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Contributors

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PUBLIC HEALTH (SCOTLAND) ACT, 1897

INSTRUCTIONS, FORMS, &c.

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PUBLIC HEALTH.

INSTRUCTIONS,

FORMS, AND RECOMMENDATIONS

TO

LOCAL AUTHORITIES

UNDER THE

PUBLIC HEALTH (SCOTLAND) ACT, 1897,

ISSUED BY THE

LOCAL GOVERNMENT BOARD FOR SCOTLAND.

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INSTRUCTIONS,

FORMS, AND RECOMMENDATIONS

TO

LOCAL AUTHORITIES,

UNDER THE

PUBLIC HEALTH (SCOTLAND) ACT, 1897,

ISSUED BY THE

LOCAL GOVERNMENT BOARD FOR SCOTLAND.

INSTRUCTIONS, FORMS, AND RECOMMENDATIONS TO LOCAL AUTHORITIES.

Prefatory Circular calling attention of Local Authorities to the Leading Provisions of the Public Health (Scotland) Act, 1897 (60 and 61 Vict., c. 38).

Local Government Board,
Edinburgh, 16*th November* 1897.

SIR,

The Local Government Board desire to draw the attention of Local Authorities in Scotland to the more important provisions contained in the Public Health (Scotland) Act, 1897, which comes into operation on the first day of January next.

This Act consolidates and amends the law relating to public health in Scotland and repeals the Public Health (Scotland) Acts, 1867, 1871, 1875, 1882, and 1890. It confers upon Local Authorities enlarged powers and *inter alia* affords increased facilities for dealing with nuisances, for the regulation of slaughter houses and of the traffic in unsound meat, and for the prevention and treatment of infectious and epidemic disease. It further contains new provisions relating to water supply and drainage, rating and borrowing for public health purposes, and the establishment of Port Local Authorities. It also enables Local Authorities to regulate by means of Bye-laws such sanitary matters as the following:—Offensive trades (Section 32); the construction and cleansing of pig-styes (Section 35); the cleanliness of public conveyances (Section 65); the management of mortuaries (Section 68); the promotion of cleanliness in tents, vans, sheds, &c. (Section 73); and the regulation of buildings (Section 181).

The leading changes may be arranged under the following headings:—

NUISANCES.

The nuisance Section of the Act of 1867 (Section 16) has been entirely remodelled. By the latter Section, action was

mainly confined to nuisances which were certified to be "injurious" to health; but the new Section specifies certain conditions and sets of circumstances which are nuisances in terms of the Statute, and may be dealt with accordingly. The criterion is that they shall constitute a "nuisance" or be "injurious or dangerous to health." Injury and danger to health are alternative issues, and a condition of matters which may be dangerous to health need not necessarily be also injurious in order to make it a nuisance. The list of statutory nuisances has also been increased as suggested by the experience derived from the working of the existing Public Health Act.

Slaughter-houses.

The new requirements relating to slaughter-houses should receive the immediate attention of Local Authorities. After 1st January, 1898, in terms of Section 33, all slaughter-houses, both in county and burgh, and whether in existence before 1867 or not, must be licensed for use, such licence to be renewed from year to year. The duty therefore devolves upon all Local Authorities to make immediate preparation for carrying out this provision. In burghs this legislation is an amplification of the provisions of the Burgh Police Act (Sections 278, &c.)—in counties it is entirely new. Subject to the right of appeal to the Board or the County Council as the case may be, a Local Authority may refuse to grant or renew a licence, and if the occupier of a licensed slaughter-house is convicted of an offence under the section dealing with the destruction of unsound food, his licence may be cancelled.

County Local Authorities are now empowered to provide public slaughter-houses, and may borrow for that purpose.

Offensive Trades.

The existing statutory provisions dealing with the regulation of offensive trades will be found to be considerably altered by Section 32 and following sections. The statutory list of such trades which a Local Authority may regulate by bye-laws may be added to by order of the Local Authority, and after 1st January, 1898, the sanction of the Local Authority will be required before any of them can be anywhere established. Provision is also made for treating the removal of house or street refuse by a Local Authority as a business within the meaning of the Act.

Unsound Food.

Section 43 of the new Act confers on Local Authorities generally greatly extended powers as compared with those at present in force under Section 26 of the Act of 1867.

Any duly appointed officer may inspect and examine:—

(*a*) Any animal, alive or dead, intended for the food of man, which is exposed for sale, or deposited in any place or is in course of transmission for the purpose of sale, or of preparation for sale; and

(*b*) Any article, whether solid or liquid, intended for the food of man, and sold or exposed for sale, or deposited in any place or in course of transmission for the purpose of sale, or of preparation for sale.

The new clause confers additional powers as to the right of entry into premises for inspection, and extends the power of search so as to include not only premises, but carts, vehicles, barrows, &c.

Another feature of the new clause is that a Local Authority, or two or more Local Authorities in combination, if they think fit, may appoint a place or places within its district, or their districts, and fix a time, or times, at which a veterinary surgeon shall attend for the purpose of examining any animal, alive or dead, submitted to him, and passing or condemning the same.

Milk Supplies.

The necessity for more stringent regulations with regard to milk supplies has also been recognised, and given effect to in Sections 60 and 61. These sections form a new and very important addition to public health legislation, as they provide for the inspection of dairies and dairy cattle by medical officers and veterinary surgeons, and for the prohibition of the supply of milk from any dairy either within or without the district of the Local Authority to which it is suspected that the existence of infectious disease within the district may be attributed. Where it is certified that the existence of infectious disease is attributable to milk supplied by any dairyman, he may be required to furnish the Local Authority with a list of his customers, and of the farmers or others from whom he gets the milk he sells.

Notification and Prevention of Infectious Disease.

Section 44 extends the Infectious Disease (Notification)

Act, 1889, to every district in Scotland, whether it has been previously adopted or not.

Following on the introduction of universal notification, additional powers and facilities are given in the succeeding clauses to Local Authorities and their officers for preventing the spread of infectious disease, as, for example, a Local Authority may, and when required by the Board shall, provide either within or without their district proper premises, with all necessary apparatus and attendance, for the removal and destruction or disinfection of infected articles; and may provide temporary shelter or house accommodation, and, if necessary, maintenance and attendants free of charge for persons who are prevented from returning to an infected house.

By Section 49 the Local Authority are empowered to call upon persons engaged in washing or mangling clothes, on payment of a fixed sum, to furnish a list of owners of clothes, if such is desirable, with the view of preventing the spread of infectious diseases.

The throwing of infectious matter into ashpits is prohibited by Section 50.

Sections 51, 52, and 53 enact penalties for the letting of houses in which infected persons have been lodging. Hotel-keepers also come within the provisions of Section 51.

The powers of compulsory removal to hospital are considerably increased in Section 54. The definition of "infected person" is extended to apply not only to persons without proper lodging or accommodation, but to persons so lodged that proper precautions cannot be taken for preventing the spread of disease, and also to persons lodged in a tent or van.

If a Local Authority have reason to believe that, on leaving the hospital, a patient would not be provided with lodging or accommodation in which proper precautions could be taken to prevent him from spreading disease, they are empowered, if directed by the Sheriff, to impose further detention in the hospital.

Additional preventive measures are provided (1) with regard to sending children to school who have been suffering from infectious disease or who reside in an infected house, and (2) with regard to persons suffering from infectious disease engaged in milking, fruit-picking, or any occupation connected with the supply of food.

Hospital provision is now made compulsory if required by the Board, and the Local Authority, with the consent of the Board, may also, or in place of providing hospitals, employ trained nurses to attend in their own houses and supply medicines for persons suffering from infectious disease.

Prevention of Epidemic Disease.

Part IV. of the new Act consolidates the provisions of the general Public Health Act of 1896, and confirms the powers then given to the Board. The general results are that orders with reference to the examination and detention of infected vessels or vessels coming from infected ports are now framed by the Board and not by the Privy Council, and that sanitary regulations, such as those formerly issued under Sections 33 and 35 of the Act of 1867, will now be issued by the Board at any time when the necessity arises.

In addition to the incorporation of these provisions affecting shipping, Part IV. enables the Board to make regulations dealing with internal sanitation where any part of the country is affected or threatened with any epidemic, endemic, or infectious disease.

Water Supply and Drainage.

The prominent feature of Part VI. of the new Act is that in future the provision of water supply in burghs will depend entirely on the powers conferred on Burgh Local Authorities by the Burgh Police (Scotland) Act, 1892, or by local Acts.* But in order that burghs may not thus be deprived of certain powers which their Local Authorities had under Section 89 of the Public Health Act of 1867, a proviso is added to Section 124 of the new Act, to the effect that in the Burgh Police Act, and in the Lands Clauses Acts so far as incorporated therewith, the term "land" shall include water and any right or servitude to or over land or water. Similarly as regards the drainage clauses, and in view of the special provisions for forming drainage districts contained in the Burgh Police Act, Section 122 of the new Public Health Act relating to the formation of special drainage districts does not apply within burghs. With this exception, however, the drainage clauses are applicable alike within burghs as in landward districts.

Taking the sections containing new provisions or important amendments in their order, Sections 104 to 106 provide for at least three months' public notice being given before sewage works without the district of a Local Authority can be undertaken, and for an appeal to the Board to be followed by a local enquiry if necessary. Section 107 is also a new provision protecting the rights of railway or canal companies where it is found necessary for sewers to pass under or across or in any way to affect railways, canals, bridges, etc.,

* *See* amendment of law under Act of 1901, page 10 *post*.

belonging to such companies. In amending Section 77 of the Act of 1867, which entitled owners or occupiers of premises *within* the district to drain into a Local Authority's sewers, a proviso has been inserted to the effect that sewage so emptied or discharged must not be of a nature to cause damage to the structure of the sewer, or to create a nuisance by admixture with other sewage therein. A similar proviso has been added to the section dealing with the use of sewers by persons *beyond* the district of the Local Authority; but in the latter case the sewers and works connected therewith must be of sufficient capacity and otherwise suitable for receiving such additional drainage. Section 117 is also new, prohibiting persons from throwing or passing into the Local Authority's sewers any matter or substance which would interrupt the free flow of sewage or surface or storm water. Nor will it be lawful to throw into any running water, springs, drains, or ditches the carcase of any animal or part thereof.

The section in the existing Act, which allows the carrying of drains below high-water mark with the consent of the Board of Trade, has been amended so as to enable them to be taken below low-water mark, and the consent of the Commissioners of Woods and Forests is also now required.

It will be found that the procedure for forming special drainage and water supply districts in landward districts under Sections 122 and 131 of the new Act is somewhat different from the procedure under the old Act, one important point being that the requisition to form a special district must now proceed in the name of ten ratepayers instead of ten inhabitants as formerly, and another that the initiative may, if necessary, be taken by the Local Authorities themselves.

Further, the difficulty which has been occasioned by the existence of concurrent appeals to the Sheriff and the County Council under the drainage and water supply clauses of the Act of 1867 and Section 17 (2) (c) of the Local Government Act respectively has now been removed by the insertion of a provision that it shall not be competent to appeal to the County Council against any resolution of a District Committee under Sections 122 and 131 of the new Act, and accordingly the appeal to the Sheriff alone remains.

The requirement of sub-section (2) of Section 89 of the Act of 1867, under which an owner might be compelled to provide his house with a water supply, has been re-enacted by Section 125 of the new Act, subject to the provision that he may now appeal to the Sheriff against the order of the

Local Authority, and that nothing in the section shall relieve the Local Authority from the duty of providing their district or any part thereof with a supply of water where a general scheme for such supply is required and can be carried out at a reasonable cost. But this section does not apply within burghs.

Rating and Borrowing Powers.

As in the Act of 1867, provision is made for (1) a public health general assessment and (2) a special sewer and special water assessment, the former to be levied over the whole district of the Local Authority, the latter to be levied within the special drainage or water district, as the case may be.

In landward districts both the general and special assessments will be levied upon all lands and heritages, half on owners and half on occupiers. In burghs the general assessment will be levied in like manner as the general improvement rate under the Burgh Police Act.

The limits of assessment have been raised. The limit of the public health general assessment has been raised from 6d. to 1s. in the £1, and the special drainage and water assessment from 2s. 6d. to 3s. in the £1, power being given to the Board to sanction a higher rate in any special drainage or special water supply district, where it is found that the rate of 3s. in the £1 is insufficient to meet the bona-fide expenditure incurred or contemplated within such special district.

Another important change as regards assessment is enacted by Section 138. In future the ratepayers of a burgh will not be assessed for any charges or expenses incurred by a County Council for the salaries or expenses of the medical officer or sanitary inspector appointed for the county.

The clauses authorising loans for drainage and water supply works are similar to those in the existing Act. The time over which a loan may be spread is again fixed at thirty years. While Section 2 of the Act of 1871 authorised loans for permanent hospitals only, in addition to loans for water supply and drainage, the powers in the corresponding section of the new Act (Section 141) have been so enlarged that a Local Authority may now borrow for the purposes of providing offices for the use of the Local Authority, and for providing and furnishing such permanent hospitals, disinfecting premises and apparatus, houses of reception, and mortuaries, and for providing public slaughter-houses under Section 34 of the new Act.

Acquisition of Lands.

