Parts of Public Health Act incorporated.

XXXV. That for the Purpose of ascertaining and recovering any Penalties, Damages, Costs, Sums of Money, Expenses, Fees, or Charges imposed, sustained, incurred, or which may become payable under the Provisions of this Act, and herein-before directed to be ascertained and recovered in a summary Manner, the Sections of the "Public Health Act, 1848," numbered respectively in the Copies of the Act printed by the Queen's Printers 129, 130, 131, 132, 134, 135, 136, and 137, shall be incorporated with this Act; and the Expression "Local Board of Health" used in such Sections shall be construed to mean the Commissioners under "The *Huddersfield* Improvement Act, 1848."

Accounts to be kept of Receipts and Disbursements, and such Accounts to be audited.

XXXVI. The said Commissioners shall cause Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received and paid for and on account of this Act, and of the several Purposes for which such Sums of Money shall have been received and paid, which Books shall at all reasonable Times be open to the Inspection of any of the Commissioners, and any Mortgagee, Assignee in Security, or other Creditor of the Commissioners, without Fee or Reward; and the Commissioners and Persons aforesaid, or any of them, may take Copies of or Extracts from the said Books, without paying anything for the same; and any Clerk or other Person having the Custody of the said Books who shall not, on any reasonable Demand of any Commissioner, Mortgagee, or Creditor as aforesaid, permit him to inspect the said Books, or to take such Copies or Extracts as aforesaid, shall be liable to a Penalty of Five Pounds for every such Offence, which said Penalty shall be recoverable in a summary Manner; and any Auditors which may be appointed yearly under "The *Huddersfield* Improvement Act, 1848," for the auditing of the Accounts of the Commissioners under the said "*Huddersfield* Improvement Act," shall have the same Powers, Duties, and Privileges with respect to the Accounts of the said Commissioners under this Act as they have with respect to the Accounts of the Commissioners under the herein-before recited Act, which said Accounts shall be by the said Commissioners made up and balanced yearly for the Purposes of such Audit.

Expenses of Act, &c. defrayable out of Fees.

XXXVII. That the Expenses of obtaining this Act, and all other Expenses incidental thereto, shall be charged upon and defrayed out of the Fees and Sums of Money which shall be raised, charged, levied, or received under and by virtue of this Act.

Short Title of Act.

XXXVIII. That in citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The *Huddersfield* Burial Ground Act, 1852."

The SCHEDULE referred to in the foregoing Act.

THE following is the Description of the Site of the Burial Ground authorized by the foregoing Act to be made; namely, all that Piece or Parcel of Ground containing Twelve Acres, more or less, situate in the Township and Parish of Huddersfield in the County of York, now the Property of the Trustees of Sir John Ramsden, Baronet, and called or known by the Name of the Edgerton Site, and which said Piece or Parcel of Ground is bounded on the East by the Footpath leading from Huddersfield to Birkby in the said Township of Huddersfield, on the West and South by other Property of the said Trustees, and on the North by the Highway leading from Edgerton in the said Township to Birkby aforesaid.

CAP. XLII.

An Act to confirm certain Provisional Orders of the General Board of Health, and to amend the Public Health Act, 1848. [30th *June* 1852.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, certain Provisional Orders mentioned in the Schedule to this Act annexed, and it is expedient that the said Orders should be confirmed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Provisional Orders of the General Board of Health confirmed.

I. That the Provisional Orders of the General Board of Health referred to in the Schedule annexed shall from and after the passing of this Act, so far as the same are authorized by the said Public Health Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act, except as to the Words and Figures "to 107 from 109," following the Words and Figures "from 89" in the Twenty-first Section of the Provisional Order mentioned in the said Schedule, applying the said Public Health Act to the District of *Worthing*.

Certain Sections of Rotherham Local Act not to extend beyond the Limits originally included within the Powers of that Act, and nothing in the Order to affect Market Company.

II. Provided always, That nothing in the Provisional Order in the Schedule to this Act annexed, applying the Public Health Act, 1848, to the District of *Rotherham* and *Kimberworth*, shall be taken to extend beyond the Limits originally included within the Powers of the Local Act recited in the said Provisional Order the Sections numbered respectively 29, 30, and 53 in the Copies of the said Act as printed by the Queen's Printers; and that nothing in the said Order shall be taken or deemed to affect the Rights of the Company of Proprietors of the *Rotherham* Market Place incorporated by the aforesaid Local Act; and that all Penalties which the said Company are authorized to impose by the said Local Act may be proceeded for, recovered, and applied as if such Penalties had been incurred under the Public Health Act, 1848; and all the Provisions of the said Public Health Act with respect to Penalties shall extend to Penalties arising under the said Local Act.

Convictions under Smoke Nuisance Clause within the Rotherham and Kimberworth District.

III. Provided also, That, except in the Case of Furnaces for generating Steam, before any Conviction shall be had under the One hundred and eighth Section of the "Towns Improvement Clauses Act, 1847," as incorporated in the last-mentioned Provisional Order, it shall be proved that it is practicable, by some Means then in use, to consume the Smoke arising from the Combustibles used in the Furnace or Fireplace in respect of which the Complaint is made under the said Section.

Limiting Amount of Rates leviable within the District of Banbury.

IV. Provided also, That the Rates leviable within the District of *Banbury*, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and this Act, shall not, inclusive of all Highway Rates, in any One Year exceed in the whole the Sum of Three Shillings and Sixpence in the Pound upon the net annual Value of Property assessable thereto within the Corporate Part of any such District, or the Sum of Two Shillings in the Pound upon the net annual Value of Property assessable to such Rates, or any of them, within the Non-corporate Part of the said District, except Property within the Non-corporate Part of the said District consisting of Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, Land covered with Water, or used only as a Canal or Towing Path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance; and as to such excepted Property, the Rates so leviable, inclusive of all Highway Rates, shall not in any One Year exceed in the whole the Sum of Sixpence in the Pound upon the net annual Value of such excepted Property.

Fixing in the Gainsborough District the Boundaries of the Area chargeable with existing Debt of the Trustees.

V. Provided also, That the Parts and Places which, by the Sixteenth Section of the Provisional Order in the Schedule to this Act annexed, applying the said Public Health Act to the District of *Gainsborough* in the County of *Lincoln*, are made chargeable with the Payment of any Debt due from the Trustees acting in the Execution of the Local Acts referred to in the said Order, shall be and the same are hereby declared to be the Parts and Places included within the following Boundaries; that is to say, within a Line commencing at the River *Trent*, at the Sewer Head near *Trows House*, along the said Sewer as far as *Ropery Lane*, then along the said Lane to *Love Lane*, and along *Love Lane* to *Morton Terrace*, and thence across the Highway along Mrs. *Anderson*'s Garden Wall to the *Manchester, Sheffield, and Lincolnshire* Railway, and along the West Side of the Railway to a Point where the *Great Northern* Railway, as authorized to be made, crosses the same, and continuing along the North Side of the *Great Northern* Railway to the River *Trent*.

VI. The

First Election of Local Board for Worthing.

VI. The First Election of the Local Board of Health for the District of *Worthing* for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board for Worksop.

VII. The First Election of the Local Board of Health for the District of *Worksop* in the County of *Nottingham*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board for Gainsborough.

VIII. The First Election of the Local Board of Health for the District of *Gainsborough* in the County of *Lincoln*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board for Rotherham and Kimberworth.

IX. The First Election of the Local Board of Health for the District of *Rotherham* and *Kimberworth*, in the County of *York*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two; and the First Election of Three Persons to be elected by the Owners and Ratepayers in respect of Property situated within the Township of *Brinsworth*, and to form Part of the Local Board of Health under the said Public Health Act for the aforesaid District, for the Purposes of Main Sewerage only, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board for Burnham.

X. The First Election of the Local Board of Health for the District of *Burnham* in the County of *Somerset*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Selection and Election of Local Board of Calne.

XI. The First Selection and Election of Members of the Local Board of Health for the District of *Calne* in the County of *Wilts*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Selection and Election of Local Board for Banbury.

XII. The First Selection and Election of Persons to constitute the Local Board of Health for the District of *Banbury* in the Counties of *Oxford* and *Northampton*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

11 & 12 Vict. c. 63. ss. 68. 69. to apply to Highways repairable by Inhabitants.

XIII. That the Term "Highway," in the Sections of the Public Health Act, 1848, numbered respectively 68 and 69 in the Copies of the Act printed by the Queen's Printers, shall mean any Highway repairable by the Inhabitants at large.

Interpretation of "Year."

XIV. The Word "Year" shall, for the Purpose of the Election of Local Boards of Health acting in execution of the Public Health Act, 1848, and of the Continuance in Office of the Members of such Boards, be taken to mean the Interval between any Day of Election of any such Board and the Day of Election next ensuing.

Act incorporated with Public Health Act.

XV. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

Short Title of this Act.

XVI. That in citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The First Public Health Supplemental Act, 1852."

SCHEDULE to which the foregoing Act refers.

Worthing.	Burnham.
Worksop.	Calne.
Gainsborough.	Banbury.
Rotherham and Kimberworth.	