapter One hundred and forty-two, intituled *An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis North of the River* Thames, are hereby repealed; and in lieu thereof be it enacted, That no Building, Structure, or Erection shall, without the Consent in Writing of the Metropolitan Board of Works, be erected beyond the general Line of Buildings in any Street, Place, or Row of Houses in which the same is situate in case the Distance of such Line of Buildings from the Highway does not exceed Fifty Feet, or within Fifty Feet of the Highway when the Distance of the Line of Buildings therefrom amounts to or exceeds Fifty Feet, notwithstanding there being Gardens or vacant Spaces between the Line of Buildings and the Highway, such general Line of Buildings to be decided by the Superintending Architect to the Metropolitan Board of Works for the Time being; and in case any Building, Structure, or Erection be erected, or be begun to be erected or raised, without such Consent, or contrary to the Terms and Conditions on which the same may have been granted, it shall be lawful for the Vestry of the Parish or the Board of Works for the District in which such Building or Erection is situate to cause to be made Complaint thereof before a Justice of the Peace, who shall thereupon issue a Summons requiring the Owner or Occupier of the Premises, or the Builder or Person engaged in any Work contrary to this Enactment, to appear at a Time and Place to be stated in the Summons to answer such Complaint; and if at the Time and Place appointed in such Summons the said Complaint shall be proved to the Satisfaction of the Justice before whom the same shall be heard, such Justice shall make an Order in Writing on such Owner or Occupier, Builder, or Person, directing the Demolition of any such Building or Erection, or so much thereof as may be beyond the said general Line so fixed as aforesaid, within such Time as such Justice shall consider reasonable, and shall also make an Order for the Payment of the Costs incurred up to the Time of Hearing; and in default of the Building or Erection complained of being demolished within the

the Time limited by the said Order, the said Vestry or Board shall forthwith enter the Premises to which the Order relates and demolish the Building or Erection complained of, and do whatever may be necessary to execute the said Order, and may also remove the Materials to a convenient Place, and subsequently sell the same, as they think fit; and all Expenses incurred by the said Vestry or Board in carrying out the said Order and in Disposal of the said Materials may be recovered by the said Vestry or Board from the Owner or Occupier of the said Premises, or the Builder or Person engaged in the Work, either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the said Vestry or Board, in manner provided by the Two hundred and twenty-seventh Section of the firstly-recited Act as to the Recovery of Penalties.

Conditions as to Buildings beyond Line of Street.

76. The Metropolitan Board may, in giving Consent for any Erection beyond the regular Line of the Buildings in any Street, annex any Condition to the Consent given by the Board, and in case such Erection shall not be made in accordance with the Consent of the Board, or be in any Manner altered or raised without their Consent, the Board may enter and demolish or alter the Buildings or Structure or any Part thereof, and recover all Expenses, or may impose any Penalty not exceeding Forty Shillings to be summarily recovered for every Day during which any Building or Structure being a Contravention of such Condition shall exist after Notice from the said Board or any Officer of the Board to remedy the Complaint.

Expenses of paving new Streets.

77. Where any Vestry or District Board shall, under the Powers given by the One hundred and fifth Section of the firstly-recited Act, have paved or be about to pave any new Street, the Owners of the Land bounding or abutting on such Street shall be liable to contribute to the Expenses or estimated Expenses of paving the same, as well as the Owners of Houses therein, provided that it shall be lawful for the Vestry or District Board to charge the Owners of Land in a less Proportion than the Owners of House Property, should they deem it just and expedient so to do; and any such Costs or Expenses, including the Cost of paving at the Points of Intersection of Streets, and all other incidental Costs and Charges, shall be apportioned by the Vestry or Board, and shall be recoverable either before the Work shall be commenced, or during its Progress, or after its Completion; and it shall be lawful for the Vestry or District Board at their Discretion to accept Payment of the Amount apportioned or charged in respect of each House or Premises by Instalments spread over a Period not exceeding Twenty Years, and any such Amount shall be recoverable from the present or any future Owner of the Premises either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Vestry or Board.

78. In

Vestry may flag Foot ways and levy the Costs.

78. In case any Footway laid out at the passing of the firstly-recited Act shall have been repaired by the Vestry or any other Body, but shall not have been flagged, and the Vestry or District Board shall have deemed it necessary or expedient or shall deem it necessary or expedient that the same should be flagged, and such Vestry or Board shall have flagged or shall flag the same, either throughout the whole Breadth thereof or any Part of such Breadth, it shall be lawful for such Vestry or Board to levy the Cost and Expenses by a Rate or Rates upon the Occupiers of the Houses in the Road, Street, or Part abutting on or next to the Footway which shall have been so flagged, either in One Sum or by equal Instalments spread over a Period not exceeding Twenty Years, as the said Vestry or Board may see fit; and the said Vestry or Board shall thenceforth keep the said flagging in good and sufficient Repair.

Sums to be paid by the Duke of Bedford to Parties making up Roads and Footways on Bedford Estate, in the Parish of St. Pancras, to be added to Debt on that Part of the Parish.

79. And whereas at the Time of the coming into operation of the firstly-recited Act certain Houses were in course of Erection or about to be erected by private Parties on certain Lands, Parts of the Estate belonging to his Grace the Duke of *Bedford*, in the Parish of *Saint Pancras*, and the Roads and Footways in front of the said Houses and Land were partly paved by and at the Expense of the said Parties before the coming into operation of the firstly-recited Act: And whereas the Commissioners acting under the Local and Personal Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Forty-nine, relating to the paving of the said Estate, and whose Powers were determined by the firstly-recited Act, ought, under the Power vested in them by the said Act of the Thirty-ninth and Fortieth Years of King *George* the Third, to have executed the said Works of paving, or to have defrayed the Cost thereof, and Payment for the same would, if the Powers of the said Commissioners had not been determined, have been made out of the Money arising from Rates or Assessments to be made under the said Act of King *George* the Third, or Money borrowed on the Security thereof; but the Arrangements respecting the said Works were not such as to be binding on the Vestry of the said Parish under the Transfer made to such Vestry by the said firstly-recited Act of the Debts and Liabilities legally charged upon or payable out of Rates or Assessments authorized to be made under the said Act of King *George* the Third: And whereas certain of the said Parties are willing to complete the said Roads and Footways in consideration of the Payment to them of certain Sums of Money, such Sums to be received in satisfaction as well of past as of future Expenses incurred by them in the making or paving of the said Roads and Footways: And whereas his Grace the Duke of *Bedford* is willing to advance such Sums of Money, and it is expedient to authorize the Addition of such Sums to the said Debt on the Completion as aforesaid of the said Roads and Footways and

and Payment of the said Sums to the said Parties respectively: Be it therefore enacted, That upon the Completion of the said Roads and Footways to the Satisfaction of the said Vestry, and the Production to them of the Receipts in Writing of the said Parties respectively for the said Sums from his Grace the Duke of *Bedford* or his Agent, such Sums shall respectively become Debts to the said Duke, and be added to and form Part of the Debt which at the Time of the coming into operation of the firstly-recited Act was legally charged upon the said Rates or Assessments, and shall carry Interest at the Rate of Four Pounds *per Centum per Annum*, payable half-yearly on the First Day of *January* and the First Day of *July* in every Year from the Time of the Receipt of such Sums by the said Parties or the Completion of the said Roads and Footways as aforesaid, whichever shall last happen; and Section One hundred and eighty of the firstly-recited Act shall be applicable accordingly in respect of such Sums and the Interest thereof in like Manner as in respect of such Debt as last aforesaid.

