11. The Acts specified in the schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned. Repeal.

12. This Act shall come into operation on the first day of November next after the passing thereof, and shall apply to all proceedings begun under the principal Acts in like manner as if they had been begun after the commencement of this Act. Commencement of Act.

SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
46 & 47 Vict. c. 60. -	The Labourers (Ireland) Act, 1883.	In section seven, the words "during the month next "following the month "in which such adver- "tisement is published." Section twenty-two.
48 & 49 Vict. c. 77. -	The Labourers (Ireland) Act, 1885.	Section twenty-six.

CHAPTER 54.

An Act to amend the Acts relating to Public Health in Ireland. [14th August 1896.]

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:

Powers of Sanitary Authorities.

1. The Local Government Board may, on the application of the sanitary authority of any rural district, or of persons rated to the relief of the poor, the assessment of whose hereditaments amounts at the least to one tenth of the net rateable value of such district, or of any contributory place therein, by order to be published in the Dublin Gazette, or in such other manner as the Local Government Board may direct, declare any provisions of the Public Health (Ireland) Acts, 1878 to 1890, in force in urban districts to be in force in such rural district or contributory place, and may invest such authority with all or any of the powers, rights, duties, capacities, liabilities, and obligations of an urban authority under Local Government Board may invest rural authority with powers of urban authority.

those Acts; and such investment may be made either unconditionally or subject to any conditions to be specified by the Board as to the time, portion of the district, or manner, during at and in which such powers, rights, duties, liabilities, capacities, and obligations are to be exercised and attach: Provided that an order of the Local Government Board made on the application of persons rated to the relief of the poor in any contributory place shall not invest the rural authority with any new powers beyond the limits of such contributory place.

Power to execute works in adjoining districts, and to combine for execution of works.

2. Any sanitary authority may, with the consent of the sanitary authority of any adjoining district, execute and do in such adjoining district all or any of such works and things as they may execute and do within their own district, and on such terms as to payment or otherwise as may be agreed on between them and the sanitary authority of the adjoining district, or between them and any person with the consent of such last-mentioned sanitary authority, and may with the like consent supply and sell water to any person in such adjoining district, and any two or more sanitary authorities may combine together for the purpose of executing and maintaining any works that may be for the benefit of their respective districts or any part thereof. All moneys which any sanitary authority may agree to contribute for defraying expenses incurred under this section shall be deemed to be expenses incurred by them in the execution of works within their district.

Power to urban authority to make separate assessment on part of district.

3. An urban authority may divide their district or any street therein into parts for all or any of the purposes of the Public Health (Ireland) Acts, 1878 to 1890, and may abolish or alter any such divisions, and may make a separate assessment on any such part for all or any of the purposes for which the same is formed; and every such part, so far as relates to the purposes in respect of which such separate assessment is made, shall be exempt from any other assessment under the said Acts: Provided that if any expenses are incurred or to be incurred in respect of two or more parts in common the same shall be apportioned between them in a fair and equitable manner.

Provision as to private improvement expenses of rural authority.

4. Whenever a rural authority have incurred or become liable to any expenses which by the Public Health (Ireland) Acts, 1878 to 1890, are, or by such authority may be declared to be, private improvement expenses, such authority may make and levy a private improvement rate in the same manner as private improvement rates may be made and levied by an urban authority; and all the provisions of the said Acts applicable to private improvement rates leviable by an urban authority shall apply accordingly to any private improvement rate leviable by a rural authority.

Power to require water rates to be levied.

5.—(1.) Where a sanitary authority under the provisions of the principal Act supply water in any urban district or in any contributory place, and an application is made to them by any ten persons rated to the relief of the poor in such urban district, or by any five persons so rated in such contributory place, to charge water rates or water rents in respect of the water so supplied, it shall be incumbent upon the authority to exercise the powers given

to them by the principal Act of charging water rates or water rents in respect of all water supplied by them in such urban district or in such contributory place.

