

ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

CAP. XCVI.

An Act for the more speedy Removal of certain Nuisances, and to enable the Privy Council to make Regulations for the Prevention of contagious and epidemic Diseases until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [28th *August* 1846.]

WHEREAS it is highly expedient for the Purpose of preserving the Health of divers of Her Majesty's Subjects that better Provision should be made for the Removal of certain Nuisances likely to promote or increase Disease: 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, That it shall be lawful for any Town Council or other like Body having Jurisdiction within any Corporate Town, Borough, City, or Place, or any Trustees or Commissioners or other like Officers acting under the Provisions of any Act of Parliament for the Drainage, Paving, or Cleansing, or managing or directing the Police, in any Town,

Certain public Officers, on Receipt of the Certificate of Two Medical Men, may

complain of the Existence of Nuisances.

9 G. 4. c. 82.

Town, Borough, City, or Place, or for any of the above Purposes, or for Commissioners acting under the Provisions of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to make Provision for lighting, cleansing, and watching Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases*, or in case there shall be no such Town Council or other like Body, or no such Trustees or Commissioners having Jurisdiction or acting as aforesaid, in any Town, Borough, City, or Place, then it shall be lawful for the Guardians of the Poor, upon receiving a Certificate in Writing in the Form contained in Schedule (A.) to this Act annexed, or to the like Effect, signed by Two duly qualified Medical Practitioners, of the filthy and unwholesome Condition of any Dwelling House or other Building, or of the Accumulation of any offensive or noxious Matter, Refuse, Dung, or Offal, or of the Existence of any foul or offensive Drain, Privy, or Cesspool,

The Justices to whom the Complaint is made required to summon Parties complained against.

to lay a Complaint before any Two Justices of the Peace, and such Justices, upon the Production of such Certificate as aforesaid, shall forthwith summon, in the Form contained in Schedule (B.) to this Act annexed, or to the like Effect, the Owner or Occupier of the Premises described in such Certificate to appear before them or some other Justices to answer the Matters of Complaint alleged in such Certificate, and if such Owner or Occupier shall not appear at the Time and Place named in such Summons, or having appeared shall not show sufficient Cause to the contrary, or if there is no Owner or Occupier, or if it appears that no Owner or Occupier can be found, and upon Proof that a Copy of the said Summons was left on the Premises in the Summons mentioned, then in either of the Cases aforesaid such Justices, upon Proof to their Satisfaction of the Existence of the Nuisance in the said Certificate described, shall forthwith make an Order in Writing under their Hands and Seals in the Form contained in Schedule (C.) to this Act annexed, or to the like Effect, for the cleansing, whitewashing, or purifying of any such Dwelling House or other Building, or for the Removal or Abatement of the Nuisance in the said Certificate described, within the Period and in the Manner in the said Order to be prescribed (such Period not being more than Two clear Days, of which *Sunday* shall not be one, after Notice of the making of the said Order has been given in pursuance of the Provisions of this Act); and

The Order or a Copy to be served or affixed to the Premises.

such Order, or a true Copy of the same, shall be forthwith served upon the Owner or Occupier respectively of the Premises or Place mentioned in such Order, or if there be no such Owner or Occupier, or if such Owner or Occupier cannot be served, then such Order or a true Copy thereof shall be forthwith affixed upon some Part of such Premises or Place as aforesaid; and if the Dwelling House or other Building in the said Order mentioned shall not be cleansed, whitewashed, or purified, or if the Nuisance in the said Order described shall not be removed or abated, within the Period and in the Manner in the said Order mentioned, it shall be lawful for the Persons who made the Complaint, and who shall be authorized by the said Justices so to do, by themselves, their Servants, and others, to enter any Dwelling House or other Building or Place in the said Order mentioned, to cleanse, whitewash, or purify such Dwelling House or other Building, or to remove or abate the Nuisance in

If the Order be not obeyed, the Parties complaining may enter on the Premises and remove the Nuisance.

the said Order described; and if any Person shall wilfully obstruct any Person acting under the Authority and in pursuance of any Order made under the Provisions of this Act he shall be liable to a Penalty not exceeding Ten Pounds nor less than Two Pounds for every such Offence.

Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed.

II. And be it enacted, That it shall be lawful for the Persons who shall have made such Complaint as aforesaid to take Proceedings to recover from the Owner or Occupier of any Dwelling House or other Building or Place in any such Order as aforesaid mentioned, the Costs and Expences incurred by them in obtaining such Order or in removing or abating any Nuisance, and otherwise carrying such Order into effect; and any Two Justices, upon the Application of such Persons so complaining, shall summon such Owner or Occupier to appear before them at a Time and Place to be named in such Summons; and upon the Appearance of such Owner or Occupier, or in his Absence upon Proof of due Service of the Summons, such Justices, upon Proof that such Costs and Expences as aforesaid have been incurred by the said Persons so complaining, shall (unless they shall think fit to excuse the Party so charged on the Ground of Poverty or other special Circumstances) order such Owner or Occupier to pay the Amount thereof to the said Persons so complaining, together with the Costs attending such Summons and Hearing; and if the same shall not be paid by the Parties liable to pay the same within Seven Days after Demand, the Amount may be recovered by Distress of the Goods of the Parties liable as aforesaid; and the Justices by whom the same shall have been ordered to be paid, or any Two other Justices, on Application, shall issue their Warrant accordingly.

Certain Public Officers in Scotland, on Receipt of the Certificate of Two Medical Men, may complain of the Existence of Nuisances in Scotland.

8 & 9 Vict. c. 83.

III. And be it enacted, That it shall be lawful for the Magistrates and Councillors or other like Body having Jurisdiction within any Burgh, Town, City, or Place in *Scotland*, or any Trustees or Commissioners acting under the Provisions of any Act of Parliament for the Drainage, Paving, or Cleansing, or managing or directing the Police, in any Burgh, Town, City, or Place in *Scotland*, or for any of the above Purposes, or in case there shall be no such Magistrates or Councillors or other like Body, or no such Trustees or Commissioners having Jurisdiction or acting as aforesaid, in any Burgh, Town, City, or Place, then it shall be lawful for the Parochial Board for the Management of the Poor in *Scotland* established under the Provisions of an Act of Parliament passed in the Session held in the Eighth and Ninth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* Scotland, upon receiving a Certificate in Writing in the Form aforesaid, or to the like Effect, signed by Two duly qualified Medical Practitioners, of the filthy and unwholesome Condition of any Dwelling House or other Building, or of the Accumulation of any offensive or noxious Matter, Refuse, Dung, or Offal, or of the Existence of any foul or offensive Drain, Privy, or Cesspool, to lay a Complaint in Writing before the Sheriff or any Two Justices of the Peace, and such Sheriff or Justices, upon the Production of such Certificate as aforesaid, shall forthwith order the Owner or Occupier of

The Sheriff or Justices to whom the

Complaint is made required to order the Attendance of the Parties complained against.