Under the new provisions relating to the compulsory acquisition of lands, a Local Authority may now purchase land by agreement or otherwise for the purposes of Parts II., III., and VI. of the new Act, thus enabling them, for example, to acquire land *inter alia* for public slaughter-houses and hospitals, as well as for water supply and drainage purposes. The procedure is somewhat similar to that prescribed in Section 90 of the Act of 1867, but certain powers and duties of the Secretary for Scotland under the old Act are now transferred to the Board, to whom applications for a Provisional Order empowering a Local Authority to put in force the powers of the Lands Clauses Acts should now be addressed.

The Regulation of Buildings.

The Burgh Police Act of 1892 contains a very complete code of laws regulating the erection of buildings; but as these statutory provisions apply only to burghs, they cannot be enforced in villages, or in such populous districts or suburbs as are frequently met with immediately outwith burghs and are under the jurisdiction of the County or District Local Authorities. Accordingly, in response to a very general demand by rural Local Authorities for powers to deal with insanitary dwellings at an earlier stage than is at present possible, the Legislature has now provided, in Section 181 of the new Act, for the regulation of buildings by the Local Authorities of districts other than burghs. Subject to the approval of the County Council, the District Committee are now empowered to regulate these matters by the framing of bye-laws, regard being had to the special circumstances of each district.

Another important matter which can at present be dealt with in burghs only, but which will now come within the purview of the District Local Authority, is the practice of erecting buildings on ground which has been filled up with material impregnated with fæcal, animal, or vegetable matter.

In addition to the special provisions regulating the erection of buildings, the Local Authority are referred to Section 16 (8), under which the cleanliness, ventilation, and overcrowding of schoolhouses and factories (not being factories subject to the provisions of the Factory and Workshop Acts) can be dealt with, and also to Section 29, which enables a Local

Authority to insist on school-houses, factories, or buildings in which persons are employed in any manufacture, trade, or business being provided with a sufficient number of water-closets or privies for the separate use of each sex, and as this matter is one upon which urgent representations have been made to the Secretary for Scotland, it is desired to call special attention to the increased powers now put into the hands of Local Authorities.

Miscellaneous Provisions.

Apart from the principal provisions already referred to, a large number of minor amendments have also been introduced.

Registrars of Births, Deaths, and Marriages must now furnish to the Local Authority such periodical returns of births and deaths as may be required of them and approved by the Board. For each death included in such return, and for each return of births, the Registrar shall be paid by the Local Authority the sum of twopence, and the Local Authority shall provide the forms on which such returns are to be made, and pay for their transmission by letter post.

To the section dealing with houses let in lodgings (Section 72) a sub-section has been added applying it to "farmed-out "houses—that is to say, to houses of one or two apartments "taken on lease by any person, and let or rented to several "occupiers for limited periods as furnished apartments, as "also to all boarding-houses for seamen and emigrants, "irrespective of the charge made for the board and lodging "therein"; and reference may also be made to the new requirements contained in Part V. for the regulation of common lodging-houses, one very desirable amendment providing for the renewal of the registration of such houses annually, and another for the removal of a house from the register permanently or until there is a change of circumstances. The difficulty of cancelling a licence once granted was frequently experienced by Local Authorities under the Act of 1867.

An Act so extensive in its scope, and covering practically the whole range of public health administration, cannot be fully described within the limits of a circular; but the Board will at all times be ready to afford to Local Authorities such information and assistance in the execution of the Statute as it may be in their power to give.

The Board meantime commend the Act itself to the careful consideration of the Local Authorities and their officers, and trust that every effort will be made to give full effect to the improved conditions of administration under the new Act,

and that each Local Authority within their own district will execute its sanitary provisions with vigour and intelligence.

I am, Sir,

Your obedient Servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

Note.—BURGH SEWERAGE, DRAINAGE, AND WATER SUPPLY (SCOTLAND) ACT, 1901.

(Amending the provisions referred to in page 5 *ante*.)

The passing of the Burgh Sewerage, Drainage, and Water Supply (Scotland) Act, 1901 (1 Edw. 7, Ch. 24), inaugurates an important change in the law in regard to the sewerage and drainage and water supply of Burghs in Scotland. Under the Public Health (Scotland) Act, 1867, Burgh Local Authorities could proceed to construct water supply works and assess for the same either under the said Act or the Burgh Police Act; but after the passing of the Public Health (Scotland) Act, 1897, complications arose as to assessment owing to water supply works in burghs being no longer authorised under the Public Health Act. To meet this and other difficulties the Burgh Sewerage, Drainage, and Water Supply (Scotland) Act of last session was passed.

In the new Act, provision is made for water assessment and sewer assessment. The former takes the place in burghs (1) of the burgh general assessment under the Burgh Police Act so far as it was applicable to water, and (2) of the water assessment under the Public Health (Scotland) Act, 1897; the latter is substituted for (1) the provisions in the Burgh Police Act for general and special sewer rates which are now repealed, and (2) the sewer assessment under the aforesaid Public Health Act. The rights, powers, and privileges of Local Authorities with reference to sewerage, drainage, and water supply conferred by the Public Health (Scotland) Act, 1897, on Local Authorities other than Burgh Local Authorities are restored to Burgh Local Authorities with the exception of the provision in the Public Health Act for the formation of Special Water and Drainage Districts in Sections 122 and 131 of the Act of 1897. These Sections will not apply to burghs as regards Drainage, in view of the powers of Burgh Local Authorities under Section 218 of the Burgh Police Act, and as regards Water, Special Districts in burghs are expressly abolished by Section 3 of the new Act.

Under Section 147 of the Public Health (Scotland) Act, 1897, we were empowered to take steps, if necessary, to compel a Local Authority to perform their duties under the Public Health Act "or otherwise by law required of them." To strengthen our hands in administering the new Act of 1901, and with the view of removing any doubt as to the application of that Section to other Acts dealing with public health matters, Section 147 has been amended so as to include the Burgh Police (Scotland) Act, 1892, within its scope. The effect of the amendment is that we have now the same powers of compelling Burgh Local Authorities, by summary petition, to provide water and drainage, as we had under Section 147 in the case of District Local Authorities.—*Extract from Board's Seventh Annual Report, p. xliii.*

I. BYE-LAWS.

Circular Pointing out General Principles for Framing Bye-laws.

Local Government Board,
Edinburgh, 10*th September* 1900.

Sir,

I am directed by the Local Government Board to transmit for the careful attention of the Local Authority and their officials the following recommendations as to the framing of Bye-laws requiring the Board's confirmation, under the Public Health (Scotland) Act, 1897; and under the Burgh Police (Scotland) Act, 1892, so far as relating to sanitary matters; and of Regulations under the Dairies, Cow-sheds, and Milk-shops Order of 1899. The Board have frequent reason to complain of the crude state in which Bye-laws are submitted to them for confirmation. The following remarks are based upon the ample experience of the Board, and it is hoped they may afford some help and guidance to Local Authorities and their Clerks.

1. Bye-laws ought to be strictly limited by the terms of the Statute from which they derive their authority. When they transgress this limitation the Board have no course but to withhold confirmation. In doing so it is their practice to direct attention to the individual Bye-laws which appear to them to be *ultra vires* or otherwise incompetent; but Local Authorities must bear in mind that they themselves are primarily responsible, and that it is their duty to see that the Bye-laws which they submit are competent and reasonable, having in view the empowering section.

2. In the title or heading of Bye-laws the Act and Section by which the Bye-laws are authorised should be set forth, and where practicable the precise terms of the authorising provision should be quoted. This is especially important in the case of Bye-laws under the Burgh Police Act, as there are provisions in different parts of that Act under which Bye-laws may be made for somewhat cognate purposes. Even if this be not necessary in order that the Bye-laws may have due effect, it is obvious that any departure from or over-stepping of the limits of the statutory authority is more likely to be avoided

or detected if the Bye-laws and the words of the Statute are at all stages kept in view by being placed in juxtaposition.

3. Where the Section authorising Bye-laws for any purpose specifies and sets forth in detail the particular matters with which they may deal, the Bye-laws should be grouped under the various headings or sub-divisions of the Statute, and the statutory words should be quoted as a title or heading to each group. For instance, Bye-laws under Section 72 or Section 181 of the Public Health Act should be grouped under the various sub-heads (*a*), (*b*), (*c*), etc., of these Sections, and the precise terms of these sub-heads should be used as headings or titles to the various groups, and observed in the separate Bye-laws. In like manner Bye-laws under Section 32 (3) should be grouped under three headings corresponding to the three separate particulars for which Bye-laws under that Section may be made, thus:—

(*a*) The conduct of the business. (*b*) The structure of the premises.	Under the limitation "in order to prevent or diminish the noxious or injurious effect thereof."
(*c*) The mode in which application for sanction is to be made.	

Section 35 provides another example of clearly enumerated purposes, with a limitation. Regulations under the Dairies, Cow-sheds, and Milk-shops Order afford another illustration.

4. The Bye-laws grouped under each heading should, if necessary, be broken up into sub-heads according to the matters with which they deal. For instance, in framing Bye-laws under sub-section (1) (*e*) of Section 181 the Local Authority should deal separately with the various matters mentioned therein, and should adhere to the terminology and order of the Statute. First should come any Bye-laws dealing with the construction and arrangement of the drainage of houses and buildings; these should be followed by Bye-laws relating to the construction and arrangement of soil-pipes and waste-pipes; these, again, by Bye-laws as to the construction and position of water-closets; and so on through the whole range of subjects specified in (*e*). Regulations under Article 13 (*b*) of the Dairies, Cow-sheds, and Milk-shops Order ought to be framed upon the same principle.

5. The above suggestions will, it is hoped, assist the Local Authority in drawing up Bye-laws which shall be competent and effective, and at the same time easily understood by the public who are called on to obey them, and by the officials whose duty it is to enforce them. In the view of the Board

it is not enough that no objections have been stated or lodged against a set of Bye-laws submitted for confirmation. As the confirming authority, the Board conceive that they have a direct duty placed upon them to revise Bye-laws submitted to them with the greatest care and consideration, and their duty in this respect will be more easily and expeditiously discharged, and delay in granting confirmation, due to the time spent in endeavouring to rectify defects of construction, will be avoided if the general principles, above adverted to, are duly observed.

I am, Sir,

Your obedient Servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Circular respecting Bye-laws as to Common Lodging Houses and Houses Let in Lodgings.

Local Government Board,
Edinburgh, 30*th November* 1897.

Sir,

I am directed to inform you that in the opinion of the Local Government Board it is doubtful whether Rules, Regulations, and Bye-laws framed in terms of the Public Health (Scotland) Act, 1867, will remain in force after 31st December, 1897, and the Board would recommend Local Authorities to revise their existing Bye-laws in accordance with their extended powers under the Public Health Act of 1897.

As this recommendation applies more particularly to what in the new Act are termed Bye-laws (1) for Houses Let in Lodgings and (2) for Common Lodging Houses, the Board, with the view of assisting Local Authorities to give effect to the new provisions with as little delay as possible, have revised their Bye-laws for regulating such Houses in conformity with Sections 72 and 92 of the amended Statute, and copies of these revised Bye-laws are herewith transmitted in duplicate for the information and guidance of the Local Authority.

In districts where Rules and Regulations dealing with Houses Let in Lodgings and Common Lodging Houses, under the Public Health Act of 1867, are in force, the Board recommend the Local Authority to take immediate steps to substitute the accompanying Bye-laws for those at present in use; and in the case of a Local Authority within whose

district such houses exist, but no Bye-laws have been adopted, the Board recommend the adoption without delay of the Bye-laws now sent.

In the general circular already issued, summarising the leading provisions of the new Public Health Act, the Board drew attention to the improved facilities for regulating Common Lodging Houses, such as the yearly renewal of registration, the power to remove unsuitable houses from the register, and the enforcement of sufficient privy or water-closet accommodation, &c., in proportion to the number of lodgers and occupiers. With regard to Houses Let in Lodgings, the Local Authority will also observe that Bye-laws for regulating the same may now, and if required by the Board shall, be enforced for the whole or any part of their district irrespective of population.

I am also to draw special attention to the general provisions as to Bye-laws contained in Sections 183 to 187 of the new Act. The procedure therein prescribed, which must be carried out before the Bye-laws can come into force, may be summarised as follows:—

(*a*) Intimation of the intention of the Local Authority to apply for the Board's confirmation should be given in one or more of the local newspapers circulating within, or by handbills posted throughout the district one month at least before the making of such application.

(*b*) Under the new Act it is not necessary to advertise the text of the Bye-laws themselves, but a copy of the Bye-laws must be available for inspection during the month at the places prescribed in the Act.

(*c*) As soon as the statutory period has expired the Local Authority should submit a print of the Bye-laws for the Board's confirmation, without which they cannot take effect.

Should the Local Authority find that there is not sufficient time before 1st January next to allow for revision and advertisement of their existing Rules and Regulations, or to consider as to the adoption of the Board's suggested Bye-laws, I am further directed to inform you that the Board are prepared to confirm, *ad interim*, as Bye-laws, the Rules and Regulations at present in force. But even if that course be adopted, it would still be necessary to carry out the procedure prescribed by Section 185 of the Act, and I am to add that, in

the circumstances, the Board will be satisfied with one publication in the newspapers.

I am, Sir,

Your obedient Servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Common Lodging Houses.

