



CHAPTER cxlix.

An Act for enabling the Local Board for the District of Willesden in the County of Middlesex to appoint building inspectors to be paid by means of fees for extending the powers of the Board with respect to the regulation of the width of streets and the lines of frontage therein and with respect to the making of bye-laws and with respect to infectious diseases; and for other purposes.

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[8th August 1887.]

WHEREAS by the Public Health Acts certain powers duties and obligations have been conferred and imposed on urban sanitary authorities with respect to the regulation of streets and buildings within their districts:

And whereas by such Acts provision was made for the making of bye-laws by urban authorities with respect to the laying out of streets the construction of buildings and the giving of notices and the deposit of plans and sections by persons intending to lay out streets or construct buildings and other matters:

And whereas the local board for the district of Willesden in the county of Middlesex are the urban sanitary authority for the said district within the meaning of the said Acts and have the aforesaid powers duties and obligations conferred and imposed upon them with respect to the regulation of streets and buildings as aforesaid and have made bye-laws with respect thereto:

And whereas under the Metropolitan Building Acts provision is made for the appointment of district surveyors for supervising the construction and alteration of buildings and for the payment of fees in respect of such supervision by the persons executing such works or interested therein:

And whereas the district of Willesden abuts upon the boundaries of the metropolis namely the parishes of Paddington Hampstead Chelsea Kensington and Hammersmith for a considerable length and in consequence of the demolition of buildings and the carrying out of public improvements in the metropolis a considerable portion of

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And whereas upwards of four thousand five hundred houses have been erected in the district within the last eight years and houses are now being erected therein at the rate of seven hundred and upwards per annum :

And whereas a number of land companies have purchased considerable portions of land in the district and have laid out the same in plots for the erection of small houses and large numbers of dwellings for persons of the artizan class have been and still are being erected within the district such houses and buildings being for the most part erected by persons who have acquired the plots and by builders acting as their own architects without any other supervision than that which might be provided by the local board :

And whereas it is expedient in order to procure proper supervision of the construction of such buildings and the enforcement of the building and other bye-laws in force in the district that the local board should be empowered to appoint building inspectors :

And whereas the payment of such building inspectors would impose an undue burden upon the local rates and it is therefore expedient that in relief of such expenses the local board should be empowered to require payment of fees by persons constructing or altering buildings within the said district :

And whereas it is expedient that further powers should be conferred upon the local board with respect to the regulation of the width of streets and the line of frontage therein and with respect to the making of bye-laws and the construction of sewers and with respect to infectious diseases and that such provisions should be made in relation thereto and otherwise in relation to the local government of the district as are in this Act contained :

And whereas an absolute majority of the whole number of the local board at a meeting held on the 26th day of October 1886 after ten clear days' notice by public advertisement of such meeting and of the purposes thereof in the *Kilburn Times* and *Western Post* a local newspaper published or circulating in the district (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate :

And whereas such resolution was published twice in the *Willesden and Kilburn Herald* a local newspaper published or circulating in

the district and in respect of matters under the jurisdiction of the Local Government Board has received the approval of that Board:

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And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the local board at a further special meeting held in pursuance of a similar notice on the 25th day of January 1887 being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the district by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 with respect to resolutions of owners and ratepayers under that Act consented to the promotion of the Bill for this Act:

And whereas the objects aforesaid 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 (that is to say):—

1. This Act may be cited for all purposes as the Willesden Local Board Act 1887. Short title.

2. In the interpretation of this Act the expressions following shall have the meanings attached to them unless there be something in the subject or context repugnant to or inconsistent with such construction (that is to say):— Interpretation of terms.