of the Premises described in such Certificate to appear at a Time and Place to be named in such Order, to answer the Matters of Complaint alleged in such Certificate, and every such Order shall be served upon the Owner or Occupier of the Premises described in such Certificate, either in Person or by leaving or affixing a Copy of the same at or upon the Premises, and either upon Appearance or failing to appear of such Owner or Occupier, or if there be no Owner or Occupier, or if it appear that no Owner or Occupier can be found, then in either of such Cases it shall be lawful for the Sheriff or Justices to proceed to the hearing of the Complaint, and upon Proof to their Satisfaction of the Existence of the Nuisance in the Certificate described, either by the Confession of the Party so complained against, or upon Proof by legal Evidence, and without any written Pleadings or Record of Evidence, they shall forthwith make an Order in Writing in the Form aforesaid or to the like Effect, under his or their Hands or Seals, requiring such Owner or Occupier to cleanse, whitewash, or purify any such Dwelling House or other Building, or to remove or abate the Nuisance in the Certificate described, within the Period and in the Manner in the said Order to be prescribed (such Period being not more than Two clear Days, of which *Sunday* shall not be One, after Notice of the making of the said Order has been given in pursuance of the Provisions of this Act); and such Order, or a true Copy of the same, shall be forthwith served upon the Owner or Occupier respectively of the Premises or Place mentioned in such Order, or if there be no such Owner or Occupier, or if such Owner or Occupier cannot be served, then such Order, or a true Copy thereof, shall be forthwith affixed upon some Part of such Premises or Place as aforesaid; and if the Dwelling House or other Building in the said Order mentioned shall not be cleansed, whitewashed, or purified, or if the Nuisance in the said Order described shall not be removed or abated within the Period and in the Manner in the said Order mentioned, it shall be lawful for the Persons who made the Complaint, and who shall be authorized by the said Sheriff or Justices so to do, by themselves, their Servants and others, to enter any Dwelling House or other Building or Place in the said Order mentioned, to cleanse, whitewash, or purify such Dwelling House or other Building, or to remove or abate the Nuisance, in the said Order described; and if any Person shall wilfully obstruct any Person acting under the Authority and in pursuance of any Order made under the Provisions of this Act, he shall be liable to a Penalty not exceeding Ten Pounds nor less than Two Pounds for every such Offence.

The Order or a Copy thereof to be served or affixed to the Premises.

If the Order be not obeyed the Parties complaining may enter on the Premises and remove the Nuisance.

Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed.

IV. And be it enacted, That it shall be lawful for the Persons who shall have made such Complaint as aforesaid to take Proceedings to recover from the Owner or Occupier of any Dwelling House or other Building or Place in any such Order as aforesaid mentioned the Costs and Expences incurred by them in obtaining such Order, or in removing or abating any Nuisance, and otherwise carrying such Order into effect; and any Sheriff or Two Justices, upon the Application of such Persons so complaining, shall issue an Order requiring such Owner or Occupier to appear before him or them at a Time and Place to be named in such Order, and upon the Appearance of such Owner or Occupier,

Occupier, or in his Absence upon Proof of due Service of the Order, such Sheriff or Justices, upon Proof that such Costs and Expences as aforesaid have been incurred by the said Persons so complaining, shall (unless he or they shall think fit to excuse the Party so charged on the Ground of Poverty, or other special Circumstances,) order such Owner or Occupier to pay the Amount thereof to the said Persons so complaining, together with the Costs attending such Order and Hearing, and if the same shall not be paid by the Parties liable to pay the same within Seven Days after Demand, the Amount may be recovered by Poinding and Sale of the Goods of the Parties liable as aforesaid, and the Sheriff or Justices by whom the same shall have been ordered to be paid, or any Two other Justices, on Application, shall issue their Warrant accordingly.

Privy Council, &c. in England and Ireland, empowered to issue Orders at any Time to prevent the spreading of contagious or epidemic Diseases.

V. And whereas Cases may occur where Cities, Towns, or Places may be threatened with or affected by formidable contagious or epidemic Diseases, and it may be impossible to establish Rules for the Prevention thereof by the Authority of Parliament with sufficient Promptitude to meet the Exigency of each Case, and it is therefore expedient to enable the Lords of Her Majesty's most Honourable Privy Council to issue Orders in *England* and *Scotland*, and the Lord Lieutenant and Privy Council of *Ireland* to issue Orders in *Ireland*, from Time to Time for that Purpose; be it therefore enacted, That if any City, Town, Burgh, or Place shall hereafter be threatened with or affected by such formidable contagious or epidemic Diseases, it shall be lawful in *England* and *Scotland* for the Lords and others of Her Majesty's most Honourable Privy Council, or any Three or more of them, (of whom the Lord President of the Council or One of Her Majesty's Principal Secretaries of State for the Time being shall always be One,) or in *Ireland* for the Lord Lieutenant and Privy Council of *Ireland*, by any Order or Orders to be by them from Time to Time made, to establish, and again from Time to Time by any such Order or Orders to revoke, renew, alter, and vary, all such Rules and Regulations, or to substitute any such new Rules and Regulations, as to them may appear necessary or expedient for the Prevention, as far as may be possible, of any such contagious or epidemic Diseases, or for the Relief of any Persons suffering under or likely to be affected by any such Diseases, and for the safe and speedy Interment of any Person who may die of any such Diseases.

