Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
7 Will. 4 & 1 Vict. c. 22.	An Act to explain and amend two Acts passed in the last session of Parliament, for marriages, and for registering births, deaths, and marriages in England.	Sections two, four, six, thirteen, sixteen, twenty-one, twenty-five, and thirty-one.
17 & 18 Vict. c. 80. -	An Act to provide for the better registration of births, deaths, and marriages in Scotland.	Sections thirty and forty-three.
17 & 18 Vict. c. 104. -	The Merchant Shipping Act, 1854 -	Sections two hundred and seventy-three and two hundred and eighty-two, so far as they relate to the entry of any birth or death.
18 & 19 Vict. c. 119. -	Passengers Act, 1855 - - -	Section sixteen from "and the said master "shall note in writing" down to "An "Act for registering births, deaths, and "marriages in England," and section one hundred from "such emigration or "customs officer" to the end of the section.
21 & 22 Vict. c. 25. -	An Act to amend the Act concerning non-parochial registers, and the Acts for marriages, and for registering births, deaths, and marriages in England, and concerning vaccination.	The whole Act, except sections one to four.
26 & 27 Vict. c. 11. -	An Act for the registration of births and deaths in Ireland.	Sections thirty-nine and forty.

CHAPTER 89.

An Act to amend and extend the Sanitary Laws. [7th August 1874.]

WHEREAS it is expedient that the Sanitary Acts should be explained and amended, and that sundry other provisions should be made to extend the same:

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:

Explanation and Amendment of Public Health Act, 1872.

1. It is hereby declared that the rural sanitary authority is the same body as the board of guardians of the union or parish for or within which such authority acts, and that all statutes, orders, and legal provisions applicable to a board of guardians apply to them when acting as such rural sanitary authority, except so far as any provision of the Public Health Act, 1872 (herein termed the principal Act), relating to the acting or voting of a guardian or otherwise, may be to the contrary.

Rural sanitary authority and board of guardians declared to be the same authority.

2. Where any sanitary authority shall be acting in the execution of the said Act, their proceedings, from the time when they have so acted or shall hereafter so act, shall be deemed, if otherwise not invalid, to be legal, notwithstanding that a first meeting was not held by them in accordance with section six of the said Act; and their first meeting after

Where first meeting not held in accordance with 35 & 36 Vict. c. 79. s. 6.

the passing of the said Act shall be deemed their first meeting within the meaning of the seventh, eighth, and ninth sections of that Act.

The transfer of powers of sanitary authorities applies to authorities under local Acts.

3. Whereas doubts have arisen as to the extent and meaning of the seventh section of the principal Act: Be it therefore declared and enacted, that the provisions of the said section shall be deemed to have applied to every authority acting at the time of the passing of the principal Act under the powers conferred upon them by a Local Act with respect to any sanitary purposes, and that all the powers, rights, duties, capacities, liabilities, and obligations of any authority having jurisdiction under a Local Act in the district of an urban sanitary authority at the time of the passing of the principal Act, so far as they or any of them related to such purposes, were transferred to and became attached to the urban sanitary authority therein referred to.

Proviso as to certain turnpike trustees.

Provided that where any body of turnpike trustees have powers for any such sanitary purposes as aforesaid under a Local Act, such trustees shall not be deemed to be an urban sanitary authority, but all their powers and obligations under such Acts for such purposes shall be transferred to the sanitary authority within whose district the area to which the Local Act applies shall be locally contained.

Provided that all acts, matters, rates, orders, or other things heretofore done, performed, assessed, or made by any authority under any Local Act in this section referred to, or commenced and not completed at the time when this Act shall come into operation, shall be legal, notwithstanding the said enactment, if not otherwise invalid.

Transfer of property in such cases.

4. It is also further declared and enacted, that the transfer of property provided for in section nine of the principal Act applies to the property of the authority acting under the powers conferred upon them by a Local Act for sanitary purposes, so far as such property is held for such purposes.

Provided that the dealing of any such authority with property previously vested in them before the passing of this Act, and not already brought into question in any court of law, shall be valid, notwithstanding the principal Act or this section.

Provision for the joint appointment of officers.

