48 Vict. c. 3. in section eight of the Representation of the People Act, 1884, for which payment is not provided by the said Acts.

(2.) The Local Government Board for Ireland may from time to time make orders, and, when made, revoke, alter, or amend the same, and make new orders instead of any orders revoked, fixing a scale according to which the payment for such services and expenses shall be made.

(3.) In fixing such scale regard shall be had to the various duties which are required to be performed by such clerks and collectors respectively under the said Acts with respect to the preparation of the voters lists for the revision, and to their attendance at the revision courts, and to the distances which it may be necessary for them to travel for such purposes respectively.

(4.) All sums which shall become payable to any such clerk or collector, according to the scale in force for the time being, shall be paid to him by the board of guardians of the union within a reasonable time in each year after the close of the sittings of the revision court for the parliamentary borough or county, or division of a county, as the case may be, in which the poor law union is situated, out of any funds applicable to the general purposes of the union, and shall be paid to such person in addition to any salary or remuneration payable to him for the discharge of any other duties besides those required by the said Acts, but, as regards the year one thousand eight hundred and ninety, after deducting all sums paid to any such clerk or collector by any board of guardians as a compensation for the duties mentioned in sub-section one of this section discharged during the year ending the thirty-first day of December one thousand eight hundred and ninety, and after that date no payment in respect of such duties shall be made in any year to any clerk or collector except under the scale to be fixed in pursuance of this Act.

Short title. **2.** This Act may be cited as the Parliamentary Registration Expenses (Ireland) Act, 1890.

CHAPTER 59.

An Act to amend the Public Health Acts.

[18th August 1890.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.—GENERAL.

Division of Act into parts. **1.** This Act is divided into parts as follows:—

Part I.—General.

Part II.—Telegraph, &c. wires,

Part III.—Sanitary and other provisions.
Part IV.—Music and dancing.
Part V.—Stock.

Short title, construction, and extent of Act.

2.—(1.) This Act shall be construed as one with the Public Health Acts.

(2.) Part One of this Act shall extend to England and Wales and Ireland, exclusive of the administrative county of London. Parts Two, Three, Four, and Five, shall extend to any district in which they are respectively adopted under the provisions of this Act.

(3.) This Act may be cited as the Public Health Acts Amendment Act, 1890, and this Act and the Public Health Acts may be cited together as the Public Health Acts.

Adoption of Act by local authorities.

3. The following provisions shall have effect with regard to the adoption of the parts of this Act, which are adoptive, by local authorities:—

(1.) An urban authority may adopt all or any of such parts.

(2.) A rural authority may adopt Part Three so far as it is declared by this Act to be applicable to such authority, without prejudice to the provisions of this Act relating to the investing of rural authorities with urban powers.

(3.) The adoption shall be by a resolution passed at a meeting of the local authority; and one calendar month at least before such meeting special notice of the meeting and of the intention to propose such resolution shall be given to every member of the authority, and the notice shall be deemed to have been duly given to a member of it, if it is either—

(*a.*) Given in the mode in which notices to attend meetings of the authority are usually given; or

(*b.*) Where there is no such mode, then signed by the clerk of the authority, and delivered to the member or left at his usual or last known place of abode in England, or forwarded by post in a prepaid letter, addressed to the member at his usual or last known place of abode in England.

(4.) Such resolution shall be published by advertisement in some one or more newspapers circulating within the district of the authority and by causing notice thereof to be affixed to the principal doors of every church and chapel in the place to which notices are usually fixed, and otherwise in such manner as the authority think sufficient for giving notice thereof to all persons interested, and shall come into operation at such time not less than one month after the first publication of the advertisement of the resolution as the authority may by the resolution fix, and upon its coming into operation such parts of the Act as are adopted shall extend to that district.

(5.) A copy of the resolution shall be sent—

(*a.*) Where any part of the Act is adopted, to the Local Government Board;

(*b*) Where Part Two is adopted, to the Board of Trade;

(*c.*) Where Part Four is adopted to a Secretary of State,

(6.) A copy of the advertisement shall be conclusive evidence of the resolution having been passed, unless the contrary be shown; and no objection to the effect of the resolution, on the ground that notice of the intention to propose the same was not duly given, or on the ground that the resolution was not sufficiently published, shall be made after three months from the date of the first publication of the advertisement.

Expenses of local authority.

4. All expenses incurred or payable by a local authority in the execution of this Act, and not otherwise provided for, may be charged and defrayed in the case of an urban authority as part of the expenses incurred by them in the execution of the Public Health Acts, and in the case of a rural authority as part of their general expenses under the Public Health Acts.

Power to Local Government Board to extend Act to rural districts.

5. The Local Government Board may declare that any of the provisions contained in any part of this Act which are not in force in any rural sanitary district shall be in force in that district, or any part thereof, and may invest a rural sanitary authority with any of the powers, rights, duties, capacities, liabilities, and obligations which an urban authority may acquire by adoption of any part of this Act, in like manner, and subject to the same provisions as they are enabled to invest rural sanitary authorities with the powers of urban sanitary authorities under the provisions of section two hundred and seventy-six of the Public Health Act, 1875, and in such case the date of the declaration of the Local Government Board under this section shall be substituted for the date of the adoption of this Act or any part thereof.

38 & 39 Vict. c. 55.

Legal proceedings, &c.

6. Offences under this Act may be prosecuted, and penalties, forfeitures, costs, and expenses recovered in like manner and subject to the same provisions as offences which may be prosecuted and penalties, forfeitures, costs, and expenses which may be recovered in a summary manner under the Public Health Acts.

Appeals to quarter sessions.