Proviso to Sect. 106 of 18 & 19 Vict. c. 120. repealed.

Notice of Intention to repair Street, not being a Highway.

80. The Proviso of the One hundred and sixth Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That no Street not being a Highway shall be repaired as in the said Section mentioned, unless Notice be given to the Owners and rated Occupiers of the Houses in such Street respectively; and Service of any such Notice may be effected by leaving the same at the several Houses in such Street, or where any of the said Houses shall be unoccupied, by affixing the same upon the outer Door or some conspicuous Part of such Houses; and provided further, that no such Street shall be repaired as in the said Section mentioned if within One Month after Notice has been given as aforesaid written Notice of Objection to such Repair, signed by at least Two Thirds of the Owners or rated Occupiers of Houses in the said Street, shall be given to the Vestry or District Board.

Where Owners of Courts, &c. omit to drain and pave, Vestry or District Board may perform the Works, charging Expenses to Owner.

81. In any Case of Default by the Owner of any Court, Passage, or public Place, not being a Thoroughfare, to comply with the Requisition of any Vestry or District Board to perform Works of paving or draining of the Nature described in the One hundredth Section of the firstly-recited Act, it shall be lawful for the Vestry or Board, should they see fit, in lieu of enforcing the Penalty therein mentioned, to execute and perform such Works, and recover the Expenses thereof from the Owner either by Action at Law or in a summary Manner before a Justice, at the Option of the Vestry or Board.

Reinstatement of Pavement broken up

82. In every Case in which any Company or Person shall be liable under the firstly-recited Act to reinstate the Pavement, Surface, or Soil of any Street under the Control of any Vestry or District

by Works of Companies, &c.

Board which may have been broken up or opened, or to repay to such Vestry or Board the Expenses of reinstating the Pavement, Surface, or Soil of any Street, every such Company or Person shall be liable to reinstate the Pavement, Surface, or Soil, or to pay the Expenses of reinstating the Pavement, Surface, or Soil of such Parts of the Street as shall have been so broken up or opened, as well as of the Part or Parts contiguous thereto which may be affected by the Works of such Company or Person, to the reasonable Satisfaction of the Surveyor for the Time being of the Vestry or District having Control over the Pavements in such Parish or District.

Metropolitan Board may make Byelaws for Guidance of Vestries, &c. in Construction of Sewers.

83. The Metropolitan Board of Works may, in order to secure the efficient Maintenance of the Main and general Sewerage of the Metropolis, from Time to Time make, alter, and repeal Byelaws for the Guidance, Direction, and Control of the Vestries of Parishes in Schedule A. to the firstly-recited Act, District Boards, and all other Persons, in relation to the Levels, Dimensions, Construction, Maintenance, Ventilation, and cleansing of Sewers in their respective Parishes, Districts, or Parts, and for the other Objects enumerated in the One hundred and thirty-eighth Section of the firstly-recited Act, subject in all respects to the several Provisions relating to Byelaws contained in the Two hundred and second Section of the said Act; but this Provision shall only extend to the City of *London* and the Liberties thereof, so far as regards the Main Drainage of the Metropolis.

Vestries, &c. may stop up Streets during Execution of Works.

84. It shall be lawful for any Vestry or District Board, with the previous Sanction of the Metropolitan Board of Works, to close or stop up any Street within their Parish or District, during the Execution of any Paving, Sewerage, or other Works by such Vestry or Board in such Street, and to keep the same closed and stopped up for such Time as shall be necessary in that Behalf, and allowed by the Metropolitan Board.

Height of Buildings in certain Streets.

85. No Building, except a Church or Chapel, shall be erected on the Side of any new Street of a less Width than Fifty Feet, which shall exceed in Height the Distance from the external Wall or Front of such Building to the opposite Side of such Street, without the Consent in Writing of the Metropolitan Board of Works; nor shall the Height of any Building so erected be at any time subsequently increased so as to exceed such Distance without such Consent; and in determining the Height of such Building the Measurement shall be taken from the Level of the Centre of the Street immediately opposite the Building up to the Parapet or Eaves of such Building; and every Person committing any Offence under this Enactment shall

shall be liable to a Penalty of Five Pounds, and in case of a continuing Offence to a further Penalty of Forty Shillings for every Day during which such Offence shall continue after Notice from the said Board, to be recovered by summary Proceeding.

Metropolitan Board may place Roadway, Footpaths, &c. in different Parishes or Districts under Management of One Vestry or District Board.

86. Where in any Street the Roadway and Footpaths or either of them are or is situate in more than One Parish or District, or where the whole of the Roadway and Footpaths of any Street are situate in One Parish or District, and the whole or any Part of the Houses and Buildings abutting on such Roadway or Footpaths are situate in another Parish or District, in either of the said Cases it shall be lawful for the Metropolitan Board of Works, should they deem it convenient and proper so to do, to order that any such Roadway and Footpaths shall, for the Purposes of Sewerage, Drainage, Paving, and Lighting, or any of them, be under the exclusive Management of the Vestry or District Board of One of the said Parishes or Districts, and to order and direct in what Proportions the Costs of constructing and maintaining any new Sewer or Drain in such Street, or of the Reconstruction, Reparation, or Maintenance of any existing Sewer or Drain therein, or of the paving or making up or lighting of the Roadway or Footpaths thereof, and the Repair and Maintenance of such Roadway or Footpaths, shall be borne and defrayed by the Vestry or Board of each Parish or District, and the Decision of the said Metropolitan Board thereon shall be final and conclusive; and in case of Default by any Vestry or Board liable under any such Order to any such Payment, the Vestry or District Board entitled thereto may sue for and recover the Amount thereof from the Vestry or Board so making Default by Action at Law.

Affixing Names of Streets by Vestries and District Boards.