5. Whereas provision is made in the tenth section of the principal Act for the joint appointment of certain officers for two or more sanitary districts, but the mode of making such joint appointment is not prescribed: When, therefore, two or more sanitary authorities agree to join in the appointment of a medical officer of health or inspector of nuisances, the Local Government Board, if they approve of the agreement, shall, by order, prescribe the manner in which such officer shall be elected by the authorities so joining in the appointment, and determine the proportions in which the reasonable expenses of and incident to such election shall be borne by such authorities respectively.

Assistant clerk may be appointed instead of clerk.

6. If the clerk to the board of guardians of any union or parish be unwilling or incompetent to act for them in discharge of their duties as rural sanitary authority, they may appoint their assistant clerk to act for them as their clerk in such matters, with remuneration as in the principal Act is provided.

Parochial committeeman's qualification.

7. The qualification, so far as regards rating, of a member of the parochial committee authorised to be appointed by the rural sanitary authority in any parish or contributory place where no separate rate is in force for sanitary purposes shall be that he shall contribute or be liable to contribute to the poor rate in such parish or contributory place.

Provision as to their expenses.

A parochial committee may be empowered by the rural sanitary authority to incur expenses to such amount as shall be prescribed by such authority, but must not exceed such amount.

Of parochial expenses.

It shall report the expenditure so incurred from time to time to the authority, according to the directions of such authority; and the amount so reported, if otherwise legally incurred, shall be discharged by the authority as other demands upon it are discharged.

Expenses in urban sanitary authority.

8. Whereas doubts have arisen as to the meaning of the proviso to the sixteenth section of the principal Act, with reference to the rate therein mentioned as a rate levied within the district: Be it therefore declared, that such rate shall signify one which is levied throughout the whole of the district.

Provided that where any charges to which that section refers have been defrayed out of any rate before the passing of this Act, the same, if not heretofore questioned in any court of law, shall be deemed to have been legally defrayed, so far as any objection could arise out of the proviso in this section referred to.

Provided further, that when any charges directed by the said sixteenth section of the principal Act to be paid in the case of a council of a borough out of the borough fund or borough rate have been hitherto divided between the landlord and tenant in moieties or otherwise, under the provisions of any Local Act in that behalf, the Local Government Board may, upon application, by their order, make provision for the continuance of such division of the charges between parties during the continuance of any contract existing at the passing of the Act.

Provisional order may change incidence of charge.

9. If application be made to the Local Government Board, whereby it shall be alleged that it would be inequitable or inconvenient in the district of any urban sanitary authority that the expenses referred to in the said sixteenth section of the principal Act should be borne as therein provided, the said Board may, after inquiry by a provisional order, alter the incidence of such charge in respect of the whole or some of the expenditure referred to, as to them shall appear to be fair and equitable.

Special expenses.

10. Special expenses, as defined by section seventeen of the principal Act, shall include the expenses of the maintenance and cleansing of sewers and streets, of providing, repairing, and cleansing public wells, tanks, cisterns, and pumps, of lighting, where duly authorised, in any contributory place, and the charges or expenses arising out of or incidental to the possession of property transferred to the rural sanitary authority in trust for any parish, district, or contributory place.

Provision for special expenses of small amounts.

11. Whereas the amount of charges for special expenses is sometimes so small in contributory places that no special rate could be conveniently assessed for the same: Where, therefore, the amount required in respect of special expenses in any one year is less than ten pounds, or is so small that a rate less than one penny in the pound would be required to raise the same, the overseers shall not assess and levy any special rate for the same, but shall pay the same out of the poor rate.

Riparian authorities to have representatives on port sanitary board.

12. Where a sanitary authority is constituted a port sanitary authority for any port which contains more than one riparian authority, every riparian authority, other than the port authority itself, shall, if authorised by the order of the Local Government Board to do so, send to the meetings of the port sanitary authority, as representative or representatives of such riparian authority, some member or members of their own board, and such representative members shall be empowered to act as part of the board of the port sanitary authority in respect of all matters entrusted to such authority.

The number of members to be assigned to each riparian authority shall be determined by the Local Government Board; and such Board may, by order, unite two or more riparian authorities for the election of one representative, and determine the mode of such election.

Riparian authority may be exempted from contribution.

