



ANNO TRICESIMO

VICTORIÆ REGINÆ.

Cap. lvi.

An Act for enabling the Local Board of Health for the District of *West Ham* in the County of *Essex* to erect a Hall and Offices for the Transaction of the Business of the said Board and of the Parish Officers of the said Parish, and for granting additional Powers to the said Local Board.

[31st May 1867.]

WHEREAS by an Act passed in the Session of the 19th and 20th Years of Her present Majesty, Chapter 26, a Provisional Order of the General Board of Health applying "The Public Health Act, 1848," to the District of *West Ham* in the County of *Essex* was confirmed: And whereas the Local Board of Health for the District of *West Ham* in the County of *Essex* have recently purchased certain Pieces of Land specified in the Schedule to this Act for the Purpose of enabling them to erect thereon Offices for the Transaction of their Business, and the said Land and the Fee Simple thereof are now stated to be vested in the said Local Board: And whereas the Parish of *West Ham* in the same County is not possessed of any Building suitable for a Vestry Hall or Place of Meeting for its Vestry, or of any Building or Offices suitable for the Transaction of the Business of the said Parish, or for the Offices of the Parochial Officers, and such Vestry Hall or Place of Meeting and

19 & 20 Vict.
c. 26.
(Public.)

[Local.]

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Offices

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14 & 15 Vict.
c. 57.
(Public.)

Offices as aforesaid are greatly needed: And whereas the Poor Law Board, on Application from the Churchwardens and Overseers of the Parish of *West Ham* aforesaid, made in pursuance of a Resolution of the Vestry of the said Parish, did by an Order dated the 16th Day of *December* 1854 order and direct that so much of the Act passed in the 14th Year of the Reign of Her Majesty, entitled *An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks*, as related to the providing of a Room or suitable Buildings for the Purpose of holding Vestry or other Meetings for the Transaction of any Business of or relating to the said Parish of *West Ham*, should forthwith be applied to and be put in force within the said Parish of *West Ham*: And whereas the Poor Law Board, on Application from the Overseers of the Poor of the said Parish made pursuant to a Resolution of the Vestry thereof held on the 3d Day of *May* 1866, by an Order under their Hands and Seal dated the 18th Day of *October* 1866, did under the Authority of the several Statutes in that Behalf made and provided authorize the said Churchwardens and Overseers of the Poor of the said Parish of *West Ham* to borrow a Sum not exceeding 7,000*l.*, and to charge the Poor Rates of the said Parish with the Repayment of the Sum so borrowed, and did further order and direct the said Churchwardens and Overseers of the Poor to apply such Sum, when so borrowed, to defray the Cost of providing a new Vestry Room for the said Parish, and the said Churchwardens and Overseers have already taken some Steps with a view to carrying out the said Orders and have incurred some preliminary Expenses in reference thereto: And whereas the Offices for the said Local Board, and such Vestry Hall or Place of Meeting, and Offices for the said Parish may advantageously be contained in One Building to be erected on the Site aforesaid, but it would be more convenient and a great Saving of Expense to the said Parish that such Building should be erected under One Management and not jointly by the said Local Board and the said Churchwardens, and it is expedient that the said Local Board should be empowered to erect such Building, and of such Size and Capacity as to contain not only the necessary Offices for the said Board, but also such Vestry Hall and Offices for the said Parish Officers, and to make all such Arrangements as may be necessary for the Use, Occupation, and Management thereof, and so that the said Local Board on the one hand and the said Churchwardens and Overseers on behalf of the said Parish on the other hand may have the Benefit of such Building or Buildings: And whereas by an Act passed in the 4th Year of the Reign of King *George* the 4th, Cap. 106, the several Roads thereby authorized to be repaired and distinguished and known by the Name of "*the Middlesex and Essex Turnpike Roads*" were placed under the Control and Management of certain Trustees,
styled