The definition of the expression "Common Lodging House" is given in Section 3 of the Public Health (Scotland) Act, 1897, and is as follows:—

> The expression "Common Lodging House" means a house or part thereof where lodgers are housed at an amount not exceeding fourpence per night, or such other sum as shall be fixed under the provisions of this Act, for each person, whether the same be payable nightly or weekly, or for any period not longer than a fortnight, and shall include any place where emigrants are lodged and all boarding-houses for seamen, irrespective of the rate charged for lodging or boarding.
>
> The expression "Keeper of a Common Lodging House' includes any person having or acting in the care and management of a Common Lodging House.

The statutory provisions as to Common Lodging Houses are contained in Part V., Sections 89 to 100 inclusive. Power to make Bye-laws for Common Lodging Houses is given to Local Authorities by Section 92, and the procedure for bringing the Bye-laws into operation will be found prescribed in Sections 183 to 187 inclusive.

Recommendations to Local Authorities in Registering Premises as Common Lodging Houses.

Before any premises are placed upon the Register of Common Lodging Houses, it is the duty of the Local Authority to satisfy themselves that such premises are in every respect suitable for the purpose.

With this view the attention of the Local Authority should be directed to the following points:—

1. *Structure and Drainage.*—The premises should be well

drained, and the foundations of the building thoroughly dry. The structure should be substantial, and the walls, roof, and floors in good repair. Suitable rhones, gutters, and spouts, properly placed and fixed, and discharging into disconnecting or ventilating traps, ought also to be in connection with the roof and outside walls. Any area or yard should be well paved, or otherwise have a surface which can be easily swept and cleansed.

2. *Internal Arrangements.*—The suitability of the internal arrangements must be carefully considered, special attention being paid to the situation, construction, and state of repair of sinks, basins, water-closets, and cisterns. The waste and soil pipes should be efficiently disconnected and ventilated.

3. *Water Supply.*—The water supply must be of good quality, and in quantity proportionate to the number of lodgers which the house is registered to accommodate. Where the water is stored in cisterns, these should be properly situated, covered, and not exposed to pollution from sewer-gas or otherwise. Cisterns for the domestic supply should be separate from those provided for W.-C.'s. Where the supply is derived from wells, the Local Authority should satisfy themselves that it is secure from any danger of contamination.

4. *Cubic Space.*—The proper amount of cubic space for each lodger will vary according to circumstances. In rooms of good construction, and having ample means of ventilation, not less than 300 cubic feet for each person may be adequate provision: but in some cases, as, for example, in a room where there is no fireplace, or in premises situated in a crowded neighbourhood a larger provision will have to be made.

5. *Ventilation.*—All rooms, passages, and stairs should possess means of complete ventilation. All windows should be of adequate size, and able to be opened to the full extent. No room should be registered which has not a window opening directly to the outer air.

6. *Privy Accommodation.*—Closet or privy accommodation should be proportionate to the number of lodgers which the house is registered to accommodate, and should be in the proportion of not less than one closet or privy for every twenty lodgers. These conveniences should be in suitable situations, of proper construction, and in good repair.

7. *Washing Accommodation.*—Washing accommodation should be ample, and provided in a place set apart for the purpose.

8. *Kitchen.*—No kitchen or apartment used as such should be registered as a sleeping apartment.

Bye-laws for Common Lodging Houses Recommended by the Local Government Board for Scotland.

1. No house shall be used as a Common Lodging House unless such house shall have been inspected for that purpose by the Inspector of Common Lodging Houses, approved by the Local Authority, and duly registered.

2. Each application to have a house registered as a Common Lodging House shall be in writing, and lodged at or previous to the 15th day of May in every year. It shall truly set forth the name and residence of the applicant, the situation of the house, the number of rooms, the number of lodgers proposed to be accommodated, and the number of the applicant's family, and shall be accompanied by a Certificate of Character, in such form as the Local Authority shall direct.

3. If the Local Authority are satisfied with the character of the applicant, and with the fitness of the premises, they may register accordingly, and shall furnish him as Keeper with a Register Ticket for each room of such Common Lodging House, setting forth the number of lodgers to be accommodated in such room; and every Keeper of a Common Lodging House shall keep hung up in some conspicuous place in each room the Register Ticket for such room, along with a copy of these Bye-laws, and shall not wilfully deface or destroy the same, or permit them to be defaced or destroyed.

4. The Keeper of a Common Lodging House shall not at any time receive, or cause or suffer to be received into such house or into any room therein a greater number of lodgers than shall be fixed by the Local Authority, in the proportion of one adult for every* cubic feet of space in such room measured exclusive of closets or bed recesses and recesses not perfectly clear from floor to ceiling, two children under ten years of age to be reckoned as one person.

5. The Keeper of a Common Lodging House shall not permit males and females above ten years of age to occupy the same sleeping apartment, except in the case of husband and wife.

6. The Keeper of a Common Lodging House shall enter in a book to be kept by him the name and designation and the dates of arrival and departure, of each lodger; and he shall, when required, furnish to the Local Authority or their officers, on schedules supplied for the purpose, a report on every person who resorted to the house during the preceding day and night.

7. All rooms, lobbies, passages, and stairs in every Common Lodging House shall be properly ventilated to the satisfaction

* *See* Cubic space, page 16 *ante*.

of the Local Authority. A window of every room shall be made so as to open, and shall be kept open for two hours in the morning and two hours in the afternoon of every day, unless prevented by bad weather or the illness of any lodger; and during the hours when the windows are open, the bed-clothes of every bed shall be turned down and exposed to the air.

8. The Keeper of a Common Lodging House shall provide sufficient bedsteads and bedding, a proper supply of pure and wholesome water, and suitable accommodation for cooking and washing, together with towels and all necessary utensils for the requirements of the lodgers, all to the satisfaction of the Local Authority.

9. The Keeper of a Common Lodging House shall cause all bed-clothes and bedding, and all articles and utensils in such house, to be kept in a thoroughly clean and wholesome condition.

10. Every Common Lodging House must be provided with sufficient privy or water-closet accommodation in proportion to the number of lodgers and occupiers. There must also be proper drainage and ashpit accommodation.

11. The Keeper of a Common Lodging House shall cause the floors of every apartment, and of every lobby, closet, passage, and stair in such house, and also the common stairs and lobbies by which access is obtained thereto, to be thoroughly swept every day before the hour of ten in the forenoon, and to be thoroughly washed once in every week; he shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, water-closets, privies, ashpits, cesspools, and drains thereof to the satisfaction of the Inspector, and so often as shall be required by, and in accordance with any Bye-law of the Local Authority, and shall well and sufficiently, and to the like satisfaction, limewash the walls and ceilings thereof in the first week of each of the months of April and October in every year, and at such other times as the Local Authority may by special order appoint or direct.

12. The Keeper of a Common Lodging House shall cause all ashes and night-soil, and all solid and liquid filth or refuse, and all offensive matter, to be removed from such house every day before the hour of ten in the forenoon; shall not allow any dangerous or offensive animal, or any poultry, to be kept or fed in such house; shall cause all water-closets, privies, and ashpits belonging to such house to be maintained in good order and in a wholesome condition; and shall cause any yard, area, or court in connection with such house to be regularly swept, and kept in a clean and wholesome condition.

13. When any person in a Common Lodging House is ill of any infectious disease, the Keeper of such house shall give immediate notice thereof to the Medical Officer of Health or to the Inspector of Common Lodging Houses, who shall forthwith inform the Medical Officer of Health. If satisfied that the person is suffering from an infectious disease, the Medical Officer of Health shall cause the patient to be removed without delay, and the premises to be disinfected.

14. If the patient so suffering cannot be removed with safety, the house shall not be used as a Common Lodging House, except such part thereof as may be certified by the Medical Officer of Health to be free from infection.

15. The Keeper of a Common Lodging House shall, immediately after the removal, recovery, or death of any person who may have been ill of any infectious disease within such house, cause every part of the room which may have been occupied by such person to be thoroughly cleansed and disinfected, and shall also cause all clothes, bedding, and other articles in such room to be thoroughly cleansed and disinfected, unless the Local Authority shall have ordered the same to be destroyed.

16. The Keeper of a Common Lodging House shall at all times give free access to such house, and to every part thereof, when required by any Officer of the Local Authority.

17. The Keeper of a Common Lodging House shall refuse to admit into such house any person in a state of intoxication, or of known bad character; shall maintain and see to the enforcement of good order and decorum within such house; and shall prevent any person occupying or resorting to such house for immoral purposes.

18. Any person offending against any of these Bye-laws shall be liable in a penalty not exceeding the sum of Five Pounds for each offence, and, in the case of a continuing offence, in a further penalty not exceeding the sum of Forty Shillings for each day after written notice of the offence from the Local Authority.

HOUSES LET IN LODGINGS.

BYE-LAWS,

Under Section 72 of the Public Health (Scotland) Act, 1897, recommended by the Local Government Board for Scotland for Houses or parts of Houses Let in Lodgings, or occupied by Members of more than One Family, and for Houses of One or Two Apartments, taken on Lease by any person, and Let or Rented to several occupiers for limited periods as furnished apartments, as also to all Boarding-houses for Seamen and Emigrants.

If it appear desirable to the Local Authority they may, and if called upon by the Local Government Board they shall, make and enforce for the whole or any part of their district Bye-laws for Houses Let in Lodgings or Occupied by Members of more than One Family.

Interpretation of Terms.

In the Bye-laws the following words and expressions have the meanings assigned to them in the Public Health Act, Section 3; that is to say:—

Owner means the person for the time entitled to receive, or who would, if the same were let, be entitled to receive, the rents of the premises, and includes a trustee, factor, tutor, or curator, and in the case of public or municipal property applies to the persons to whom the management thereof is entrusted.

Occupier means in the case of a building or part of a building the person in occupation or having the charge, management, or control thereof, either on his own account or as the agent of another person.

Bye-laws.

(*a*) "*For fixing the number of persons who may occupy a house or part of a house which is let in lodgings, or occupied by members of more than one family.*"

1. The number of persons occupying any room of such house shall not exceed the proportion of one person for every 400 cubic feet of space contained in such room. Two children under ten years of age may be counted as one person.

2. Persons of different sexes, above the age of ten years, shall not occupy the same sleeping apartment, except in the case of husband and wife.

(*b*) "*For the registration of houses so let or occupied.*"

3. A register of such houses within their jurisdiction shall be kept by the Local Authority, in which shall be entered the names and residences of the owners or occupiers of such houses; also the number of persons authorised to be allowed therein, in terms of the preceding Bye-laws.

4. Intimation of such registration shall then be given by the Local Authority to the owner or occupier, together with a certificate stating the number of rooms in the house, and assigning the number of persons to each room. Such certificate shall be produced on demand to the Medical Officer of Health or Sanitary Inspector of the Local Authority.

(*c*) "*For the inspection of such houses.*"

5. Every occupier, or person in charge for the time being, shall, at all times, give the Medical Officer of Health or Sanitary Inspector of the Local Authority free access to such houses, and to every part thereof.

(*d*) "*For enforcing sufficient privy or water-closet accommodation and other appliances and means of cleanliness in proportion to the number of lodgers or occupiers, drainage for such houses, and for promoting cleanliness and ventilation in such houses, and for the cleansing and ventilation of the common passages and staircases.*"

6. Every occupier shall cause the floors of every apartment, and of every lobby, closet, passage, or stair in such house, to be thoroughly swept every morning, and to be thoroughly washed at least once in every week.

7. Every occupier shall cause all rooms, lobbies, passages, and stairs in such house to be ventilated to the satisfaction of the Local Authority, and shall cause the windows of every room to be made so as to open, and to be kept open for one hour at least in the forenoon, and one hour at least in the afternoon of every day, unless when the state of the weather is such as to render it necessary that the window or windows should be closed, or when any bed in any such room is occupied by any person in consequence of sickness or of some other sufficient cause.

8. Every occupier shall cause all bedsteads, bedclothes, and bedding to be kept in a thoroughly clean and wholesome condition; and during the hours when the windows are open, the bedclothes of every bed shall be turned down and exposed to the air.

9. No occupier shall allow beds which have been occupied during the night to be again occupied during the day, or *vice versa*.

10. Every house shall be provided with sufficient privy or water-closet accommodation as the Local Authority may direct, either within the house itself or conveniently contiguous thereto; and shall also be provided with a proper supply of pure and wholesome water.

11. Every occupier shall cause all ashes and night soil, and all solid and liquid filth or refuse, and other offensive matter, to be removed from such house every day before the hour of ten in the forenoon; and shall cause all water-closets, privies, and ash-pits belonging to such house to be maintained in a clean and wholesome condition.

12. No occupier shall cause or suffer any animal to be kept in any room in such a manner as to render the condition of such room or premises filthy or unwholesome.

13. Every occupier shall cause the floors of common passages and steps of common staircases in and by which access is obtained to such houses to be effectually swept and kept clean daily, and washed on every Wednesday and Saturday; and shall cause such passages and staircases to be ventilated by keeping the upper sashes of the windows open all day, unless when the state of the weather is such as to render it necessary that the window or windows should be closed, or otherwise as may be approved by the Local Authority.

(*e*) "*For the cleansing and lime-washing, at stated times, of the premises.*"

14. The owner or occupier in the case of a house let in lodgings, and the owner, in the case of a house occupied by members of more than one family, shall cause the walls and ceilings of the apartments and lobbies of such houses to be cleansed and lime-washed in the first weeks of each of the months of April and October, in every year *(or in such other two months as the Local Authority may direct)*. Such houses must also be cleansed and lime-washed at such other times as the Medical Officer of Health, in special cases, may consider necessary for the public health.