(2.) In addition to the matters with respect to which byelaws are authorised to be made by the principal Act, every sanitary authority may make byelaws for the regulation of any water supply provided by them or under their control.

Powers of urban sanitary authority as to markets.

6. The powers as to markets conferred on urban sanitary authorities by the one hundred and third section of the principal Act shall be construed to include a power to improve and extend any existing market belonging to the sanitary authority.

Power to grant superannuation allowance in respect of duties under Public Health Acts.

7. Where a local authority which is also a sanitary authority are by law empowered to grant a superannuation allowance to any of their officers, they shall, if they think fit, with the consent of the Local Government Board, take into consideration, in calculating the amount of such allowance, any duties which the officer may have discharged under the Public Health (Ireland) Acts, 1878 to 1890, or this Act.

Application of Lands Clauses Acts and Housing of Working Classes Act, 1890. 53 & 54 Vict. c. 70.

8.—(1.) For the purpose of taking lands compulsorily by purchase under the Public Health (Ireland) Acts, 1878 to 1890 (in this section referred to as "the principal Acts"), the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement shall be deemed to be amended by the provisions contained in the Second Schedule of the Housing of Working Classes Act, 1890, and such provisions shall (subject as by this section provided) be deemed to form part of the principal Acts in like manner as if therein expressly enacted.

(2.) In the construction for the purposes of the principal Acts of the provisions contained in the said Second Schedule to the said Act of 1890, the "local authority" shall mean the sanitary authority, the "confirming Act" shall mean the Act of Parliament confirming the provisional order of the Local Government Board empowering the sanitary authority to put in force the powers of the Lands Clauses Acts, the "confirming authority" shall mean the Local Government Board, and references to the said Act of 1890 or to Part I. thereof shall be deemed references to the principal Acts.

Port Sanitary Authority.

Constitution of port sanitary authority.

9.—(1.) The Local Government Board may, by provisional order, permanently constitute any sanitary authority whose district or part of whose district forms part of or abuts on any part of a port in Ireland, or the waters of such port, the sanitary authority of the whole of such port or of any part thereof (in this Act referred to as the "port sanitary authority").

(2.) The Local Government Board may also by provisional order permanently constitute a port sanitary authority for the whole or any part of a port, by combining any two or more sanitary authorities having jurisdiction within such port, or any part thereof,

and may prescribe the mode of their joint action; or by forming a joint board consisting of representative members of any two or more sanitary authorities, in the same manner as is by the principal Act provided with respect to the formation of a united district; and the Local Government Board may by provisional order permanently constitute a port sanitary authority for any two or more ports, by forming a joint board consisting of representative members of all or any of the sanitary authorities having jurisdiction within such ports, or any part thereof.

(3.) In any case in which the Local Government Board are by this section authorised permanently to constitute by provisional order a port sanitary authority, the said Board may, if they think fit, until such order has been made and confirmed by Parliament, temporarily constitute by order any such authority, and may renew any such last-mentioned order, and may by any order so made or renewed make any such provisions as they are by this section empowered to make by provisional order.

(4.) Any order constituting a port sanitary authority may assign to such authority any powers, rights, duties, capacities, liabilities, and obligations under the Public Health (Ireland) Acts, 1878 to 1890, or this Act, and direct the mode in which the expenses of such authority are to be paid; and, where such order constitutes a joint board the port sanitary authority, it may contain regulations with respect to any matters for which regulations may be made by a provisional order forming a united district under the principal Act.

(5.) A port in this Act means a port as established for the purposes of the laws relating to the Customs of the United Kingdom.

Jurisdiction of port sanitary authority.

10. The order of the Local Government Board constituting a port sanitary authority shall be deemed to give such authority jurisdiction over all waters within the limits of such port, and also over the whole or such portions of the district within the jurisdiction of any sanitary authority as may be specified in the order.

Powers of port sanitary authority.

11. The Local Government Board may by order assign to any port sanitary authority any powers, rights, duties, capacities, and obligations under the Infectious Disease Prevention Act, 1890, with the necessary modifications.