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styled "the Trustees of the *Middlesex and Essex Turnpike Roads*," and the said Trustees were authorized and directed to repair all the said Roads, which included certain Portions of the same which certain Parties and Persons are liable to repair and maintain as herein-after mentioned: And whereas the Owners, Proprietors, Lessees, and Occupiers of divers Lands, Tenements, and Hereditaments heretofore Parcel of the Possessions belonging to the Monastery or Abbey of *Stratford Langthorne* in the County of *Essex*, who by reason of their respective Tenures or otherwise were bound to support, maintain, and keep in repair Two Bridges situate and being at *Stratford* in the County of *Essex*, that is to say, a certain Bridge upon the Road between the Town of *Bow* in the County of *Middlesex* and the Town of *Stratford* in the said County of *Essex*, called "*Bow Bridge*," and one other Bridge near, adjoining to, or within the said Town of *Stratford*, called "*Channelsea Bridge*," and also to support, maintain, and keep in repair certain Parts of the Road and Foot Causeway lying and being between the said Two Bridges, and the Road to the Extent of 100 Yards beyond such Bridges respectively, by an Act passed in the Session of the 7th and 8th Years of the Reign of King *George* the 4th, Chapter 108, were empowered to raise the Sums requisite from Time to Time for defraying the Expense of such Repairs and Maintenance as aforesaid, and to make a Composition in Money with the Trustees of the *Middlesex and Essex Turnpike Roads* for the repairing, maintaining, and keeping in repair the said Parts of the said Road and the Foot Causeway, and the said Two Bridges and other Works: And whereas by an Act passed in the Session of the 4th and 5th Years of the Reign of King *William* the 4th, Chapter 89, after setting forth in the Preamble thereof to the Effect herein-before recited concerning the said Owners, Proprietors, Lessees, and Occupiers, and also setting forth that the Mayor and Commonalty and Citizens of the City of *London*, by reason of their Tenure of certain Water Mills, Lands, and Hereditaments adjoining to or near the said Roads at *Stratford* aforesaid, were liable to repair or maintain *Pegshole* Carriage Bridge and the Road over the same, and to the Extent of 100 Yards West of the said Bridge and 69 Yards East of the same, being a Moiety of the Distance between the said last-mentioned Bridge and *Sir Thomas D'Acre's Bridge*, and the said Mayor and Commonalty and Citizens of the said City of *London*, being also in like Manner liable to repair and maintain *St. Michael's* Carriage Bridge and Foot Bridge adjoining thereto at *Stratford* aforesaid, and the Road over the same, and to the Extent of 100 Yards East of the said last-mentioned Bridge and 28 Yards West of the same, being a Moiety of the Distance between the said last-mentioned Bridge and *Sir Thomas D'Acre's Bridge* aforesaid, and which said Bridges and Portions of Road lie between

Bow

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Bow Bridge and *Channelsea Bridge* aforesaid; and also setting forth that *Robert Richard Mawley* Esq., and his Heirs and Successors, by reason of the Tenure of a certain Water Mill and divers Lands and Hereditaments adjoining to or near the said Roads at *Stratford* aforesaid, were liable to repair and maintain *Sir Thomas D'Acre's Bridge* at *Stratford* aforesaid and the Road over the same, and to the Extent of 69 Yards West of the said last-mentioned Bridge, being a Moiety of the Distance between the same Bridge and *Pegshole Bridge* aforesaid, and also the Road to the Extent of 28 Yards East of the said Bridge called *Sir Thomas D'Acre's Bridge*, being the other Moiety of the Distance between the said Bridge and *Saint Michael's Bridge* aforesaid, the said Bridge called *Sir Thomas D'Acre's Bridge* being situate between *Pegshole Bridge* and *Saint Michael's Bridge* aforesaid, it was enacted that the Owners, Proprietors, Lessees, and Occupiers of the Lands, Tenements, and Hereditaments theretofore Parcel of the Possessions belonging to the Monastery or Abbey of *Stratford Langthorn* who for the Time being are bound to support, maintain, and keep in repair *Bow Carriage Bridge* and *Channelsea Carriage Bridge*, and certain Portions of Road at, over, and adjoining and between the said Two Bridges and the Foot Causeway, and other Works, and their Successors for ever, should pay to the Trustees of the said Turnpike Roads for the Time being, or to their Treasurer, the annual Sum of 300*l.* in full Satisfaction and Discharge of all and every the Liabilities whatsoever of the said Abbey Landowners, Proprietors, Lessees, and Occupiers in respect of the same Roads and Foot Causeway; and it was further enacted that the Mayor and Commonalty and Citizens of the said City of *London* should, by the Bridge Masters of the said City for the Time being and out of the Rents and Profits of the *Bridge House* Estates, pay to the Trustees of the said Turnpike Roads for the Time being and their Successors for ever, or to their Treasurer, the annual Sum of 112*l.* 10*s.* in full Satisfaction and Discharge for the said Trustees maintaining and keeping in repair of the said several Portions of Road repairable by the said Mayor and Commonalty and Citizens; and it was further enacted that the said *Robert Richard Mawley* Esq., and his Heirs and Assigns, and the Owners for the Time being of the Mill, Tenements, and Hereditaments, who are liable to maintain and keep in repair the said Bridge, should pay to the Trustees of the said Turnpike Roads for the Time being and their Successors for ever, or to their Treasurer, the annual Sum of 37*l.* 10*s.* in full Satisfaction and Discharge for the said Trustees maintaining and keeping in repair of the said Portions of Road repairable by the said *Robert Richard Mawley*, and by the same Act divers Powers and Remedies were given to the said Trustees for enforcing the said several Compositions: And whereas by the Annual Turnpike Acts Continuance Act, 1865, it was enacted