(*f*) "*For the giving of notices and the taking of precautions in cases of any infectious disease.*"

15. Every occupier, immediately after he shall have been informed or shall have ascertained that any person in such house is suffering from an infectious disease, shall give immediate notice thereof to the Medical Officer of Health of the Local Authority, and shall act in accordance with his instructions.

16. In the case of any death taking place in such house, the occupier shall give immediate notice of the same to the Local Authority.

PENALTIES.

17. Any person offending against any of these Bye-laws shall be liable in a penalty not exceeding the sum of Five Pounds for each offence; and, in the case of a continuing offence, in a further penalty not exceeding the sum of Forty Shillings for each day after written notice of the offence from the Local Authority.

Housing of Tramps and Vagrants in Working-class Lodging-Houses.

We were asked by a Local Authority whether they would be entitled, under Part III. of the Housing of the Working Classes Act, 1890, to provide a common lodging-house for the accommodation of workmen which would also be available for tramps and vagrants. The Local Authority were advised that under Part III. they were empowered to provide lodging-houses for the *Working Classes*. No definition of "working classes" is given in the aforesaid Act, but, in our opinion, tramps and vagrants would not be included in that expression, nor would it be competent for the Local Authority to provide common lodging-houses for such persons. The tramp or vagrant class cannot be said to belong to the working or labouring population for whose benefit such accommodation was intended. The fact that some of the conditions, which, under the Act, justify the erection of such accommodation are: (1) that the accommodation is necessary in the area in question; (2) that there is no probability of its being otherwise provided; and (3) that it is prudent from a financial point of view to undertake it,—shows that it was not the vagrant class which was in contemplation of the Legislature. To house tramps and vagrants with the working classes in such buildings seems quite against

3rd Annual Report (1896-7), p. xxxvi.

the spirit of the Act. The buildings appear to be intended for permanent occupation, not as a roof for the night. Tramps and vagrants are very frequently housed in the poorhouses, and are a source of trouble to poorhouse officials, and sometimes of danger to the neighbourhood in which the poorhouse is situated. Legislation for tramps and vagrants has long been sought, especially since it has been found that the provisions of Section 57 of the Act of 1889 empowering County Councils to make bye-laws dealing with vagrants are insufficient or unsuitable for the purpose for which they were desired.

PIGSTYES.

Circular Respecting Bye-laws as to Pigstyes.

Local Government Board,
Edinburgh, 29*th November* 1900.

Sir,

Under Section 35 of the Public Health (Scotland) Act, 1897, the Local Authority is empowered to make bye-laws regulating the construction of pigstyes, the places in which they may be erected, and the mode of cleansing them at proper intervals so as to prevent them from becoming a nuisance or dangerous to public health.

A number of Local Authorities have made use of this power and have made bye-laws, but the Board are of opinion that many other Local Authorities might with advantage exercise their powers under the Section. With the view of assisting those Local Authorities who desire to make bye-laws, the Board have had a series drawn up which, in their opinion, would suit the great majority of districts in Scotland; and I am directed to transmit a copy for the information and guidance of the Local Authority.

No uniform rule can be laid down as to the distance from houses and from streets and other places of public resort within which the erection of pigstyes should not be allowed. Much depends on the circumstances of the locality. In purely rural districts a distance of twenty or thirty yards may be sufficient, while in burghs and other populous districts forty or fifty yards may be a proper and reasonable requirement. Any Local Authority adopting the bye-laws suggested by the Board will insert in No. 6 the number of yards which they resolve on as most appropriate to the needs of their district.

Three copies of this circular are sent, and I am to request you to submit one to the Local Authority, and to hand one to

the Medical Officer of Health and one to the Sanitary Inspector,

I am, Sir,

Your obedient Servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

BYE-LAWS AS TO PIGSTYES,

Made in terms of Section 35 of the Public Health (Scotland) Act, 1897, which provides:—"The "Local Authority may make bye-laws regulating "the construction of pigstyes, the places in which "they may be erected, and the mode of cleansing "them at proper intervals, so as to prevent them "from becoming a nuisance or dangerous to "public health."

THE CONSTRUCTION OF PIGSTYES.

1. The walls of every pigstye shall be constructed of stone, brick, or other durable material, and the internal surface of the walls shall be smooth and impervious to moisture.

2. Every pigstye shall be wholly or partly provided with a roof so constructed as to be watertight.

3. Every pigstye shall be properly and adequately ventilated so as not to be a nuisance.

4. The floor of every pigstye shall not in any part be below the level of the adjoining ground; it shall be so laid with stone, brick, concrete, or other material, as to be impervious to moisture; and the surface shall be so graded that liquid matter shall flow towards an outlet communicating with a drain outside the pigstye.

5. Every pigstye shall be properly drained by a suitable drain, which shall be sufficiently trapped and ventilated, and shall discharge into a sewer or cesspool or other place so as not to cause a nuisance.

THE PLACES IN WHICH PIGSTYES MAY BE ERECTED.

6. No pigstye shall be erected at a less distance than

yards from any house,* or from any street* or other place frequented by the public, or from any milk-store or milk-shop.

7. No pigstye shall be erected in, or in connection with, a slaughter-house, except for the keeping of pigs for immediate slaughter.

8. No pigstye shall be erected in such a situation as to be likely to pollute any well or source of water-supply for domestic or dairy purposes.

The Mode of Cleansing Pigstyes at Proper Intervals.

9. Every Pigstye shall be cleaned out and the feeding trough washed at least once every day.

10. The manure from every pigstye shall be deposited in a dungstead, so situated and so kept as not to be a nuisance.

11. The inside of the walls and roof of every pigstye shall be lime-washed at least twice in each year—in the months of April and October—and at such other times as the Local Authority may direct.

Penalties.

12. Any person offending against any of the foregoing bye-laws shall be liable to a penalty not exceeding the sum of Five Pounds for each offence, and, in the case of a continuing offence, to a further penalty not exceeding Forty Shillings for each day after written notice of the offence from the Local Authority.

The foregoing bye-laws were made and enacted by the Local Authority of the.....
.....at their meeting on the
.....,
and shall come into force on the.....
..... ; and all bye-laws for pigstyes previously made by the Local Authority are hereby revoked.

*Sec. 3 of the Public Health (Scotland) Act, 1897, gives the following definitions of the words "house" and "street":—

"The word 'house' means a dwelling-house, and includes schools, also factories and other buildings in which persons are employed."

"The word 'street' includes any highway and any public bridge, and any road, lane, footway, square, court, or passage, whether a thoroughfare or not, and whether or not there are houses in such street."

As to the Application of Bye-laws respecting Public Conveyances to Railway Carriages.

An interesting point was raised in connection with a set of bye-laws for regulating public conveyances submitted by a Local Authority for our statutory confirmation. The authority for the framing of such bye-laws is Section 65 of the Act, and their purpose is twofold—(1) For securing the cleanliness and sanitary condition of public conveyances *plying within the district* of the Local Authority and (2) for preventing overcrowding in such conveyances. 4th Annual Report (1898), pp. xli.-xlii.

Among the bye-laws submitted in this particular case were two applicable to railway carriages. In the absence of a definition of the expression "public conveyances" in the Act, we had to consider whether the Legislature intended that such bye-laws should apply to railway carriages.

We intimated our opinion, as advised by the Law Officers, that railway carriages were not included in "public conveyances" under the Act.

We added that we were prepared to approve the bye-laws, so far as they applied to omnibuses and hackney or stage carriages; but the Local Authority, after reconsideration, submitted bye-laws of new which applied to "public conveyances" generally without distinction, thus leaving open the question of their applicability to railway carriages.

Circular respecting Slaughter-houses in Landward Districts.

Local Government Board,
Edinburgh, 28*th February* 1898.

Sir,

The Board desire to direct the attention of the Local Authorities of Landward districts to the provisions of the Public Health (Scotland) Act, 1897, with regard to Slaughter-houses. These are contained in Sections 32-34 of the Act.

1. Section 32 enacts a number of provisions with regard to a certain class of offensive businesses which are specified in the Section. The list includes the business of "Slaughterer of cattle or horses." The expression "Slaughterer of cattle or horses" is defined to mean "a person whose business it is to kill any description of cattle or horses, asses, or mules, for the purpose of the flesh being used as butcher's meat." The expression "Slaughter-house" means "any building or place used for the purpose of such business."

2. The business of a slaughterer of cattle and horses is not to be *established* in any district without the sanction of the Local Authority. Any person contravening this enactment is liable to a fine not exceeding £50 in respect of the establishment of the business; and, if he continues to carry it on after a conviction for the establishment of it, he becomes liable in a daily penalty of £25.

3. The meaning of the term "established" (as used in this Section) is given in Sub-section 6, which provides that a business shall be deemed to be established:—(*a*) If it is established newly; (*b*) if it is removed from one set of premises to other premises; (*c*) if it is renewed on the same premises after having been discontinued for a year or longer; (*d*) if the premises are enlarged. But a business is not to be deemed to be established anew on any premises if there is merely a change in the ownership or occupancy; or if the building, after being wholly or partially pulled down or burnt down, has been rebuilt without extension of area.

4. As the enlargement of a business is equivalent (for the purposes of the Section) to the establishment of it anew, it will be advisable for the Local Authority to keep a record of the extent of each business to which they give sanction. A Form of Application, with Schedule annexed, which might be adopted by any Local Authority for this purpose, is appended to this circular. In the case of a business established before the commencement of the Act, similar information might be obtained when a licence for the premises is applied for.

5. At least 14 days before making an Order sanctioning the establishment of a Slaughter-house, it is the duty of the Local Authority to give public notice of the application for their sanction. This notice may be given either by advertisement in one or more local newspapers, or by the posting of hand-bills in the locality. It must set forth the time and place at which the Local Authority will hear objections to the proposed Order.

6. The Local Authority are bound to consider any objections made at the time and place specified in the notice, and thereafter they may grant or withhold their sanction as they think expedient. The sanction, if granted, is to be given by *Order*; and, for the convenience of Local Authorities, the Board have framed a Form of Order which may be used by Local Authorities. A copy of the form is appended to this circular. The Local Authority are entitled to charge a fee not exceeding forty shillings, for an Order under this Section.

7. Whether the Local Authority resolve to grant or to

withhold sanction any person aggrieved may appeal to the Board against their decision. This appeal, however, does not arise until the County Council has given its determination on the matter. If the County Council overturn the resolution of the Local Authority, the Local Authority, as well as any person aggrieved, is entitled to appeal to the Board. The decision of the Board is final.

8. The Local Authority are empowered to make Bye-laws for the Slaughter-houses within their district. The matters which may be regulated by these Bye-laws are:—(*a*) The conduct of the business, and (*b*) the structure of the premises in which it is carried on—the object in both cases being to prevent or diminish the noxious or injurious effect of the business; the Bye-laws may also regulate (*c*) the mode in which the application for the sanction of the Local Authority to the establishment of the business is to be made.

9. The Bye-laws will be applicable to all Slaughter-houses in the district, whether established after the passing of the Public Health Act, 1897, or not. They will be subject to the general provisions of that Act as to Bye-laws (Sections 183-187); but, in addition to the penalties which may be imposed by virtue of Section 184, the Local Authority may, by their Bye-laws, empower the Sheriff by summary order to deprive any person, either temporarily or permanently, of the right of carrying on the business of slaughterer as a punishment for breach of the Bye-laws.

10. The Board recommend every Local Authority within whose district a Slaughter-house exists or is proposed, to frame Bye-laws under the Act; and, with the object of assisting Local Authorities, the Board have prepared a series of Bye-laws, a copy of which is appended. The Board do not suggest that every Local Authority, should adopt the Bye-laws framed by them. The circumstances of districts differ, and the Bye-laws suggested by the Board may be deemed too restrictive for some localities. It will be the duty of the Local Authority to consider what Bye-laws are best suited for their own district.

11. It will be observed that no power is given to make Bye-laws as to the situation of Slaughter-houses. The intention of the Act obviously is that the Local Authority should satisfy themselves regarding the suitability of the site before giving their sanction to the establishment of the business or granting a licence for the premises. The following requirements ought to be insisted on:—Neither the Slaughter-house nor the lairs for cattle in connection therewith should be within 100 feet of any dwelling-house, and the site should be such as to admit of free ventilation. The Slaughter-house

should not in any part be below the level of the adjoining ground, and there should be provision for effectual drainage. An adequate water supply should be provided, and should be so arranged that the walls, up to a height of six feet, may be washed by means of a hose. There should be no habitable room or loft over the Slaughter-house or lairs.

Although the Act authorises the making of Bye-laws for the *structure* of the premises, the Board think that the Local Authorities will find it advisable to deal with the structure in the manner above suggested for dealing with the site. The Local Authority should either see that the structure is suitable before they give their sanction, or should only give their sanction on the applicant coming under an obligation to make the structure suitable within a specified time. It will be easier to secure proper construction by making it a condition of receiving sanction, than by making Bye-laws for the purpose.

12. In addition to the requirements of Section 32 with respect to the establishment of the business of a slaughterer of cattle or horses, Section 33 provides that such business is not to be carried on in any premises without a licence from the Local Authority. This requirement applies to all premises, whether the business was carried on before the passing of the Act or not. A fee not exceeding 5s. may be charged for a licence or for any renewal of it.