87. The One hundred and forty-first Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That Vestries and District Boards shall and may, within the Limits of their respective Jurisdictions, from Time to Time cause to be painted or affixed on a conspicuous Part of some House or Building at or near each End, Corner, Entrance, or other convenient Part of any Street in their Parish or District, the Name of such Street, and renew such Name whenever it may be obliterated or defaced; and the Metropolitan Board of Works may alter the Name of any Street to any other Name which to such Board may seem fit; and before any Name is given to any Street, Notice of the intended Name shall be given to the said Metropolitan Board, and the said Board may, by Notice in Writing given to the Person by whom Notice of such intended Name has been given to them, at any Time within One Calendar Month after Receipt of such Notice, object to such intended Name; and it shall not be lawful to set up any Name to any new Street in

Alteration of Names by Metropolitan Board, and Execution of Orders by Vestries and District Boards.

in the Metropolis until the Expiration of One Calendar Month after Notice thereof has been given as aforesaid to the said Metropolitan Board, or to set up any Name objected to as aforesaid; and whenever the said Metropolitan Board shall, under the Power herein-before given, have ordered or directed an Alteration in the Name or Names of any Street, or of any Place or Row of Houses, or in any Line of Road, they shall transmit a Copy of their Order directing such Alteration to the Vestry or District Board in whose Parish or District such Street, Place, Row of Houses, or Line of Road shall be situate; and such Vestry or District Board shall thereupon cause to be painted or affixed on a conspicuous Part of some House or Building, to the Satisfaction of the said Metropolitan Board, at or near each End, Corner, Entrance, or other convenient Part of the said Street, Place, Row of Houses, or Line of Road, the altered Name or Names specified in the Order of the Metropolitan Board, and shall perform all other necessary Acts for giving effect to such Order; and it shall be lawful for the said Metropolitan Board from Time to Time to order and direct that any Row of Houses or Buildings in any Street or in any Line of Road in the Metropolis shall, for the Purpose of distinguishing the same, be marked with such Numbers or Names as they shall deem convenient and proper for that Purpose, and which they shall specify in their Order in that Behalf; and whenever the said Metropolitan Board have passed any such Order as last aforesaid, they shall transmit a Copy thereof to the Vestry or District Board in whose Parish or District the said Street, Place, Row of Houses, or Line of Road shall be situate, and it shall thereupon become the Duty of such Vestry or District Board to perform all necessary Acts and to take all requisite Proceedings for carrying the Order of the said Metropolitan Board into execution, and for that Purpose they shall give Notice to the Owners or Occupiers of the Houses and Buildings in such Street, Place, Row of Houses, or Line of Road to mark their several Houses and Buildings with such Numbers or Names as the said Metropolitan Board shall by their said Order have ordered or directed, and to 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 Week after Notice from the said Vestry or District Board to mark such House or Building with such Number or Name as shall be mentioned and required in the said Notice, or to renew the Number or Name as aforesaid, he shall be liable to a Penalty not exceeding Forty Shillings, and the said Vestry or District Board may cause such Number or Name to be so marked or renewed, and recover the Expenses thereof from the Owner of such House or Building by a summary Proceeding before a Justice of the Peace; and if any Person wilfully destroy, pull

pull down, obliterate, or deface the Name of any Street or Line of Road in the Metropolis, or the Name or Number of any House or Building therein, or paint, affix, or set up 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 Vestry or District Board to cause such Name or Number so painted, affixed, or set up contrary to the Directions in their said Notice to be obliterated or destroyed: Provided always, that the Powers conferred by this Section upon the Metropolitan Board shall extend to the City of *London* and the Liberties thereof; and all Matters by this Section directed and authorized to be done by Vestries and District Boards shall and may be done within the City of *London* and the Liberties thereof by the Commissioners of Sewers of the said City and Liberties.

Persons omitting to give Notice required by Section 76 of 18 & 19 Vict. c. 120. liable to Penalty.

88. If any Person shall, without having given the Notice directed by the Seventy-sixth Section of the firstly-recited Act, begin to lay the Foundation of any new House or Building within any Parish mentioned in Schedule A. of the said Act, or any District in Schedule B. of the said Act, or to make any Drain for the Purpose of draining either directly or indirectly into any Sewer under the Jurisdiction of the Vestry or Board of such Parish or District, he shall become liable to a Penalty for every such Offence not exceeding Five Pounds, and to a continuing Penalty of Forty Shillings for each and every Day during which he shall omit to give the Notice directed by the said Act.

Penalty on Persons wrongfully collecting Ashes, &c.

89. If any Person or Persons other than the Person or Persons employed by or contracting with the Vestry or District Board of any Parish or District, or those employed by or under such Person or Persons, shall receive, carry away, or collect any Dirt, Dust, Cinders, Rubbish, Ashes, or Breeze from any Houses or Premises, or from any Street or Highway in any Parish or District, or any Road Scrapings, Refuse, or Mud from any Street or Highway within any Parish or District, it shall and may be lawful for any Justice of the Peace, upon Complaint to him made, to grant a Summons, or, if such Justice shall think fit, a Warrant to bring before him such Offender or Offenders, and such Justice shall examine on Oath any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and any Person convicted of any such Offence shall forfeit to the said Vestry or District Board a Sum not exceeding Five Pounds, to be recovered by a summary Proceeding; provided that nothing herein-before contained shall be deemed to apply to the Removal of the Refuse of any Trade, Manufacture, or Business, or of any Building Materials from any House or Land by the Direction of the Owner or Occupier of such House or Land.

90. Every

Penalties for affixing Bills on Lamp Posts, Notice Boards, &c.

90. Every Person who shall affix or cause to be affixed any Bill, Notice, or Paper against, or deface or disfigure any Street Post, Lamp Post, Pump, or Building vested in any Board or Vestry, or who shall remove, deface, or injure any Notice Board placed or set up by Order of any Board or Vestry, or who shall pull down, obliterate, or deface any Notice set up or affixed by Order of any Board or Vestry, shall for every such Offence forfeit a Sum not exceeding Forty Shillings, to be recovered before a Justice by a summary Proceeding.

Penalty for keeping Swine in improper Situations.

91. No Person within any Parish mentioned in Schedule A. to the firstly-recited Act, or in any District mentioned in Schedule B. to the said Act, shall breed, feed, or keep any Swine in any Locality, Premises, or Place which may be unfit for the keeping of Swine, or in which the breeding, feeding, or keeping Swine may create a Nuisance, or be injurious to Health; and any Person breeding, feeding, or keeping Swine in or on any such Locality, Premises, or Place shall be liable to a Penalty not exceeding Forty Shillings, and to a further Penalty not exceeding Ten Shillings for every Day during which he shall continue such Offence after Notice from the Vestry or District Board to discontinue the same, and any such Penalty may be recovered by a summary Proceeding; and if in any Proceeding under this Enactment it shall be proved to the Satisfaction of the Justice or Justices that any such Locality, Premises, or Place are or is unfit for the keeping of Swine, such Justice or Justices may prohibit the using thereof for that Purpose for the future; and any Person disobeying the Order of any Justice or Justices in this Behalf shall be liable to a Penalty of Ten Shillings for every Day during such his Default.