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enacted that the before-mentioned Act of the 4th Year of the Reign of King *George* the 4th, and the before-mentioned Act of the Session of the 4th and 5th Years of the Reign of King *William* the 4th should continue in force until the 1st Day of *November* 1866, and no longer, unless (as was not the Case) Parliament in the meantime should continue the same: And whereas the Trusts of the *Middlesex and Essex* Turnpike Roads ceased on the 31st Day of *October* 1866, and as from that Date there were no longer any Trustees of the aforesaid Roads, and the Compositions so entered into as aforesaid were then wholly determined: And whereas the said Local Board execute the Office of and are Surveyor of the Highways within their said District, and are authorized and required to repair and maintain all the Highways within their said District, including the Portions of the said Roads formerly the *Middlesex and Essex* Turnpike Roads, which the Owners, Proprietors, Lessees, and Occupiers of the Hereditaments heretofore Abbey Land as aforesaid, or the several other Parties or Persons before mentioned, are liable to repair, and all which said Portions of Road are within the said District of *West Ham*: And whereas great Inconvenience would arise to the Public if the Owners, Proprietors, Lessees, and Occupiers of the Hereditaments heretofore Abbey Lands as aforesaid, or the several other Parties and Persons before mentioned who are liable to repair the said Portions of the Road at *Stratford* aforesaid, should not come to a Composition and pay the said Local Board such Composition, or at any Time not well and sufficiently repair and maintain the said Portions of Road, and it is advisable that all such Portions of Road should in future be maintained and repaired by and under the Direction and Control of the said Local Board: And whereas the Population of the District of *West Ham* has of late Years greatly increased, and it is advisable that additional Powers should be conferred on the said Local Board for the better Management of their District in respect of the Sewerage, Drainage, and the general Improvement thereof: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and 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:

I. This Act and "The Public Health Act, 1848," as altered or amended or supplemented by "The Local Government Act, 1858," "The Local Government Act (1858) Amendment Act, 1861," "The Local Government Amendment Act, 1863," or any other Act now in force amending such Acts or any of them, or incorporated therewith, shall be construed together as One Act.

Certain Acts herein named incorporated with this Act.

[Local.]

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2. This

The Local Board of Health for West Ham, in Essex, Extension of Powers Act, 1867.

Short Title.

2. This Act may be cited for all Purposes as "The Local Board of Health for *West Ham*, in *Essex*, Extension of Powers Act, 1867."

Interpretation of Terms.

3. In the Interpretation of this Act the Expressions following shall have the Meanings hereby attached to them; that is to say,

"The District" shall mean the District of *West Ham* in the County of *Essex* as defined and constituted by a Provisional Order of the General Board of Health, which was confirmed by an Act passed in the 19th and 20th Year of Her present Majesty, Cap. 26:

"The Local Board" shall mean the Local Board of Health for the District aforesaid:

"The Parish" shall mean the Parish of *West Ham* in the same County:

"The Churchwardens and Overseers" shall mean the Churchwardens and Overseers of the said Parish:

"The Overseers" shall mean the Overseers of the Parish:

"The Site" shall mean the Lands and Hereditaments specified in the Schedule hereto.

Power to Board to erect Building, Offices, &c.

4. The Local Board may erect upon the said Site, or some Part thereof, a Building or Buildings to contain a Hall and Offices and Rooms suitable for the Transaction of the Business of and for the Meetings of the Local Board, and also the holding any Vestry or other Meeting for the Transaction of the Business of the said Parish, and for Offices for the Overseers and Officers of the said Parish.

As to Control, &c. of Buildings, &c.

5. The Control, Management, and Supervision of such Building, and of the Erection thereof, and of all Matters relating thereto, shall be trusted to the said Local Board or to such Committee or Committees, Person or Persons as the Local Board shall in that Behalf appoint, and the Cost of repairing, maintaining, and insuring such Building shall be paid by the Board out of the General District Rates levied by them.

Local Board to provide Offices for Use of Churchwardens, &c.

6. The Local Board shall find and provide in such Building proper and suitable Offices for the Use and Occupation of the Churchwardens and Overseers of the Poor of the said Parish for the Time being, and of the Vestry Clerk and other Parochial Servants and Officials thereof, such Offices to consist of Four Rooms at the least, adapted in respect of Size and Character to the reasonable Requirements of the said Churchwardens and Overseers, who shall have the entire Control and Custody of such Offices, and they and the other Parish Officers and Servants shall at all reasonable and convenient Times have free Ingress and Egress thereto and therefrom through the outer Doors and

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and Passages of such Building; and the said Churchwardens and Overseers shall also, on giving reasonable Notice to the said Board, be entitled at all Times to the free Use of the large Hall to be erected in the said Building for the Purpose of convening and holding all Vestry Meetings of the Inhabitants or Ratepayers of the said Parish or of any District thereof, and all other Parochial Meetings which shall be considered necessary or expedient by the said Churchwardens and Overseers, and shall be convened by them in their corporate or official Capacity, and such respective Use and Occupation of the said Offices and Vestry Hall by the said Churchwardens and Overseers and other Parish Officials shall be free and not subject to any Rent or other Payment, but in consideration of such Occupation the said Building shall not be liable to the Poor Rates of the said Parish.