7.—(1.) Any person aggrieved—

(*a.*) By any order, judgment, determination, or requirement of a local authority under this Act;

(*b.*) By the withholding of any order, certificate, licence, consent, or approval, which may be made, granted, or given by a local authority under this Act;

(*c.*) By any conviction or order of a court of summary jurisdiction under any provision of this Act;

may appeal in manner provided by the Summary Jurisdiction Acts to a court of quarter sessions.

(2.) This section shall not apply in cases where there is an appeal to the Local Government Board under section two hundred and sixty-eight of the Public Health Act, 1875.

More than one sum in one summons, &c.

8. Any information, complaint, warrant, or summons made or issued for the purposes of this Act, or of the Public Health Acts, may contain in the body thereof or in a schedule thereto several sums.

Byelaws.

9. All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, and any enactment amending or

extending those sections, shall apply to all byelaws from time to time made by a local authority under the powers of this Act, except byelaws made under Part Two of this Act.

Powers of Act cumulative.

10.—(1.) All powers given to a local authority under this Act shall be deemed to be in addition to and not in derogation of any other powers conferred upon such local authority by any Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not been passed.

(2.) Nothing in this Act shall exempt any person from any penalty to which he would have been liable if this Act had not been passed, provided that no person shall be liable to pay, except in the case of a daily penalty, more than one penalty in respect of the same offence.

Interpretation.

11.—(1.) The expression "ashpit" in the Public Health Acts and in this Act shall for the purposes of the execution of those Acts and of this Act include any ashtub or other receptacle for the deposit of ashes, fæcal matter, or refuse.

(2.) A street or part of a street which has been asphalted or paved with wood, tar paving, or artificial stone, or other improved paving of any kind shall be deemed to have been paved within the meaning of any provision of the Public Health Acts.

Provided that a street shall not be deemed to be paved to the satisfaction of an urban authority unless it is paved with such kind as well as with such quality of paving as the local authority shall consider suitable for the street.

(3.) In this Act if not inconsistent with the context—

The expression "local authority" means an urban sanitary authority or a rural sanitary authority, as the case may be, under the Public Health Acts, and the expressions "urban authority" and "rural authority" mean respectively an urban sanitary authority and a rural sanitary authority under those Acts.

The expressions "urban sanitary district" and "rural sanitary district" mean respectively an urban sanitary district and a rural sanitary district under the Public Health Acts.

The expression "sanitary convenience" includes urinals, water-closets, earth-closets, privies, ashpits, and any similar convenience.

The expression "daily penalty" means a penalty for each day on which any offence is continued after conviction therefor.

The expressions "surveyor," "lands," "premises," owner," "street," house," "drain," "sewer" have respectively the same meaning as in the Public Health Acts.

Application of Act to Ireland.

12. In the application of this Act to Ireland the following modifications shall have effect:—

(1.) Sections five and forty-one shall not apply to Ireland.

(2.) This Act shall be construed as one with the Public Health (Ireland) Act, 1878. 41 & 42 Vict. c. 52.

(3.) This Act and the Public Health (Ireland) Act, 1878, may be cited as the Public Health (Ireland) Acts.

(4.) A reference to a place of abode in England shall be construed to be a reference to a place of abode in Ireland.

(5.) The Local Government Board for Ireland shall be substituted for the Local Government Board.

(6.) The Chief Secretary shall be substituted for the Secretary of State.

(7.) The expression "the Public Health Acts" shall include the Public Health (Ireland) Act, 1878, and the said Act shall be substituted for the Public Health Act, 1875, and in particular references in this Act to sections thirty-eight, forty-one, eighty-four, one hundred and sixteen, one hundred and seventeen, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-five, two hundred and twenty-nine, two hundred and thirty, two hundred and sixty-eight, and three hundred and six of the Public Health Act, 1875, shall be respectively taken to be references to sections forty-eight, fifty-one, ninety-five, one hundred and thirty-two, one hundred and thirty-three, forty-one, forty-two, one hundred and two, two hundred and thirty-two, two hundred and thirty-three, two hundred and sixty-eight, and two hundred and seventy-two of the Public Health (Ireland) Act, 1878, and the references to sections one hundred and sixteen to one hundred and nineteen, and to sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, shall be respectively taken to be references to sections one hundred and thirty-two to one hundred and thirty-five, and to sections two hundred and nineteen to two hundred and twenty-three of the Public Health (Ireland) Act, 1878.

(8.) In sub-section four of section fifty-one of this Act a notice to the clerk to the licensing justices and to the district inspector of the district in which the house, room, garden, or place is situated, or in his absence to the head constable, or if in the Dublin Metropolitan Police District to the superintendent of police of such division, shall be substituted for the notice to the clerk of the licensing justices and to the chief officer of police in the said sub-section mentioned.

(9.) In section fifty-one of this Act as modified by this section the expression "general annual licensing meeting" shall mean annual licensing quarter sessions, and the expressions "licensing justices," "clerk to the licensing justices," "special sessions," and all other expressions defined by the Licensing Acts (Ireland), 1872 to 1874, shall have the same meanings respectively as in the said Acts.

(10.) Sub-section two of section fifty-two of this Act shall be read and construed as if the words and figures "of the Local Loans Act, 1875, and the Acts amending the same and," and also "by the Metropolitan Board of Works, or the County Council of London, or," were omitted therefrom.

(11.) The Lord Lieutenant by order made by and with the advice of the Privy Council shall be substituted for Her Majesty by Order in Council.

PART II.—TELEGRAPH, &c. WIRES.

Byelaws for prevention of danger from

13.—(1.) An urban authority may from time to time make, alter, and repeal byelaws for prevention of danger or obstruction to the

public from posts, wires, tubes, or any other apparatus stretched or placed above, over, along, or across any street (whether before or after the adoption of this part of this Act) for the purpose of any telegraph, telephone, lighting, railway signalling, or other purpose. telegraph wires, &c.