13. Not less than 21 days before a new licence is granted, notice of the intention to apply for it must be advertised either in the local newspapers or by posting hand-bills in the locality, the time and place at which the Local Authority will hear objections being stated in the notice.

14. Any person interested may object to the granting or renewal of a licence. There is no provision requiring that an applicant for a *new* licence shall receive notice of objections, but provision to that effect is made with regard to cases of *renewals* of licences (see par. 17 *infra*), and the Board recommend that the same procedure should be observed in the case of new licences.

15. The Local Authority are to fix a day when the licences granted by them shall annually expire. The licence is thus an annual requirement, but when first granted it expires on the fixed day which secondly occurs after the granting of it. For instance, if the Local Authority fix that the licences shall expire annually on 28th May, a licence granted in April, 1898, will expire on 28th May, 1899, while a licence granted in June, 1898, will not expire till 28th May, 1900. A Form of Licence is appended to this circular.

16. The Statute does not require advertisement of the intention to apply for the *renewal* of a licence, as it does in the case of a *new* licence, but the Local Authority would be well advised to advertise applications for renewals in the same manner as applications for new licences.

17. Provision is made for seven days' notice of objections to the renewal of a licence being made to the applicant. If an objection is made of which notice has not been given, the Local Authority may, if they think fit, direct notice to be given to the applicant, and may adjourn the consideration of the question to allow of the applicant attending.

18. If a licence is refused for premises where the business of slaughtering was carried on at the passing of the Act (6th August, 1897), or if the renewal of a licence is refused, there is an appeal to the Board. This appeal does not arise, however, till the County Council has given its determination on the matter. If the County Council overturn the resolution of the Local Authority, the Local Authority is entitled to appeal to the Board. The decision of the Board is final.

19. The Local Authority have a right of entry to any Slaughter-house at any hour by day—that is, between 9 a.m. and 6 p.m.—or at any time when the business is in progress or is usually carried on, for the purpose of examining whether there is any contravention of the Act or of the Bye-laws. The Local Authority should authorise one of their officers to exercise this power of entry in their behalf.

20. The Local Authority of any Landward district, either singly or in combination with other Local Authorities, is authorised to provide a public Slaughter-house, and to borrow for that purpose on the security of the Public Health general assessment and of the rates or dues leviable by them for the use of the Slaughter-house. The provisions as to sanction and annual licence, and as to advertising the intention to apply for the same, appear to be applicable in the case of a public Slaughter-house as in other cases, and there will be a like appeal to the County Council and to the Board as in other cases.

21. If the Local Authority are careful in giving sanction only where the situation, construction, and sanitary arrangements of the premises are satisfactory, and if they frame and enforce suitable Bye-laws, and carry out efficient inspection, it is not probable that nuisance will arise in any Slaughter-house within their district. But if nuisance should arise, the fact that the business has been established with the sanction of the Local Authority, and that the premises are duly licensed in terms of the Act, will not prevent the Local Authority

taking proceedings to have the nuisance removed. It will be for the Local Authority to consider whether Section 16 (6) or Section 36 affords the appropriate remedy.

I am, Sir,

Your obedient Servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Public Health (Scotland) Act, 1897—Slaughter-Houses —Bye-laws recommended by the Local Government Board for Scotland.

For Regulating

(*a*) The conduct of the business of a slaughterer of cattle;
(*b*) The structure of the premises in which such business is being carried on; and
(*c*) The mode in which application is to be made for sanction to establish such business.

Bye-laws for Regulating the Conduct of the Business of a Slaughterer of Cattle.

1.—An occupier of a Slaughter-house—

Animals for slaughter.

(*a*) Shall cause every animal intended for slaughter to be kept upon the premises only in a stall, pen, or lair.

(*b*) Shall not keep, or allow to be kept, in a slaughter-house, or in any stall, pen, or lair, any animal not intended for slaughter for human food, or any animal the flesh of which if slaughtered would be unfit for use as human food.

Limit of Time.

(*c*) Shall not keep, or allow to be kept, in the slaughter-house any animal for a longer period prior to slaughtering the same than may be necessary for the purpose of preparing such animal for slaughter.

Water and Food.

(*d*) Shall provide every animal in a stall, pen, or lair, with a sufficient quantity of wholesome water and food.

Slaughtering.

2.—An occupier of a Slaughter-house—

Place of slaughter.

(*a*) Shall not slaughter or permit to be slaughtered any animal in any stall, pen, or lair, or in any part of the premises other than the slaughter-house.

(*b*) Shall provide, or cause to be provided, sufficient vessels or receptacles, properly constructed of galvanised iron or other non-absorbent material, and furnished with close fitting covers, for the purpose of receiving and conveying from such slaughter-house, all blood, manure, garbage, filth, or other refuse products of the slaughtering of any animal. Receptacles.

(*c*) Shall, as far as is reasonably practicable, cause all blood from any animal slaughtered to be caught and placed in such vessels or receptacles, and upon the completion of any slaughtering, cause all manure, garbage, filth, or any refuse residues from the animals slaughtered, to be forthwith placed in such vessels or receptacles, and shall not cause or suffer any such substance to enter any drain or sewer, or any inlet to any drain or sewer. Refuse residues.

(*d*) Shall cause every vessel or receptacle to be kept closed while containing any of the aforesaid substances. Closing vessels.

(*e*) Shall cause all such substances to be removed and conveyed from the premises in such closed receptacles. Removal blood and refuse.

(*f*) Shall cause the fat of any animal slaughtered to be kept freely exposed to the air while upon the premises. Fat.

(*g*) Shall cause all blood, manure, garbage, filth, or any refuse residues from animals slaughtered, and all hides, skins, fat, tripes, and offal therefrom, to be removed from the premises within 24 hours of the completion of slaughtering, in such manner and by such means as will not cause nuisance either at the premises or in the public streets or elsewhere. Removal residues, &c., within 24 hours.

3.—An occupier of a Slaughter-house— *Cleansing, &c.*

(*a*) Shall cause every part of the floor of such slaughter-house, and every other internal part of such slaughter-house, and also the fittings thereof, upon which any blood, or refuse, or filth may have been spilled, splashed, or deposited, to be thoroughly washed and cleansed within three hours after the completion of any slaughtering. Washing.

(*b*) Shall cause all utensils, receptacles, and appliances used in such slaughter-house to be kept, when not in actual use, in a thoroughly clean condition. Cleansing utensils.

(*c*) Shall cause all internal walls and fittings of such slaughter-house not within 6 feet of the ground, Lime-washing.

and the internal walls and fittings of any stall, pen, or lair, to be thoroughly lime-washed with hot lime-wash at least four times in every year: that is to say, between the 1st and the 10th days of the months of March, June, September, and December respectively.

Cleansing stalls, &c.

(*d*) Shall cause all dung and offensive litter to be swept up and removed from every stall, pen, or lair at least once a day, and such place to be thoroughly cleansed as often as may be necessary to keep the same in a clean condition.

Ventilation, Drainage, &c.

4.—An occupier of a Slaughter-house—

Ventilation.

(*a*) Shall cause the means of ventilation provided thereto, and to any stall, pen, or lair, to be kept in proper order and efficient action.

Drainage.

(*b*) Shall cause the means of drainage provided in or upon the premises to be kept at all times in proper order.

Water supply.

(*c*) Shall cause the means of water supply provided upon the premises to be kept in proper order, so as to ensure a sufficient supply of water for the proper cleansing of the slaughter-house, stalls, pens, or lairs, and of the vessels and receptacles therein.

Repair.

(*d*) Shall cause every part of such floor and all internal walls and fittings within 6 feet of such floor to be at all times kept in good order and repair, so as to prevent the absorption therein of any blood, or liquid refuse, or filth.

Use of Slaughter-house.

Limited to slaughter for human food.

5.—An occupier of a slaughter-house shall not allow the slaughter-house to be used for any other purpose than the slaughtering and dressing of animals the flesh of which is fit for, and is intended to be sold as, human food.

General.

6.—An occupier of a slaughter-house shall at all times employ such means and adopt such precautions as may be necessary for preventing nuisance arising upon the premises.

Inspection.

7.—An occupier of a slaughter-house shall, at any hour by day or at any hour when the business is in progress or is usually carried on therein, afford free access to every part of the premises to any person authorised by the Local Authority to inspect slaughter-houses, and he shall allow such person to examine the premises without obstruction or unnecessary delay.

8.—An occupier of a slaughter-house shall not at any time keep any dog, or cause or suffer any dog to be kept in such slaughter-house.

Water-closets, &c.

9.—An occupier of a slaughter-house shall not permit any water-closet, privy, urinal, or stable to be within any slaughter-house, stall, pen, or lair, nor any water-closet, privy, urinal, or stable to be in direct communication with, or ventilate into any slaughter-house.

Bye-laws for Regulating the Structure of the Premises in which the Business of a Slaughterer of Cattle is being carried on.

Premises.

Structure.

10.—The premises to be erected, or to be used and occupied as a slaughter-house shall be such as to admit of free ventilation by direct communication with the external air on at least two sides of the slaughter-house.

Slaughter-house.

11.—The walls of every such slaughter-house shall be substantially constructed of brick, stone, iron, or concrete, to a height of 6 feet from the ground, and such slaughter-house shall be covered with a properly-constructed roof.

Stalls, &c.

12.—A sufficient number of stalls, pens, or lairs of adequate size, and of suitable construction, shall be provided on the premises; and such stalls, pens, or lairs shall not be in direct communication with the slaughter-house.

Entrance.

13.—The entrance and approach to such slaughter-house shall be throughout of a width of at least 3 feet 6 inches, and such approach shall be neither up nor down steps, nor over slopes having a steeper gradient than 1 foot in 4 feet; provided that where sheep, lambs, goats, and pigs only are killed, the width of the entrance and approach shall be at least 2 feet 9 inches throughout.

Sanitary Provisions.

14.—Every slaughter-house and every stall, pen, or lair therein or attached thereto shall be—

Light and ventilation.

(*a*) Well and sufficiently lighted and ventilated by adequate openings in the walls or roofs.

Paving and drainage.

(*b*) Well paved upon a duly-prepared foundation with a jointless flooring of cement, concrete, or other suitable hard and impervious material having a proper slope towards a gully-hole; and such gully-hole shall communicate by an adequate drain with the public sewer, or shall be otherwise provided with sufficient means of drainage as the Local Authority may approve.

Wall covering.

15.—The surface of the walls in the interior of any slaughter-house shall be constructed of or covered with hard, smooth, and impervious material to a height of at least 6 feet from the floor.

Bye-law for Regulating the Mode in which Application is to be made for Sanction to Establish Anew the Business of a Slaughterer of Cattle.

New Slaughter-houses.

16.—Every person applying for sanction to establish the business of a slaughterer of cattle shall furnish particulars as to the situation of the premises, and as to the arrangement and construction of the buildings in which such business is proposed to be established, and otherwise as provided, in the form hereunto appended.

Penalties.

Penalties.

17.—Every person offending against any of the foregoing Bye-laws shall be guilty of an offence, and shall be liable for every such offence to a penalty not exceeding the sum of Five Pounds, and in the case of a continuing offence to a further penalty not exceeding the sum of Forty Shillings for every day during which the offence may be continued after written notice of the offence from the Local Authority.

Provided nevertheless that the Court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty above set forth in this Bye-law.

Provided also that the foregoing Bye-laws for regulating the structure of the premises shall not, until after the expiration of six months from the date of the confirmation of the Bye-laws, be deemed to apply to any premises where at such date the business of a slaughterer of cattle is being carried on.

Suspension, &c.

18.—In addition to any pecuniary penalty imposed by these Bye-laws, the Sheriff may, by summary order, deprive any person either temporarily or permanently altogether of the right of carrying on the business of a slaughterer of cattle, as a punishment for breaking any of the foregoing Bye-laws.

FORM OF APPLICATION.

Form of application.

APPLICATION FOR THE SANCTION OF THE LOCAL AUTHORITY, IN TERMS OF SECTION 32 OF THE PUBLIC HEALTH (SCOTLAND) ACT, 1897, TO ESTABLISH THE BUSINESS OF A SLAUGHTERER OF CATTLE.

To the Local Authority of the*_____

_____

* Insert County of ..... or..... District of the County of....., as the case may be.

I,_____,

of_____, do hereby apply to you in terms of Section 32 of the Public Health (Scotland) Act, 1897, for sanction to establish the business of a slaughterer of cattle; and I do hereby declare that to the best of my knowledge and belief the Schedule hereunto annexed contains a true statement of the several particulars therein set forth with respect to the premises in which such business is to be carried on.

(Signature of Applicant)_____

(Place and date)_____

SCHEDULE.

1. Situation and boundaries of the premises erected or to be erected for use and occupation as a slaughter-house.	
2. State who is to be the occupier of the premises in the sense of the Bye-laws.	
3. Give the distance of the premises from the nearest dwelling-house.	
4. State the superficial area and cubical contents of the several buildings.	
5. State the extent of paved area in such buildings, and materials employed or to be employed in the paving of such area.	
6. State mode of construction of the internal surface of the walls of such buildings, and materials employed or to be employed in such construction.	
7. State the means and source of the water supply, and if laid or to be laid on to the premises.	

