

commonalty of the city of London, and any vestry, district board, or local board of health in the county of London.

Short title
and com-
mencement.

6.—(1.) This Act may be cited as the Metropolis Water Act, 1897.

(2.) This Act shall come into operation on the first day of September next, after the passing thereof.

CHAPTER 57.

An Act to amend the Law for the better Protection of Infant Life. [6th August 1897.]

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:

Short title.

1. This Act may be cited as the Infant Life Protection Act, 1897.

Persons retaining or receiving for hire infants for the purpose of maintenance to give notice thereof.

2.—(1.) Any person retaining or receiving for hire or reward in that behalf more than one infant under the age of five years for the purpose of nursing or maintaining such infants apart from their parents for a longer period than forty-eight hours, shall within the said forty-eight hours give notice thereof to the local authority.

(2.) Such notice shall truly state the name, age, and sex of such infants, the name of the person receiving the infants, and the dwelling within which such infants are being kept, and the name and address of the person or persons, from whom the infants have been received.

(3.) If any such infant is removed from the care of the person who has received the infant for the purpose aforesaid, such person shall forthwith give to the local authority notice of the removal, and of the name and address of the person to whose care the infant has been transferred.

(4.) If any person who has retained or received any infant as aforesaid omits to give the said notices, or any of them, or knowingly or wilfully makes or causes or procures any other person to make any false statement in any such notice, he shall be guilty of an offence against this Act.

Appoint-
ment and
powers of
inspectors,
&c.

3.—(1.) It shall be the duty of every local authority to provide for the execution of this Act within its district, and for that purpose it shall from time to time make inquiry whether there are any persons residing therein who retain or receive infants for hire or reward within the provisions of the preceding section.

(2.) A local authority may, if it think fit, appoint male or female inspectors to enforce this Act, and, if any such persons retaining or receiving infants as aforesaid are found in its district, it shall either appoint such inspectors or arrange for the infants being visited by women nominated by the local authority and authorised by it in writing to enforce the provisions of this Act.

(3.) A local authority may also, if it think fit, appoint or authorise in writing other suitable persons to execute the provisions of this Act, subject to such terms and conditions as may be stated in such appointment or authorisation.

(4.) Any local authority may combine with any other local authority for the purpose of executing the provisions of this Act, and for defraying the expenses of such execution.

(5.) Any inspector or other person duly appointed and authorised in writing by or on behalf of the local authority, shall from time to time inspect any infants referred to in any notice given under this Act, and the premises in which they are retained or received, in order to satisfy himself as to the proper maintenance of such infants or to give any necessary advice or directions as to such maintenance.

(6.) If any person retaining or receiving such infants refuses to allow any such inspector or other person to inspect such infants or the premises in which they are retained or received he shall be guilty of an offence against this Act.

(7.) If any such inspector or other person is refused admittance to any premises in contravention of this Act, or, has reason to believe that any infants under the age of five years are being kept in any house or premises in contravention of this Act, he may apply to any stipendiary magistrate or to any two justices of the peace, who, on being satisfied, on information in writing made before him or them on oath, that there is reasonable ground for believing that an offence against this Act has been committed, may grant a warrant authorising such inspector or other person to enter the house or premises for the purpose of inspection or of ascertaining whether any offence against this Act has been committed, and if the occupier of the house or premises or other person obstruct any inspector or other person acting in pursuance of such warrant, he shall be guilty of an offence against this Act.

4. It shall be the duty of the local authority to fix the number of infants under the age of five years which may be retained or received in any dwelling in respect of which notice has been received under this Act, and any person retaining or receiving any infant in excess of the number so fixed, shall be guilty of an offence against this Act.

Local authority to fix number of infants which may be retained.

5. Any person retaining or receiving an infant under the age of two years on consideration of a sum of money not exceeding twenty pounds paid down, and without any agreement for further payment, as value for the care and bringing up of the said infant until it is reclaimed or of an age to provide for itself, shall within forty-eight hours from the time of receiving such infant give notice of the fact to the local authority. If he does not give the notice required by this section, he shall be liable to forfeit the amount of any sum received by him in respect of such infant, or such less sum as the court having cognizance of the case shall deem just, and the court shall give directions as to the manner in which the sum forfeited shall be applied for the benefit of the infant, and shall, if necessary, cause the infant to be removed to a workhouse or place

Notice to be given to local authority by person receiving an infant for not more than 20l. paid down.

of safety, and the master of such workhouse shall receive such infant, which shall be maintained in the workhouse or place of safety until it can be otherwise lawfully disposed of.

Notice of
provisions of
Act.

6. It shall be the duty of the local authority to give public notice of the provisions of this Act by the publication of an abstract thereof or otherwise as a Secretary of State may direct.

Removal of
infant
improperly
kept.

7.—(1.) Should any infant, in respect of which notice is required to be given under this Act,—

(a) be kept in any house or premises which are so unfit or so overcrowded as to endanger its health; or

(b) be retained or received by any person who, by reason of negligence, ignorance, or other cause, is so unfit to have its care and maintenance as to endanger its health;

any inspector or other person appointed for the purposes of this Act may apply to the local authority for an order in writing directing him to remove such infant to a workhouse or place of safety, until it can be restored to its relatives or guardians or be otherwise lawfully disposed of.