“District” shall mean the urban sanitary district of Willesden in the county of Middlesex;

“Board” “medical officer of health” and “surveyor” respectively shall mean the local board the medical officer of health and the surveyor respectively for the district aforesaid;

“Roadway” in relation to any road passage or way shall mean the whole space open for traffic whether carriage traffic and foot traffic or foot traffic only;

“Daily penalty” means a penalty to accrue for each day any offence shall continue after conviction;

“Centre of the roadway” in relation to any road passage or way existing at the time of passing of this Act or thereafter formed shall mean the centre of the roadway of such road passage or way as existing immediately before the time when first after the passing of this Act or the formation of the same any house or building fronting towards or abutting upon such road passage or way was begun to be constructed or extended;

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“Infectious diseases” shall mean and include small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria and such other disease as the Board under the provisions and for the purposes of this Act may from time to time declare to be infectious;

“Public Health Acts” shall mean the Public Health Act 1875 and any Act passed or to be passed modifying extending or amending the same so far as the same respectively may for the time being be in force;

The several words and expressions to which meanings are assigned by the Public Health Act have in this Act the same respective meanings unless there is something in the subject or context repugnant to such construction or some other meaning is by this Act assigned to any such word or expression.

Appointment of Building Inspectors.

Power to
appoint
building
inspectors.

3. For the purposes of enforcing the provisions of the Public Health Acts and of this Act and any bye-laws made under the authority of the said Acts or any of them with respect to the erection construction or alteration of new buildings and the drainage thereof (in this Act collectively referred to as “the regulations of the Public Health Acts as to new buildings”) the Board may from time to time appoint any number not exceeding six fit and proper persons to be building inspectors at salaries to be fixed by the Board not exceeding in each case two hundred pounds per annum subject to the following provisions:—

- (A) Every candidate for the office of building inspector shall be of the full age of twenty-five years properly skilled and educated in the art and practice of building and drainage and shall hold a certificate of the Royal Institute of British Architects or of the Institution of Civil Engineers or of the Institution of Surveyors or of such other body as the Local Government Board may from time to time approve that he has been examined and is competent for such office: Provided that the provision as to qualification contained in this section shall not apply to Mr. John Hellowell who is now acting as building inspector to the Board;
- (B) The building inspectors shall be officers of the Board removable at pleasure and shall be subject to the control and superintendence of the surveyor;
- (C) No building inspector appointed as aforesaid shall practice his profession or be engaged professionally in any work on his own account;

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(D) The building inspectors shall have in the exercise of their duties the like powers as are conferred upon the surveyor by the Public Health Act and this Act or any bye-laws made thereunder and the said surveyor and inspectors may at all reasonable times enter and inspect any new building for the purposes of enforcing the regulations of the Public Health Acts as to new buildings.

4. The surveyor shall after the receipt by the Board of any notice of intention to commence any works affected by any of the regulations of the Public Health Acts as to new buildings from time to time survey such works or cause the same to be surveyed by a building inspector and such surveyor or inspector shall cause all the said regulations to be duly observed.

Surveyor and building inspector to cause rules of this Act to be observed.

5. In the case of the erection or construction of any building or of any alterations or additions effected to in or upon any building the erection construction alteration or addition of in or to which is made subject to any bye-laws made by the Board and for the time being in force for the regulation of streets and buildings within the district there shall be paid to the Board in order to cover the expenses incurred or to be incurred with respect to the proper supervision of such buildings during the course of such erection construction alteration or addition in respect of the several matters specified in the First Schedule hereto the fees therein specified or such other fees not exceeding the amount specified as may from time to time be directed by the Board but one fee only shall be chargeable with respect to any alterations or additions to in or upon the same buildings included in one notice that are in progress at the same time: Provided that no such fee shall be payable in any case where notice of the commencement of such erection construction alteration or addition has been duly given in accordance with the provisions of the Public Health Acts or any bye-laws made thereunder but no such inspection or supervision by the surveyor or any building inspector during the course thereof has actually taken place.

Power of Board to require payment of fees in respect of buildings.

6. The fees authorised by the preceding section shall be applied only in payment of the salaries of the building inspectors to be appointed under the provisions of this Act and shall if necessary be revised from time to time by the Board in order to equalise as nearly as may be the expenditure incurred or to be incurred in respect of such salaries and the receipts accruing or to accrue from such fees. In the event of there being in any year a balance in the hands of the Board of fees received by them under the provisions of this Act such balance shall be applied in payment during any

Application of fees and power for Board to revise.

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Payment and recovery of fees for inspection of buildings.

7. The fees authorised by the last preceding sections shall become payable as follows:—

In the case of the erection or construction of any new building surveyed by the building inspector—

Immediately after the roof of such new building has been covered in;

In the case of any alteration or addition to in or upon any building surveyed by the building inspector—

Immediately after the completion of the alterations or additions to in or upon such building;

and such fees shall be paid upon demand to the Board or their collector duly authorised by the builder employed in erecting such building or in effecting such alterations or additions to in or upon any such building as aforesaid or by the owner of the building so erected or to in or upon which such alterations or additions have been effected.

If any such builder or owner neglects or refuses to pay the same such fees may be recovered in a summary manner before a court of summary jurisdiction upon its being shown to the satisfaction of such court that a proper bill specifying the amount of such fees was delivered to such builder or owner or sent to him in a registered letter addressed to his usual or last known place of abode.

Building inspector to make monthly returns to Board.

8. Every building inspector shall within seven days after the first day of every month make and sign a return to the Board in such manner as they may appoint of all notices and complaints received by him relative to any buildings or works and the results thereof and of all the several buildings and works inspected and supervised by him in the exercise of his office within the previous month and of all fees charged or chargeable in respect thereof and specify in such return the description and locality of every building built or rebuilt with the particular nature of every work in respect of which any fee has been charged or is chargeable. Every such return shall be signed by such inspector and shall be deemed to be a certificate that all the works enumerated therein as completed have been done in all respects agreeably to the regulations of the Public Health Acts and the bye-laws in force within the district as to new buildings according to the best of his knowledge and belief and that they have been duly surveyed by him.

Width of Street and Line of Frontage.

As to erection of houses or buildings

9. From and after the passing of this Act no house or building begun to be constructed after the passing of this Act shall be

constructed or begun to be constructed and no house or building shall be extended or begun to be extended in such manner that the external wall or front of any such house or building or if there be a forecourt or other space left in front of any such house or building the external fence or boundary of such forecourt or other space shall be at a distance less than twenty feet from the centre of the roadway of any road passage or way whether a thoroughfare or not being a highway without the consent in writing of the Board: Provided that the Board may in any case where they think it expedient consent to the construction formation or extension of any house building forecourt or space at a distance less than twenty feet from the centre of the roadway of any such road passage or way and at such distance from the centre of such roadway and subject to such conditions and terms (if any) as they may think proper to sanction:

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at less than
twenty feet
from centre
of roads
passages or
ways being
highways.

In every case where any such house building forecourt or space is constructed formed or extended or is begun to be constructed formed or extended in contravention of the provisions of this section at a distance from the centre of the roadway of any such road passage or way as aforesaid less than twenty feet or than such other distance as may have been sanctioned by the Board or contrary to the conditions and terms (if any) subject to which such sanction was obtained the Board may serve a notice upon the owner or occupier of the said house building forecourt or space or upon the builder or person engaged in constructing forming or extending the same requiring him to comply with the provisions of this section and to cause such house building forecourt or space or any part thereof to be set back so that the external wall of such house or building or the external fence or boundary of such forecourt or space shall be at a distance not less than twenty feet from the centre of the roadway of such road passage or way as aforesaid or at such distance and according to such conditions and terms (if any) as the Board may have sanctioned:

Provided always that the preceding provisions of this section shall not affect the construction or extension of any house or building within the limits of any area which may have been lawfully occupied by any house or building at any time within two years before the passing of this Act or the construction or extension of any house or building lawfully in course of construction or extension at the time of the passing of this Act and provided also that the construction or extension of any house or building in or abutting upon any street existing formed or laid out for building at the time of the passing of this Act may be begun and completed in like manner in every respect as if the preceding provisions of this section had not been made.

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As to erection of houses or buildings at twenty feet from centre of roads passages or ways not being highways.

10. Where after the passing of this Act any house or building begun to be constructed after the passing of this Act is constructed or begun to be constructed or any house or building is extended or begun to be extended in such manner that the external wall or front of any such house or building or if there be a forecourt or other space left in the front of any such house or building the external fence or boundary of such forecourt or space is at a distance from the centre of the roadway of any road passage or way (not being a highway) less than twenty feet or less than such other distance as may have been sanctioned by the Board as hereinafter provided or where in relation to any such house building or forecourt or space constructed formed or extended at such less distance than twenty feet with the sanction of the Board as aforesaid the conditions or terms (if any) subject to which such sanction was obtained have not been complied with or the time during which such sanction was limited to continue has expired then and in every such case where it is intended that such road passage or way shall become a highway a written notice to that effect shall be served upon the Board and thereupon the Board may at any time within two months after the receipt of such notice serve a notice upon the owner or occupier of such house building forecourt or space or the builder or person engaged in constructing forming or extending the same requiring him to cause the same or any part thereof to be set back so that the external wall or front of such house or building or the external fence or boundary of such forecourt or space shall be at a distance not less than twenty feet from the centre of the roadway of such road passage or way or at such distance and according to such conditions and terms (if any) as the Board may have sanctioned and unless and until such first-mentioned notice has been given to the Board and such last-mentioned notice (if any) has been complied with such road passage or way shall not become a highway :

The Board may consent to the construction formation or extension of any house building forecourt or space at any lesser distance than twenty feet from the centre of the roadway of any such road passage or way (not being a highway) as aforesaid to be specified in such consent or to the continuance of any house building forecourt or space constructed formed or extended at such lesser distance or to the continuance thereof for a limited time only to be specified in such consent in such cases and subject to such terms and conditions (if any) as they may think proper :

Provided always that the preceding provisions of this section shall not affect the construction or extension of any house or building within the limits of any area which may have been lawfully occupied

by any house or building at any time within two years before the passing of this Act or the construction or extension of any house or building lawfully in course of construction or extension at the time of the passing of this Act. A.D. 1887.

11. In case any owner occupier builder or person during twenty-eight days after the service of any notice under either of the two last preceding sections neglects or refuses to comply with the requirements of such notice or after the expiration of such period fails to carry out or complete the works necessary for such compliance with all reasonable despatch the Board may cause complaint thereof to be made before a court of summary jurisdiction who shall thereupon issue a summons requiring such owner occupier builder or person to appear at a time and place to be stated in the summons to answer such complaint and if at the time and place appointed in such summons the said complaint is proved to the satisfaction of the court of summary jurisdiction before whom the same is heard such court shall make an order in writing on such owner occupier builder or person directing him to comply with the requirements of such notice within such time as such court may consider reasonable and such court shall also make an order for the payment of the costs incurred up to the time of hearing and of hearing and in case such owner occupier builder or person makes default in complying with the requirements of such notice within the time limited by such order he shall be liable to a penalty of not less than forty shillings and not more than five pounds and to a further daily penalty of not less than ten shillings and not more than forty shillings: Provided always that this section shall not apply to any non-compliance with the notice of the Board in the case of an intended highway where the same shall not be opened as a highway.

Proceedings in case of default in compliance with requirements of notice.

12. No building structure or erection whatever shall without the consent in writing of the Board under the hand of their clerk or surveyor for the time being be erected beyond the general line of buildings in any street place or row of houses in which the same is situate in case the distance of such line of buildings from the centre of the highway does not exceed fifty feet or within fifty feet of the centre of the highway when the distance of the line of buildings therefrom amounts to or exceeds fifty feet notwithstanding there being gardens or vacant spaces between the line of buildings and the highway such general line of buildings to be decided by the surveyor to the Board for the time being and in case any building structure or erection be erected or be begun to be erected or raised without such consent or contrary to the terms and conditions on which the same may have been granted

Board may define future line of streets.

A.D. 1887. the Board may cause complaint thereof to be made before a court of summary jurisdiction who shall thereupon issue a summons requiring the owner or occupier of the premises or the builder or person engaged in any work contrary to this enactment to appear at a time and place to be stated in the summons to answer such complaint and if at the time and place appointed in such summons the said complaint is proved to the satisfaction of the court before whom the same is heard such court shall make an order in writing on such owner occupier builder or person directing the demolition of such building structure or erection or so much thereof as may be beyond the said general line so fixed as aforesaid within such time as such court may consider reasonable and shall also make an order for the payment of the costs incurred up to the time of hearing and of hearing and in default of the building structure or erection complained of or so much thereof as aforesaid being demolished within the time limited by such order the Board may forthwith enter the premises to which the order relates and demolish the building structure or erection complained of and do whatever may be necessary to execute the said order and may also remove the materials to a convenient place and (unless the expenses of the Board be paid to them within fourteen days after such removal) sell the same as they think fit and all expenses incurred by the Board in carrying out the said order and in the disposal of the said materials may be deducted by the Board out of the proceeds of such sale and the balance (if any) shall be paid by the Board on demand to the person entitled thereto and in case such materials are not sold by the Board or in case the proceeds of the sale of the same are insufficient to defray the expenses incurred by the Board as aforesaid the Board may recover such expenses or such insufficiency together with all costs and expenses in respect thereof from the owner or occupier of the said premises or the builder or person engaged in the work either by action at law or in a summary manner before a court of summary jurisdiction at the option of the Board.

Conditions as to buildings beyond line of street.

13. The Board may in giving consent to the erection of any building structure or erection beyond the general line of buildings in any street place or row of houses annex to such consent if they think fit any conditions they may think proper as to the amount of land in front of such building structure or erection which shall be dedicated to or left open for the use of the public and any other conditions and terms whatever that they may think expedient.

Exemption of certain specified buildings.

14. There shall be exempted from so much of the provisions of this Act as relates to buildings and structures "every building structure or work vested in or in the occupation of Her Majesty

“ her heirs and successors either beneficially or as part of the A.D. 1887.
“ hereditary revenues of the Crown or in trust for the public
“ service or for public services also any building structure or
“ work vested in or in the occupation of any department of Her
“ Majesty’s Government for public purposes or for the public
“ service.”

Construction of New Buildings Streets and Sewers.

15. The Board may from time to time make bye-laws for all or any of the following purposes:— Power to make bye-laws as to sewers streets &c.

(1) For securing in every new street the construction by the person laying out such street of a proper sewer in such position and of such dimensions and with such provisions for ventilation and inspection as may be approved by the Board before such sewer shall vest in and be under the control of the Board;

(2) For regulating for purposes of health the level at which the ground floor of any new building intended for human habitation is to be with reference to the adjoining ground;

(3) Nothing in such bye-laws shall extend to any telegraph wires or other property belonging to Her Majesty’s Postmaster General;

All such bye-laws shall be made by the Board subject to and in accordance with the provisions of the Public Health Act 1875 with respect to bye-laws as though the same were made under and for the purposes of the said Act and sections 182 to 186 both inclusive of the said Act shall be applicable to all bye-laws made under this section accordingly: Provided that any such bye-laws may be partly in print and partly in writing (including lithograph).

16. The Board in estimating the sufficiency of any sewer which they may require to be made or improved either under the provisions of the Public Health Acts or of this Act may have regard to the fact that such sewer may be required for the purposes of the drainage of any houses or premises near or contiguous thereto: Provided always that in case the Board shall for the reasons aforesaid require an enlarged or more costly or expensive sewer to be made or constructed than is necessary for the effectual drainage of the house or premises belonging to the person required to make or construct such sewer the Board shall pay or tender the difference to such person and may defray any expenses so incurred out of the district fund or general district rate. Board in certain cases may order sewer in private streets to be made sufficient for drainage of contiguous property.

17. The approval by the Board of any plan of new building shall be null and void if the execution of the work specified in such Approval of plans.

A.D. 1887. plan be not commenced and bonâ fide proceeded with within the following periods:—

The periods above referred to are as follows:—

As to plans approved after the passing of this Act within two years from the date of such approval; and

As to plans approved before the passing of this Act within two years from the passing of this Act;

And at the expiration of those respective periods fresh notice deposits and approval shall unless the Board otherwise determine be requisite;

The Board shall give notice of the provisions of this section to every person intending to erect a new building the plans for which shall have been approved before the passing of this Act but the erection of which building shall not have been commenced.

Plans of new streets.

18. The foregoing section shall apply to plans of new streets with the substitution of four years and two years for two years and two years respectively.

Exemption of buildings of railway companies.

19. Nothing in this Act or in any bye-laws to be made thereunder shall apply to any buildings (not being a dwelling house) belonging to any railway company and used by such company as a part of or in connection with their railway.

Public Health.

Notice to be given of persons suffering from infectious diseases.

20. In order to secure that due notice be given to the Board of any inmate of any building used for human habitation who is suffering from any infectious disease the following provisions shall take effect (that is to say):—

(1.) If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be prevented by reason of such disease then the person in charge of such inmate) shall so soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at his office;

(2) If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person;

(3) The Board shall provide and supply gratuitously to every legally qualified medical practitioner resident or practising in the district who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner of the particulars hereinafter mentioned in relation to such cases according to the form set forth in the Second Schedule to this Act;

(4.) Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering;

(5) The Board shall pay to every legally qualified medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect of cases occurring in his practice as a medical officer to any public body or institution;

(6) And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

21. The Board may from time to time by resolution on the report of the medical officer of health and approved by the Local Government Board order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act:—

Other diseases may be declared to be within the foregoing provisions.

(1) Any such order of the Board may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Board shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the district and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act;

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(2) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given ;

(3) The Board shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the district but the omission to send any such copy shall not affect the validity of such order.

Further powers in relation to disinfection of premises.

22. Where the Board are of opinion on the certificate of their medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Board than by the owner or occupier of such house or part thereof the Board without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section: And any person who shall obstruct any duly authorised officer of the Board in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a further daily penalty not exceeding forty shillings.

Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to owner or making false answers.

23. Every person who shall cease to occupy any house room or part of a house in which any person has within six weeks previously been suffering from any infectious disease without having such house room or part of a house and all articles therein liable to retain infection disinfected to the satisfaction of a legally qualified medical practitioner as testified by a certificate signed by him or without first giving to the owner of such house room or part of a house notice of the previous existence of such disease and every person ceasing to occupy any house room or part of a house and who on being questioned by the owner thereof or by any person negotiating for the hire of such house room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a penalty not exceeding ten pounds.

Prohibiting the retention of dead

24. No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical prac-

titioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day during which the offence is continued.

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bodies in
certain cases.

25. If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Board and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds but nothing in this section shall prevent the removal of any dead body from any hospital or place of temporary accommodation to any public mortuary and for the purposes of this section such mortuary shall be deemed to be part of such hospital or place of temporary accommodation.

Bodies of
persons
dying in
hospital of
infectious
diseases to
be removed
only for
burial.

26. Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Board to any mortuary provided by the Board and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary

Justices may
in certain
cases order
dead bodies
to be buried.

A.D. 1887. manner from any person legally liable to pay the expenses of such burial. Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Corpses not to be carried in public conveyances.

27. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has died from any infectious disease without previously notifying to the owner or driver of such public conveyance that the person whose corpse is or is intended to be so conveyed has died from infectious disease and any owner or driver of a public conveyance other than a hearse which has been used for conveying the corpse of a person who has died from infectious disease who shall not immediately afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds.

Temporary shelter nursing &c.

28. The Board shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall further (if necessary) provide or contract with any person or persons to provide nurses for attendance upon persons suffering from any infectious disease within the district or upon children who may have been compelled to leave their dwellings as aforesaid and may charge a reasonable sum for the service of any nurse provided by them.

Cowkeepers and others to furnish lists of customers in certain cases.

29. Whenever it shall be certified to the Board by the medical officer of health or other legally qualified medical practitioner that the outbreak or spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of milk or occupier of a dairy milkstore or milkshop the Board may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the district and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Board shall pay to him for every such list after the rate of six pence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding five shillings.

Medical officer may inspect

30. In case the medical officer of health shall have reasonable cause to believe that any person in the district is suffering from

disease attributable to milk supplied within the district from any farmhouse dairy cowshed milkshop or place situate beyond the district boundary or that the consumption of milk from such farmhouse dairy cowshed milkshop or place is likely to cause disease to any person residing in the district such medical officer shall if authorised by an order of a justice of the peace having jurisdiction in the place where the said farmhouse dairy cowshed milkshop or place is situate (which order such justice of the peace is hereby empowered to make) have power to inspect such farmhouse dairy cowshed milkshop or place and if on such inspection he shall be of opinion that disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Board who may thereupon give notice to the occupier of such farmhouse dairy cowshed milkshop or place not to supply any milk therefrom within the district until such notice has been withdrawn by the Board and the Board shall forthwith give notice of the facts to the sanitary authority of the district acting in execution of the Contagious Diseases (Animals) Acts 1878 to 1886 in which such farmhouse dairy cowshed milkshop or place is situate and also to the Local Government Board in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the province of such authorities respectively. Any person refusing to permit the medical officer of health on the production of such order as aforesaid to inspect any such farmhouse dairy cowshed milkshop or place or after any such notice by the Board has been given supplying any milk therefrom within the district or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence against this Act and shall on summary conviction be liable to a penalty not exceeding five pounds for such offence and to a daily penalty not exceeding forty shillings: Provided always that proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction in the place where the said farmhouse dairy cowshed milkshop or place is situate.

A.D. 1887.
 dairies &c.
 beyond
 district in
 certain cases.

31. Whenever it shall be certified to the Board by the medical officer of health that it is desirable that he should be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing or mangling of clothes the Board may require such person or company to furnish them a full and complete list of the names and addresses of the owners of clothes for whom such person or company washes or mangles or has washed or mangled during the past six weeks and such person or company shall furnish such list accordingly and the Board shall pay to him or her or them for every such list six pence and at the

Persons
 engaged in
 washing or
 mangling
 clothes to
 furnish list
 of owners of
 clothes in
 certain cases.

A.D. 1887. rate of six pence for every twenty-five names contained therein and every person or company who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Saving for Acts relating to dairies animals &c.

32. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Acts 1878 to 1886 or of any order license or act of Her Majesty's Privy Council or the Local Government Board made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or the Local Government Board or exempt the dairies milkstores or milkshops or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament.

Miscellaneous.

Power for Board to permit offices to be used by churchwardens &c.

33. The Board may at any time permit all or any portion of their present or any future office or offices building or buildings now erected or which they may hereafter erect or provide for transacting their business to be used by the churchwardens or overseers of the poor of the parish of Willesden for the time being or by the school board for the district of Willesden or by the justices of the division in which the district is situated for the transaction of their business or for the holding of courts inquests or public inquiries or by any other bodies or persons for any parochial or similar purpose upon such terms as they may think fit and may make and recover such reasonable charges in respect of such user as may be agreed upon.

Notices.

34. The provisions of the Public Health Acts with respect to the form of notices and the service and delivery thereof and the mode of addressing the same shall apply to notices under this Act or any bye-laws made thereunder as though such notices were notices under the said Public Health Acts.

Accounts.