Sect. 131 of 18 & 19 Vict. c. 120. and Sec. 35 of 20 & 21 Vict. c. cxxxv. repealed. Licences granted thereunder to continue.

92. The One hundred and thirty-first Section of the firstly-recited Act, and the Thirty-fifth Section of "The Metropolitan Market Act, 1857," (Twentieth and Twenty-first *Victoria*, Chapter One hundred and thirty-five) (Local and Personal), are repealed; but all Licences granted in pursuance of the Provisions in the said repealed Sections contained shall continue in force for the Space of One Year next after the Day of the granting of the same respectively, and all Offences heretofore committed against the Provisions of the said Acts, or either of them, in relation to Slaughterhouses, shall be dealt with in every respect as if this Act had not been passed.

Licensing Cowhouses.

93. From and after the First Day of *November* One thousand eight hundred and sixty-two no Place within any Parish or Place mentioned in the Schedules to the firstly-recited Act shall be used by any Person carrying on the Business of a Slaughterer of Cattle or Cowkeeper or Dairyman as a Slaughter-house for the Purpose of slaughtering Cattle or a Cowhouse or Place for the keeping of Cows, without a Licence had for such Purpose respectively from the Justices

of

of the Peace assembled at a Special Sessions held in the Division or District where such Slaughter-house, Cowhouse, or Place is situate, and such Licence shall continue in force for the Period of One Year from the granting thereof, and thenceforth until the Special Sessions to be held next after the Expiration of such Period, and no Fee or Reward exceeding Five Shillings shall be taken for any such Licence; and if any Person carrying on such Business of a Slaughterer of Cattle, Cowkeeper, or Dairyman use as a Slaughter-house or Cowhouse any Place within any Parish or Place mentioned in the Schedules of the firstly-recited Act which is not so licensed, every Person so offending shall for each Offence be liable to a Penalty not exceeding Five Pounds, of which Offence the Fact that Cattle have been taken into such Place shall be deemed sufficient *primâ facie* Evidence: Provided always, that before any Licence for the Use of any Place as a Slaughter-house or Cowhouse is granted as aforesaid, Fourteen Days 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 any such Place is situate, to the Intent that such Vestry or District Board, if they think fit, may show Cause against the granting of any such Licence, and also Seven Days Notice previous to such Special Sessions being held of the Intention to apply for such Licence shall be given to the Clerk of the Justices for such Division: Provided, that nothing in this Act contained shall extend to Slaughter-houses erected or to be erected in the Metropolitan Cattle Market under the Authority of the Metropolitan Market Act, 1851, or the Metropolitan Market Act, 1857.

Month's Notice to be given of applying for Licence for keeping Slaughter-house.

94. Before any Licence for the keeping or using of any House or Place within the Metropolitan Police District as a licensed Slaughtering House or Place for the Purpose of slaughtering or killing Horses or other Cattle not killed for Butchers' Meat shall be granted by any Quarter Sessions of the Peace under the Provisions of the Act of the Session holden in the Twenty-sixth Year of the Reign of His Majesty King *George* the Third, Chapter Seventy-one, or of the Act of the Session holden in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-seven, or any Act amending either of the said Acts, 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 House or 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.

Vestries and District Boards to contract for Removal of

95. It shall be lawful for every Vestry and District Board, if they in their Discretion think fit, to appoint and employ a sufficient Number of Persons, or to contract with any Company or Persons, for collecting and removing the Manure and refuse Straw from such Stables

Manure from Stables and Cowhouses.

Stables and Cowhouses within their Parish or District, the Occupiers of which may signify their Consent in Writing to such Removal; provided that such Consent shall not be withdrawn or revoked without One Month's previous Notice to the Vestry or District Board, and that no Person shall be hereby relieved from any Penalty or Penalties to which they may be subject for placing Dung or Manure upon the Footways or Carriageways of any Parish or District, or for having any Accumulation or Deposit of Manure so as to be a Nuisance or injurious to Health.

Vestry or District Board may require Payment of Costs or Expenses from Owner or Occupier, and Occupier paying to deduct from Rent.

96. The Two hundred and seventeenth, Two hundred and eighteenth, and Two hundred and nineteenth Sections of the firstly-recited Act are hereby repealed; and in lieu thereof be it enacted, That it shall be lawful for any Vestry or District Board, at their Discretion, to require the Payment of any Costs or Expenses which the Owner of any Premises may be liable to pay under the said recited Act or this Act either from the Owner or from any Person who then or at any Time thereafter occupies such Premises, and such Owner or Occupier shall be liable to pay the same, and the same shall be recovered in manner authorized by the recited Act and this Act; and the Owner shall allow such Occupier to deduct the Sums of Money which he so pays 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: 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: 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.

Deduction by Owner paying Rent

97. If the Owner or Landlord of any Premises from whose Rent any Amount shall be deducted in respect of any Costs, Charges,

or

or Expenses payable under the firstly-recited Act or this Act shall hold the Premises in respect of which the Amount of such Costs, Charges, or Expenses shall be paid at a Rent not less than the Rackrent, he shall be entitled to deduct the whole Amount paid by him on account of such Costs, Charges, or Expenses from the Rent payable by him to his superior Landlord; and if he holds at a Rent less than the Rackrent, he shall be entitled to deduct from the Rent so payable by him a Sum bearing the same Proportion to the Amount so paid by him on account of such Costs, Charges, or Expenses as his Rent shall bear to the Rackrent; and if the Owner or Landlord from whose Rent any Deduction be made under the Provision last aforesaid be himself liable to the Payment of Rent for the Premises in respect of which the Deduction shall be made, and hold such Premises for a Term of which less than Twenty-one Years shall be unexpired, but not otherwise, he may deduct from the Rent so payable by him a Sum bearing the same Proportion to the Sum deducted from the Rent payable to him as the Rent payable by him shall bear to the Rent payable to him, and so on in succession with respect to every Landlord of the same Premises both receiving and liable to pay Rent in respect thereof, and holding the same for a Term of which less than Twenty-one Years shall be unexpired as aforesaid: Provided always, that nothing herein contained shall be construed to entitle any Person to deduct from the Rent payable by him more than the whole Sum deducted from the Rent payable to him: Provided also, that nothing herein contained shall be taken to affect any Contract made or to be made between any Owner or 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.

where Amount of Expenses deducted from Rent paid to him.