(2.) By such byelaws provisions may be made for the inspection and examination by the urban authority of any such posts, wires, tubes, or other apparatus, and for the prohibition of any such posts, wires, tubes, or other apparatus being or continuing to be stretched or placed as aforesaid in such manner as to be dangerous or to cause obstruction to the public.

(3.) Offenders against such byelaws shall be liable to such penalties as may be thereby prescribed not exceeding five pounds for each offence, and a daily penalty not exceeding forty shillings, and the court in addition to awarding any penalty may order the removal of any post, wire, tube, or other apparatus stretched or placed in contravention of any such byelaw made under this section.

(4.) Byelaws made under this section and any alteration or repeal of any such byelaw shall not take effect unless and until they have been submitted to and confirmed by the Board of Trade, which Board is hereby empowered to allow or disallow or to modify or amend the same as it may think proper.

(5.) Reasonable notice of the intended submission for confirmation of any such byelaw, alteration, or repeal shall be given by the urban authority by advertisement in one or more local newspapers circulating in the district to which such byelaws relate, and by circular letter to any company or person owning or leasing any post, wire, tube, or other apparatus to which any byelaw is intended to apply, and such company or person shall be entitled to appear before the Board of Trade and object to the confirmation, alteration, or repeal of any byelaw, and all costs incurred by any parties in reference to the application for or objection to the confirmation, alteration, or repeal of any such byelaw shall be in the discretion of the Board of Trade.

(6.) The Board of Trade may exempt from the operation of any such byelaw, alteration, or repeal, for such period as they think proper, not exceeding five years from the confirmation thereof, any post, wire, tube, or other apparatus which shall have been stretched or placed, in the case of a new byelaw, before the confirmation thereof, and in the case of the alteration or repeal of a byelaw, in accordance with such byelaw.

(7.) Nothing in such byelaws shall extend to or include any apparatus belonging to any railway or canal company, or used by them in connexion with their business, and which now is or hereafter shall be fixed or placed by any such company across, over, or along any railway or the towing-path of any canal, provided such apparatus do not project or be not stretched or placed beyond such railway or towing-path over any street, or be not stretched or placed over any street crossing over such railway other than streets crossing any railway on the level.

14.—(1.) If any post, wire, tube, or other apparatus so exempted as aforesaid is during the period of such exemption in the opinion Danger from exempted telegraph wires.

of the surveyor of the urban authority in such a state or position that immediate danger to any person is to be apprehended, he may give information to any justice, who may thereupon summon the owner or lessee thereof or other person interested therein forthwith to appear before a court of summary jurisdiction.

(2.) The court may thereupon—

(*a.*) Make an order requiring such owner, lessee, or other person, or all or any of them, to remove or remedy the source of danger; or

(*b.*) Make an order authorising the surveyor to do so at the expense of such owner, lessee, or other person, or of all or any of them; or

(*c.*) Make such other order as may appear to the court under all the circumstances of the case to be necessary and proper.

Savings.

15.—(1.) Nothing contained in this part of this Act shall—

(*a.*) Extend to any post, wire, tube, or other apparatus or property of the Postmaster-General:

(*b.*) Extend to any works of any undertakers within the meaning of the Electric Lighting Acts, 1882 to 1888, to which the provisions of those Acts apply.

(2.) Nothing contained in this part of this Act shall limit or interfere with the working of any mines or minerals lying under or adjacent to any street along or across which any posts, wires, tubes, or other apparatus shall be stretched or placed, nor shall the owner, lessee, or occupier of those mines or minerals be liable for any damage which may be occasioned by the working thereof in the ordinary course to such posts, wires, tubes, or apparatus.

PART III.—SANITARY AND OTHER PROVISIONS.

Injurious matters not to pass into sewers.

16.—(1.) It shall not be lawful for any person to throw, or suffer to be thrown, or to pass into any sewer of a local authority or any drain communicating therewith, any matter or substance by which the free flow of the sewage or surface or storm water may be interfered with, or by which any such sewer or drain may be injured.

(2.) Every person offending against this enactment shall be liable to a penalty not exceeding ten pounds, and to a daily penalty not exceeding twenty shillings.

Chemical refuse, steam, &c. not to be turned into sewers.

17.—(1.) Every person who turns or permits to enter into any sewer of a local authority or any drain communicating therewith—

(*a.*) Any chemical refuse, or

(*b.*) Any waste steam, condensing water, heated water, or other liquid (such water or other liquid being of a higher temperature than one hundred and ten degrees of Fahrenheit),

which, either alone or in combination with the sewage, causes a nuisance or is dangerous or injurious to health, shall be liable to a penalty not exceeding ten pounds, and to a daily penalty not exceeding five pounds.

(2.) The local authority, by any of their officers either generally or specially authorised in that behalf in writing, may enter any

premises for the purpose of examining whether the provisions of this section are being contravened, and if such entry be refused, any justice, on complaint on oath by such officer, made after reasonable notice in writing of such intended complaint has been given to the person having custody of the premises, may by order under his hand require such person to admit the officer into the premises, and if it be found that any offence under this section has been or is being committed in respect of the premises, the order shall continue in force until the offence shall have ceased or the work necessary to prevent the recurrence thereof shall have been executed.

(3.) A person shall not be liable to a penalty for an offence against this section until the local authority have given him notice of the provisions of this section, nor for an offence committed before the expiration of seven days from the service of such notice, provided that the local authority shall not be required to give the same person notice more than once.

Provision as to local authority making communications with or altering, &c. drains and sewers.

18.—(1.) Where the owner or occupier of any premises is entitled to cause any sewer or drain from those premises to communicate with any sewer of the local authority, the local authority shall, if requested to do so by such owner or occupier, and upon the cost thereof being paid in advance to the local authority, themselves make the communication and execute all works necessary for that purpose.