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

The sanitary authorities of several ports may be combined.

14. The Local Government Board may combine the sanitary authorities of several ports into one body to form a port sanitary authority for a district, and assign to such authority a title, and otherwise proceed as in the case of a port sanitary authority provided for by the twentieth section of the principal Act.

And such combination shall be a united district, to which all the provisions of the said Act which relate to such a district shall apply, except the necessity for the previous application to the Local Government Board and the previous inquiry.

Provisional orders for dissolution of districts.

15. When the Local Government Board propose by an order to dissolve a district, to detach part of an existing district, and to form another district out of the dissolved district and such other part, they may do so by one provisional order.

And when they form an urban sanitary district under section twenty-four of the principal Act, they may, by the order constituting the district, if they see fit, divide the district into wards for the election of members.

Provisional orders under sect. 33. of 35 & 36 Vict. c. 79.

16. The Local Government Board may, when applied to by the sanitary authority for the alteration or amendment of any Local Act under section thirty-three of the principal Act, extend the provisions of any Local Act therein referred to beyond the boundaries of the district comprised therein, or diminish the area to which such Local Act shall apply, by provisional order.

Extension of 35 & 36 Vict. c. 79. s. 39. as to adjustment of accounts.

17. The thirty-ninth section of the principal Act, which provides for the adjustment of accounts, shall apply to cases of transfer or alleged transfer subsequent to the passing of the said Act, made by the operation of that Act, or under any provisional order of the Local Government Board, and such Board may include any settlement or adjustment made in accordance with such section in any provisional order which may give rise to the same.

Compensation to officers deprived by any provisional order.

18. The power of awarding compensation to officers conferred by the thirty-third section of the principal Act shall be extended to officers who may be deprived of their office by reason of that Act or of any provisional order made under the authority thereof.

Amendments of other Sanitary Acts. Powers and Duties of Sanitary Authorities.

Expenses of police officer acting under 29 & 30 Vict. c. 90. s. 16. provided for.

19. Where, under the directions of the Local Government Board, the chief officer of police in any place institutes proceedings under the sixteenth section of the Sanitary Act, 1866, he shall be entitled to recover from the authority in default all such expenses in and about such proceedings as he may incur, and as shall not be paid by the party proceeded against.

Order against a defaulting sanitary authority may be enforced by mandamus.

20. When the Local Government Board shall have at any time made any order under the forty-ninth section of the Sanitary Act, 1866, limiting the time for the performance by any authority of its duty, such order may be enforced by writ of mandamus, notwithstanding the provision in the said section contained for the performance of the duty in the event of the continued default of the sanitary authority.

Duty of urban authority to cleanse streets, privies, and ashpits.

21. Every urban sanitary authority, and every rural sanitary authority who shall have been invested with the requisite powers, shall, when the Local Government Board by order so direct, make due provision for the proper cleansing of streets, the removal of house refuse from premises, and the cleansing of earth closets, privies, ashpits, and cesspools within its district.

Penalty on neglect of sanitary authority to cleanse privies or ashpits.

If any sanitary authority having made such provision fail, without reasonable excuse, after notice in writing from the occupier of any house situated in such district requiring such authority to remove any house refuse, or to cleanse any earth closet, privy, cesspool, or ashpit belonging to such house, or used by the inmates or occupiers thereof, to cause the same to be removed or cleansed, as the case may be, within seven days, the sanitary authority shall on summary conviction be liable to pay to the occupier of such house a penalty not exceeding five shillings for every day during which such default continues after the expiration of the said period.

Constitution and Election of Local Boards.

Statements of owners to remain available for all subsequent proceedings.

22. When an owner shall have made or shall hereafter make a claim to vote in any matter to which the Sanitary Acts apply, and shall have sent in his claim according to the provisions applicable thereto, such claim, if legally valid otherwise, shall remain in force for all occasions, so long as the owner shall continue to be qualified to vote as owner, unless he shall withdraw the same.

Appointments of proxies.

And the appointment of a proxy authorised to be given by any of the said Acts shall continue in force for all occasions, until revoked, or the proxy resign, or the qualification of the corporation, company, or body making the appointment shall cease.

Register of owners to be kept.