98. No existing Road, Passage, or Way being of a less Width than Forty Feet shall be hereafter formed or laid out for building as a Street for the Purposes of Carriage Traffic, unless such Road, Passage, or Way be widened to the full Width of Forty Feet, the Measurement of the Width of such Street to be taken Half on either side from the Centre or Crown of the Roadway to the external Wall or Front of the Houses or Buildings erected or intended to be erected on each Side thereof; but where Forecourts or other Spaces are intended to be left in front of the Houses or Buildings, then the Width shall be measured up to the Fence or Boundary dividing or intended to divide such Forecourts or Spaces from the Public Way, or for the Purposes of Foot Traffic only, unless such Road, Passage, or Way be widened to the full Width of Twenty Feet, measured as aforesaid, or unless such

Roads, &c. laid out as Streets to be of full Width of Forty Feet for Carriage Traffic, and Twenty Feet for Foot Traffic.

Streets respectively shall be open at both Ends, from the Ground upwards; and any Road, Passage, or Way hereafter to be formed or laid out for either of the Purposes aforesaid shall be deemed to be a new Street, and become subject to all the Provisions of the recited Acts and this Act, and to the Provisions and Penalties of and under any Byelaws made or to be made in pursuance thereof in relation to Sewerage, Drainage, or Paving, and to Width, Construction, Surface, Inclination, and other Requirements and Particulars.

Metropolitan Board may permit Formation of Streets of less Width, &c.

99. Provided that it shall be lawful for the Metropolitan Board of Works to permit the Formation of any such Street of less Width than herein-before provided, or with One Opening only, should they under any special Circumstances deem it equitable and expedient so to do.

Power to Vestries, &c. to borrow Monies for the Improvement of Streets.

100. It shall be lawful for every Vestry and District Board mentioned in Clause One hundred and eighty-three of the first-recited Act to exercise the Power to borrow Monies therein mentioned, with the Sanction of the Metropolitan Board of Works granted under their Common Seal, for the Purpose of enabling such Vestry or District Board to make, extend, widen, alter, or improve any Street, Road, or Way, for facilitating the Passage and Traffic within the Parish or District for which such Vestry or District Board is appointed, or for the Purpose of contributing to and of joining with the Metropolitan Board or with any other Board or Persons in any such Improvement.

Any Vestry or District Board may put an end to any Powers of Appointment of Inspectors of Weights and Measures existing under any Local Act in their Parish or District.

101. If any Vestry, Commissioners, or other Body in whom any Duties or Powers in relation to the Appointment of Inspectors or Examiners of Weights and Measures are now vested under any Local Act, Charter, or otherwise, desire that such Duties or Powers should cease, and that Inspectors of Weights and Measures appointed or to be appointed at General or Quarter Sessions, pursuant to the Provisions of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, and of any Act amending the same, should act in and for the Parts to which such Local Act extends, so far as regards their Parish or District, and a Resolution to that Effect be passed by a Majority, at a Meeting of the Vestry or Board specially convened for the Purpose of considering the Question of determining such Duties or Powers, of which not less than Fourteen Days Notice shall have been given, Notice of such Resolution shall be given by the Clerk of such Vestry or Board to the Clerk of the Peace for the County in which their Parish or District is situate; and such Notice shall be laid by such Clerk of the Peace before the next Court of General or Quarter Sessions of the Peace for such County; and from and after the Receipt of such Resolution by such Justices the Appointment,

Appointment, and all Powers of Appointment, of any Inspector or Examiner appointed under any such Local Act shall cease so far as regards such Parish or District, but not so as to affect any pending Proceedings for Penalties or otherwise; and all the Provisions of the said Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, and of any Act amending the same, shall apply to such Parish or District as if such Local Act were not in force therein.

Penalties may be recovered in manner provided by 11 & 12 Vict. c. 43.

102. Every Penalty or Forfeiture imposed by this Act, and made recoverable by a summary Proceeding, may be recovered before any Justice of the Peace in manner provided by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three.

Expenses of obtaining this Act to be included among general Expenses of executing Acts.

103. The Expenses incurred by the Metropolitan Board of Works in applying for and passing this Act, and preparatory or incident thereto, shall be and are hereby included among the general Expenses of the said Board in the Execution of the firstly-recited Act, and may be defrayed accordingly; and the Expenses incurred by any Vestry or District Board in relation to this Act shall be and are hereby included among the other Expenses incurred by that Vestry or District Board in the Execution of the firstly-recited Act, and may be defrayed accordingly.

Provision as to Penalties under 227th Section of 18 & 19 Vict. c. 120. extended to Damages, &c.

104. The Provision in the Two hundred and twenty-seventh Section of the firstly-recited Act for the Recovery of Penalties and Forfeitures imposed by the said Act is hereby extended to any Damages, Costs, or Expenses payable or recoverable under the said recited Acts or this Act; and any such Damages, Costs, or Expenses, the Recovery whereof is not otherwise provided for, may be recovered by summary Proceedings in manner directed by the said Section.

Application of Penalties.

105. The Two hundred and thirty-fourth Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That all Penalties or Forfeitures payable or recoverable under the firstly-recited Act or this Act, and all Penalties or Forfeitures recovered by any Vestry or District Board acting as the local Authority for the Execution within their respective Parish or District of "The Nuisances Removal Act, for *England*, 1855," shall go and be paid in manner herein-after mentioned, anything contained in an Act made and passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Seventy-one, or in any other Act or Acts to the contrary notwithstanding; that is to say, One Half shall go to the Informer, and the Remainder shall go to the Vestry or District Board of

of the Parish or District in which the Offence was committed, or to the Metropolitan Board of Works, in case the Injury shall have been sustained by or the Offence committed in respect of that Board; or if such Vestry or District Board or the Metropolitan Board of Works be the Informers, then the whole of the Penalty recovered shall go to them respectively, and all Sums which shall go to or be recovered by any Board or Vestry on account of any Penalty or Forfeiture shall be paid to their Treasurer, or into such Bank to their Account as they may direct, and shall be applicable towards the general Expenses of such Board or Vestry; provided that in every Case where any Board or Vestry are liable to any Penalty or Forfeiture, the whole of such Penalty or Forfeiture shall go to the Informer.

Notice of Action, &c.

106. No Writ or Process shall be sued out against or served upon, and no Proceeding shall be instituted against the Metropolitan Board of Works, or any Vestry or District Board, or their Clerk, or any Clerks, Surveyor, Contractor, Officer, or Person whomsoever, acting under their or any of their Directions, for anything done or intended to be done under the Powers of such Board or Vestry under the said Acts or this Act, until the Expiration of One Calendar Month next after Notice in Writing shall have been served upon such Board or Vestry, or where the Action or Proceeding shall be against such Officer or other Person acting under their or any of their Directions shall have been delivered to him or left at his Office or Place of Abode, stating the Cause of Action or Grounds of the Proceeding or Demand, and the Name and Place of Abode of the intended Plaintiff or Claimant and of his Attorney or Agent in the Cause or Proceeding; and upon the Trial of any Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action except such as is stated in the Notice so served or delivered, and unless such Notice be proved the Jury shall find for the Defendant; and every such Action and Proceeding shall be brought or commenced within Six Months next after the Accrual of the Cause of Action or Ground of Claim or Demand, and not afterwards, and every such Action shall be laid and tried in the County or Place where the Cause of Action accrued, and not elsewhere; and the Defendant shall in any such Action be at liberty to plead the General Issue, and give the said recited Acts and this Act and all special Matter in Evidence thereunder; and it shall be lawful for the Board or Vestry, or any Person to whom such Notice is given as aforesaid, to tender Amends to the Plaintiff, his Attorney or Agent, at any Time within One Calendar Month after Service of such Notice, and in case the same be not accepted to plead such Tender in Bar, and (by Leave of the Court) with the General Issue or other Plea

Limitation.