35. The Board shall keep accounts of the receipts and expenditure in connection with any building inspectors appointed under this Act and the provisions of the Public Health Act 1875 as amended by the District Auditors Act 1879 relating to accounts and their audit and of the District Auditors Act 1879 so far as the same are applicable shall apply to and be observed with respect to all accounts kept by the Board under this Act and to the audit of such accounts.

36. Where proceedings under this Act are to be taken against several persons in respect of one offence caused by their joint act or default the Board may if they think fit include them in one complaint and a justice may if he thinks fit include them in one summons and any order made in such case may be made on all or any one or more of the persons included in the summons and the costs may be distributed as to the court appears just.

A.D. 1887.
Proceedings against several persons for the same offence.

37. Any summons or warrant issued for the payment of any rates rents or charges may contain in the body thereof or in a schedule thereto several rates rents and charges and several names and several sums.

Several names in one summons.

38. All offences against this Act or any bye-laws made under this Act and all penalties or forfeitures which may be imposed by this Act or any such bye-law and the costs and expenses which may be incurred by the Board in the prosecution of any person offending against this Act or any such bye-law may respectively be prosecuted and recovered and applied in the manner provided by sections 251 and 254 of the Public Health Act 1875 respectively as if such offences were offences against that Act.

Offences against bye-laws how to be prosecuted.

39. Any person who considers himself aggrieved by any order determination or decision of the Board or of any officer of the Board under this Act or any bye-law made thereunder may appeal to a court of quarter sessions in the same manner and subject to the same provisions as in the case of an appeal from the decision of a court of summary jurisdiction under section 269 of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

Appeal.

40. All powers rights and remedies given to the Board by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred on them by Act of Parliament law or custom and the Board may exercise such other powers as if this Act had not been passed: Provided that no person shall incur more than one penalty (other than a daily penalty) for the commission of the same offence.

Powers of Act cumulative.

41. The clerk or surveyor to the Board for the time being may give and sign all necessary notices and lay informations or complaints under this or any other Act or under any bye-laws in force in the district before a court of summary jurisdiction.

Power for clerk or surveyor to institute proceedings.

42. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act including the costs charges and expenses preliminary to and of and incidental to the obtaining of the resolution

Expenses of Act.

[Ch. cxlix.] *Willesden Local Board Act, 1887.* [50 & 51 VICT.]

A.D. 1887. — of owners and ratepayers as aforesaid as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Board out of the district fund or general district rate.

The SCHEDULES referred to in the foregoing Act. A.D. 1887.

THE FIRST SCHEDULE.

FEEs PAYABLE TO THE BOARD UNDER SECTIONS 3 TO 8 OF THIS ACT.

Fees for New Buildings.

	£	s.	d.
For every building not exceeding four hundred square feet in area and of one storey only in height - - - - -	0	15	0
For every additional square of one hundred feet or fraction of such square - - - - -	0	2	6
And for every additional storey - - - - -	0	5	0

Fees for Additions or Alterations.

For every addition or alteration made to any building after the roof thereof has been covered in the fee shall be half of the fee charged in the case of a new building.

For inspecting the arches or stone floors over or under public ways	0	10	0
For inspecting the formation of openings in party walls - - - - -	0	10	0

But no fee shall exceed ten pounds.

In this Schedule "area" shall include the area of any attached building.

A.D. 1887.

THE SECOND SCHEDULE.

CERTIFICATE OF DISEASE &c.
THE WILLESDEN LOCAL BOARD ACT 1887.

TO THE LOCAL BOARD OF HEALTH FOR THE DISTRICT OF WILLESDEN

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from an infectious disease within the terms of such Act.

Dated the _____ day of _____ 18 .

(Signed)

Name of person suffering from }
the disease - - - }

Situation of the building where- }
in such person is - - - }

Name of occupier or other }
person having the charge }
management or control of }
the building or room - }

Nature of disease - - -

NOTE.—This certificate must (under penalty of forty shillings in case of neglect) be forthwith sent to the Medical Officer of Health of the district at the Local Board's office.

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