23. The local board shall cause a register to be made and kept, and from time to time revised, in which shall be entered the names, addresses, and qualifications of the owners making claims, and the names or descriptions, addresses, and qualifications of the bodies appointing the proxies, and the names and addresses of such proxies; and such register shall be open to the inspection of candidates and other persons interested at any election, or in any question at which any such owner or proxy claims to vote, subject to such rules as the returning officer or chairman may prescribe for the prevention of loss, injury, or disorder.

Repeal of 21 & 22 Vict. c. 98. s. 14.

24. The fourteenth section of the "Local Government Act, 1858," is hereby repealed.

Power to divide districts into wards at any time, and to settle disputes as to boundaries.

25. The Local Government Board may at any time divide a district into wards according to the provisions contained in the twenty-fourth section of the said last-mentioned Act, and may from time to time, after local inquiry, alter and re-adjust the areas, boundaries, or numbers of the representatives of the several wards in any district as they shall deem expedient: Provided, that where the district and wards shall have been formed by provisional order, such alteration or re-adjustment shall be made by provisional order only.

And where any dispute shall exist as to the boundaries of adjoining districts, the said board may, upon the application of the boards interested therein, after local inquiry, make an order to settle the same, and shall publish such order when made in one or more newspapers circulating in the respective districts.

Such order, from a date to be appointed therein, shall be conclusive upon the question to which it relates.

Provision for uniform election of boards in March.

26. Whereas it is advisable that there should be uniformity in the time at which all local boards formed under any of the Sanitary Acts shall annually commence their term of office:

Now therefore, henceforth the last day for receiving nominations for every local board heretofore or hereafter constituted under any provision of the Sanitary Acts or any Act embodying the provisions thereof, except in the district of Oxford, shall be the twenty-sixth day of March in every year; but if the twenty-sixth day of March be Sunday, Good Friday, or Easter Monday, the last day for receiving such nominations shall be the twenty-seventh day of March, or if it be Easter Sunday, such last day shall be the twenty-eighth day of March, and in any of these events the days for all the subsequent proceedings of the election shall be settled accordingly, in conformity with the intervals provided by the above-mentioned Acts, and the day of election shall in all cases be the day appointed in the notice for the collection of the voting papers.

Provided that all elections which but for this Act would have commenced before the twenty-sixth day of March next shall be postponed until such day, and the members in office, where no election shall be pending at the passing of this Act, who would be required to go out of office sooner shall be entitled to continue in office until such day, and the members who would have continued to hold office after the said twenty-sixth day of March shall be entitled to hold their office as if they had been nominated on the twenty-sixth day of March next after the day on which the election took place; or, in the case of a member elected to fill a casual vacancy, on the twenty-sixth day of March next after the day of the election of the member whose place he filled, regard being had to the successive periods of retirement provided for in the Sanitary Acts with respect to members of local boards.

Day of the annual meeting.

27. The annual meeting of every local board shall be held as soon as convenient after the completion of the annual election.

Local Government Board may increase or diminish number of members.

28. The Local Government Board may, after local inquiry, increase or diminish, by order, the number of members of a local board.

How meetings of owners and ratepayers to be summoned in districts.

29. When for the purpose of passing a resolution in the manner prescribed for the adoption of the Local Government Act, 1858, it is necessary that a meeting of owners of property and ratepayers in any urban sanitary district should be summoned, the mayor of the borough, or the chairman or acting chairman of the sanitary authority of the district,

as the case may be, shall be the summoning officer of such meeting of owners and ratepayers, and shall be the chairman of the meeting, and shall conduct the same to its conclusion.

All expenses lawfully incurred by him in and about such meeting shall be paid out of the funds of the authority applicable to their general expenses.

If the mayor or chairman, as the case may be, shall be unable or unwilling to preside at the meeting or at the poll in the said Act provided, the town council or the sanitary authority respectively shall appoint some other person to preside.

Provision as to the contracts of local boards.

30. The limit of the amount of any contract of a local board which is required by the eighty-fifth section of the "Public Health Act, 1848," to be executed under seal, shall be enlarged to fifty pounds.

Provisions as to the Acquisition of Property.