Venue.

General Issue.

Tender of Amends.

or

or Pleas; and if upon Issue joined upon any Plea pleaded to the whole Action the Jury find generally for the Defendant, or if the Plaintiff be nonsuited or discontinue, or if Judgment be given for the Defendant, then the Defendant shall be entitled to full Costs of Suit, and have Judgment accordingly; and in case Amends have not been tendered as aforesaid, or in case the Amends tendered be insufficient, it shall be lawful for the Defendant, by Leave of the Court, at any Time before Trial, to pay into Court under Plea such Sum of Money as he may think proper, and (by the like Leave) to plead the General Issue or other Plea or Pleas, any Rule of Court or Practice to the contrary notwithstanding.

Penalties to be proceeded for within Six Months.

107. The Two hundred and thirty-third Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That no Person shall be liable for the Payment of any Penalty or Forfeiture under the recited Acts or this Act, or any Byelaw 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 Six Months next after the Commission or Discovery of such Offence.

Act not to apply to Things done before its passing, except, &c.

108. Except as herein specially provided, nothing herein contained shall in any way prejudice or affect any Act, Matter, or Thing made, done, or commenced prior to the passing of this Act.

No further Liability to attach to Places named in Sched. (C.) of 18 & 19 Vict. c. 12.

109. Nothing in this Act contained shall be held to make the several Places named in Schedule (C.) of the firstly-recited Act liable to any Payment or Assessment to which they would not have been liable if this Act had not been passed.

Acts to be construed as One Act.

110. The said recited Acts and this Act shall be construed together as One Act.

Short Titles.

111. The recited Acts may be respectively cited for all Purposes as "The Metropolis Management Act, 1855," "The Metropolis Management Amendment Act, 1856," and "The Metropolis Management Amendment Act, 1858;" and this Act may be cited for all Purposes as "The Metropolis Management Amendment Act, 1862."

Interpretation of Terms.

112. In the Construction of the recited Acts and this Act the Term "Metropolis" shall be deemed to include the City of *London* and the Parishes and Places mentioned in the Schedules (A.), (B.), and (C.) to the firstly-recited Act; the Word "Drain" shall be

deemed to apply to and include the Subject Matters specified in the Two hundred and fiftieth Section of the firstly-recited Act, and also any Drain for draining a Group or Block of Houses by a combined Operation, laid or constructed before the First Day of *January* One thousand eight hundred and fifty-six, pursuant to the Order or Direction or with the Sanction or Approval of the Metropolitan Commissioners of Sewers; the Expression "Water Company" shall mean and include any of the Companies enumerated in the Twenty-ninth Section of the Act of the Session of the Fifteenth and Sixteenth Years of the Reign of Queen *Victoria*, Chapter Eighty-four, for the making better Provision respecting the Supply of Water to the Metropolis, and also any other Company, Board, or Commission, Association, Person, or Partnership, corporate or unincorporate, for the Time being supplying the Metropolis or any Part thereof with Water for Domestic Use; the Word "Cattle" shall include Sheep, Lambs, and Swine; the Word "Street" shall be deemed to apply to and include the Subject Matters specified in the Two hundred and fiftieth Section of the firstly-recited Act, and also any Mews and a Part thereof; the Expression "new Street" shall apply to and include all Streets hereafter to be formed or laid out, and a Part of any such Street, and also all Streets, the Maintenance of the Paving and Roadway whereof had not, previously to the passing of this Act, been taken into Charge and assumed by the Commissioners, Trustees, Surveyors, or other Authorities having Control of the Pavements or Highways in the Parish or Place in which such Streets are situate, and a Part of any such Street, and also all Streets partly formed or laid out; the Word "pave" shall apply to and include the Formation of the Roadway or Footway of any Street; the Word "Clerk" shall include any Officer called or to be called "Secretary;" the Word "Surveyor" shall include any Officer called or to be called "Engineer;" the Word "Print" shall apply to and include every Mode of taking Impressions, whether by Letter Press, Stereotype, Lithography, or otherwise.

Finsbury Park Act continued till 1863.

113. Whereas an Act was passed in the Session of Parliament holden in the Twentieth and Twenty-first Years of Her Majesty, "to enable the Metropolitan Board of Works to form a Park for "the Northern Suburbs of the Metropolis, to be called *Finsbury* "*Park*:" And whereas it is expedient to continue the said Act for such Period as herein mentioned: Be it therefore enacted, That the said Act shall be continued in force until the Seventeenth Day of *August* One thousand eight hundred and sixty-three, in like Manner as if the Time so limited had been the Time limited by the said Act of the Twentieth and Twenty-first Years of *Victoria*, Chapter One hundred and twenty.

114. There

Amendment of 18 & 19 Vict. c. 120. s. 193.

114. There shall be repealed so much of the One hundred and ninety-third Section of an Act passed in the Session holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled *An Act for the better Local Management of the Metropolis*, as provides that the Auditor of the Accounts of the Metropolitan Board 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: And in lieu thereof, be it enacted, That the Auditor of the Accounts of the Metropolitan Board shall be paid by such Board a Sum not exceeding Two Guineas for every Day that he is fully employed on such Audit, and all Expenses that he is put to in the auditing of such Accounts, provided that such Payments do not in the whole exceed One hundred Guineas.

Certain Powers under Local Act 10 G. 4. c. 68. respecting Parish of Saint Paul, Covent Garden, transferred.

115. From and after the passing of this Act all Duties, Powers, and Authorities under the Local Act of the Tenth Year of *George* the Fourth, Chapter Sixty-eight, now remaining vested in the Committee of Management of the Affairs of the Parish of *Saint Paul, Covent Garden*, shall cease to be so vested, and shall become vested in and be performed and exercised by the Vestry of such Parish, elected under the Act of the Eighteenth and Nineteenth Years of *Victoria*, Chapter One hundred and twenty, and that the said Committee shall cease and be determined, and no new Appointment or Election of such Committee shall take place.

Saving Rights of the Crown and the Duchy of Lancaster.