Delegation of powers by port sanitary authority.

12. A port sanitary authority may, with the sanction of the Local Government Board, delegate to any sanitary authority within or bordering on their district the exercise of any powers conferred on such port sanitary authority by the order of the Local Government Board, but, except in so far as such delegation may extend, no other authority shall exercise any powers conferred on a port sanitary authority by the order of the Local Government Board within the district of such port sanitary authority.

Expenses of port sanitary authority.

13.—(1.) Any expenses incurred by a port sanitary authority constituted temporarily in carrying into effect any purposes of this Act shall be defrayed out of a common fund to be contributed by the sanitary authorities whose districts abut on or form part of the

port in such proportions as the Local Government Board think just.

(2.) Such port sanitary authority shall raise the proportion of expenses due in respect of their own sanitary district in the same manner as if such expenses had been incurred by them in the ordinary manner for the purposes of the principal Act.

(3.) For the purpose of obtaining payment from the contributory sanitary authorities of the sums to be contributed by them, such port sanitary authority shall issue their precept to each such authority, requiring such authority, within a time limited by the precept, to pay the amount therein mentioned to such port sanitary authority, or to such person as such port sanitary authority may direct.

(4.) Any contribution payable by a sanitary authority to such port sanitary authority shall be a debt due from them, and may be recovered accordingly, such contribution in the case of a rural authority being deemed general expenses of that authority. If any sanitary authority make default in complying with the precept addressed to them by such port sanitary authority, such port sanitary authority may, instead of instituting proceedings for the recovery of the debt, or in addition to such proceedings, as to any part of the debt which may for the time being be unpaid, proceed in the summary manner in this Act mentioned to raise within the district of the defaulting authority such sum as may be sufficient to pay the debt due.

(5.) Where several sanitary authorities are combined in the district of one port sanitary authority the Local Government Board may by order declare that some one or more of such authorities shall be exempt from contributing to the expenses incurred by such authorities.

Proceedings for raising a sum for payment of debt within district of a defaulting authority.

14.—(1.) Where any port sanitary authority, joint board, or other authority, are authorised, in pursuance of this Act, to proceed in a summary manner to raise within the district of a defaulting authority such sum as may be sufficient to pay any debt due to them, the authority so authorised for the purpose of raising such sum shall, within the district of the defaulting authority, have, so far as relates to the raising such sum, the same powers as if they were the defaulting authority, and as if such sum were expenses properly incurred by the defaulting authority within the district of such authority.

(2.) Where the defaulting authority have power to raise any moneys due for their expenses by levy of a rate from individual ratepayers, the authority so authorised as aforesaid shall have power to levy such a rate by any officer appointed by them, and the officer so appointed shall have the same powers, and the rate shall be levied in the same manner and be subject to the same incidents in all respects as if it were being levied by the officer of the defaulting authority for the payment of the expenses of that authority; and where the defaulting authority have power to raise moneys due for their expenses by issuing precepts, or otherwise requiring payments from any other authorities, the authority so authorised as aforesaid shall have the same power as the defaulting

authority would have of issuing precepts, or otherwise requiring payment from such other authorities.

(3.) Any precepts issued by the authority so authorised as aforesaid for raising the sum due to them may be enforced in the same manner in all respects as if they had been issued by the defaulting authority.

(4.) The authority so authorised as aforesaid may, in making an estimate of the sum to be raised for the purpose of paying the debt due to them, add such sums as they think sufficient, not exceeding ten per cent. on the debt due, and may defray thereout all costs, charges, and expenses (including remuneration to any persons they may employ) to be incurred by such authority by reason of the default of the defaulting authority; and the authority so authorised as aforesaid shall apply all moneys raised by them in payment of the debt due to them, and such costs, charges, and expenses as aforesaid, and shall render the balance, if any, remaining in their hands after such application to the defaulting authority.