(2.) Any person refusing to comply with an order under this section upon the same being produced and read over to him, or obstructing the inspector or other authorised person in the execution thereof, shall be guilty of an offence under this Act, and the inspector may apply to any justice of the peace for an order directing the removal of the child, and such order may be enforced by any police constable.

(3.) The master of any workhouse shall receive into the workhouse any child brought there under such order, and such child shall be maintained in the workhouse until it can be otherwise disposed of.

(4.) No infant shall be retained or received for hire or reward by any person from whose care any infant has been removed under this section, or by any person convicted of any offence under the Prevention of Cruelty to and Protection of Children Acts, unless with the sanction in writing of the local authority; and any person retaining or receiving any infant contrary to this section shall be guilty of an offence against this Act.

Notice to
coroner.

8. In case of the death of any infant respecting whom notice is required under this Act, the person having the care of such infant shall, within twenty-four hours of such death, cause notice thereof to be given to the coroner of the district within which the body of such infant lies, and the coroner shall hold an inquest thereon, unless a certificate under the hand of a registered medical practitioner shall be produced to him, certifying that such registered medical practitioner has personally attended or examined such infant, and specifying the cause of its death, and the coroner shall be satisfied by such certificate that there is no ground for holding such inquest. If the person having the care of such infant shall neglect to give the notice in this section mentioned he shall be guilty of an offence against this Act.

9. Every person guilty of an offence under this Act shall be liable to a penalty not exceeding five pounds, or to imprisonment for not more than six months, as a court of summary jurisdiction may award. Penalties.

10. All expenses incurred by or on behalf of the local authority in and about the execution of this Act shall be defrayed out of the local rate. Expenses.

11. Any offence under this Act may be prosecuted and any forfeiture recoverable before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts. Prosecution of offences.

12. Any moneys arising from penalties under this Act shall, notwithstanding any provision in any other Act, be paid to the local authority, and be applied to the purposes to which the local rate is applicable. Application of fines.

13. Every notice by this Act required to be given to the local authority shall be in writing, and shall be sent by post as a registered letter to the clerk of the local authority, or to such other person as the local authority may appoint, or be delivered at the office of the local authority. Notices to local authority.

14. The provisions of this Act shall not extend to the relatives or guardians of any infant by them retained or received as aforesaid, or to any person receiving any infant for the purpose of nursing or maintaining such infant under the provisions of any Act for the relief of the poor or of any order of the Local Government Board made under such Act; or to hospitals, convalescent homes, or institutions established for the protection and care of infants and conducted in good faith for religious or charitable purposes. Exemptions.

15. The terms "local rate," "local jurisdiction," and "local authority," mean in reference to the districts mentioned in the first column of the schedule to this Act, the rate, jurisdiction, and authority mentioned in the second, third, and fourth columns of the said schedule, and such schedule shall be deemed to be part of this Act. The term "place of safety" shall mean any suitable place, the occupier of which is willing temporarily to receive such infant. The term "relatives" shall mean and include the parents, grandparents, and uncles, and aunts, by consanguinity or affinity, of the infant retained or received as aforesaid, and in the case of illegitimate infants the persons who would be so related if the infant were legitimate. Definitions.

16. This Act in its application to Scotland shall be subject to the following provisions: The Secretary for Scotland shall be substituted for the Secretary of State; the Local Government Board for Scotland shall be substituted for the Local Government Board; the sheriff shall be substituted for a justice of the peace; the procurator fiscal shall be substituted for the coroner, and an inquiry by him into the cause of death for an inquest; the poorhouse shall be substituted for the workhouse; the inspector of poor shall be substituted for

inspector; and the powers and duties which by section three hereof are conferred and imposed upon the inspector or other authorised person shall be conferred and imposed upon the inspector of poor.

Application to
Ireland.

17. In the application of this Act to Ireland, the Chief Secretary shall be substituted for a Secretary of State, and the Local Government Board for Ireland shall be substituted for the Local Government Board.

Repeal.
35 & 36 Vict.
c. 38.

18. The Infant Life Protection Act, 1872, shall be repealed from the date of the commencement of this Act.

Commence-
ment of Act.

19. This Act shall commence on the first day of January one thousand eight hundred and ninety-eight.

SCHEDULE referred to in the foregoing Act.

ENGLAND AND WALES.

District.	Local Rate.	Local Jurisdiction.	Local Authority.
County of London.	Rate or fund applicable to the payment of the general expenses of the Council.	Area of the County of London, except the City of London).	London County Council.
City of London.	Consolidated sewers rate.	Area of the City of London and the liberties thereof.	Common Council.
Other places.	Rate or fund applicable to the general expenses of the guardians.	The poor law union	The board of guardians.

SCOTLAND.

Parish	The poor rate	Area of parish	Parish council.
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IRELAND.

In all places	The poor rate	The poor law union	The board of guardians.
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