7. For the Purpose of defraying the Expenses of and incident to the Purchase by the said Local Board of the Land specified in the Schedule to this Act, and of erecting such Building or Buildings as aforesaid, and of all Costs and Expenses incident thereto, which are to be defrayed by the said Local Board, a Sum not exceeding Twenty thousand Pounds may be borrowed and taken up by the Local Board at Interest on the Credit of the General District Rates authorized to be made and collected by the Local Board, and by means of such Mortgages or Assignments of the said Rates as the Local Board are empowered to make, subject, except as herein expressly provided, to the Provisions with reference to such Mortgages of the Public Health Act, 1848, and any Act or Acts amending the same.

Power to borrow Money for Purchase of Site and Building, &c.

8. The Sanction of any or either of Her Majesty's Principal Secretaries of State shall not be required for the Exercise by the Local Board of the Powers of borrowing herein-before conferred on them.

Sanction of Secretary of State not required to Board borrowing.

9. It shall be lawful for the Owners, Proprietors, Lessees, and Occupiers of Lands, Tenements, and Hereditaments heretofore Parcel of the Possessions belonging to the Monastery or Abbey of *Stratford Langthorne* in the County of *Essex*, who by reason of their respective Tenures or otherwise are bound to support, maintain, and keep in repair Two Bridges and a Road and Foot Causeway, and other Works at *Stratford* aforesaid, and within the said District of *West Ham* as herein-before mentioned, at their First or any Quarterly or Special General Meeting, or any Adjournment thereof, under the Provisions of the said Act passed in the Session of the 7th and 8th Years of the Reign of King *George* the Fourth, Chapter 108, to contract and agree and come to a Composition with the Local Board for the paying and discharging of such Sum and Sums of Money

Power to Board to make Composition with Owners, &c. of *Stratford Langthorne* Abbey.

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Money and Expenses as the Local Board may have expended or incurred in, about, and concerning the requisite Repairs and Amendments of the said Bridges, Road, Foot Causeway, and Works since the Thirty-first Day of *October* One thousand eight hundred and sixty-six, and also to contract and agree and come to a Composition with the Local Board for the Payment to the Local Board of a certain Sum of Money, annually or otherwise, for and towards the repairing, maintaining, and keeping in repair all such Bridges, Road, Foot Causeway, and other Works, or any of them.

Power to Board to make Composition with the Corporation of London.

10. It shall be lawful for the Mayor and Commonalty and Citizens of the said City of *London* to contract and agree and come to a Composition with the Local Board for the paying and discharging out of the Rents and Profits of the *Bridge House* Estate or otherwise such Monies and Expenses as the Local Board may have expended or incurred in, about, or concerning the requisite Repairs and Amendments of the Bridges, Roads, or Portions thereof, and other Works repairable or maintainable by the Mayor and Commonalty and Citizens as aforesaid, or any of them, since the Thirty-first Day of *October* One thousand eight hundred and sixty-six, and also to contract and agree and come to a Composition with the Local Board for the Payment to the Local Board of a certain Sum of Money, annually or otherwise, for and towards the repairing, maintaining, and keeping in repair all such Bridges, Roads, or Portions thereof, and other Works, or any of them.

Power to Board to make Composition with R.R. Mawley, Esq., or his Heirs and Assigns.

11. It shall be lawful for *Robert Richard Mawley* Esquire, and his Heirs and Assigns, and the Owners for the Time being of the Mill, Tenements, and Hereditaments who are liable to repair and maintain *Sir Thomas D'Acre's Bridge*, and Portions of Road at *Stratford* aforesaid, to contract and agree and come to a Composition with the Local Board for the paying and discharging such Monies and Expenses as the Local Board may have expended or incurred in, about, or concerning the requisite Repairs and Amendment of the said Bridge and Portions of Road since the Thirty-first Day of *October* One thousand eight hundred and sixty-six; and also to contract and agree and come to a Composition with the Local Board for the Payment to the Local Board of a certain Sum of Money, annually or otherwise, for and towards the repairing, maintaining, and keeping in repair such Bridges and Roads or other Works, or any Portion of them.

Indemnity to Parties compounding.

12. In case the said Local Board shall, under or by virtue of the Powers comprised by the 9th, 10th, and 11th Sections of this Act, agree or come to a Composition with any of the Parties therein mentioned,

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tioned, such Composition, whilst subsisting, shall be taken and accepted by the said Local Board in full Satisfaction and Discharge of all and every the Liability whatsoever of the said Parties respectively so entering into such Composition in respect of the same Bridges, Roads, Foot Causeways, and other Works, and such Parties shall during the Existence of any Contract under this Act be indemnified from such Liability by the said Local Board.