Power of Board to enforce Performance of Duty by defaulting Local Authority.

Proceedings on complaint to Board of default of local authority.

15.—(1.) Where complaint is made to the Local Government Board that a sanitary authority has made default in providing their district with sufficient sewers, or in the maintenance of existing sewers, or in providing their district with a supply of water, in cases where danger arises to the health of the inhabitants from the insufficiency or unwholesomeness of the existing supply of water, and a proper supply can be got at a reasonable cost, or that a local authority has made default in enforcing any provisions of the Public Health (Ireland) Acts, 1878 to 1890, or this Act, which it is their duty to enforce, the Local Government Board, if satisfied, after due inquiry, that the authority has been guilty of the alleged default, shall make an order limiting a time for the performance of their duty in the matter of such complaint. If such duty is not performed by the time limited in the order, such order may be enforced by writ of Mandamus, or the Local Government Board may appoint some person to perform such duty, and shall by order direct that the expenses of performing the same, together with a reasonable remuneration to the person appointed for superintending such performance, and amounting to a sum specified in the order, together with the costs of the proceedings, shall be paid by the authority in default; and any order made for the payment of such expenses and costs may be removed into the Queen's Bench Division of the High Court, and be enforced in the same manner as if the same were an order of such Division.

(2.) Any person appointed under this section to perform the duty of a defaulting sanitary authority shall, in the performance and for the purposes of such duty, be invested with all the powers of such authority other than the powers of levying rates; and the Local Government Board may by order change any person so appointed.

(3.) Section two hundred and eleven of the principal Act is hereby repealed.

Provision with respect to mortgages of rates by town commissioners. 17 & 18 Vict. c. 103.

16.—(1.) Town commissioners under the Towns Improvement (Ireland) Act, 1854, or any Act incorporating that Act in whole or in part, may, when assessing any rate leviable throughout the whole of their district, divide the rate so as to show the respective portions thereof required for sanitary purposes within the meaning of section two hundred and twenty-seven of the principal Act, and for other purposes.

(2.) Mortgages of rates made by town commissioners under section two hundred and thirty-seven of the principal Act for such other purposes shall be charged upon the portion only of such rates required for those purposes.

(3.) Mortgages of rates made before the passing of this Act by town commissioners under the said section two hundred and thirty-seven for such other purposes shall not be deemed invalid by reason of such mortgages including any portion of such rates required for sanitary purposes only.

Miscellaneous.

Audit of accounts.

17. Section two hundred and forty-eight of the principal Act shall apply to the accounts of every joint board constituted under section thirteen of that Act, and the Local Government Board shall ascertain and determine what proportion of the salaries paid to the auditors mentioned in section six of the Local Government Board (Ireland) Act, 1872, should be paid in respect of the audit of the accounts of any such joint board or of any urban sanitary authority, and the amount so ascertained in respect of each such board or authority shall be payable by such board or authority, and shall be paid accordingly to such bank or person as the Local Government Board may direct. 35 & 36 Vict. c. 69.

Meaning of medical officer of health in 52 & 53 Vict. c. 72. and 53 & 54 Vict. c. 34.

18. In the application to Ireland of the Infectious Disease (Notification) Act, 1889, and the Infectious Disease (Prevention) Act, 1890, the expression "the medical officer of health of the district" shall mean the medical officer of the dispensary district. Provided that where a medical superintendent officer of health is appointed for a sanitary district, the Local Government Board may by order direct that for all the purposes of the said Acts such medical superintendent officer shall be substituted for the medical officer of the dispensary district, and upon the making of such order the said Acts shall have effect in their application to that sanitary district as if such substitution had been made therein.

Powers of burial board to make additions to certain burial grounds.

19. The powers of burial boards as to making additions to any burial ground shall extend to a burial ground attached to and contiguous to a place of worship, if the Local Government Board shall be of opinion that such addition is desirable, and, after such inquiry as appears to them to be necessary, shall so order, and the provisions of the one hundred and eighty-fourth section of the principal Act shall apply accordingly.