Orders to be certified by Clerks of the Privy Council, and when published, received as Evidence.

VI. And be it enacted, That every such Order as aforesaid relating to *England* or *Scotland* shall be certified under the Hand of one of the Clerks in ordinary of Her Majesty's Privy Council in *England*, and every such Order relating to *Ireland* shall be certified under the Hand of one of the Clerks of the Privy Council thereof, and that the Publication of any such Order for *England* or *Scotland* in the *London Gazette*, or for *Ireland* in the *Dublin Gazette*, shall for all Intents and Purposes be taken, admitted, and received in all Courts, and by and before all Judges, Justices, Magistrates, Sheriffs, and others, as good and sufficient Evidence of the making and of the Date and Contents of any such Order.

Penalty for Violation of Orders.

VII. And be it enacted, That any Person who shall or may violate or wilfully and knowingly infringe the Provisions of any such Order,

or who shall or may refuse or wilfully neglect or omit to act in obedience to or in conformity with any such Order, or who shall resist, oppose, or obstruct the lawful Execution thereof, shall for every such Offence incur and become liable to a Penalty not exceeding Five Pounds nor less than One Pound, to be recovered in the Manner herein-after mentioned.

Proceedings in case of Information, &c. in England or Ireland.

VIII. And be it enacted, That any Penalty imposed by this Act for any Offence committed in *England* or *Ireland* may be recovered by any Person who may sue for the same before any Two Justices, and it shall be lawful for any Two Justices, in all Cases where any Information shall be laid before them on Oath of any Offence against the Provisions of this Act, and they are hereby required to issue their Summons to any Person whom they may have reason to suppose capable of giving any material Evidence on the hearing of such Information, requiring every such Person to appear and give Evidence at a Time and Place to be specified in such Summons; and if any Person so summoned shall not appear before such Justices at the Time and Place so specified in the said Summons, or shall not offer any reasonable Excuse for such Default to the Satisfaction of the said Justices, or appearing shall not submit to be examined as a Witness, then and in every such Case it shall be lawful for the said Justices and they are hereby authorized (Proof on Oath, in the Case of any Person not appearing to such Summons, having been first made before such Justices of the due Service of such Summons on such Person by delivering the same to him or by leaving the same at his usual Place of Abode), by Warrant under the Hands and Seals of such Justices, to commit any such Person so making Default as aforesaid to some Gaol or House of Correction within the Jurisdiction of the said Justices for any Time not exceeding Fourteen Days, or until such Person shall submit to be examined and give Evidence.

Justices empowered to levy Penalties by Distress and Sale of Goods, &c.

In case Offender hath not Goods, &c. Justices may commit.

IX. And be it enacted, That all Justices in *England* or *Ireland* shall and are hereby empowered, on the Conviction of any Person before them for any such Offence as aforesaid, in default of Payment of any such Penalty as aforesaid, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender by Warrant under the Hands and Seals of such Justices, together with the reasonable Costs of such Distress and Sale; and in case it shall appear to the Satisfaction of such Justices, either by the Confession of the Offender or by the Oath of One or more credible Witness or Witnesses, that such Offender hath not Goods and Chattels within the Jurisdiction of such Justices sufficient whereon to levy any such Costs and Charges, such Justices may, without issuing any Warrant of Distress, commit such Offender to any such Gaol or House of Correction as aforesaid for any Time not exceeding Fourteen Days, unless such Penalty, Costs, and Charges be sooner paid, in such Manner as if a Warrant of Distress had issued and a Return of *nulla bona* made thereon, in which Case also it shall be lawful for such Justices to commit any such Offender for such Term of Fourteen Days, or for any shorter Period, to any such Prison as aforesaid.