13. Nothing in this Act contained shall destroy or abridge the Rights or Powers or Liabilities of the Local Board or any Person respectively under the several Compositions made or confirmed by the aforesaid Act passed in the 4th and 5th Years of the Reign of King *William* the Fourth, in case and so far as any Court of Law or Equity of competent Jurisdiction shall adjudge such Rights or Powers or Liabilities, or such Compositions as aforesaid to be subsisting and capable of effect; nor shall anything herein contained destroy, vary, or abridge the Rights or Powers of the Local Board or any Person under the Sixty-second Section of an Act passed in the Session of the 5th and 6th Years of the Reign of King *William* the Fourth, Chapter 50, or under the Forty-first Section of "The Local Management Act, 1858."

The Board and Parties interested not precluded from contending that previous Comutations are subsisting.

14. Any such Composition or Agreement as is herein-before authorized may be made notwithstanding the Compositions or Agreements confirmed by the said recited Act may still be subsisting, and notwithstanding any Doubt as to whether the same are subsisting or capable of taking effect; and every Composition or Agreement herein-before authorized shall supersede and put an End to the former Compositions and Agreements in case the same shall not have been already determined, and the Local Board and the Corporation and Persons authorized to compound as aforesaid shall be and are hereby indemnified for so compounding, although the former Compositions, or any of them, may not have been already determined.

New Compositions may be made notwithstanding Doubts as to old ones still subsisting.

15. The Local Board shall drain, cleanse, cover, or fill up or cause to be drained, cleansed, covered, or filled up, all Ponds, Pools, open Ditches, Sewers, and Places within the District containing or used for the Collection of any Drainage, Filth, Water, Matter, or Thing of an offensive Nature, or likely to be prejudicial to Health which may be within their District, and they shall cause written Notice to be given to the Person causing any such Nuisance, or to the Owner or Occupier of any Premises whereon the same exists, requiring him, within a Time to be specified in such Notice, to drain, cleanse, cover, or fill up such Pond, Pool, open Ditch, Sewer, Drain, or Place, or to construct a proper Sewer or Drain for the Discharge of such Filth, Water,

Board to cause offensive Ditches, Drains, &c. to be cleansed or covered.

[Local.]

Water,

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Water, Matter, or Thing, or to do such other Works as the Case may require, and if the Person to whom such Notice is given fail to comply therewith, the Local Board shall execute such Works as may be necessary for the Abatement of such Nuisance, and may recover the Expenses thereby incurred from the Owner of the Premises : Provided always, that it shall be lawful for the Local Board, when they think it reasonable, to defray all or any Portion of such Expenses as Expenses of Sewerage are to be defrayed under the "Public Health Act, 1848," or any Act to amend the same, or under this Act ; provided also, that where any Work of the Local Board done or required to be done in pursuance of the Provisions of this Act interferes with or prejudicially affects any ancient Mill, or any Right connected therewith, or other Right to the Use of Water, full Compensation shall be made to all Persons sustaining Damage thereby.

Power to Board to fill up Ditches by Side of Roads and substitute Pipes.

16. The Local Board, when they think fit, may cause the Ditches at the Sides of or across public Roads and Byeways and public Footways to be filled up, and to substitute Pipe or other Drains alongside or across such Roads and Way, with appropriate Shoots and Means of conveying Water from such Roads and Ways thereunto, and from Time to Time to repair and amend the same ; and the Surface of Land gained by filling up such Ditches may, if the Local Board so think fit and direct, be thrown into such Roads and Ways and be repairable as Part thereof, and be under the Control of the Local Board.

Penalty for keeping Swine in improper Situations.

17. No Person shall breed, feed, or keep any Swine in any Locality, Place, or Premises within the District which may be unfit for the keeping of Swine, or in which the breeding, feeding, or keeping of Swine may create a Nuisance or be injurious to Health, and any Person breeding, feeding, or keeping Swine in or on any such Locality, Premises, or Place shall be liable to a Penalty not exceeding Forty Shillings, and to a further Penalty not exceeding Ten Shillings for every Day during which he shall continue such Offence after Notice from the Local Board to discontinue the same ; and if in any Proceeding before a Justice or Justices under this Enactment it shall be proved to the Satisfaction of the Justice or Justices that any such Locality, Premises, or Place are or is unfit for the keeping of Swine, such Justice or Justices may prohibit the using thereof for that Purpose for the future, and any Person disobeying the Order of any Justice or Justices in this Behalf shall be liable to a Penalty of Ten Shillings for every Day during such his Default, and such Penalties as aforesaid may be recovered by summary Proceedings before a Justice or Justices of the Peace.

18. It

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18. It shall be lawful for the Owners or Occupiers of any Land or Premises within the said District, with the Consent and subject to the Regulations herein-after mentioned, to construct Sewers at their own Expense for the Purpose of draining such Land and Premises.

Owners and Occupiers of Land may execute Works of Drainage at their own Expense.