Extension of Lands Clauses Consolidation Act to easements and rights.

31. The Lands Clauses Consolidation Act, 1845, may, when put in force under any provision of the Sanitary Acts, be applied to all land, easements, and rights in, over, or upon land, whether situated within or without the district of the sanitary authority.

Provision for lands belonging to the Duchy of Lancaster.

32. The Chancellor and Council of the Duchy of Lancaster for the time being may, if they shall think fit, (but subject and without prejudice to the rights of any lessee, tenant, or occupier,) from time to time contract and agree with any sanitary authority for the sale of, and may (subject as aforesaid) absolutely make sale and dispose of, for such sum or sums of money as to the said Chancellor and Council shall appear sufficient consideration for the same, the whole or any part of any messuage, building, land, or hereditaments belonging to Her Majesty, her heirs or successors, in right of the said duchy, or any right, interest, or easement in, through, over, or upon any such messuage, building, land, or hereditaments which, for the purposes of any of the Sanitary Acts, such sanitary authority from time to time deem it expedient to purchase; and upon payment of the purchase money as provided by the Duchy of Lancaster Lands Act, 1855, the said Chancellor and Council may grant and assure to the said authority, under the seal of the said duchy, in the name of Her Majesty, her heirs or successors, the subject of such contract and agreement or sale, and such money shall be dealt with as if such subject had been sold under the authority of "The Duchy of Lancaster Lands Act, 1855."

Power to purchase water mills, dams, and weirs.

33. Any sanitary authority may, subject to the provisions of this Act and of the Sanitary Acts, buy up any water mill, dam, or weir which interferes with the proper drainage of or the supply of water to its district, and may, for the purpose of supplying its district with water for drinking and domestic purposes, purchase either within or without its district, any land covered with water, or any water or right to take or convey water; and for the purpose of buying up any of the properties aforesaid, the Lands Clauses Consolidation Act, 1845, and any Act amending the same, shall be incorporated with this section, but the compulsory powers of purchase contained in the said Lands Clauses Act shall not be exercised except in pursuance of a provisional order of the Local Government Board.

Urban sanitary authority may let land or premises.

34. Any urban sanitary authority not heretofore empowered to do so may let temporarily, or for a term of years, with the consent of the Local Government Board, any land or premises which they may possess, as and when they can conveniently spare the same.

Notices to owners and occupiers may be given in other months than November and December.

35. The notices which, by the seventy-fifth section of the Local Government Act, 1858, are required to be given in the months of November and December, may be given in the months of September and October, or of October and November, but no inquiry preliminary to the provisional order to which such notices refer shall be held in either of such two last-mentioned cases until the expiration of one month from the end of the second of the two months in which the notices are given.

Borrowing Powers.

Amendment of 21 & 22 Vict. c. 98. s. 57. regarding loans to sanitary authorities.

36. The fifty-seventh section of the Local Government Act, 1858, shall extend to reborrowing for the purpose of discharging previous loans, as well as to original loans, and be amended so that the following provision shall be substituted for that contained in the paragraph No. 2.; namely,

The money so borrowed shall not at any time exceed, with the balances of all the outstanding loans of the sanitary authority under the Sanitary Acts, in the whole, the assessable value for two years of the premises assessable within the district in respect of which such money may be borrowed, and the time for which the money may be borrowed shall not exceed sixty years, instead of thirty years as in the said section is declared:

Provided that where the proposed loan with such balances would exceed one year's assessable value, the Local Government Board shall not give their sanction to the loan until a local inquiry shall have been held by one of their inspectors, and his report of the result of such inquiry shall have been received by them:

Provided also, that where a loan is effected to pay off a previous loan, the time for repayment shall not extend beyond the unexpired term of the period for which the original loan was contracted, unless with the sanction of the Local Government Board, and shall in no case be extended beyond the period of sixty years from the date of the original borrowing:

Provided further, that nothing herein contained shall enable the Public Works Loan Commissioners to advance money under any provision of the Sanitary Acts for a longer period than fifty years.

The 21 & 22 Vict. c. 98. s. 78. and 24 & 25 Vict. c. 61. s. 19. repealed.