(2.) The cost of making such communication (including all costs incidental thereto) shall be estimated by the surveyor of the local authority, but in case the owner or occupier of the premises, as the case may be, is dissatisfied with such estimate, he may, if the estimate is under fifty pounds, apply to a court of summary jurisdiction to fix the amount to be paid for such cost, and if the estimate is over fifty pounds have the same determined by arbitration in manner provided by the Public Health Acts.

(3.) A local authority may agree with the owner of any premises that any sewer or drain which such owner is required, or desires, to make, alter, or enlarge, or any part of such sewer or drain, shall be made, altered, or enlarged by the local authority.

Extension of 38 & 39 Vict. c. 55. s. 41.

19.—(1.) Where two or more houses belonging to different owners are connected with a public sewer by a single private drain, an application may be made under section forty-one of the Public Health Act, 1875 (relating to complaints as to nuisances from drains), and the local authority may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such shares and proportions as shall be settled by their surveyor or (in case of dispute) by a court of summary jurisdiction.

(2.) Such expenses may be recovered summarily or may be declared by the urban authority to be private improvement expenses under the Public Health Acts, and may be recovered accordingly.

(3.) For the purposes of this section the expression "drain" includes a drain used for the drainage of more than one building.

Sanitary conveniences for public accommodation.

20.—(1.) Where an urban authority provide and maintain for public accommodation any sanitary conveniences, such authority may—

(i.) Make regulations with respect to the management thereof and make byelaws as to the decent conduct of persons using the same;

(ii.) Let the same from time to time for any term not exceeding three years at such rent and subject to such conditions as they may think fit;

(iii.) Charge such fees for the use of any waterclosets provided by them as they may think proper.

(2.) No public sanitary convenience shall, after the adoption of this part of this Act, be erected in or accessible from any street without the consent in writing of the urban authority, who may give such consent upon such terms as to the use thereof or the removal thereof at any time, if required by the urban authority, as they may think fit.

(3.) Any person who erects a sanitary convenience in contravention of this enactment, and after a notice in writing to that effect from the urban authority does not remove the same, shall be liable to a penalty not exceeding five pounds, and to a daily penalty not exceeding twenty shillings.

(4.) Nothing in this section shall extend to any sanitary convenience now or hereafter to be erected by any railway company within their railway station yard or the approaches thereto.

Sanitary conveniences used in common.

21. With respect to any sanitary convenience used in common by the occupiers of two or more separate dwelling-houses, or by other persons, the following provisions shall have effect:—

(1.) If any person injures or improperly fouls any such sanitary convenience, or anything used in connexion therewith, he shall for every such offence be liable to a penalty not exceeding ten shillings:

(2.) If any sanitary convenience or the approaches thereto, or the walls, floors, seats, or fittings thereof is or are in the opinion of the urban authority or of the inspector of nuisances or medical officer of health of such authority in such a state or condition as to be a nuisance or annoyance to any inhabitant of the district for want of the proper cleansing thereof, such of the persons having the use thereof in common as aforesaid as may be in default, or in the absence of proof satisfactory to the court as to which of the persons having the use thereof in common is in default, each of those persons, shall be liable to a penalty not exceeding ten shillings, and to a daily penalty not exceeding five shillings.

Sanitary conveniences for manufactories, &c.

22.—(1.) Every building, used as a workshop or manufactory, or where persons are employed or intended to be employed in any trade or business, whether erected before or after the adoption of this part of this Act in any district, shall be provided with sufficient and suitable accommodation in the way of sanitary conveniences, having regard to the number of persons employed in or in attendance at such building, and also where persons of both sexes are

employed, or intended to be employed, or in attendance, with proper separate accommodation for persons of each sex.

(2.) Where it appears to an urban authority on the report of their surveyor that the provisions of this section are not complied with in the case of any building, the urban authority may, if they think fit, by written notice, require the owner or occupier of any such building to make such alterations and additions therein as may be required to give such sufficient, suitable, and proper accommodation as aforesaid.

(3.) Any person who neglects or refuses to comply with any such notice shall be liable for each default to a penalty not exceeding twenty pounds, and to a daily penalty not exceeding forty shillings.

(4.) Where this section is in force, section thirty-eight of the Public Health Act, 1875, shall be repealed.

Extension of 38 & 39 Vict. c. 55. s. 157.

23.—(1.) Section one hundred and fifty-seven of the Public Health Act, 1875, shall be extended so as to empower every urban authority to make byelaws with respect to the following matters; that is to say:—

The keeping waterclosets supplied with sufficient water for flushing;

The structure of floors, hearths, and staircases, and the height of rooms intended to be used for human habitation;

The paving of yards and open spaces in connexion with dwelling-houses; and

The provision in connexion with the laying out of new streets of secondary means of access where necessary for the purpose of the removal of house refuse and other matters.

(2.) Any byelaws under that section as above extended with regard to the drainage of buildings, and to waterclosets, earth-closets, privies, ashpits, and cesspools, in connexion with buildings, and the keeping waterclosets supplied with sufficient water for flushing, may be made so as to affect buildings erected before the times mentioned in the said section.

(3.) The provisions of the said section (as amended by this Act), so far as they relate to byelaws with respect to the structure of walls and foundations of new buildings for purposes of health, and with respect to the matters mentioned in sub-sections (3) and (4) of the said section, and with respect to the structure of floors, the height of rooms to be used for human habitation, and to the keeping of waterclosets supplied with sufficient water for flushing, shall be extended so as to empower rural authorities to make byelaws in respect to the said matters, and to provide for the observance of such byelaws, and to enforce the same as if such powers were conferred on the rural authorities by virtue of an order of the Local Government Board made on the day when this part of this Act is adopted; and section one hundred and fifty-eight of the Public Health Act, 1875, shall also apply to any such authority, and shall be in force in every rural district where this part of this Act is adopted.