19. Every Person intending to make or branch a Sewer into a Sewer vested in the Local Board shall in the first instance lay the Plan and Section thereof before and apply for the Sanction of the Local Board, and no Sewer shall be begun to be made by such Person until the Sanction of the Local Board shall have been obtained.

Parties to submit Plans of new Sewers.

20. When it shall be desired to abandon, either wholly or in part, or to extend, contract, or alter any Design for a Sewer, Building, or other Work previously approved by and submitted to the Local Board, and for the Performance or Execution of which the Sanction of the Local Board is by Law required, Notice in Writing of such Desire, accompanied by Plans and Sections showing the Nature of the Abandonment, Extension, Contraction, or Alteration desired, shall be given to the said Local Board; and no Person shall abandon wholly or in part, or extend, contract, or alter in Construction any Sewer approved or sanctioned by the Local Board without their previous Sanction.

Regulations as to Abandonment or Alteration of Plans for Sewers, Buildings, &c.

21. In case any such Sewer, Building, or other Works sanctioned and approved by the Local Board as herein-before provided shall not be constructed or executed within Twelve Calendar Months from the Date of such Sanction or Approval, the Works for the Construction of such Sewer or other Work shall not be executed without a fresh Permission by the Local Board, to be applied for and obtained in like Manner as herein-before provided with respect to the original Permission.

In case Works not done within 12 Months fresh Application to be made.

22. The Local Board may order that any Sewer in any present or future Street not being a Highway may be branched into and used by the Owners or Occupiers of any Premises contiguous or near thereto, and shall determine the Sum or Sums to be paid by such Owners or Occupiers to the Person or Persons to whom such Sewer may belong as and by way of Compensation, and such Sum so awarded by the said Board shall, from and immediately after such Person or Persons shall have used such Sewer, become payable to the Owner or Owners thereof, and in case the same shall not be paid within 15 Days, the Local Board shall pay the same, and the Money so paid shall be recovered and recoverable by the said Local Board from the Persons, or from the Property of the Persons branching into or using such Sewer, as private Improvement Expenses are recoverable under the Provisions of the "Public Health Act, 1848."

Local Board may order that Sewers in private Streets shall be drained into and used by Owners of contiguous Property.

23. Any

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Sewers in Streets to be deemed Sewers which Local Board may use.

Local Board in certain Cases may order Sewer in private Streets to be made sufficient for Drainage of contiguous Property, &c.

Local Board may order Houses, &c. to be drained by a combined Operation,

Land may be charged in less Proportion than House Property.

Power to Board to defray Part of Expense out of General District Rate.

23. Any Sewer in any present or future Street not being a Highway shall, for the Purposes of the 49th Section of the "Public Health Act, 1848," and subject to the Provisions of this Act, be deemed to be a Sewer which the Local Board are entitled to use.

24. The Local Board in estimating the Sufficiency of any Sewer which they may require to be made or improved under the 69th Section of the "Public Health Act, 1848," may have regard to the Fact that such Sewer may be required for the Purposes of the Drainage of any Houses or Premises contiguous or near thereto: Provided always, that in case the Local Board shall for the Reasons aforesaid require a more costly or expensive Sewer to be made or constructed than they would otherwise be entitled to require, the Local Board shall pay or tender the Difference to the Person or Persons required to make or construct such Sewer, and such Difference shall be repaid to the said Board by the Owners or Occupiers of such Houses or Premises in such Proportions as the Local Board shall deem just.

25. If it appear to the Local Board that a Group or Block of contiguous Houses, or of adjacent, detached, or semi-detached Houses may be drained and improved more economically or advantageously in combination than separately, and a Sewer of sufficient Size already exist, or be about to be constructed within One hundred Feet of any Part of such Group or Block of Houses, whether contiguous, detached, or semi-detached, it shall be lawful for the Local Board to order that such Group or Block of Houses be drained and improved by such combined Operation as the Local Board shall direct, and the Costs and Expenses of such combined Operation shall be apportioned between the said Parties in such Manner as the Local Board shall think just.

26. In apportioning the Cost of constructing Sewers under the Provisions contained in the "Public Health Act, 1848," or in any Act to amend the same, or in this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties, it shall be lawful for the Local Board to charge the Owners of Land bounding or abutting on any Street in a less Proportion than the Owners of House Property, should they under the Circumstances deem it just and expedient to do so.

27. It shall be lawful for the Local Board, should they deem it just and reasonable to do so, at their Discretion to defray out of the General District Rate any Portion of the Expenses of and incident to the Construction of Sewers under the Provisions in the "Public Health Act, 1848," or any Act to amend the same, or in this Act contained,

in

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in relation to the construction of Sewers, wholly or partly at the Cost of private Parties.