37. The seventy-eighth section of the said last-mentioned Act and the nineteenth section of the Local Government Act Amendment Act, 1861, are hereby repealed, except so far as either of them may apply to any proceedings commenced but not completed at the passing of this Act.

Audit of Accounts.

Auditor to audit accounts of officers.

38. The power of the auditor to audit the accounts of sanitary authorities under the several Acts applicable thereto shall extend to the accounts of the officers, assistants, or servants of the said authorities who are required to receive moneys or goods on behalf of such authorities, with the same consequences and subject to the same powers as in the case of the members of the boards of such authorities.

It shall be sufficient if the Local Board give fourteen days notice of the audit, instead of twenty days notice as required by the sixtieth section of the Local Government Act, 1858.

Amendment of 35 & 36 Vict. c. 79. as to taxation of bills.

39. The taxation of bills referred to in section fifty of the principal Act may be made by the clerk of the peace as well as by his deputy.

Notices how to be signed.

40. Every notice required to be given on behalf of a sanitary authority shall be deemed to be sufficient on their behalf, if it be written or printed, or partly written and partly printed, and purports to be signed by the clerk or acting clerk, surveyor, or inspector of nuisances, of such authority.

Byelaws.

Prohibition of works before approval.

41. No work for which a notice, plan, or description is required by any byelaw legally made and confirmed under any statute in that behalf to be laid before a sanitary authority shall be commenced before the expiration of one month from the day on which the said notice, plan, or description shall have been delivered to such authority at their office, or at the office of their surveyor, nor at all if the said authority give notice of disapproval within one month from the day of such delivery, unless the person proposing to execute the work can show that the same is in every respect conformable to every such byelaw as well as to the general law applicable to it.

Costs of sanitary authority in removing works to be recovered by summary proceeding.

42. Where any sanitary authority incurs expenses in or about the removal of any works executed contrary to any byelaw, such authority may recover, by proceedings before justices in a summary manner, subject to the same consequences and incidents as in other cases under the Sanitary Acts, the amount of such expenses from the person executing the works removed, or from the person causing the said works to be executed, at the discretion of such authority.

Provision for continuing breaches of byelaws.

43. Where a sanitary authority may lawfully remove, alter, or pull down any work begun or done in contravention of any byelaw, or where the beginning or the doing of the work is an offence in respect whereof the offender is liable under such byelaw to a penalty, the continued existence of the work in such a form and state as to be in contravention of the byelaw shall be deemed to be a continuing offence, within the provision of the Sanitary Acts applicable to byelaws, during a period of one year from the day when the offence was committed, or the byelaw was broken.

Byelaws as to roofs, foundations, and spouts of houses.

44. The power of making byelaws in regard to the walls of buildings shall be extended to the roofs, foundations, and spouts on the outside thereof, and for purposes of health as well as for the purposes of stability and protection against fire.

Byelaws as to hop-pickers.

45. Every sanitary authority may make byelaws, to be confirmed by the Local Government Board, for regulating the lodging and other treatment of persons engaged in hop-picking in the district of such authority.

Byelaws made for prevention, &c. of nuisances to be submitted to Local Government Board.

46. The byelaws made by the council of any municipal corporation under the provisions of the ninetieth section of the Act of the fifth and sixth years of King William the Fourth, chapter seventy-six, for the prevention and suppression of such nuisances as are the subjects of byelaws to be made under section thirty-two of the Local Government Act, 1858, shall be submitted to the said Local Government Board, who shall confirm or disallow the same as to them shall seem right, and when any such byelaw shall have been so confirmed it shall be published and enforced as other byelaws made under the Sanitary Acts; and the regulations to be made by the local authority under the ninth section of the Common Lodging Houses Act, 1851, shall be confirmed by the Local Government Board instead of by one of Her Majesty's Principal Secretaries of State.

Confirmation of regulations under Common Lodging Houses Act.

Confirmation of byelaws.

And where any byelaw is required to be confirmed by the Local Government Board, no confirmation by any other authority shall be required.

Regulations as to lodgings in every sanitary district.