116. It shall not be lawful for the Metropolitan Board of Works, or for any Vestry or District Board, to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, or in right of the Duchy of *Lancaster*, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, which Consent such Commissioners are hereby respectively authorized to give, or without the Consent in like Manner of the Chancellor of the said Duchy; and nothing herein contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of Her Crown or in right of Her Duchy of *Lancaster*: Provided always, that nothing herein contained shall in any way lessen, alter, or in any Manner prejudice or affect the Rights, Powers, and Authorities of the Metropolitan Board of Works relating to

to the Main Drainage of the Metropolis, but such Rights, Powers, and Authorities may be put in force as if this Section had not been passed.

Saving Rights of the Crown in respect of the Duchy of Cornwall.

117. It shall not be lawful for the Metropolitan Board of Works, or for any Vestry or District Board, to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Duchy of *Cornwall*, without the Consent in Writing of Two or more of the principal Officers of the Duchy, which Consent such principal Officers of the Duchy are hereby authorized to give; and nothing herein contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in respect of the said Duchy: Provided always, that nothing herein contained shall in any way lessen, alter, or in any Manner prejudice or affect the Rights, Powers, and Authorities of the Metropolitan Board of Works relating to the Main Drainage of the Metropolis, but such Rights, Powers, and Authorities may be put in force as if this Section had not been passed.

SCHEDULES to which this Act refers.

SCHEDULE A.

LIST OF CERTAIN SECURITIES AND LIABILITIES OF METROPOLITAN COMMISSIONERS OF SEWERS.

Name of Lender, Party holding Security, or for whose Life Annuity granted.	Amount of Loan, or Value of Annuity.			Date of Loan or Grant of Annuity.
	£	s.	d.	
John Newberry George - -	3,000	0	0	11th April 1823.
Mary Robinson - - -	2,000	0	0	12th March 1824.
G. B. Hart (Executors of) - -	1,000	0	0	„
B. D. Kershaw - - -	1,000	0	0	„
Rev. E. D. Kershaw - -	1,000	0	0	„
Samuel Kershaw - - -	2,000	0	0	4th June 1824.
T. W. Meller (Executors of) -	3,000	0	0	12th December 1828.
Do. (do.) - -	9,500	0	0	13th January 1832.
J. Hicks (Executors of) - -	5,000	0	0	8th March 1833.
John Hobbs - - -	2,000	0	0	27th May 1840.
J. G. Hall - - -	1,500	0	0	10th Sept. 1847.
Helena Balcombe (Trustees of) -	1,500	0	0	„
Philip Green - - -	1,000	0	0	„
James Courthope Peache - -	10,000	0	0	2d May 1851.
Royal Exchange Assurance Corporation - - -	20,000	0	0	17th Sept. 1852.
Rock Life Assurance Company -	228,800	0	0	Between 1st March 1854 and 1st Feb. 1855.
ANNUITIES.				
(Estimated Value, 1st January 1856.)				
Charlotte Swabey - -	210	10	0	19th April 1816.
William Edwards - - -	961	18	7	12th April 1822.
Sarah Dorothy Woodifield -	85	19	0	10th October 1823.
Louisa Turner - - -	1,039	11	4	„
Sarah Dorothy Hunt - -	217	13	11	27th August 1824.
Maria Woodroffe - - -	259	13	11	22d October 1824.
Carolina Jeremy - -	544	3	8	28th July 1826.
Margaret Symons - -	70	4	2	
TOTAL - - £	295,689	14	7	

SCHEDULE B.

APPORTIONMENT OF DEBT ON LOAN FROM THE CLERGY MUTUAL ASSURANCE SOCIETY.

Parishes and Places.	Amount charged on each Parish or Part.					
	£	s.	d.	£	s.	d.
Saint Marylebone	-	-	-	10,563	0	3
Saint Pancras	-	-	-	7,466	4	7
Lambeth	-	-	-	5,181	16	6
Saint George Hanover Square	-	-	-	9,449	0	3
Saint Mary Islington	-	-	-	4,618	18	9
Saint Leonard Shoreditch	-	-	-	2,658	15	6
Paddington	-	-	-	4,544	19	0
Saint Matthew Bethnal Green	-	-	-	1,103	13	8
Saint Mary Newington, Surrey	-	-	-	2,008	4	8
Camberwell	-	-	-	2,219	12	6
Saint James Westminster	-	-	-	4,348	6	3
Saint James and Saint John Clerkenwell	-	-	-	2,274	5	0
Chelsea	-	-	-	2,290	7	2
Saint Mary Abbotts Kensington	-	-	-	2,560	17	2
Saint Luke Middlesex	-	-	-	1,726	0	6
Saint George the Martyr Southwark	-	-	-	1,317	12	3
Bermondsey	-	-	-	1,391	12	0
Saint George in the East	-	-	-	1,754	11	5
Saint Martin in the Fields	-	-	-	2,642	8	3
Hamlet of Mile End Old Town	-	-	-	1,589	2	6
Rotherhithe	-	-	-	676	9	2
Saint John Hampstead	-	-	-	814	2	4
Whitechapel District.						
Saint Mary Whitechapel	1,139	14	1			
Christchurch Spitalfields	370	13	2			
Saint Botolph Without Aldgate	488	1	11			
Holy Trinity Minories	63	0	4			
Precinct of St. Katharine	169	2	3			
Hamlet of Mile End New Town	149	13	4			
Liberty of Norton Folgate	81	18	8			
Old Artillery Ground	42	8	11			
District of the Tower	28	17	6			
				2,533	10	2
Westminster District.						
Saint Margaret and Saint John the Evangelist	-	-	-	2,695	5	2
Greenwich District.						
Saint Paul Deptford, including Hatcham	1,048	3	10			
Saint Nicholas Deptford	211	7	10			
Greenwich	1,268	7	2			
				2,527	18	10