28. Whereas by the 49th and 69th Sections of the "Public Health Act, 1848," certain Works, Matters, and Things are required to be constructed, made, or executed on the Requisition or Order of Local Boards by the Owners or Occupiers of the Premises therein referred to, and in case of such Non-compliance or Default in obedience to such Order as in the said Sections is mentioned, the Local Boards are authorized to perform and execute such Works, Matters, and Things, and recover the Costs incurred thereby in manner therein provided: Be it enacted, That in case of any such Non-compliance or Default the Person or Persons so offending shall forfeit and pay to the Local Board a Sum not exceeding Five Pounds, and also a further Sum not exceeding Forty Shillings for every Day during which such Offence shall continue, to be recovered by Action at Law or before a Justice of the Peace in a summary Manner, at the Option of the Local Board; and the Local Board may, at their Discretion, either execute or perform any such Works, Matters, and Things, and recover the Costs and Expenses thereof from the Owner of the Property as aforesaid, or proceed for and recover the said Penalty or Penalties; but nothing herein contained shall render any Person or Persons liable to be proceeded against for the Penalty as well as for the Costs and Expenses of Works: Provided also, that the Local Board shall not proceed for such Penalty or Penalties where such Costs and Expenses as aforesaid have been or shall be charged on the Property of any such Owners or Occupiers,

Where Parties neglect to carry out Works pursuant to Order of Board, Board may recover Penalty, or do the Works and charge Expenses.

29. In all Cases in which Time shall be given by the Local Board for the Payment of any Contribution to the Cost of a Sewer as aforesaid, the Local Board shall keep a Register of all such Orders of Contribution, which Register shall contain the Description of the Premises, the Amounts payable, the Periods for Payment, and other necessary Particulars, and such Register shall be open to Inspection by any Person chargeable to the Rates within the said District, or otherwise interested, during Office Hours, without Payment of Fee or Reward.

Register to be kept of Contribution to the Cost of Sewer.

30. When the said Board shall, under the Provisions of the 69th Section of the Public Health Act, 1848, have given Notice in Writing to the Owners or Occupiers of the Premises fronting, adjoining, or abutting on any Street, or any Part thereof, requiring them to sewer, level, pave, flag, or channel such Street, or any Part thereof, and such Notices, or any of them, have not been complied with, it shall be lawful for the Board to direct their Surveyor to apportion

Costs of sewerage, &c. Streets, may be paid in advance.

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the estimated Expenses of sewerage, levelling, paving, flagging, or channelling such Street, or the Part or Parts thereof requiring to be so seweraged, levelled, paved, flagged, or channelled, including the Cost of paving the Point at the Intersection of Streets and all other incidental Costs and Charges, among the said Owners or Occupiers of the Premises so fronting, adjoining, or abutting on the said Street, or such Parts thereof so requiring to be seweraged or otherwise made good as aforesaid, and such Expenses so apportioned may be recoverable either before the Work shall be commenced, during its Progress, or after its Completion, and the same may be recoverable from the present or any future Owner either by Action at Law or in a summary Manner before a Justice or Justices of the Peace, at the Option of the said Board.

If Estimate insufficient Balance to be paid, if in excess to be refunded.

31. Where the actual Cost of so sewerage, levelling, paving, flagging, or channelling any such Street as is mentioned in the preceding Section shall exceed the estimated Cost, the Difference of Cost shall be apportioned by the said Surveyor among the said various Owners, and shall be recoverable from them in the same Manner as herein-before provided with respect to the Recovery of the Proportion of the estimated Cost; but in case the actual Expenses shall be less than such Sum, the Difference shall be paid by the Local Board to the Owners of the Houses or Property who may have paid such Sum, or whose Houses or Property may have been charged therewith.

Parties lending Money to Board not bound to inquire into Application of Money, Regularity of Proceedings, &c.

32. No Person or Persons lending or proposing to lend Money to the Local Board under the Provisions of this Act, or of any Act or Acts empowering them to borrow Money, shall be bound to see or inquire into the Application of the Money so lent, or any Part thereof, nor shall any Person or Persons be bound or required to ascertain that the Local Board, or the Meeting or Meetings thereof, was or were properly constituted or convened, or that the Proceedings at any Meeting were legal or regular; and any Mortgage, Bond, or other Instrument which may have been or may hereafter be made or granted with the Common Seal of the Local Board affixed or impressed (and signed by Five Members of the Board), shall be binding and conclusive on the Local Board and their Successors.

Saving Rights of Commissioners of Sewers for Levels of Havering, &c.

33. Nothing in this Act contained shall be construed to authorize the said Local Board to use, injure, or interfere with any River, Sewer, Drain, Watercourse, River Wall, Defence, or Work under the Jurisdiction or Control of the Commissioners of Sewers for the Levels of *Havering, Dagenham, Ripple, Barking, East Ham, West Ham, Leyton, and Walthamstow* in the respective Counties of *Essex, Middlesex, and Kent* (hereafter called the said Commissioners), without

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out the Consent in Writing of such Commissioners first obtained; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Commissioners, or of their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed,

34. The Local Board may, if they deem it just, order the Payment of retiring Pensions or Allowances of such Amounts and upon such Terms as they may deem just, not exceeding in any Case Two Thirds of their average annual Salary during the last Five Years of their Service, to any Officers or Servants who have been employed under them, and who by reason of Illness or Age, or from any other adequate Cause, shall not continue to be so employed, and such Pensions or Allowances may be paid out of the General District Rates raised by the said Board.