(4.) Every local authority may make byelaws to prevent buildings which have been erected in accordance with byelaws made under

the Public Health Acts from being altered in such a way that if at first so constructed they would have contravened the byelaws.

Rooms over privies, &c. not to be used as dwelling or sleeping rooms.

24.—(1.) Where any portion of a room extends immediately over any privy (not being a watercloset or earth-closet), or immediately over any cesspool, midden, or ashpit, that room, whether built before or after the adoption of this part of this Act, shall not be occupied as a dwelling place, sleeping place, or workroom or place of habitual employment of any person in any manufacture, trade, or business during any portion of the day or night.

(2.) Any person who after the expiration of one month after the adoption of this part of this Act, and after notice from the local authority of not less than seven days, so occupies, and any person who suffers to be so occupied, any such room, shall be liable to a penalty not exceeding forty shillings, and to a daily penalty not exceeding ten shillings.

Penalty for erecting buildings on ground filled up with offensive matter.

25.—(1.) It shall not be lawful to erect a new building on any ground which has been filled up with any matter impregnated with fœcal, animal, or vegetable matter, or upon which any such matter has been deposited, unless and until such matter shall have been properly removed by excavation or otherwise, or shall have been rendered or have become innocuous.

(2.) Every person who does or causes, or wilfully permits to be done any act in contravention of this section shall for every such offence be liable to a penalty not exceeding five pounds, and a daily penalty not exceeding forty shillings.

Power to make byelaws for certain sanitary purposes.

26.—(1.) An urban authority may make byelaws in respect of the following matters, namely:—

(*a.*) For prescribing the times for the removal or carriage through the streets of any fœcal or offensive or noxious matter or liquid, whether such matter or liquid shall be in course of removal or carriage from within or without or through their district:

(*b.*) For providing that the vessel, receptacle, cart, or carriage used therefor shall be properly constructed and covered so as to prevent the escape of any such matter or liquid:

(*c.*) For compelling the cleansing of any place whereon such matter or liquid shall have been dropped or spilt in such removal or carriage.

(2.) Where a local authority themselves undertake or contract for the removal of house refuse they may make byelaws imposing on the occupier of any premises duties in connexion with such removal so as to facilitate the work which the local authority undertake or contract for.

Provision for keeping common courts and passages clean.

27.—(1.) Where any court, or where any passage leading to the back of several buildings in separate occupations, and not being a highway repairable by the inhabitants at large, is not regularly and effectually swept and kept clean and free from rubbish or other accumulation to the satisfaction of the urban authority, the urban authority may, if they think fit, cause to be swept and cleaned such court or passage.

(2.) The expenses thereby incurred shall be apportioned between the occupiers of the buildings situated in the court or to the back of which the passage leads in such shares as may be determined by the surveyor of the urban authority, or (in case of dispute) by a court of summary jurisdiction, and in default of payment any share so apportioned may be recovered summarily from the occupier on whom it is apportioned.

Extension of 38 & 39 Vict. c. 55. ss. 116–119.

28.—(1.) Sections one hundred and sixteen to one hundred and nineteen of the Public Health Act, 1875 (relating to unsound meat), shall extend and apply to all articles intended for the food of man, sold or exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale within the district of any local authority.

(2.) A justice may condemn any such article, and order it to be destroyed or disposed of, as mentioned in section one hundred and seventeen of the Public Health Act, 1875, if satisfied on complaint being made to him that such article is diseased, unsound, unwholesome, or unfit for the food of man, although the same has not been seized as mentioned in section one hundred and sixteen of the said Act.

Duration of licences.

29. Licences granted after the adoption of this part of this Act for the use and occupation of places as slaughter-houses shall be in force for such time or times only, not being less than twelve months, as the urban authority shall think fit to specify in such licences.

Notice of change of occupation of slaughter-house.

30.—(1.) Upon any change of occupation of any building within an urban sanitary district registered or licensed for use and used as a slaughter-house, the person thereupon becoming the occupier or joint occupier shall give notice in writing of the change of occupation to the inspector of nuisances.

(2.) A person who fails or neglects to give such notice within one month after the change of occupation occurs shall be liable to a penalty not exceeding five pounds.

(3.) Notice of this enactment shall be endorsed on all licences granted after the adoption of this part of this Act.

Revocation of licence on conviction for sale of meat unfit for food.

31. If the occupier of any building licensed as aforesaid to be used as a slaughter-house for the killing of animals intended as human food is convicted by a court of summary jurisdiction of selling or exposing for sale, or for having in his possession, or on his premises, the carcase of any animal, or any piece of meat or flesh diseased or unsound, or unwholesome or unfit for the use of man as food, the court may revoke the licence.

Extension of 38 & 39 Vict. c. 55. s. 84.

32. Any keeper of a common lodging-house who fails to give the notice required by section eighty-four of the Public Health Act, 1875, shall be liable to a penalty not exceeding forty shillings, and to a daily penalty not exceeding five shillings.

Buildings described in deposited plans otherwise than as dwelling-houses not to be used as such.

33.—(1.) Where the plan of a building has been, either before or after the adoption of this part of this Act in any district, deposited with a local authority in pursuance of any Act of Parliament or byelaw, and that building is described therein otherwise than as a dwelling-house, any person who wilfully uses or knowingly permits

to be used such building or any part thereof for the purposes of habitation by any person other than the person placed therein to take care thereof, and the family of such person, shall be guilty of an offence under this section, and shall be liable to a penalty not exceeding five pounds, and to a daily penalty not exceeding forty shillings.

(2.) Provided that if such building has in the rear thereof and adjoining and exclusively belonging thereto such an open space as is required by any Act of Parliament or byelaw for the time being in force with respect to buildings intended to be used as dwelling-houses, and if such part of the building as is intended to be used as a dwelling-house has undergone such structural alterations, if any, as are necessary in the opinion of the local authority to render it fit for that purpose, the owner may use the same as a dwelling-house.