Powers as to vesting certain burial grounds in the burial board.

20. If in the case of any burial ground attached or contiguous to a Roman Catholic place of worship, the ownership of such burial ground is not vested in any person or persons, corporation,

or limited company, and the parish priest officiating for the time being in such place of worship is desirous of putting the burial ground under the management of the burial board of the district, it shall be lawful for him so to do, and the provisions of the one hundred and eighty-seventh section of the principal Act shall apply accordingly.

Powers of towns commissioners as to fairs and markets.

21.—(1.) In a town, not being an urban sanitary district, town commissioners for the time being existing for the paving, lighting, or cleansing of that town, under any public or private Act of Parliament or any charter, shall, for the purpose of the one hundred and third section of the principal Act, be deemed to be an urban authority, and the said section, as amended by this Act, shall apply accordingly.

(2.) For the purpose of byelaws to be made by towns commissioners in pursuance of the powers conferred on them by the said section, the provisions of the fifty-seventh section of the Towns Improvement (Ireland) Act, 1854, shall apply both as regards fairs and markets, and shall be deemed to be incorporated with this Act.

Amendment of 9 & 10 Vict. c. 87. s. 20.

22. The approval of the Local Government Board to byelaws made under the Baths and Washhouses (Ireland) Act, 1846, shall, for the purpose of section twenty of that Act, be substituted for the approval of one of Her Majesty's Principal Secretaries of State.

Definition of clerk to local authority in 48 & 49 Vict. c. 22.

23. In the application to Ireland of the Public Health and Local Government Conferences Act, 1885, the expression "clerk to the local authority" shall include any executive sanitary officer, borough surveyor, or engineer or other officer duly appointed by the local authority to attend conferences or meetings under that Act.

Amendment of 41 & 42 Vict. c. 52. s. 217 (7).

24. If the person appointed under sub-section seven of section two hundred and seventeen of the principal Act by the arbitrators to be an umpire refuses to act, the arbitrators shall forthwith appoint another person in his stead.

Amendment of 41 & 42 Vict. c. 52. s. 266.

25. The signature by the executive sanitary officer of the sanitary authority of any document referred to in section two hundred and sixty-six of the principal Act shall be sufficient authentication thereof for the purposes of the said section.

Amendment of 41 & 42 Vict. c. 52. s. 40.

26. In section forty of the principal Act, the words "erect or" shall be inserted before the words "bring forward."

Amendment of 41 & 42 Vict. c. 52. s. 28.

27. In section twenty-eight of the principal Act the word "levelled" shall be inserted after the word "sewered" where that word first occurs in the said section.

Application to Ireland of 39 & 40 Vict. c. 75. 41 & 42 Vict. c. 16. and 54 & 55 Vict. c. 75.

28. The expression "Public Health (Ireland) Act, 1874," wherever it occurs in the Rivers Pollution Prevention Act, 1876, shall, in the application of the said Act of 1876, to Ireland, be construed as meaning the Public Health (Ireland) Acts, 1878 to 1890.

29. Section two hundred and forty-seven of the principal Act is hereby repealed from the words "Provided that" to the end of the section. Amendment of 41 & 42 Vict. c. 52. s. 247.

30. The schedule to this Act shall be read and have effect as part of the principal Act, and the form contained in the said schedule, or a form to the like effect varied as circumstances may require, may be used and shall be sufficient for all purposes. Construction of schedule.

31. In the interpretation of the expression "Sanitary Acts" in section two of the principal Act, the expression "in force" means in force for the time being. Interpretation of 41 & 42 Vict. c. 52. s. 2.