X. And

Recovery of Penalties in Scotland.

X. And be it enacted, That with regard to the Proceedings for the Recovery of Penalties in *Scotland*, any such Penalties imposed by this Act may be recovered by the Procurator Fiscal of the Court, or any Person or Persons who shall sue for the same, before any Sheriff or Two Justices of the Peace; and it shall be lawful for the Sheriff or Justices before whom any Complaint for the Recovery of any Penalties may be brought to proceed in a summary Way, and to grant Warrant for bringing the Parties complained upon immediately before them, and, on Proof on Oath by One or more credible Witnesses or other legal Evidence, forthwith to determine and give Judgment in such Complaint, without any written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of all Penalties and Expences decerned for, failing Payment within Eight Days after Conviction, by Poinding and Imprisonment for a Period at the Discretion of the Sheriff or Justices not exceeding Fourteen Days.

Sheriff or Justices empowered to determine Complaints.

Application of Penalties.

XI. And be it enacted, That all Penalties imposed by the Authority of this Act shall be applied in or towards the Relief of the Poor of the Parish or Place in which any Offence as aforesaid may have been committed.

Orders of Council to be laid before Parliament.

XII. And be it enacted, That every Order which may be so made as aforesaid by the Lords of Her Majesty's Privy Council, or by any Three or more of them, or by the Lord Lieutenant and Privy Council of *Ireland*, shall be forthwith laid before both Houses of Parliament, if Parliament shall be then sitting, and that such Orders as shall be so made when Parliament shall not be sitting shall be laid before both Houses of Parliament within Fourteen Days next after the Commencement of the first Session which shall ensue upon the Date of any such Order.

Justices may order Payment of Monies expended for the Purposes of this Act.

XIII. And be it enacted, That all and every Expence which may be reasonably and properly incurred in carrying into effect any of the Provisions of this Act relating to the cleansing of Houses, or to the Removal of Nuisances, and not recovered from Owners or Occupiers under the Provisions herein-before contained, or to any Proceedings had or taken in pursuance of any Order issued under the Authority of this Act for Prevention of any formidable, contagious, or epidemic Diseases, shall be retained or defrayed out of the Rates or Monies raised or contributed for the Relief of the Poor of the Parish or Extra-parochial Place maintaining its own Poor in which the same shall be so incurred, and in other Extra-parochial Places out of the Poor's Rate of the Parish nearest adjoining; and it shall be lawful for any Two Justices and they are hereby required to order and direct from Time to Time, as Occasion may require, the Treasurer of the Guardians, or other Officer of the Union or Parish, or the Overseer of the Parish in which any such Expence shall have been so incurred as aforesaid, to pay such Sums as may be expressed in such Order out of any Monies which may come into his Hands by virtue of his Office; and in case any such Treasurer, other Officer, or Overseer on whom any such Order shall be made shall neglect or refuse to pay the said Money so named in such Order for the Space of Twenty Days, it shall be lawful to recover the same by Distress and Sale of his or their Goods and Chattels,

Chattels, together with the Costs thereof, by Warrant under the Hand and Seal of any Two Justices authorized to make such Order for Payment.

Definition of the Word "Owner."

XIV. And be it enacted, That for the Purposes of this Act, and in order to prevent any Dispute touching the Word "Owner," the Person receiving the Rents of any Property from the Occupier thereof on his own Account, or as Trustee or Agent for any other Person, shall be deemed the Owner of the same for all such Purposes.

Act not to extend to certain Places.

XV. Provided always, and be it enacted, That nothing in this Act contained shall extend or apply to any Place in which a Medical Officer of Health and an Inspector of Nuisances has been or may hereafter be appointed under any local Act passed in the present Session of Parliament.