Hoards to be set up during progress of buildings, &c.

34.—(1.) Every person intending to build or take down any building, or to alter or repair the outward part of any building in any street or court, shall—

(*a.*) before beginning the same, unless the urban authority otherwise consent in writing, cause close-boarded hoards or fences to the satisfaction of the urban authority to be put up in order to separate the building from the street or court;

(*b.*) if the urban authority so require, make a convenient covered platform and handrail to serve as a footway for passengers outside of such hoard or fence;

(*c.*) continue such hoard or fence with such platform and handrail as aforesaid standing and in good condition to the satisfaction of the urban authority during such time as they may require;

(*d.*) if required by the urban authority, cause the same to be sufficiently lighted during the night;

(*e.*) remove the same when required by the urban authority.

(2.) Every person who fails to comply with any of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3.) Where this part of this Act is adopted the eightieth section of the Towns Improvement Clauses Act, 1847, shall be repealed, and this section shall be deemed to be substituted therefor.

10 & 11 Vict. c. 34.

As to repair of cellars under streets.

35.—(1.) All vaults, arches, and cellars under any street, and all openings into such vaults, arches, or cellars in the surface of any street, and all cellar-heads, gratings, lights, and coal holes in the surface of any street, and all landings, flags, or stones of the path or street supporting the same respectively, shall be kept in good condition and repair by the owners or occupiers of the same, or of the houses or buildings to which the same respectively belong.

(2.) Where any default is made in complying with the provisions of this section, the urban authority may, after twenty-four hours notice in that behalf, cause anything in respect of which such default is made to be repaired or put into good condition, and the expenses of so doing shall be paid to the urban authority by such

owner or occupier respectively, or in default may be recovered in a summary manner.

Means of ingress to and egress from places of public resort.

36.—(1.) Every building which, after the adoption of this part of this Act in any urban district, is used as a place of public resort, shall, to the satisfaction of the urban authority, be substantially constructed and supplied with ample, safe, and convenient means of ingress and egress for the use of the public, regard being had to the purposes for which such building is intended to be used, and to the number of persons likely to be assembled at any one time therein.

(2.) The means of ingress and egress shall during the whole time that such building is used as a place of public resort be kept free and unobstructed to such extent as the urban authority shall require.

(3.) An officer authorised in writing by the urban authority, and producing his authority if so required, may at all reasonable times enter any such building to see that the provisions of this section are carried into effect.

(4.) Any person who being the occupier or manager, or in the case of a building let for any period less than one year the owner of any building used as aforesaid, uses the same or suffers the same to be used in contravention of this section, or fails to comply with the provisions of this section in respect thereof, shall for every such offence be liable to a penalty not exceeding twenty pounds.

(5.) Where any alteration in the building is required in order to give proper means of ingress or egress, the court may refuse to inflict a penalty for an offence under this section until a reasonable time has been allowed for making such alteration, but the court may make such order as they think fit for the closing, or otherwise, of the building during such time.

(6.) For the purposes of this section the expression "place of public resort" means a building used or constructed or adapted to be used either ordinarily or occasionally as a church, chapel, or other place of public worship (not being merely a dwelling-house so used), or as a theatre, public hall, public concert-room, public ball-room, public lecture-room, or public exhibition room, or as a public place of assembly for persons admitted thereto by tickets or by payment, or used, or constructed, or adapted to be used, either ordinarily or occasionally for any other public purpose, but shall not include a private dwelling-house used occasionally or exceptionally for any of those purposes.

Provided that this section shall not extend to any building used as a church or chapel or other place of public worship before or at the time of the adoption of this part of this Act.

Safety of platforms, &c. erected or used on public occasions.

37.—(1.) Whenever large numbers of persons are likely to assemble on the occasion of any show, entertainment, public procession, open-air meeting, or other like occasion, every roof of a building, and every platform, balcony, or other structure or part thereof let or used or intended to be let or used for the purpose of affording sitting or standing accommodation for a number of persons, shall be safely constructed or secured to the satisfaction of the surveyor of the urban authority.

(2.) Any person who uses or allows to be used in contravention of this section, any roof of a building, platform, balcony, or structure not so safely constructed or secured, or who neglects to comply with the provisions of this section in respect thereof, shall be liable to a penalty not exceeding fifty pounds.

Byelaws for prevention of danger from whirligigs, shooting galleries, &c.

38. An urban authority may make byelaws for the prevention of danger from whirligigs and swings when such whirligigs and swings are driven by steam power, and from the use of firearms in shooting ranges and galleries.

Refuges, &c. in streets.

39. An urban authority may from time to time place, maintain, alter, and remove in any street, being a highway repairable by the inhabitants at large, such raised paving or places of refuge, with such pillars, rails, or other fences, either permanent or temporary, as they may think fit, for the purpose of protecting passengers and traffic, either along the street or on the footways, from injury, danger, or annoyance, or for the purpose of making the crossing of any street less dangerous to passengers.

Cabmen's shelters.

40.—(1.) An urban authority may from time to time provide, maintain, and remove in or near any street in their district suitable erections for the use, convenience, and shelter of drivers of hackney carriages, and such other persons as the urban authority may permit to use the same.

(2.) The urban authority may from time to time make regulations for prescribing the terms and conditions and the fees (if any) to be charged for the use of such places of shelter, and may make byelaws for regulating the conduct of persons using the same.

Adoption of private streets.

41. Where this part of this Act is adopted, section one hundred and fifty-two of the Public Health Act, 1875, shall be repealed, and the following provisions shall be substituted in lieu thereof:—

(1.) Whenever all or any of the works mentioned in section one hundred and fifty of the Public Health Act, 1875, have been executed in a street or part of a street under that section by an urban authority, and the urban authority are of opinion that such street or part of a street ought to become a highway repairable by the inhabitants at large, they may by notice to be fixed up in such street or part of a street declare the whole of such street or part of a street to be a highway repairable by the inhabitants at large, and thereupon such street or part of a street as defined in the notice shall become a highway repairable by the inhabitants at large.