SCHEDULE—*continued.*

8. Describe the means of drainage and manner in which the drains are ventilated or to be ventilated, and state whether any drain communicates or will communicate with the interior of the premises.	
9. Describe the manner in which it is proposed to dispose of the offal.	
10. Describe the means of lighting and ventilation.	
11. State the means of access for cattle from the nearest street or public thoroughfare.	
12. State the number, position, and dimensions of the several stalls, pens, or lairs to be provided on the premises.	
13. State the number of animals for which accommodation will be provided in such stalls, pens, or lairs, distinguishing between cattle and sheep.	

Note—A Plan of Grounds and Buildings to accompany each application.

FORM OF ORDER.

* Insert County of ..... or..... District of the County of....., as the case may be.

ORDER OF THE LOCAL AUTHORITY OF THE*_____ _____ _____ _____, SANCTIONING, IN TERMS OF SECTION 32 OF THE PUBLIC HEALTH (SCOTLAND) ACT, 1897, THE ESTABLISHMENT OF THE BUSINESS OF A SLAUGHTERER OF CATTLE.

In terms of Section 32 of the Public Health (Scotland) Act, 1897, We, the Local Authority of the*_____ _____, by this Our Order, sanction the establishment of the business of a SLAUGHTERER OF CATTLE in the premises situated at_____ _____ as described in the Schedule appended to the application of_____, _____ dated_____ _____.

Signed, on behalf of the Local Authority, this_____ _____day of_____18

_____ *Chairman.*

_____ *Clerk.*

FORM OF LICENCE.

LICENCE, IN TERMS OF SECTION 33 OF THE PUBLIC HEALTH (SCOTLAND) ACT, 1897, FOR THE USE OF PREMISES AS A SLAUGHTER-HOUSE.

*_____

(*Place and Date*)_____

*To*_____

_____

_____

* Insert County of ..... or..... District of the County of....., as the case may be.

SIR,

The Local Authority of the_____

_____ having considered your application, do hereby, in terms of Section 33 of the Public Health (Scotland) Act, 1897, license the premises at_____, to be used as a SLAUGHTER-HOUSE from this date till†_____

_____.

† Insert date of expiry of licence.

_____

Clerk to the Local Authority.

Further opinions of Board as to procedure under Sections 32 and 33 Supplementary to Slaughter-House Circular.

3rd Annual Report (1896-7), pp. xxxi-xxxii.

In the general Circular already referred to (see page 1) we had specially pointed out that the new requirements relating to slaughter-houses should receive the immediate attention of the Local Authority, since after 1st January 1898 all slaughter-houses, both in county and burgh (and whether in existence before 1897 or not) must be licensed; and accordingly the duty devolved upon all Local Authorities to make immediate preparations for carrying out this provision.

From the letters received it appeared that there was some doubt as to the preliminary procedure under Sections 32 and 33. We pointed out that Section 32 provides that offensive businesses—such as that of a slaughterer of cattle—are not to be established after the 1st day of January, 1898, without the sanction of the Local Authority; while Section 33, on the other hand, deals with the licensing by the Local Authority of the premises to be used for the business of a slaughterer; and we drew particular attention to the fact that, under the Act of 1897, it is the premises which fall to be licensed and not the person who carries on the business of a slaughterer.

We also pointed out that, in our opinion, a public slaughter-house owned by the Commissioners of a burgh is not exempted from the provisions of Section 33 of the Public Health (Scotland) Act, 1897, as to licensing, save that in such cases it is evident that the fee referred to in Sub-section 2, not being compulsory, need not be exacted. We further explained that, while the question was not free from difficulty, we were of opinion that Section 33 requires that all slaughter-houses must be licensed in terms of that Section whether they are already licensed under the Burgh Police Act or not.

Interpretation of Section 32 (6).

5th Annual Report (1899), pp. xxxviii-xxxix.

We still continue to receive requests for advice as to the application of the sections of the Act dealing with the sanctioning of offensive businesses and licensing of slaughter-houses. Sub-section 6 of Section 32 provides that a business shall be deemed to be established after the commencement of the Act if, *inter alia*, any premises, on which it is for the time being carried on, are enlarged *without* the sanction of the Local Authority, and in one instance submitted for our opinion it was contended that if the premises are enlarged *with* the sanction of the Local Authority then there is no necessity for carrying out the procedure under the preceding sub-sections.

While the words "without the sanction of the Local Authority" in Section 32 (6) may be confusing, there is, in our opinion, no real difficulty, and in replying we stated that it is clear that the sanction of the Local Authority is required wherever the premises are enlarged. If they are enlarged *with* the sanction of the Local Authority it is obvious that the sanction has been obtained, and we hold that the "sanction" mentioned in Sub-section 6 is the same as that referred to in the previous sub-sections, which can only be given by "Order" and after the procedure laid down in Sub-section 2. It is equally clear that if the premises are enlarged *without* the sanction of the Local Authority the business is held to be "established" in the sense of Sub-section 1, and the person who carries it on is liable in the penalties therein erected.

As to Structural Alterations during the Currency of a Licence.

In connection with proposed bye-laws regulating the structure of slaughter-house premises, a Local Authority expressed a doubt whether the Court would enforce any bye-laws which entailed upon a proprietor of such premises structural alterations during the currency of a licence. We replied that, in our opinion, structural alterations should not be required during the currency of a licence. The building should be suitable before the licence is granted, or at least a binding obligation taken to make them so within a reasonable time. A bye-law might probably legitimately make it an offence to carry on the business in premises which did not comply with certain specified requirements, and such a bye-law would be enforceable against the person carrying on the business in contravention thereof. At the same time, the making of bye-laws is permissive, not obligatory, and it is for each Local Authority to consider whether bye-laws as to structure are necessary in their district.

4th Annual Report (1898), p. xxxviii.

As to the Application of the Slaughter-House Sections of the Act to Farmers.

Several Local Authorities in Highland rural districts sought our advice as to the effect of the Statute in the case of farmers or others not pursuing slaughtering as a business, but who slaughtered sheep occasionally for their own use, and sold a part to a neighbour. The question is one of extent, and the practice referred to is in existence all over the High-

4th Annual Report (1898), p. xxxviii.

lands. We accordingly expressed the view that a farmer who kills sheep occasionally for his own table and for the accommodation of his neighbours cannot be said to be a slaughterer of cattle in the sense of the Statute. But if it appeared from the extent of the operations that he united the business of a slaughterer of cattle with his own, it might be otherwise. There will be cases where it is extremely difficult to decide, and the Local Authority must use their discretion.

In cases where it appeared that farmers were in the habit of killing on their own premises sheep and cattle for the London market, we added that the question was one of the construction of the definition of "Slaughterer of cattle or horses" as given in Section 3 of the Act, and it is for the Local Authority, in the first instance, to decide in each case. If the farmer contravenes Section 33, and the Local Authority prosecute for the penalty, it will fall to the Sheriff to decide whether the Section applies.

OFFENSIVE TRADES.

Bye-laws Framed by the Local Authority of the City of Glasgow and Confirmed by the Local Government Board.

5th Annual Report (1899), p. xlii.

Note.—As we find that some Local Authorities have had considerable difficulty in preparing bye-laws for the regulation of offensive businesses under Section 32 of the Act, we have appended for their assistance the complete and carefully drafted bye-laws submitted by the Local Authority of the City of Glasgow, and confirmed by us on 12th December, 1899.

Copy of Bye-laws referred to.

5th Annual Report (1899), App. A, p. 42, *et. seq.*

The Corporation of the City of Glasgow, being the Local Authority of the said City, under the Public Health (Scotland) Act, 1897, and having, under Section 14 of the said Act, appointed the Committee on Health, being, as provided for in said Act, a Committee of their own body, to receive and issue notices, to take proceedings, and in all respects to execute Part II. of said Act, excepting Sections 38, 39, and 41 of said Part II., the said Committee hereby make the following Bye-laws under Section 32 (3) for regulating (1) the conduct of the following business; (2) the structure of the premises on which any such business is being carried on, in order to prevent or diminish the noxious or injurious effect thereof; and (3) the

application to be made to the said Committee for sanction for carrying on such business:—

BYE-LAWS FOR THE BUSINESS OF BLOOD BOILER.

1.—The Conduct of the Business.

1. Every blood boiler shall cause all blood brought upon his premises to be brought in tight vessels or receptacles, constructed of galvanized iron or other non-absorbent material, and provided with close-fitting covers.

2. Every blood boiler shall provide upon his premises closed vessels or receptacles, constructed of galvanized iron or other non-absorbent material, for the reception of all blood stored or kept therein, and shall cause all blood, blood-clot, or any refuse, residue, or other matter from which any offensive effluvium, vapour, or gas is evolved, or is liable to be evolved, to be placed in properly closed receptacles, or to be otherwise dealt with in such manner as to prevent any such effluvium, vapour, or gas therefrom escaping into the external air.

3. Every blood boiler shall cause every process of his business in which any offensive effluvium, vapour, or gas is generated to be carried on in such manner that no offensive effluvium, vapour, or gas shall escape into the external air; and he shall cause all such offensive effluvium, vapour, or gas to be effectually destroyed.

4. Every blood boiler shall cause the floors, walls, and ceilings of premises in which his business is carried on to be kept thoroughly clean and in good repair. He shall cause all the floors (except those of the packing room and offices) to be thoroughly cleansed and flushed with water at least once in each twenty-four hours, and shall cause every internal wall or part of a wall which is not perfectly smooth and hard on the surface, and every ceiling, to be washed with hot lime, in each of the months of January, April, July, and October in each year.

5. Every blood boiler shall cause every vehicle, vessel, utensil, or instrument provided or used in connection with his business to be kept thoroughly clean.

6. Every blood boiler shall cause the drains in connection with his premises to be thoroughly flushed out with water when necessary, or at any time if required by the Local Authority or their officers. He shall also cause to be emptied at such times as the nature of his business demands, or as the Local Authority may require, any cesspool or catchpit provided in terms of No. 10 of these Bye-laws.

7. Every blood boiler shall arrange that all refuse matter is removed every twenty-four hours by the Cleansing Department, or shall cause it to be otherwise so disposed of as not to create a nuisance.

8. Every blood boiler shall afford free access to every part of his premises to the Medical Officer of Health, the Sanitary Inspector, or any assistant bearing an official warrant card, at any time during the hours within which the business is being carried on.

II.—The Structure of the Premises.

9. Every blood boiler shall cause the walls of every building within which any part of his business is carried on to be built with stone, brick, or other equally solid and impervious material, and shall cause every floor therein (except those of the packing room and offices) to be properly covered with asphalt, concrete, or other suitable impervious and jointless material, which in the case of the ground floor shall be laid on a suitable bottom of at least six inches in thickness, and shall have a proper slope towards a channel or gully leading to the drainage system required by Bye-law 10 hereof. All the walls, but those in the rooms above excepted, shall be faced inside to a height of at least six feet from the floors with tiles, glazed bricks, or other equally hard, smooth, and impervious material.

10. Every blood boiler shall cause all parts of his premises to be suitably drained, and shall connect the drains thereof with a common sewer, and shall, if required by the Local Authority, provide a cesspool so situated and constructed as to prevent solid matter finding access to the sewer, and so ventilated that offensive effluvia therefrom shall not escape so as to cause nuisance.

11. Every blood boiler shall, when required by the Local Authority, cause the yards, courts, or areas, or any part thereof within the premises, to be properly bottomed to a depth of at least six inches with concrete or other solid and substantial material and thereafter paved with such jointless and impervious material as asphalt, or concrete, or with granite or whin setts grouted with cement having proper gradients towards a channel or gully to run off liquid matter to a suitable cesspool.

12. Every blood boiler shall cause the premises to be provided with a chimney stalk of such height and area in cross section as the Local Authority may require.

13. Every blood boiler shall cause every room, chamber, or other place which may be used on or in connection with the

premises where his business is carried on for the purpose of receiving, treating, or storing any material, manufactured product, residue, or other matter from which any steam, offensive effluvium, vapour, or gas may be evolved, to be furnished with suitable appliances, so constructed and used as to effectually prevent any such steam, effluvium, vapour, or gas from escaping into the external air, and shall cause all such steam, effluvium, vapour, or gas to be destroyed.

14. Every blood boiler shall provide his boilers, digesters, condensers, or other apparatus in which any steam, offensive effluvium, vapour, or gas may be generated, with suitable appliances for conveying said steam, effluvium, vapour, or gas towards a furnace or a condensing tower, or towards a condensing tower and then a furnace, or for so otherwise treating it as to effectually destroy it.

15. Every blood boiler shall provide his premises with a plentiful supply of pure water at convenient places, and wherever required by the Local Authority.

16. Every blood boiler shall cause all needful repairs to the premises to be forthwith done and executed as and when the same shall become requisite, and shall cause such works and alterations to be made on the premises as may be required and deemed necessary by the Local Authority.

III.—Application for Sanction to Carry on such Business.