47. The Local Government Board may, at its discretion, by notice to be published in the London Gazette, declare the enactment contained in section thirty-five of the Sanitary Act, 1866, to be in force in any part of the metropolis and in the district of any sanitary authority, notwithstanding the restrictions in the said section contained; and from and after the publication of such notice the authority named therein shall be empowered to make regulations in respect of the matters in that section mentioned, but such regulations shall not be of any validity unless and until they are confirmed by the Local Government Board.

Regulations made under the said section may extend to ventilation of rooms, paving and drainage of premises, the separation of the sexes, and to notices to be given and precautions to be taken in case of any dangerously infectious or contagious disease, under the powers of this Act, or of the principal Act, or of the Acts therein mentioned.

Notice, inspection, and publication of byelaws of rural sanitary authorities.

48. Any rural sanitary authority who shall propose to make any byelaw under the Sanitary Acts shall cause a copy of the proposed byelaw to be deposited in their board room for the space of one month before applying to the Local Government Board for confirmation, and the same shall be open to inspection, and copies shall be furnished upon the same terms, and there shall be the same notice of application for confirmation as in the case of the byelaws of an urban sanitary authority.

All byelaws made by a rural sanitary authority, when confirmed, shall be printed, and a copy thereof shall be hung up in their board room, and a copy shall be transmitted to the overseers of every parish to which the same shall apply, to be deposited with the public documents of the parish, and to be open to the inspection of any ratepayer in the parish at all reasonable hours.

And the clerk of the rural sanitary authority shall deliver a copy of the byelaw, when so confirmed, to any ratepayer of the district upon his application for the same.

Notices of common lodging houses and slaughter-houses to be affixed on premises.

49. The keeper of every common lodging house which is registered under the Common Lodging Houses Acts, and the owner or occupier of every slaughter-house causing the same to be licensed or registered, as the case may be, under the Sanitary Acts, shall, when required to do so by the authority registering or licensing the same, cause a notice with the words "Registered Lodging House," or "Licensed or Registered Slaughter House," as the case may be, to be affixed on some conspicuous place on the outside of the premises where the same can be seen by any inspector or officer of the sanitary authority.

Such notice shall be affixed within one month after the registration or license, as the case may be, and shall be continued undefaced and legible so long as the premises are used for the purpose.

Every person who shall make default in this respect, or shall neglect or refuse to affix or renew such notice after requisition in writing from the sanitary authority, shall be liable to a penalty not exceeding five pounds for every offence, and of ten shillings for every day that the neglect shall continue after conviction.

Miscellaneous Sanitary Provisions.

Provision for polluted water in wells and pumps.

50. If it shall be represented to any nuisance authority in the metropolis or to any sanitary authority that within their district the water in any well, tank, or cistern, public or private, or supplied from any public pump, and used or likely to be used for domestic purposes, is so polluted as to be injurious to health, such authority may apply to any justices having jurisdiction within their district, in petty sessions assembled, for an order to remedy the same, and thereupon such justices shall summon the person occupying the premises to which the well, tank, or cistern belongs, if it be private, and, as regards any public well, tank, or cistern, or pump, such other person as shall be alleged in the application to be interested in the same, and shall either dismiss the application or make such an order in the case, by directing the well, tank, or cistern, or pump to be permanently or temporarily closed, or the water to be used for certain purposes only, or providing otherwise, as shall appear to them to be requisite to prevent injury to the health of persons drinking the water.

For the purposes of such inquiry, the said justices may cause the water to be analysed at the cost of the sanitary authority applying.

And all the expenses incurred by such authority in and about the procuring of this order, and in carrying it into execution, shall be charged upon the funds applicable to their general expenditure, but, in the case of a rural sanitary authority, shall be deemed to be special expenses within the meaning of the Sanitary Acts.

Provided that where the order is made in respect of any private well, tank, or cistern, any person aggrieved thereby may appeal against the same in the manner provided by the one hundred and thirty-fifth section of the Public Health Act, 1848, and with the same incidents and consequences.

Where the justices dismiss the application, they may, if they think fit, award such costs to the person summoned as to them shall appear to be reasonable.

Hospital when to be deemed within district.

51. For the purposes of the twenty-sixth section of the Sanitary Act, 1866, every hospital or place for the reception of the sick which shall be declared by an order of the Local Government Board to be situated within a convenient distance of the district of any authority, for the purposes of that section shall be deemed to be within the district of such authority.

Provision for the execution of order of a justice removing sick person to a hospital.

Where a justice shall make an order under that section for the removal of a sick person to a hospital or other place, he shall address it to such police or other officer as he shall consider expedient; and every person wilfully disobeying the order, or obstructing the execution of the same, shall be guilty of an offence punishable on summary conviction before two justices, and be liable to a penalty not exceeding ten pounds.

Extension of 35 & 36 Vict.

52. The fifty-first and fifty-second sections of the principal Act shall apply to the metropolis, and the local authorities empowered to execute the Nuisance Removal Acts in

c. 79. ss. 51, 52, to the metropolis.

the metropolis and in the city of London respectively shall be deemed to be sanitary authorities within the operation of the said fifty-first section, and shall be empowered to pay the expenses to be incurred by them under those sections out of their general rate.

Extension of right of complaint under Nuisances Removal Acts.

53. The right of complaint given by the thirteenth section of the twenty-third and twenty-fourth years of the reign of Her Majesty, chapter seventy-seven, shall extend to nuisances in any parish or place, whether on private or public premises, and may be exercised by any inhabitant in such parish or place, or by any owner of premises situated therein, or by any other person aggrieved or injuriously affected thereby.

The provisions of the Nuisances Removal Act for England (Amendment) Act, 1863, extended.

54. The second section of the Nuisances Removal Act for England (Amendment) Act, 1863, shall extend to milk in the same manner as if that word had been introduced after the word "flour" wherever the word "flour" occurs in the said section; and the justice who under the said section is empowered to convict the offender therein described, may be other than the justice who may have ordered the article to be disposed of or destroyed.

Warrant may be granted by a justice to search for unsound food.

55. On complaint made by a medical officer of health or by any inspector or other officer of a nuisance authority in the metropolis, or of any sanitary authority upon oath, any justice may grant a warrant to any such officer to enter any building or part of a building or other place in which the complainant has reasonable ground for believing that any animal, carcase, meat, poultry, game, fish, fruit, vegetables, corn, bread, flour, milk, intended for sale for the food of man, which is so diseased, unsound, or unwholesome, as to be unfit for the food of man, is kept or concealed, and to search for, seize, and carry away any such animal, carcase, meat, poultry, game, fish, fruit, vegetables, corn, bread, flour, or milk, in order to have the same dealt with in manner provided by law; and any person obstructing any such officer in performance of any duty under this section shall, in addition to any other punishment to which he may be subject, be liable to a penalty not exceeding twenty pounds.

Penalty on false representations with respect to infectious disease.

56. If any owner or occupier or person employed to let for hire or to show for the purposes of letting for hire, any house or part of a house, when questioned by any person negociating for the hire of such house or part of a house as to the fact of there being in such house, or having within six weeks previously been therein, any person suffering from an infectious, contagious, or epidemic disease, knowingly makes a false answer to such question, the person so answering falsely shall be guilty of an offence punishable on summary conviction, and, at the discretion of the justices having cognizance of the case, be liable to be imprisoned, with or without hard labour, for a period not exceeding one month, or to pay a penalty not exceeding twenty pounds.

Interpretation of Words.

Interpretation of words.

57. All the words used in this Act shall have the same meaning as assigned to them in the Sanitary Acts as defined by the principal Act; and all the provisions of the Sanitary Acts shall apply to this Act, except so far as they shall be repealed hereby, or shall be inconsistent with anything herein contained.

Provided that all rights, powers, and authorities saved by any of the said Acts, and not transferred or expressly repealed by this Act, and all enactments incidental to such rights, powers, and authorities, shall be and remain in full force and validity.

The term "sanitary authority" used in the forty-first and forty-second sections of the Public Health Act, 1872, shall be held to include a local board of health constituted for the purposes of main sewerage only; and the term "consent" used in the twenty-fifth section of the said Act shall be deemed to apply and to have applied to a consent given either before or after the passing of the resolution for the adoption of the Acts or for the constitution of the district therein referred to.

Extent of Act.

58. This Act shall not apply to Scotland or Ireland.

Title of Act.

59. This Act may be cited as "The Sanitary Law Amendment Act, 1874."