(2.) Provided that no such street shall become a highway so repairable if within one month after such notice has been put up the owner or the majority in number or value of owners of such street by notice in writing to the urban authority object thereto, and in ascertaining such majority joint owners shall be reckoned as one owner.

Statues and monuments.

42. Any urban authority may from time to time authorise the erection in any street or public place within their district of any statue or monument, and may maintain the same, and any statue or monument erected within their district before the adoption of this part of this Act, and may remove any statue or monument the erection of which has been authorised by them.

Trees in roads.

43. Any urban authority may, if they see fit, cause trees to be planted in any highway repairable by the inhabitants at large within their district, and may erect guards or fences for the protection of the same, provided that this power shall not be exercised nor shall any trees so planted be continued so as to hinder the reasonable use of the highway by the public or any person entitled to use the same, or so as to become a nuisance or injurious to any adjacent owner or occupier.

Parks and pleasure grounds.

44.—(1.) An urban authority may on such days as they think fit (not exceeding twelve days in any one year, nor four consecutive days on any one occasion) close to the public any park or pleasure ground provided by them or any part thereof, and may grant the use of the same, either gratuitously or for payment, to any public charity or institution, or for any agricultural, horticultural, or other show, or any other public purpose, or may use the same for any such show or purpose; and the admission to the said park or pleasure ground, or such part thereof, on the days when the same shall be so closed to the public may be either with or without payment, as directed by the urban authority, or, with the consent of the urban authority, by the society or persons to whom the use of the park or pleasure ground, or such part thereof, may be granted: Provided that no such park or pleasure ground shall be closed on any Sunday or public holiday.

(2.) An urban authority may either themselves provide and let for hire, or may license any person to let for hire, any pleasure boats on any lake or piece of water in any such park or pleasure ground, and may make byelaws for regulating the numbering and naming of such boats, the number of persons to be carried therein, the boathouses and mooring places for the same, and for fixing rates of hire and the qualifications of boatmen, and for securing their good and orderly conduct while in charge of any boat.

Extension of 38 & 39 Vict. c. 55. s. 164.

45. The powers of an urban authority under section one hundred and sixty-four of the Public Health Act, 1875, to contribute to the support of public walks or pleasure grounds, shall include a power to contribute towards the cost of the laying out, planting, or improvement of any lands provided by any person which have been permanently set apart as public walks or pleasure grounds, and which, whether in the district of the urban authority or not, are so situated as to be conveniently used by the inhabitants of the district, and shall also include a power to contribute towards the purchase by any person of lands so situate and to be so set apart as aforesaid.

Extension of 38 & 39 Vict. c. 55. s. 165.

46. Section one hundred and sixty-five of the Public Health Act, 1875, shall be extended so as to enable any urban authority to pay the reasonable cost of the repairing, maintaining, winding up, and lighting any public clock within their district although the same be not vested in them.

Restriction on throwing cinders, &c. into streams.

47.—(1.) It shall not be lawful for any person to throw or place or suffer to be thrown or placed into or in any river, stream, or watercourse within any district in which this part of this Act is

adopted, any cinders, ashes, bricks, stone, rubbish, dust, filth, or other matter which is likely to cause annoyance.

(2.) Every person offending against this enactment shall be liable to a penalty not exceeding forty shillings for every such offence.

Extension of 38 & 39 Vict. c. 55. s. 306.

48. So much of section three hundred and six of the Public Health Act, 1875, as imposes penalties on persons who destroy, pull down, injure, or deface any board on which any byelaw, notice, or other matter is inscribed, shall apply to persons who destroy, pull down, injure, or deface any advertisement, placard, bill, or notice put up by or under the direction of a local authority.

Power to determine expenses of rural authorities to be special expenses.

49. The Local Government Board may by order on the application of any rural authority declare any expenses incurred by such authority to be special expenses within the meaning of sections two hundred and twenty-nine and two hundred and thirty of the Public Health Act, 1875.

Application of part of Act in rural districts.

50. The following provisions of this part of this Act shall be applicable in rural sanitary districts, namely,—

Section sixteen, relating to injurious matter being passed into sewers.

Section seventeen, relating to the turning of chemical refuse, steam, &c. into sewers.

Section eighteen, relating to local authorities making communication with drains, &c.

Section nineteen, relating to the extension of section forty-one of the Public Health Act, 1875.

Section twenty-one, relating to sanitary conveniences used in common.

So much of section twenty-three, relating to the extension of section one hundred and fifty-seven of the Public Health Act, 1875, as applies to rural authorities.

Section twenty-five, relating to the penalty for erecting buildings on ground filled up with offensive matter.

Sub-section (2) of section twenty-six, relating to the power to make byelaws for certain sanitary purposes.

Section twenty-eight, relating to the extension of sections one hundred and sixteen to one hundred and nineteen inclusive of the Public Health Act, 1875.

Section thirty-two, relating to the extension of section eighty-four of the Public Health Act, 1875.

Section thirty-three, relating to the use of buildings described in deposited plans otherwise than dwelling-houses.

Section forty-seven, relating to the restriction on throwing cinders, &c. into streams.

Section forty-eight, relating to the extension of section three hundred and six of the Public Health Act, 1875.

Section forty-nine, relating to the powers of the Local Government Board to determine expenses of rural authorities to be special expenses.

PART IV.—MUSIC AND DANCING.

Music and dancing licences.

51. For the regulation of places ordinarily used for public dancing or music, or other public entertainment of the like kind, the following provisions shall have effect (namely):—

1. After the expiration of six months from the adoption of this part of this Act, a house, room, garden, or other place, whether licensed or not for the sale of wine, spirits, beer, or other fermented or distilled liquors, shall not be kept or used for public dancing, singing, music, or other public entertainment of the like kind without a licence for the purpose or purposes for which the same respectively is to be used first obtained from the licensing justices of the licensing district in which the house, room, garden, or place is situate, and for the registration thereof a fee of five shillings shall be paid by the person applying therefor:
2. Such justices may, under the hands of a majority of them assembled at their general annual licensing meeting or at any adjournment thereof or at any special session convened with fourteen days previous notice, grant licences to such persons as they think fit to keep or use houses, rooms, gardens, or places for all or any of the purposes aforesaid upon such terms and conditions, and subject to such restrictions as they by the respective licences determine, and every licence shall be in force for one year or for such shorter period as the justices on the grant of the licence shall determine, unless the same shall have been previously revoked as herein-after provided:
3. Such justices may from time to time at any such special session aforesaid transfer any such licence to such person as they think fit:
4. Each person shall in each case give fourteen days notice to the clerk of the licensing justices and to the chief officer of police of the police district in which the house, room, garden, or place is situated, of his intention to apply for any such licence or for the transfer of any such licence:
5. Any house, room, garden, or place kept or used for any of the purposes aforesaid without such licence first obtained shall be deemed a disorderly house, and the person occupying or rated as occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes last aforesaid:
6. There shall be affixed and kept up in some conspicuous place on the door or entrance of every house, room, garden, or place so kept or used and so licensed as aforesaid, an inscription in large capital letters in the words following: "Licensed in pursuance of Act of Parliament for
" with the addition of words showing the purpose or purposes for which the same is licensed:
7. Any house, room, garden, or place so kept or used, although so licensed as aforesaid, shall not be opened for any of the

said purposes except on the days and between the hours stated in the licence:

8. The affixing and keeping up of such inscription as aforesaid, and the observance of the days and hours of opening and closing, shall be inserted in and made a condition of every such licence:

9. In case of any breach or disregard of any of the terms or conditions upon or subject to which the licence was granted, the holder thereof shall be liable to a penalty not exceeding twenty pounds, and to a daily penalty not exceeding five pounds, and such licence shall be liable to be revoked by the order of a court of summary jurisdiction.

10. No notice need be given under sub-section four of this section when the application is for a renewal of any existing licence held by the applicant for the same premises:

11. The justices in any petty sessions may, if and as they think fit, grant to any person applying for the same a licence to keep or use any house, room, garden, or place for any purpose within the meaning of this section for any period not exceeding fourteen days which they shall specify in such licence, notwithstanding that no notices shall have been given under sub-section four of this section:

12. This section shall not apply within twenty miles of the cities of London or Westminster:

13. In this section the expressions "licensing justice," "licensing district," and "clerk of the licensing justices" have respectively the same meanings as in the Licensing Acts, 1872–1874; the expression "police district" means any area for which a separate police force is maintained; and the expression "chief officer of police" means the chief constable, head constable, or other officer, by whatever name called, having the chief command of such separate police force.

PART V.—STOCK.

Issue of stock.

52.—(1.) Where any authority, whether a municipal corporation, local board, or improvement commissioners, which is an urban authority, have for the time being, either in their capacity as urban authority or in any other capacity, any power to borrow money, they may, with the consent of the Local Government Board, exercise such power by the creation of stock to be created, issued, transferred, dealt with, and redeemed in such manner and in accordance with such regulations as the Local Government Board may from time to time prescribe.

(2.) Without prejudice to the generality of the above power, such regulations may provide for the discharge of any loan raised by such stock, and in the case of consolidation of debt for extending or varying the times within which loans may be discharged, and may provide for the consent of limited owners and for the application of the Acts relating to stamp duties and to cheques, and for the disposal of unclaimed dividends, and may apply for the purposes of this section, with or without modifications, any enactments

of the Local Loans Act, 1875, and the Acts amending the same, and of any Act relating to stock issued by the Metropolitan Board of Works, or the County Council of London, or by the corporation of any municipal borough. 38 & 39 Vict. c. 89.

(3.) Such regulations shall be laid before each House of Parliament for not less than thirty days during which such House sits, and if either House during such thirty days resolves that such regulations ought not to be proceeded with, the same shall be of no effect, without prejudice nevertheless to the making of further regulations.

(4.) If no such resolution is passed, it shall be lawful for Her Majesty by Order in Council to confirm such regulations, and the same when so confirmed shall be deemed to have been duly made and to be within the powers of this Act, and shall be of the same force as if they were enacted in this Act.

CHAPTER 60.

An Act for the Distribution and Application of certain Duties of Customs and Excise; and for other purposes connected therewith. [18th August 1890.]

WHEREAS certain local taxation (customs and excise) duties have by an Act of the present session been directed to be paid to the same local taxation accounts as the local taxation probate duty, and it is expedient to provide for the distribution and application of the duties so paid:

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:

Application of English share of customs and excise duties.

1.—(1.) Out of the English share of the local taxation (customs and excise) duties paid to the local taxation account on account of any financial year—

(*a.*) The sum of three hundred thousand pounds shall be applied for such purposes of police superannuation in England as herein-after mentioned;

(*b.*) The residue shall, unless Parliament otherwise determines, be distributed between county and county borough funds, and carried to the Exchequer contribution accounts of those funds respectively, and applied under the Local Government Act, 1888, as if it were part of the English share of the local taxation probate duty, and shall be the subject of an adjustment between counties and county boroughs, according to section thirty-two of the said Act, by the Commissioners under that Act. 51 & 52 Vict. c. 41.

(2.) The council of any such county or county borough may contribute any sum received by such council in respect of the residue under this section, or any part of that sum, for the purposes of