17. Every person who shall apply for sanction to carry on the business of blood boiler shall prepare and submit with his application—(1) a plan and sections, to a scale of not less than one-eighth of an inch to the foot, of the building or premises in which he proposes to carry on the same, showing the provision made, or proposed to be made, for the proper conduct of such business, and for the drainage, ventilation, and water supply of such premises; (2) a survey plan of the locality, showing the streets, buildings, and inhabited houses within a radius of 100 yards of his proposed premises, drawn to a scale of not less than six inches to the mile; (3) a general explanation of the business, trade, or manufacture to be carried on and of the raw materials, processes, and the product thereof; (4) a description, with drawings, if necessary, of the means proposed to be adopted to prevent nuisance arising from (*a*) vapours, (*b*) fluids discharged into sewers, and (*c*) the disposal of solid refuse; and (5) any further plans which may be required by the Local Authority.

IV.—Penalties.

18. Every person who shall not comply with any of the foregoing Bye-laws shall be guilty of an offence, and shall be liable for such offence to a penalty not exceeding the sum of Five Pounds, and, in the case of a continuing offence, to a further penalty not exceeding Forty Shillings for each day after written notice of the offence from the Local Authority.

19. Every blood boiler may, in addition to incurring the penalty or penalties imposed by the foregoing Bye-law, be, by summary order of the Sheriff (which he is hereby empowered to issue), deprived, either temporarily or permanently, of the right of carrying on his business, and any blood boiler disobeying such order shall be liable to a penalty not exceeding Twenty-five Pounds for every day during which such disobedience continues; provided always, that the decision of the Sheriff shall be appealable to the Lord-Ordinary on the Bills, in the manner provided by Section 156 of the Public Health (Scotland) Act, 1897.

BYE-LAWS FOR THE BUSINESS OF BONE BOILER.

1.—The Conduct of the Business.

1. Every bone boiler shall provide upon his premises a specially constructed store for the reception of bones or other material from which offensive effluvia may arise, which store shall be constructed in such manner as shall prevent such effluvia escaping into the external air.

[2. Same as No. 3 for Blood Boiler.]

3. Every bone boiler shall provide, as far as is practicable, for the immediate treatment of bones or other material before such become offensive through decomposition.

[4 and 5. Same as Nos. 4 and 5 for Blood Boiler.]

6. Every bone boiler who grinds bones shall provide for the grinding in a special apartment, to be provided with adequate and suitable means for dealing with the dust arising therefrom to the satisfaction of the Local Authority.

[7. Same as No. 6 for Blood Boiler, except that in last line "11" is substituted for "10."]

[8 and 9. Same as Nos. 7 and 8 for Blood Boiler.]

II.—The Structure of the Premises.

[10. Same as No. 9 for Blood Boiler, except that in line 7 "Bye-law 11" is substituted for "Bye-law 10."]

[11 to 20. Same as Nos. 10 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF MANURE MANUFACTURER.

I.—The Conduct of the Business.

1. Every manure manufacturer shall cause all material, manufactured product, residue, refuse, or other matter used on or in connection with the premises where his business is carried on, from which any offensive effluvium, vapour, or gas may be evolved, to be received or stored in rooms, chambers, or places constructed in such a manner as to prevent any such effluvium, vapour, or gas escaping into the external air.

[2, 3, and 4. Same as Nos. 3, 4, and 5 for Blood Boiler.]

5. Every manure manufacturer who grinds and mixes manure by machinery shall, in the apartment where this work is carried on, provide for mechanical or other means of ventilation to the satisfaction of the Local Authority.

[6 to 19. Same as Nos. 6 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF SOAP BOILER.

I.—The Conduct of the Business.

1. Every soap boiler shall cause all material used, and all refuse, residue, or other matter from which any offensive effluvium, vapour, or gas is evolved or is liable to be evolved, to be placed in properly closed receptacles, or to be otherwise dealt with in such manner as to prevent any such effluvium, vapour, or gas escaping into the external atmosphere.

[2. Same as No. 3 for Blood Boiler.]

3. Every soap boiler shall cause the floors, walls, and ceilings of premises in which his business is carried on to be kept thoroughly clean and in good repair, and shall not store empty barrels unless they have been thoroughly cleansed with steam or otherwise.

[4. Same as No. 8 for Blood Boiler.]

II.—The Structure of the Premises.

[5. Same as No. 13 for Blood Boiler, omitting the word "steam" in fourth and sixth lines.]

[6. Same as No. 14 for Blood Boiler, omitting the word "steam" in second and third lines.]

[7 to 10. Same as Nos. 16 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF TALLOW MELTER.

I.—The Conduct of the Business.

1. Every tallow melter shall cause all material used, or offensive material or refuse from the boiling pans, and all refuse, residue, or other matter from which any offensive effluvium, vapour, or gas is evolved, or is liable to be evolved, to be placed in properly closed receptacles, or to be otherwise dealt with in such manner as to prevent any such effluvium, vapour, or gas escaping into the external atmosphere.

[2 and 3. Same as Nos. 3 and 4 for Blood Boiler.]

4. Every tallow melter shall cause every vehicle, vessel, utensil, or instrument provided or used in connection with his business to be kept thoroughly clean, and shall not store empty barrels unless they have been thoroughly cleansed with steam or otherwise.

[5. Same as No. 6 for Blood Boiler, substituting "No. 9" for "No. 10" in last line.]

6. Every tallow melter shall cause any refuse matter arising from his business to be constantly gathered together and swept up and retained in close vessels pending its removal by the Cleansing Department, or shall cause it to be otherwise so disposed of as not to create a nuisance.

[7. Same as No. 8 for Blood Boiler.]

II.—The Structure of the Premises.

[8. Same as No. 9 for Blood Boiler, substituting "Bye-law 9" for "Bye-law 10" in seventh line.]

[9 to 18. Same as Nos. 10 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF KNACKER.

The Public Health (Scotland) Act, 1897, defines the expression "Knacker" as meaning "a person whose business it is to kill any horse, ass, mule, or cattle not killed for the purpose of the flesh being used as butcher's meat;" and the expression "Knacker's yard" means "any building or place used for the purpose of such business."

I.—The Conduct of the Business.

1. The occupier of a knacker's yard shall not slaughter, or permit to be slaughtered, on the premises any animal that is

intended or fit to be used for human food, nor keep or permit to be kept any fowl, pig, or other animal which may be used for human food in or about the premises, nor any dog, therein.

2. He shall not allow any room situated over the knacker's yard to be inhabited under any pretext whatsoever.

3. He shall not allow the knacker's yard to be used for any purpose other than that for which it is licensed, nor any slaughtering to be conducted within public view.

4. He shall provide and keep a sufficient number of tubs, boxes, or vessels, formed of galvanised iron or other non-absorbent materials, with tight and close-fitting covers thereto, for the purpose of receiving and conveying away all manure, garbage, offal, and filth; and shall, in all cases, immediately after the slaughtering is completed, cause all such manure, garbage, offal, and filth to be placed in such tubs, boxes, and vessels; and shall cause all the blood arising from the slaughtering to be put into separate tubs or vessels formed of like material to the above, with close-fitting covers; and shall cause every such tub, box, and vessel, together with their contents, to be removed from the premises within twenty-four hours, except when the contents are to be used on the premises for further trade processes.

[5 and 6. Same as Nos. 4 and 5 for Blood Boiler.]

[7. Same as No. 6 for Blood Boiler, substituting "No. 12" for "No. 10" in last line.]

[8. Same as No. 7 for Blood Boiler.]

9. (*a*) He shall cause every animal intended for slaughter to be kept upon the premises only in a pound, pen, or lair; (*b*) he shall keep every such pound, pen, or lair in a clean and wholesome condition; (*c*) he shall not keep any animal for a longer period than may be necessary for the purpose of slaughter, and he shall provide every such animal with a sufficient quantity of wholesome food and water.

[10. Same as No. 8 for Blood Boiler.]

II.—The Structure of the Premises.

[11. Same as No. 9 for Blood Boiler, substituting "Bye-law 12" for "Bye-law 11" in seventh line.]

[12, 13, and 14. Same as Nos. 10, 11, and 12 for Blood Boiler.]

15. He shall cause a sufficient number of pounds, pens, or lairs, of adequate size and suitable construction, to be provided upon the premises, and he shall cause such pounds, pens, or lairs to be separated from the killing-room by means of closed partitions.

16. Every knacker shall provide every boiler, digester, or other apparatus, from which any offensive steam, effluvium, vapour, or gas may be given off, with special pipes and appliances for conveying the said steam, vapour, or gas beneath a furnace, so that the said steam, effluvium, vapour, or gas shall pass through the furnace, or shall otherwise be prevented from escaping into the external air.

[17 to 21. Same as Nos. 15 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF TANNER.

I.—The Conduct of the Business.

1. Every tanner shall cause the floors, walls, and ceilings of premises in which his business is carried on to be kept thoroughly clean and in good repair. He shall cause the floors of the liming and scraping apartments, and of the place where fresh or unsalted skins are stored, to be thoroughly cleansed at least once in every twenty-four hours, and shall cause every internal wall or part of a wall which is not perfectly smooth and hard on the surface, and every ceiling, which is not glazed or painted, to be washed with hot lime in the months of July and December in each year.

2. He shall, at the close of every working day, cause all hair, fleshings, and refuse fragments of skin or other matters detached from any hide or butt to be collected and placed in a suitable part of the premises, and if such hair, fleshings, and refuse fragments are not intended to be forthwith subjected to any further trade purpose upon the premises, he shall cause them to be removed therefrom forthwith, or otherwise disposed of so as not to create nuisance.

3. Every tanner shall cause every process of his business in which any offensive effluvium, vapour, or gas is generated to be carried on in such manner that no offensive effluvium, vapour, or gas shall escape into the external air.

[4 and 5. Same as Nos. 5 and 6 for Blood Boiler.]

6. Every tanner shall prevent the dust arising from the grinding of oak bark or other substance to be used in the process of tanning from escaping into the outer air, and shall, if required by the Local Authority, provide for the adequate ventilation of the grinding room by mechanical means.

7. Every tanner shall cause all waste lime, salts of chromic acid, or other agent used in the treatment of hides or skins, which has been taken out of any pit upon the premises where his trade is carried on, to be forthwith disposed of so as not to create nuisance.

[8. Same as No. 8 for Blood Boiler.]

II.—The Structure of the Premises.

9. Every tanner shall cause the walls of his receiving room and fleshing or scraping apartments to be built with stone, brick, or other equally solid and impervious material, and shall cause the floors thereof and of any room where raw or fresh skins are stored to be properly paved with whin setts grouted with cement or with asphalt, concrete, or other suitable jointless material, having a proper slope towards a channel or gully leading to the drainage system required by Bye-law 5 hereof.

[10. Same as No. 10 for Blood Boiler.]

11. Every tanner shall cause all lime or chrome or other pits or tanks for the treatment of hides or skins to be so built and connected with a cesspool or cesspools that no solid matter therefrom shall find access to the common sewers.

[12 to 16. Same as Nos. 15 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF TRIPE BOILER.

I.—The Conduct of the Business.

1. Every tripe boiler shall provide upon his premises suitable vessels or receptacles, constructed of galvanised iron or other non-absorbent material, for the reception of the tripe and other materials to be used in his business.

2. Every tripe boiler shall provide a sufficient number of tubs or vessels, constructed of galvanised iron or other non-absorbent material, and furnished with close and tight-fitting covers, for the purpose of receiving and conveying away all garbage, offal, and filth. He shall, from time to time, as often as occasion may require, cause such garbage, offal, and filth to be gathered together and placed in such tubs or vessels, and to be removed from his premises once at least in each period of twenty-four hours, and in such manner that no nuisance is created.

[3, 4, and 5. Same as Nos. 3, 4, and 5 for Blood Boiler.]

[6. Same as No. 6 for Blood Boiler, substituting "No 9" for "No. 10" in last line.]

[7 to 18. Same as Nos. 8 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF GUT OR TRIPE CLEANER.

I.—The Conduct of the Business.

1. Every gut or tripe cleaner shall cause all gut, and other offensive material which may at any time be brought or kept

upon the premises, to be so brought and kept in tight vessels or receptacles constructed of galvanised iron or other non-absorbent material, provided with close-fitting covers.

[2. Same as No. 3 for Blood Boiler.]

3. Every gut or tripe cleaner shall cause the floor of any part of his premises where gut scraping or tripe cleaning may be carried on, and every tub, scraping board, or other utensil or instrument which may have been in use, or which may be in a foul or offensive condition, to be effectually cleansed, and to be disinfected if required by the Local Authority.

4. Every gut or tripe cleaner shall cause all offensive gut, garbage, filth, refuse, or other offensive material upon the premises to be placed in properly closed vessels or receptacles constructed of non-absorbent material, and shall cause such offensive matter to be removed daily from the premises in such manner as shall not cause any nuisance.

[5. Same as No. 4 for Blood Boiler.]

[6. Same as No. 6 for Blood Boiler, substituting "No. 9" for "No. 10" in last line.]

[7 to 15. Same as Nos. 8, 9, 10, 11, 15, 16, 17, 18, and 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF SKINNER OR HIDE FACTOR.

I.—The Conduct of the Business.

1. Every skinner or hide factor shall cause the walls and floors of his premises in which his business is carried on to be kept thoroughly clean and in good repair. He shall cause the floors of his skin store and liming and scraping apartments to be thoroughly cleansed at least once in every twenty-four hours, and shall cause every internal wall or part of a wall which is not perfectly smooth and hard on the surface, and every ceiling, which is not glazed or painted, to be washed with hot lime in the months of July and December in each year.