32. All buildings, offices, and premises vested in, or in the occupation of Her Majesty the Queen, either beneficially or as part of the hereditary revenues of the Crown, or in trust for the public service, or for public purposes, or in the occupation of any department of Her Majesty's Government, or used or employed for public purposes, shall be and are hereby exempted from the provisions of this Act, and also from the provisions of the Public Health (Ireland) Acts, 1878 to 1890: Provided that nothing in this Act shall in anywise prejudice, affect, or make void any matters or things heretofore done by any sanitary authority in pursuance of the said Acts in connexion with or in relation to the buildings, offices, or premises referred to in this section. Saving in respect of buildings, &c. vested in the Crown.

33.—(1.) The principal Act shall, as from the passing of this Act, take effect subject to the additions and omissions required by this Act. Construction and printing of 41 & 42 Vict. c. 52.

(2.) Every copy of the principal Act printed after the passing of this Act, by authority of Her Majesty, shall be printed with the additions and omissions required by this Act.

34. In this Act the expression "the principal Act" means the Public Health (Ireland) Act, 1878; and the expression "the Public Health (Ireland) Acts, 1878 to 1890," means the Public Health (Ireland) Act, 1878, the Public Health (Ireland) Amendment Act, 1879, the Public Health (Ireland) Amendment Act, 1884, the Public Health Act, 1889, and the Public Health Acts Amendment Act, 1890, and the expression "town" includes a township having commissioners. Definitions. 41 & 42 Vict. c. 52. 42 & 43 Vict. c. 57. 47 & 48 Vict. c. 77. 52 & 53 Vict. c. 64. 53 & 54 Vict. c. 59.

35. This Act may be cited as the Public Health (Ireland) Act, 1896, and save where inconsistent therewith shall be construed as one with the Public Health (Ireland) Acts, 1878 to 1890, and those Acts and this Act may be cited collectively as the Public Health (Ireland) Acts, 1878 to 1896. Short title and construction.

SCHEDULE.

Form of Notice requiring Owner to sewer, &c. Private Street.

To the owner of certain premises fronting, adjoining, or abutting on a certain street called within the district of [*describe the sanitary authority*].

Whereas the said street is not sewered, levelled, paved, flagged, and channelled to the satisfaction of the above-named [*sanitary authority*]; and whereas your said premises front, adjoin, or abut on certain parts of the said street which require to be sewered, levelled, paved, flagged, and channelled; Now, therefore, the said [*sanitary authority*], hereby give you notice (in pursuance of the Public Health (Ireland) Act, 1878, as amended by the Public Health (Ireland) Act, 1896), to sewer, level, pave, flag, and channel the same within the space of [*state the time*] from the date hereof, in manner following; (that is to say,) the sewers to be laid or made [*here describe the mode to be adopted and material to be used*] of the sizes and forms, and at the rate of inclination, shown on the plans and sections of the works as prepared by the surveyor of the [*sanitary authority*].

Each gully for surface draining, and its connexion with the sewer, to be placed as shown on the said plans, and to be constructed of the forms, materials, and dimensions as shown on the said plans.

A foundation for the carriageway and footway in the said street to be formed in the following manner [*here describe the mode to be adopted and the material to be used*], and the said carriageway and footway to be paved [*here describe the mode to be adopted and the material to be used*].

The channel stones to be [*here describe the mode to be adopted and the material to be used*]. The curb or side stones to be [*here describe the mode to be adopted and the material to be used*].

The whole of the above-mentioned works to be executed by you in accordance with the plans and sections herein-before referred to, and now lying for inspection by you at the office of the [*sanitary authority*], situate in Street, in aforesaid, and the dimensions, widths, and levels shown thereon, and to be done in a good, workmanlike, and substantial manner, to the satisfaction of the said [*sanitary authority*], or their surveyor.

Dated this day of 18

(Signed)

Clerk to the said [*sanitary authority*].

CHAPTER 55.

An Act to make provisions relating to the offices of Chairman and Deputy Chairman of the Court of Quarter Sessions for the County of London.

[14th August 1896.]

WHEREAS it is expedient to authorise and provide for the grant of pensions to the chairman and deputy chairman of the court of quarter sessions for the county of London and to provide for the appointment of deputies and clerks as in this Act set forth:

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: