in decent Order, the Burial Board for the Union, Borough, or Town within which such Burial Ground shall be situated may, by Notice in Writing to the Owner of such Burial Ground, require him properly to fence the same or put the same in decent Order within a Time to be specified in such Notice, not being less than Six Calendar Months, and if such Notice be not complied with within the Time specified in such Notice, the said Burial Board may securely fence such Burial Ground, and put the same into decent Order, and the Expense thereof shall be deemed Part of the Expenses incurred in the Execution of the said Act.

in decent Order by Owner, Burial Board may serve a Notice requiring the same to be fenced, &c.

III. When such Owner cannot be ascertained, or Notice as aforesaid cannot be served, such Burial Board may give Notice, by public Advertisement in some Newspaper circulating in the County wherein such Burial Ground is situated, of their Intention to fence such Burial Ground, or put the same in decent Order, as the Case may be, and after the Expiration of a Time to be specified in such Notice, not being less than Six Calendar Months, may proceed to fence such Burial Ground, or put the same in decent Order; and when such Notice shall have been given or Advertisement published, and the Expense of fencing of such Burial Ground or putting the same in decent Order shall have been defrayed by such Burial Board, as herein-before mentioned, such Burial Ground shall be under the Control and Management of such Burial Board, and they shall be deemed the Owners thereof until such Time as they shall have been reimbursed by the Owner thereof the Expense so incurred by them, with Interest thereon at the Rate of Five Pounds *per Centum per Annum.*

After Six Months from Service of Notice, &c. Burial Board empowered to fence Burial Ground, and keep the same in order, and take the Management.

IV. When the Owner of any Burial Ground shall be desirous of putting the same under the Management of the Burial Board of the District, it shall be lawful for such Burial Board to accept the Management thereof, and thereupon the said Burial Board shall be deemed the Owners thereof, and shall have and exercise all the Powers and Authorities of the said recited Act and of this Act, with respect to the same, until the Owner, his Heirs or Assigns, shall repay to the said Burial Board all Expenses incurred by them in securely fencing such Burial Ground or putting the same into decent Order, with Interest thereon at the Rate of Five Pounds *per Centum per Annum.*

Burial Boards may accept the Management of Burial Grounds.

V. This Act shall be deemed to be incorporated with "The Burial Grounds (*Ireland*) Act, 1856," and shall be as if this Act and the said Act were One Act.

Act to be construed as One Act.

CAP. LXXVII.

An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases. [6th *August* 1860.]

'WHEREAS the Provisions of "The Nuisances Removal Act for *England*, 1855," and "The Diseases Prevention Act, 1855," concerning the Local Authority for the Execution of the said Acts are defective, and it is expedient that the said Acts should be amended as herein-after mentioned:' 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:

18 & 19 Vict cc. 121. and 116.

Nuisances Removal.

I. Section Three, Section Six, Section Seven, and Section Nine of the said "Nuisances Removal Act for *England*, 1855," shall be repealed: Provided always, that such Repeal as aforesaid shall not extend to any Charges or Expenses already incurred, but the same may be defrayed and recovered, and all Proceedings commenced or taken under the said Act, and not yet completed, may be proceeded with, and all Contracts under the said Act shall continue and be as effectual, as if this Act had not been passed.

Sections 3, 6, 7, and 9 of 18 & 19 Vict. c. 121. repealed.

II. The

Local Authority to execute the Nuisances Removal Act.

II. The following Bodies shall respectively be the Local Authority to execute the said Nuisances Removal Act in the Districts hereunder stated in *England:*

In any Place within which the Public Health Act is or shall be in force, the Local Board of Health:

In any other Place wherein a Council exists or shall exist, the Mayor, Aldermen, and Burgesses by the Council, except in the City of *London* and the Liberties thereof, where the Local Authority shall be the Commissioners of Sewers for the Time being, and except in the City of *Oxford* and Borough of *Cambridge*, where the Local Authority shall be the Commissioners acting in execution of the Local Improvement Acts in force respectively in the said City and Borough:

In any Place in which there is no Local Board of Health or Council, and where there are or shall be Trustees or Commissioners under an Improvement Act, such Trustees or Commissioners:

In any Place within which there is no such Local Board of Health, Council, Body of Trustees, or Commissioners, if there be a Board of Guardians of the Poor for such Place, or for any Parish or Union within which such Place is situate, such Board of Guardians, and, if there be no such Board of Guardians, the Overseers of the Poor for such Place, or for the Parish of which such Place forms Part.

Highway Board or Nuisances Removal Committees now subsisting may be continued so long as they employ Sanitary Inspectors.

III. Provided, That in any Place where a Highway Board or "The Nuisances Removal Committee" chosen by the Vestry in pursuance of the said Act is subsisting, and at the Time of the passing of this Act employs or joins with other Local Authorities in employing a Sanitary Inspector or Inspectors, such Highway Board or Nuisances Removal Committee may continue to act, and a like Committee may be annually chosen by the Vestry for such Place in the same Manner as if this Act had not been passed; but in case in any Year the Nuisances Removal Committee be not chosen for such Place in manner provided by the said Act, or if the Highway Board or Committee now subsisting or hereafter chosen fail for Two Months in any Year to appoint or employ a Sanitary Inspector or Inspectors, the Authority of such Highway Board or Committee shall cease, and no like Committee shall be chosen for such Place, and the same Body or Persons shall thenceforth be the Local Authority for the Place as if no such Highway Board or Committee had been appointed therein.

How Expenses of Local Authority to be defrayed.

IV. All Charges and Expenses incurred by the Local Authority in executing the said Nuisances Removal Act, and not recovered as therein provided, shall be defrayed as follows; to wit,

Out of General District Rates where the Local Authority is a Local Board of Health:

Out of the Borough Fund or Borough Rate where the Local Authority is the Mayor, Aldermen, and Burgesses by the Council:

Provided always, that in the City of *Oxford* and Borough of *Cambridge* such Expenses shall be deemed annual Charges and Expenses of cleansing the Streets of the said City and Borough respectively, and shall be so payable:

Out of the Rates levied for Purposes of Improvement under any Improvement Act, where the Local Authority is a Body of Trustees or Commissioners acting in execution of the Powers of such an Act:

Where a Board of Guardians for a Union is such Local Authority for the whole of such Union, such Charges and Expenses shall be defrayed by means of an Addition to be made to the Rate for the Relief of the Poor of the Parish or Parishes for which the Expense has been incurred, and be raised and paid in like Manner as Money expended for the Relief of the Poor:

Where the Board of Guardians for a Union is such Local Authority for Two or more Places maintaining their own Poor, but not for all such Places in such Union, such Charges and Expenses shall be paid out of the Poor Rates of the Places aforesaid for which the Board is the Local Authority:

Where the Board of Guardians for a Union is under this Act the Local Authority for a single Place maintaining its own Poor, and where the Board of Guardians for any such single Place, or the Overseers of any such Place, or "The Nuisances Removal Committee"

Committee" continued or chosen as herein-before provided in any such Place, are under this Act the Local Authority for such Place, such Charges and Expenses shall be defrayed out of the Rates for the Relief of the Poor thereof:

Where the Board of Guardians for a Union is under this Act the Local Authority for Part only of any Place maintaining its own Poor, together with the whole of any other such Place or Part of any other such Place, such Board shall apportion such Charges and Expenses between or among any or every such Part and any or every such Place; and so much of such Charges and Expenses as may be apportioned to any or every such Place for the whole of which such Board is the Local Authority shall be defrayed out of the Rates or Funds applicable to the Relief of the Poor thereof:

So much of any such Charges and Expenses as may be apportioned to Part of a Place maintaining its own Poor, and any such Charges and Expenses incurred by any Board of Guardians or Overseers, where such Board or Overseers are the Local Authority for Part of any such Place only, shall be defrayed by means of an Addition to be made to the Rate for the Relief of the Poor thereof, and be raised and paid in like Manner as Money expended for the Relief of the Poor.

Board of Guardians may appoint Committees for particular Parishes.

V. Provided, That the Board of Guardians for a Union may appoint a Committee or Committees of their own Body, under Section Five of the said Nuisances Removal Act, to act in and for One or more of the Parishes or Places for which the Board is the Local Authority; and every Committee so appointed shall have the full Power of executing the said Act in all respects, within the specified Place or Places for which it is appointed, unless its Power be expressly limited by the Terms of its Appointment; and the Board of Guardians shall cause the Charges and Expenses of every such Committee to be paid out of the Poor Rates of the Place or Places for which such Committee is appointed; and where a Committee is so appointed for any such Place or Places the Charges and Expenses of the Board as Local Authority for or in respect of the Place or Places for which a Committee is not appointed shall be paid or contributed by such last-mentioned Place or Places in like Manner as the Expenses of a Committee: Provided that where any One such Committee is appointed for all the Places for which the Board is the Local Authority its Charges and Expenses shall be contributed and paid in like Manner as the Charges and Expenses of the Board would have been contributed and paid if such Committee had not been appointed.

Saving for the Vestries and District Boards of the Metropolis.

VI. Provided also, That as regards the Metropolis, the Vestries and District Boards under the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty, within their respective Parishes and Districts, shall continue and be the Local Authorities for the Execution of the said Nuisances Removal Act, and their Charges and Expenses shall be defrayed as if this Act had not been passed.

Wells, &c. belonging to any Place vested in Local Authority, &c.

VII. All Wells, Fountains, and Pumps provided under Section Fifty of "The Public Health Act, 1848," or otherwise, for the Use of the Inhabitants of any Place, and not being the Property of or vested in any Person or Corporation other than Officers of such Place, shall be vested in the Local Authority under this Act for such Place, who shall from Time to Time cause to be kept in good Repair and Condition and free from Pollution all Wells, Fountains, and Pumps vested in them under this Act, and may also keep in good Repair and Condition and free from Pollution other Wells, Fountains, and Pumps dedicated to or open to the Use of the Inhabitants of such Place.

Penalty for fouling Water.

VIII. If any Person do any Act whatsoever whereby any Fountain or Pump is wilfully or maliciously damaged, or the Water of any Well, Fountain, or Pump is polluted or fouled, he shall, upon summary Conviction of such Offence before Two Justices, forfeit a Sum not exceeding Five Pounds for such Offence, and a further Sum not exceeding Twenty Shillings for every Day during which such Offence is continued after written Notice from the Local Authority in relation thereto; but nothing herein contained shall extend to any Offence provided against by Section Twenty-three of the said "Nuisances Removal Act."

IX. Local

Appointment of Inspectors of Nuisances.

IX. Local Authorities under this Act may, for the Purposes of the Act, severally appoint or employ Inspectors of Nuisances, and make such Payments as they see fit for the Remuneration and Expenses of such Inspectors.

Diseases Prevention.

Sections 2. and 3. of 18 & 19 Vict. c. 116. repealed.

X. Sections Two and Three of "The Diseases Prevention Act, 1855," and every other Enactment constituting a Local Authority for the Execution of the same Act, or providing for the Expenses of the Execution thereof, except those contained in the Eighteenth and Nineteenth of *Victoria*, Chapter One hundred and twenty, the Metropolis Local Management Act, shall be repealed.

Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.

XI. The Board of Guardians for every Union or Parish not within an Union in *England* shall be the Local Authority for executing the said Diseases Prevention Act in every Place within their respective Unions and Parishes, and in every Parish and Place in *England* not within a Union, and for which there is no Board of Guardians, the Overseers of the Poor shall be the Local Authority to execute the same Act; and the Expenses incurred in the Execution of such Act by the Board of Guardians for a Union shall be defrayed out of the Common Fund thereof, and the Expenses of the Board of Guardians or Overseers of the Poor of any single Parish or Place shall be defrayed out of the Rates for the Relief of the Poor of such Parish or Place; provided that every such Board of Guardians shall, for the Execution of the said Act for the Prevention of Diseases, have the like Powers of appointing Committees, with the like Authority, and where any such Committee is appointed the Expenses thereof and of the Board shall be paid in the same Manner as herein-before provided where such a Board is the Local Authority for the Execution of the said Nuisances Removal Act; provided also, that any Expenses already incurred by any Local Authority in the Execution of the said Act shall be defrayed as if this Act had not been passed; provided, moreover, that in respect of any Place where, under this Act, the Local Authority for executing the Nuisances Removal Act is any other Body than the Board of Guardians or the Overseers of the Poor, the Privy Council, if it see fit, may, in the Manner provided for the Exercise of its Powers under the Public Health Act, 1858, authorize such other Body to be, instead of the Board of Guardians or the Overseers of the Poor, the Local Authority for executing the Diseases Prevention Act; provided also, that as regards the Metropolis the Vestries and District Boards under the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty, within their respective Parishes and Districts, shall continue to be the Local Authorities for the Execution of the said "Diseases Prevention Act, 1855," and their Charges and Expenses shall be defrayed as if this Act had not been passed.

Local Authorities may provide Carriages for Conveyance of infected Persons.

XII. It shall be lawful for the Local Authority for executing the said "Diseases Prevention Act" to provide and maintain a Carriage or Carriages suitable for the Conveyance of Persons suffering under any contagious or infectious Disease, and to convey such sick and diseased Persons as may be residing within such Locality to any Hospital or other Place of Destination, and the Expense thereof shall be deemed to be an Expense incurred in executing the said Act.

Justices, on the Application of Householders, may order the Removal of Nuisances.

XIII. Upon Complaint before a Justice of the Peace by any Inhabitant of any Parish or Place of the Existence of any Nuisance on any private Premises in the same Parish or Place, such Justice shall issue a Summons requiring the Person by whose Act, Default, Permission, or Sufferance the Nuisance arises, or if such Person cannot be found or ascertained, the Owner or Occupier of the Premises on which the Nuisance arises, to appear before Two Justices in Petty Sessions assembled at their usual Place of Meeting, who shall proceed to inquire into the said Complaint, and act in relation thereto as in Cases where Complaint is made by a Local Authority under Section Twelve of the said Nuisances Removal Act, and as if the Person making the Complaint were such Local Authority: Provided always, that it shall be lawful for the said Justices, if they see fit, to adjourn the Hearing or further Hearing of such Summons for an Examination of the Premises where the Nuisance is alleged to exist, and to require the Admission or authorize the Entry into such Premises of any Constable or other Person or Persons, and thereupon the Person or Persons

Persons authorized by the Order of the Justices may enter and act as the Local Authority might under a like Order made by any Justice under Section Eleven of the said Act: Provided also, that the Costs in the Case of every such Application shall be in the Discretion of the Justices, and Payment thereof may be ordered and enforced as in other Cases of summary Adjudication by Justices: Any Order made by Justices under this Enactment shall be attended with the like Penalties and Consequences for Disobedience thereof and subject to the like Appeal as any Order made under Section Twelve of the said Nuisances Removal Act, and the Justices making such Order may thereby authorize any Constable or other Person or Persons to do all Acts for removing or abating the Nuisance condemned or prohibited, and for executing such Order, in like Manner as a Local Authority obtaining the like Order might do under the said Act, and to charge the Costs to the Person on whom the Order is made, as is provided in the Case where a like Order is obtained and executed by such Local Authority.

Guardians may procure sanitary Reports and pay for the same.

XIV. The Guardians of any Union or Parish not within an Union may at any Time employ One of their Medical Officers to make Inquiry and report upon the sanitary State of their Union or Parish, or any Part thereof, and pay a reasonable Compensation for the same out of their Common Fund.

Interpretation of Terms.

XV. The several Words used in this Act shall be construed in the same Manner as is declared with reference to the same Words in the above-cited Act, termed "The Nuisances Removal Act for *England*, 1855," and all the Provisions therein, and in "The Diseases Prevention Act, 1855," contained, shall respectively be applicable to this Act, except so far as they shall be hereby repealed, or be inconsistent with anything herein provided.

Justices not incapable of acting by being Members of Bodies to execute Nuisances Removal Act.

XVI. No Justice of the Peace shall, unless objected to at the Hearing of any Complaint or Charge, be deemed incapable of acting in Cases other than Appeals arising under the said Nuisances Removal Act by reason of his being a Member of any Body hereby declared to be the Local Authority to execute the said Act, or by reason of his being a Contributor, or liable to contribute, to any Rate or Fund out of which it is hereby provided that all Charges and Expenses incurred in executing the said Act, and not recovered as therein provided, shall be defrayed.

CAP. LXXVIII.

An Act to place the Employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the Regulations of the Factories Acts. [6th *August* 1860.]

'WHEREAS it is the Practice of some of the Occupiers of Bleaching Works and Dyeing Works to keep Females, Young Persons, and Children at work during the Night, and an unreasonable Number of Hours during the Day: And whereas such Practices are not necessary to the successful carrying on of those Trades, but are very injurious to the Health and Morals of the Females, Young Persons, and Children employed therein, and it has become necessary to regulate the Employment of such People, and to provide for the Education of such Children: And whereas an Act was passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom:* And whereas an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Labour in Factories:* And whereas an Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to limit the Hours of Labour of Young Persons and Females in Factories:* And whereas an Act was passed in the Fourteenth Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to Labour in Factories:* And whereas an Act was passed in the Seventeenth

3 & 4 W. 4. c. 103.
7 & 8 Vict. c. 15.
10 & 11 Vict. c. 29.
13 & 14 Vict. c. 54.