Board may grant retiring Pensions to Officers, &c.

35. The Expenses incurred by the Local Board in applying for and obtaining this Act, and preparatory and incident thereto, shall be and are hereby included among the general Expenses of the Local Board, and may be defrayed accordingly, either from the said Sum of Twenty thousand Pounds herein-before authorized to be raised by the said Board, or from the General District Rates to be levied by the said Board; and any preliminary Expenses incurred by the said Churchwardens and Overseers of *West Ham* in procuring or carrying out such Order of the Poor Law Board or in preparing Plans of such intended Vestry Hall, or in reference thereto, not exceeding in the whole the Sum of Fifty Pounds, may be defrayed out of the Poor Rates of the said Parish.

Expenses of procuring Act, and other Expenses.

The SCHEDULE to which the foregoing Act refers.

All those Pieces or Parcels of Ground situate and being at the Junction of the Broadway and West Ham Lane at Stratford in the County of Essex, recently conveyed to the Local Board, whereon several Houses which have recently been pulled down by the Local Board were formerly standing, and which said Pieces or Parcels of Ground and Houses, as to Part thereof, were comprised in an Indenture dated the 18th Day of June 1864, made between Arthur Lister, therein described of the First Part, Antonio Brady, Rickman Godlee, Smith Harrison, and Charles Borham Warner, all therein described of

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the Second Part, and the said Local Board of the Third Part, and were therein described as “ All that Piece or Parcel of Ground situate, lying, and being at
 “ Broadway, Stratford in the County of Essex, with the Four several Messuages or Tenements thereon standing, and being—all now being unoccupied,
 “ One thereof having only recently been a Beershop situate at the Corner of
 “ West Ham Lane and the Broadway aforesaid, and known as the ‘ Wheatsheaf,’
 “ late in the Occupation of Mr. Robinson as yearly Tenant; One other of the
 “ said Messuages fronting on the Broadway aforesaid, and late in the Occupation
 “ of Mr. Debney; and the Two remaining Messuages fronting on West Ham
 “ Lane aforesaid, being formerly in the Occupations of Mr. Nichol and Mr.
 “ Algar, afterwards of Mrs. Crabb and Mrs. Baker as weekly Tenants, the
 “ whole of the said Messuages containing in front next the Broadway aforesaid 38 Feet or thereabouts, with a Depth and Frontage next West Ham
 “ Lane aforesaid of 60 Feet or thereabouts, and which said Premises formerly or
 “ anciently consisted of Two several Messuages, and were theretofore or anciently
 “ known or described on the Rolls of the Manor of West Ham as all those
 “ Two Messuages or Tenements formerly in the Occupation of Margaret
 “ Bristow and Richard Bristow, situate and being in Stratford Langthorne,
 “ with their Appurtenances.”

And as to other Parts thereof, were comprised in an Indenture dated the 12th Day of March 1864, made between John Francis Adams, therein described of the one Part, and the said Local Board of the other Part, and were therein described as “ All that Piece or Parcel of Land situate and being in the Broad-
 “ way at Stratford in the Parish of West Ham in the County of Essex, on the
 “ South Side of the High Road leading from Romford to London, and which
 “ said Piece or Parcel of Land was formerly inclosed and abuts on the South
 “ Side on the public Footpath belonging to the said High Road. And also all
 “ that Piece or Parcel of Land situate and lying behind the Piece or Parcel of
 “ Land herein-before described, and on the South Side of the said Footpath,
 “ and whereon Seven Messuages or Cottages formerly stood, the Sites of which
 “ said Pieces or Parcels of Land respectively, with the Admeasurements and
 “ Abuttals thereof respectively are more particularly shown in the Map or Plan
 “ drawn in the Margin of these Presents, and are therein coloured Red.”

And as to other Parts thereof, were comprised in an Indenture dated the 29th Day of November 1865, made between Joseph Edward Parsons Russell, therein described of the First Part, James Turner, therein described of the Second Part, Caroline Amelia Russell, therein described of the Third Part, and the said Local Board of the Fourth Part, and were therein described as “ All that copy-
 “ hold Messuage or Tenement now known by the Sign of the ‘ Albion Coffee
 “ House,’ being a Portion of the Tenement and Premises to which the said
 “ Joseph Edward Parsons Russell was admitted Tenant on or about the 2nd
 “ Day of June 1853, as herein-before recited as the same is now particularly
 “ delineated, and its Dimensions, Abuttals, and Boundaries shown on the Plan
 “ drawn in the Margin of these Presents, and therein coloured Pink.”

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