Parishes and Places.	Amount charged on each Parish or Part.					
	£	s.	d.	£	s.	d.
Wandsworth District.						
Clapham	871	19	11			
Tooting Graveney	103	15	8			
Streatham	514	14	10			
Saint Mary Battersea, excluding Penge	836	1	2			
Wandsworth	464	0	2			
Putney, including Roehampton	369	19	9			
				3,160	11	6
Hackney District.						
Hackney	2,451	0	4			
Saint Mary Stoke Newington	283	7	10			
				2,734	8	2
Saint Giles District.						
Saint Giles in the Fields and Saint George Bloomsbury	-	-	-	2,772	2	5
Holborn District.						
Saint Andrew Holborn above Bars, and Saint George the Martyr	1,395	3	10			
Saint Sepulchre, in the County of Middlesex	187	11	10			
Saffron Hill, &c.	294	11	4			
Liberty of Glasshouse Yard	38	9	11			
				1,915	16	11
Strand District.						
Saint Anne Soho	958	7	5			
Saint Paul Covent Garden	458	17	10			
Precinct of the Savoy	90	9	6			
Saint Mary-le-Strand	157	1	4			
Saint Clement Danes	897	15	9			
Liberty of the Rolls	169	18	4			
				2,732	10	2
Fulham District.						
Saint Peter and Saint Paul Hammersmith	713	9	0			
Fulham	501	19	6			
				1,215	8	6
Limehouse District.						
Saint Anne Limehouse	586	7	3			
Saint John Wapping	373	11	6			
Saint Paul Shadwell	325	12	7			
Hamlet of Ratcliffe	463	14	3			
				1,749	5	7
Poplar District.						
All Saints Poplar	1,637	9	10			
Saint Mary Stratford-le-Bow	286	1	2			
Saint Leonard Bromley	383	6	9			
				2,306	17	9
Saint Saviour's District.						
Christchurch	671	3	5			
Saint Saviour (including the Liberty of the Clink)	1,030	10	10			
				1,701	14	3
Plumstead District.						
Charlton next Woolwich	311	16	1			
Plumstead	300	9	11			
Eltham	157	9	9			
Lee	248	7	9			
Kidbrooke	90	18	0			
				1,109	1	6

Parishes and Places.	Amount charged on each Parish or Part.					
	£	s.	d.	£	s.	d.
Lewisham District.						
Lewisham, including Sydenham -	1,149	19	7			
Hamlet of Penge - - -	309	13	9			
				1,459	13	4
Saint Olave District.						
Saint Olave - - -	536	6	1			
Saint Thomas Southwark - -	47	12	6			
Saint John Horsleydown - -	438	12	10			
				1,022	11	5
The Charter House - - - -	-	-	-	20	11	10
Gray's Inn - - - - -	-	-	-	142	13	10
TOTAL - -	-	-	-	105,000	0	0

SCHEDULE C.

Form of Assessment.

RESOLVED, That this Board do and they do hereby ascertain the Sums which ought, in their Judgment, to be charged upon the several Parts of the Metropolis, and other Parts charged with Mortgages, Debts, and Liabilities at the Expiration of the Act of the 11th and 12th Years of Her Majesty, Chapter 112, for defraying the Expenses of the said Board, in the Execution of the Metropolis Local Management Act, 1855, for the Year ending 18 , under and pursuant to the said Act and the Acts for amending the same; and ordered that such Sums be assessed as herein-after specified, and they are hereby assessed upon such Parts respectively, and that Precepts under the Common Seal of the Board do issue for obtaining Payment thereof:—

Parishes, Districts, or Parts.	Sums assessed.
[*Here insert the Parishes, Districts, Parts of Parishes, &c., as for instance,*]	
City of London, the whole - -	
Parish of _____, the whole	
That Part of the Parish included in former District [*or* Level *or* Division] - -	
That Part of the Parish included in former District [*or* Level *or* Division] - -	
[*And so on, adding the Names of the other Parishes, Districts, Parts of Parishes, &c., on which Sums are assessed, and the Sums assessed.*]	

Form of Precept demanding One Sum assessed upon the whole of a Parish or other Place.

To the Vestry [*or other Body or Person charged with Payment of the Amount*] of the Parish [*or other Place, describing it by Name*].

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An Act for the better Local Management of the "Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said Vestry [*or* Chamberlain, *&c.*], and do hereby require you to pay to on or before the Day of now next ensuing, the Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the said Parish [*or* City, *&c.*], for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 ascertain and assess upon the said Parish [*or* City, *&c.*], for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

Dated this Day of 18 .

L.S.

Form of Precept demanding an Amount made up of a Sum assessed upon the whole of a Parish or other Place, and of a Sum or Sums assessed upon a Part or Parts of such Parish or Place.

To the Vestry [*or other Body or Person charged with Payment of the Amount*] of the Parish [*or other Place, describing it by Name*].

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An Act for the better Local Management of the "Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said Vestry, and do hereby require you to pay to on or before the Day of now next ensuing, the Sum of Pounds Shillings and Pence, the Sum of Pounds Shillings and Pence, Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the whole of the said Parish for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Parish for such Purpose, under and in pursuance of

the Provisions of the said Act and the Acts for amending the same in that Behalf.

* The Sum of Pounds Shillings and Pence, other Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon that Part of the said Parish of which was at and immediately before the Determination and Expiration of the Metropolitan Sewers Act, 1848, included in the Sewerage District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Part of the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf. [*Where distinct Sums are assessed upon other Parts of the same Parish, that Portion of the preceding Form commencing at * may be repeated in each Case.*]

Dated this Day of 18 .

L.S.

Form of Precept to a District Board of Works, demanding a Sum assessed upon the whole of a Parish within the District, or an Amount consisting of a Sum assessed upon the whole Parish, and a Sum or Sums assessed upon a Part or Parts of the same Parish.

To the Board of Works for the District.

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An Act for the better Local Management of the "Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said District Board of Works for the said District, and do hereby require you to pay to on or before the Day of now next ensuing,* the Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the Parish of within the said District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

* [*Where the Amount demanded is made up of a Sum assessed upon a whole Parish within the District, and also of a Sum or Sums assessed on a Part or Parts of the same Parish, the Form may be as follows:—*

The Sum of Pounds Shillings and Pence, Part of the said Sum of Pounds Shillings

Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the whole of the Parish of within the said District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

The Sum of Pounds Shillings and Pence, other Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon that Part of the said Parish of within the said District, which was at and immediately before the Determination and Expiration of the Metropolitan Sewers Act, 1848, included in the separate Sewerage District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Part of the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Act for amending the same in that Behalf.]

Dated this Day of 18 .

L.S.

Form of Precept to a District Board of Works, where Sums are assessed upon several Parishes and Parts of Parishes within the District.

To the Board of Works for the District.

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An Act for the better Local Management of the "Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said Board of Works for the said District, and do hereby require you to pay to the on or before the Day of now next ensuing, the Sum of Pounds Shillings and Pence, being the Amount of the several and respective Sums of Money hereunder set down and expressed opposite to and against the several Parishes and Parts of Parishes within your said District herein-after mentioned, which said several Sums ought, in the Judgment of the said Board, to be charged upon the said Parishes and Parts of Parishes respectively for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said several Parishes and Parts of Parishes for such

such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf:

Names of Parishes, Parts of Parishes, &c.	—					
	£	s.	d.	£	s.	d.
The Parish [*or* Hamlet, Precinct, *&c.*] of _____ The whole of the Parish. That Part of the said Parish [*or* Hamlet, Precinct, *&c.* of _____], within the said _____ District, which was at and immediately before the Determination and Expiration of the Metropolitan Sewers Act, 1848, included in the _____ Sewerage District. [*And so on in the Case of each Parish, Part of a Parish, &c.*]						

Dated this Day of 18 .

L.S.

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