Proceedings not to be quashed for Want of Form.

XVI. And be it enacted, That no Order or any other Proceeding or Thing done or transacted relative to the Execution of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Interpretation of Act.

XVII. And be it enacted, That in this Act the following Words and Expressions shall have the Meaning hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Words "Justice or Justices" shall mean Justice or Justices of the Peace respectively acting for the County, City, Borough, Liberty, Cinque Port, or Place where the Matter requiring the Cognizance of any such Justice or Justices respectively shall arise, and who shall not be interested in the Matter; and the Word "Sheriff" shall mean the Sheriff of any County or Place in *Scotland* where the Matter requiring the Cognizance of any such Sheriff shall arise, and who shall not be interested in the Matter; the Words "Guardians of the Poor" shall mean the Guardians, Directors, Wardens, Governors, or other like Officers having the Management of the Poor, for any Union, Parish, Township, Hamlet, or Place where the Matter requiring the Cognizance of any such Officers as aforesaid respectively may arise, and the Overseers of every Parish, Township, Hamlet, or Place in which Relief to the Poor shall not be administered by Guardians; and Words and Expressions importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females.

Continuance of Act.

XVIII. And be it enacted, That this Act shall continue in force until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and from thence until the End of the then next Session of Parliament.

Act may be amended, &c.

XX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

The

The SCHEDULES to which this Act refers.

SCHEDULE (A.) s. 1.

Certificate of Medical Practitioners.

To the Town Council, *&c.*, *or* to the Guardians of the Poor of the Union *or* Parish [*as the Case may be*].

We, the undersigned *A. B.* and *C. D.*, Two duly qualified Medical Practitioners, residing at [*insert Name of the Parish*], having viewed the Dwelling House occupied by one *X. Y.* [*or* a certain Piece of Land near the King's Head Public House, *or* certain Premises occupied by one *Y. Z.*, *as the Case may be*, *describing the Premises*], situate in Street in the Parish of in the County of do hereby certify, That the said Dwelling House is in a filthy or unwholesome State, [*or* that there is an Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal on the said Piece of Land, *or* that there is a foul and offensive Drain, Privy, or Cesspool on the said Premises occupied by *Y. Z.*, situate, *&c.*, *as the Case may be*,] and that the same is likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are in the Neighbourhood of the above-mentioned Premises. Witness our Hands this Day of One thousand eight hundred

(Signed) *A. B.*
C. D.
Members of the Royal College of Surgeons [*as the Case may be*].

SCHEDULE (B.) § 1.

Summons of Justices.

To the Constable of and all other Persons whom this may concern.

County of [*or* Borough, *&c.* of] to wit. } Whereas Complaint hath been this Day made before us, *B. C.* and *E. F.*, Esquires, Two of Her Majesty's Justices of the Peace acting in and for the said County of [*or* Borough, *&c.*] by the Town Council of [*or* Guardians of the Poor, *as the Case may be*,] setting forth that a certain Dwelling House occupied by one *X. Y.* situate in [*describing the Premises*] is in a filthy and unwhole-

unwholesome State [*or* that there is an Accumulation of offensive or noxious Matter, Dung, Refuse, and Offal on a certain Piece of Land situate in [*describing the Premises*], or that there is a foul and offensive Drain, Privy, or Cesspool in certain Premises occupied by one *X. Y.* situate in [*describing the Premises*],] and the Certificate in Writing under the Hands of *A.B.* and *C.D.*, Two duly qualified Medical Practitioners, certifying that the same is likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are in the Neighbourhood thereof, having been also produced before us at the Time of making the said Complaint; these are therefore to command you forthwith to summon the said *X. Y.* the Occupier [*or Y. Z.*, the Owner of the said Premises, *as the Case may be*,] to appear before Two of Her Majesty's Justices of the Peace at on the Day of next, at the Hour of o'Clock, to answer the Matter of the said Complaint.

Given under our Hands and Seals the Day of A.D. One thousand eight hundred and

B. C. (L.S.)
E. F. (L.S.)

SCHEDULE (C.) § 1.

Order of Justices.

To *X. Y.* [Owner *or* Occupier, *if any such there be*,] and to the Town Council, *&c.*, *or* to the Guardians of the Poor of the Union *or* Parish [*as the Case may be*], and to their Servants, and to all other Persons whom this Order may concern.

County of [*or* Borough, *&c.* of] to wit. } WHEREAS on the Day of last Complaint was made before *B. C.* and *E. F.*, Two of Her Majesty's Justices of the Peace acting in and for the County of [*or* Borough, *&c.* of *as the Case may be*,] by the Town Council, *&c.*, [*or* by the Guardians of the Poor of the Union, *as the Case may be*,] that the Dwelling House occupied by the said *X. Y.* situate in Street in the Parish of in the said County of [*describing the Premises*] was in a filthy and unwholesome State [*or* that there was an Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal on a certain Piece of Land near the King's Head Inn situate, *&c.*, *or* that there was a foul and offensive Drain, Privy, or Cesspool in certain Premises occupied by one *Y. Z.* situate, *&c.*, *as the Case may be*],] and the Certificate in Writing under the Hands of *A.B.* and *C.D.* of being Two duly qualified Medical Practitioners, addressed to the Town Council, *&c.*, [*or* to the Guardians of the Poor of the Union, *as the Case may be*,] certifying that the same was likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are

in the Neighbourhood thereof, having been produced before the said Justices at the Time of the making of the said Complaint: And whereas the said *X. Y.*, the Owner [*or* Occupier] of the said Dwelling House [*or* of the said Piece of Land, *or* of the said Premises] herein-before described, has this Day appeared before us, *B. C.* and *E. F.*, Two of Her Majesty's Justices of the Peace acting in and for the said County [*or* Borough, *&c.*], in pursuance of a Summons duly served upon him in that Behalf, to answer the Matter of the said Complaint. [*Or, if the Summons has not been served*, And whereas it has been proved on Oath before us, *B. C.* and *E. F.*, Two of Her Majesty's Justices of the Peace acting, *&c.*, that the said *X. Y.*, the Owner [*or* Occupier] of the said Premises in the said Certificate mentioned, could not be found, and that a true Copy of a Summons requiring the said *X. Y.* to appear this Day before us to answer the said Complaint was left on the said Premises.] Now we, the said Justices, having heard the said Complaint, and examined the Fact and all proper Witnesses upon Oath, and the Existence of the Nuisance in the said Certificate described having been proved on Oath to our Satisfaction, do hereby, in pursuance of the Statute in that Case made and provided, order the said *X. Y.*, the Owner [*or* Occupier, *as the Case may be*,] of the said Dwelling House [*or* of the said Piece of Land, *or* of the said Premises occupied by *Y. Z.*], within Hours from the Service of this our Order, or a true Copy thereof, on the said *X. Y.*, or if Service cannot be forthwith effected upon him then within Hours from the Period when this our Order, or a true Copy thereof, shall have been affixed upon some Part of the said Premises, to white-wash, cleanse, and purify the said Dwelling House, [*or* to remove or abate the said Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal from the said unoccupied Piece of Land, *or* to cleanse the said foul and offensive Drain, Privy, or Cesspool,] and if Default shall be made by the said *X. Y.* in obeying this our Order, then we, the said Justices, authorize and require, order, and direct you, the said [Town Council, *&c.*, *or* Guardians of the Poor], to enter upon the said Premises, and to cleanse, whitewash, and purify the said Dwelling House, [*or* to remove or abate the said Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal from the said Piece of Land, *or* to cleanse the said foul and offensive Drain, Privy, or Cesspool].

And for your so doing this shall be your sufficient Warrant and Authority.

Given under our Hands and Seals this Day of One thousand eight hundred and .

B. C. (L.S.)
E. F. (L.S.)

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1846