2. Every skinner or hide factor shall, at the close of every working day, cause all hair, fleshings, and refuse fragments of skin or other matters, detached from any skin, hide, or butt, to be collected and placed in a suitable part of the premises, and if such hair, fleshings, and refuse fragments are not intended to be forthwith subjected to any further trade purpose upon the premises, he shall cause them to be removed therefrom forthwith, or otherwise disposed of so as not to create nuisance.

3. Every skinner or hide factor shall cause every process of his business in which any offensive effluvium, vapour, or gas is generated to be carried on in such manner that no offensive effluvium, vapour, or gas shall escape into the external air.

[4. Same as No. 5 for Blood Boiler.]

[5. Same as No. 6 for Blood Boiler, substituting "No. 9" for "No. 10" in last line.]

[6 and 7. Same as Nos. 7 and 8 for Blood Boiler.]

II.—The Structure of the Premises.

8. Every skinner or hide factor shall cause the walls of his receiving rooms and fleshing or scraping apartments to be built with stone, brick, or other equally solid and impervious material, and shall cause the floors thereof and of any room where raw or fresh skins are stored to be properly paved with whin setts grouted with cement or with asphalt, concrete, or other suitable jointless material, having a proper slope towards a channel or gully leading to the drainage system required by Bye-law 5 hereof.

[9 and 10. Same as Nos. 10 and 11 for Blood Boiler.]

11. Every skinner or hide factor shall cause all lime or chrome or other pits or tanks for the treatment of hides or skins to be so built and connected with a cesspool or cesspools that no solid matter therefrom shall find access to the common sewers.

[12 to 1 Same as Nos. 15 to 19 for Blood Boiler.]

BYE-LAWS FOR THE BUSINESS OF GLUE AND SIZE MANUFACTURER.

I.—The Conduct of the Business.

1. Every glue and size manufacturer shall cause all moist fleshings and other material liable to decomposition which may be kept or stored upon his premises to be kept or stored only in such part or parts of his premises as are properly paved with asphalt, concrete, or other suitable jointless material, and covered with a water-tight roof; and he shall keep or store such material in such manner that no offensive effluvia or vapours therefrom shall escape into the external air.

[2. Same as No. 3 for Blood Boiler.]

3. Every glue and size manufacturer shall provide, as far as is practicable, for the immediate treatment of fleshings,

trimmings, clippings, and other material before such become offensive through decomposition.

[4, 5, and 6. Same as Nos. 4, 5, and 6 for Blood Boiler.]

7. Every glue and size manufacturer shall cause any refuse matter arising from his business to be constantly gathered together and swept up and retained in closed vessels pending its removal, and he shall arrange that all such refuse be removed every twenty-four hours by the Cleansing Department, or so otherwise disposed of as not to create a nuisance.

[8 to 19. Same as Nos. 8 to 19 for Blood Boiler.]

II. DAIRIES, COW-SHEDS, AND MILK-SHOPS.

Enactments as to Dairies, Cow-sheds, and Milk-shops.

In pursuance of their powers under the Contagious Diseases (Animals) Act of 1878 the Privy Council were empowered from time to time to make general or special orders relating to the Regulation of Dairies, Cow-sheds, and Milk-shops.

Section 34 of the said Act conferring these powers is as follows:—

34. The Privy Council may from time to time make such general or special orders as they think fit, subject and according to the provisions of this Act, for the following purposes or any of them:—

(i.) For the registration with the Local Authority of all persons carrying on the trade of cow-keepers, dairymen, or purveyors of milk.

(ii.) For the inspection of cattle in dairies, and for prescribing and regulating the lighting, ventilation, cleansing, drainage, and water supply of dairies and cow-sheds in the occupation of persons following the trade of cow-keepers or dairymen.

(iii.) For securing the cleanliness of milk-stores, milk-shops, and of milk-vessels used for containing milk for sale by such persons.

(iv.) For prescribing precautions to be taken for protecting milk against infection or contamination.

(v.) For authorising a Local Authority to make regulations for the purposes aforesaid, or any of them, subject to such conditions, if any, as the Privy Council prescribe.

By the Contagious Diseases (Animals) Act of 1886, the powers vested in the Privy Council and Local Authorities acting under the Contagious Diseases (Animals) Act of 1878 (in so far as regards the regulation of Dairies, Cow-sheds, and Milk-shops, in terms of the above quoted Section) were transferred in Scotland to the Board of Supervision and Local Authorities acting under the Public Health Act of 1867.

The text of Section 9 of the aforesaid Act which, *inter alia*, provided for this transfer is as follows;—

9. (1.) The powers vested in the Privy Council of making general or special orders under Section 34 of the principal Act, for the purposes in that section mentioned, are hereby transferred to and shall henceforth be exerciseable by the Local Government Board; every such order shall have effect as if enacted in this section, and shall be published in such manner as the Local Government Board may direct, and the said Board may from time to time alter or revoke any such order.

(2.) For the purposes of the said section and this section, and of any order in force thereunder, the expression Local Authority, unless the context otherwise requires, in the metropolis has the same meanings as in the principal Act, and elsewhere has the same meanings as in the Public Health Act, 1875.

(3.) Any expenses incurred by a Local Authority in the metropolis in pursuance of Section 34 of the principal Act, as amended by this section, shall be defrayed out of the local rate applicable to their expenses under the principal Act; and any expenses so incurred by any other Local Authority shall be defrayed as if they were incurred in the execution of the Public Health Act, 1875, and in the case of a rural sanitary authority shall be deemed to be general expenses.

(4.) The Local Authority and their officers, for the purpose of enforcing the said orders and any regulations made thereunder, shall have the same right to be admitted to any premises as the Local Authority, within the meaning of the Public Health Act, 1875, and their officers have, under Section 102 of that Act, for the purpose of examining as to the existence of any nuisance thereon; and if such admission is refused the like proceedings may be taken, with the like incidents and consequences as to orders for admission, penalties, costs, expenses, and otherwise, as in the case of a refusal to admit to premises for any of the purposes of the said Section 102 and as if the Local Authority mentioned in the said Act included a Local Authority in the metropolis as defined in this section.

Provided that nothing in this section shall authorise any person, except with the permission of the Local Authority under the principal Act, to enter any cow-shed or other place in which an animal affected with any disease is kept, and which is situate in a place declared to be infected with such disease.

(5.) The like penalties for offences against orders or regulations made for the purposes of Section 34 of the principal Act as amended by this section may be imposed by

the Local Government Board or Local Authority making the same, and such offences may be prosecuted and penalties recovered in a summary manner, and subject to the like provisions, as if such orders or regulations were bye-laws of a Local Authority under the Public Health Act, 1875, and as if the Local Authority mentioned in that Act included a Local Authority in the metropolis as defined in this section.

(6.) Whereas under the powers of the principal Act the Privy Council have made an Order known as the Dairies, Cow-sheds, and Milk-shops Order of 1885,* and certain authorities have made regulations under that Order, or having effect in pursuance thereof; and it is expedient by reason of the foregoing provisions of this section to make provision respecting such order and regulations: Be it therefore enacted as follows:—

(*a.*) The Dairies, Cow-sheds, and Milk-shops Order of 1885, and any regulations thereunder, or having effect in pursuance thereof, made by any Local Authority under the principal Act, other than the Local Authority of a county, shall be deemed to have been made respectively by the Local Government Board and by a Local Authority under this section: and any such regulations made by the Local Authority of a county, within the meaning of the principal Act, shall, so far as they extend to the district of any Local Authority as defined in this section, be deemed to have been made by such Local Authority.

(*b.*) So much of any register kept by the Local Authority of any county under the said order as relates to the district of any Local Authority as defined in this section, or a copy thereof, shall, as soon as may be after the passing of this Act, be delivered to the Local Authority by the Local Authority of the county.

(7.) In the application of this section to Scotland, the expression "Local Government Board" shall mean the Board of Supervision for relief of the Poor and for Public Health; the expression "Local Authority" shall mean the Local Authority under the Public Health (Scotland) Act, 1867; the expressions "Public Health Act, 1875," and "Section 102 of the said Act" shall mean respectively the Public Health (Scotland) Act, 1867, and Section 17 of the said Act; the expression "Bye-laws of a Local Authority" shall mean rules and regulations made by a Local Authority under the Public Health (Scotland) Act, 1867; and generally the Board of Supervision and the Local Authority under the Public Health

* *See* page 61 *post.*

(Scotland) Act, 1867, shall have all the powers of the Privy Council, and the Local Authority under Section 34 of the Contagious Diseases (Animals) Act, 1878, with regard to the regulation of Dairies, Cow-sheds, and Milk-shops: Provided always, that no general or special order made by the Board of Supervision under this section shall be binding until it has been confirmed by the Secretary for Scotland, subject to such conditions, if any, as the Secretary for Scotland shall think fit.

In 1887 the Board of Supervision issued "The Dairies, Cow-sheds, and Milk-shops Amending Order, 1887,"* giving effect to the amendment of the statute and prescribing penalties to be imposed for offences against the Order of 1885. The Board also issued an explanatory Circular, dated 27th January, 1887,† and prepared for the guidance of Local Authorities the following forms :—

(*a.*) A form of Application for Registration; (*b.*) a form of Certificate of Registration; and (*c.*) a form of Register.

The effect of subsequent legislation was to transfer the administration of the above-quoted sections of the Contagious Diseases (Animals) Acts to the Local Government Board and Local Authorities under the Public Health (Scotland) Act, 1897.

Following up the conclusions of the Royal Commissions on Tuberculosis which reported in 1895 and 1898, the Board issued on 19th October a Dairies, Cow-sheds, and Milk-shops Order, 1899,‡ the effect of which is to extend the meaning of the word "disease" in Article 15 of the Order of 1885 so as to include such disease of the udder of the cow as shall be certified by a veterinary surgeon to be tubercular. The Board also revoked Article 14 of the aforesaid Order and substituted for it a provision assimilating the procedure regarding regulations under the Order to the procedure laid down in the Public Health Act of 1897 with respect to Bye-laws under that Act. (*See* also explanatory covering circular, page 79 *post*).

* *See* page 65 *post*. † *See* page 68 *post*. ‡ *See* page 77 *post*.

The Dairies, Cow-sheds, and Milk-shops Order of 1885.

At the Council Chamber, Whitehall, the 15th day of June 1885.

By Her Majesty's Most Honourable Privy Council.

PRESENT:

Lord President.
Mr. Trevelyan.

THE Lords and others of Her Majesty's Most Honourable Privy Council, by virtue and in exercise of the powers in them vested under The Contagious Diseases (Animals) Act, 1878, and of every other power enabling them in this behalf, do order, and it is hereby ordered, as follows:—

Short Title.

1. This Order may be cited as The Dairies, Cow-sheds, and Milk-shops Order of 1885.

Extent.

2. This Order extends to England and Wales and Scotland only.

Commencement.

3. This Order shall commence and take effect from and immediately after the thirtieth day of June one thousand eight hundred and eighty five.

Interpretation.

4. In this Order—

The Act of 1878 means The Contagious Diseases (Animals) Act, 1878.

Other terms have the same meaning as in the Act of 1878.

Revocation of former Orders.

5. The Dairies, Cow-sheds, and Milk-shops Order of July 1879 is hereby revoked: Provided that nothing in this Order shall be deemed to revive any Order of Council thereby revoked or to invalidate or make unlawful anything done before the commencement of this Order, or interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty incurred under, the said Order hereby revoked.

Registration of Dairymen and others.

6.—(1.) It shall not be lawful for any person to carry on in the district of any Local Authority the trade of cow-keeper, dairyman, or purveyor of milk unless he is registered as such therein in accordance with this Article.

(2.) Every Local Authority shall keep a Register of persons from time to time carrying on in their District the trade of cow-keepers, dairymen, or purveyors of milk, and shall from time to time revise and correct the Register.

(3.) The Local Authority shall register every such person, but the fact of such registration shall not be deemed to authorise such person to occupy as a dairy or cow-shed any particular building or in any way preclude any proceedings being taken against such person for non-compliance with or infringement of any of the provisions of this Order or any Regulation made thereunder.

(4.) The Local Authority shall from time to time give public notice by advertisement in a newspaper circulating in their District, and, if they think fit, by placards, hand-bills, or otherwise, of registration being required, and of the mode of registration.

(5.) A person who carries on the trade of cow-keeper or dairyman for the purpose only of making and selling butter or cheese or both, and who does not carry on the trade of purveyor of milk, shall not, for the purposes of registration, be deemed to be a person carrying on the trade of cow-keeper or dairyman, and need not be registered.

(6.) A person who sells milk of his own cows in small quantities to his workmen or neighbours, for their accommodation, shall not, for the purposes of registration, be deemed, by reason only of such selling, to be a person carrying on the trade of cow-keeper, dairyman, or purveyor of milk, and need not, by reason thereof, be registered.

Construction and Water Supply of New Dairies and Cow-sheds.

7.—(1.) It shall not be lawful for any person following the trade of cow-keeper or dairyman to begin to occupy as a dairy or cow-shed any building not so occupied at the commencement of this Order, unless and until he first makes provision, to the reasonable satisfaction of the Local Authority, for the lighting, and the ventilation including air-space, and the cleansing, drainage, and water supply, of the same, while occupied as a dairy or cow-shed.

(2.) It shall not be lawful for any such person to begin so

to occupy any such building without first giving one month's notice in writing to the Local Authority of his intention so to do.

Sanitary State of all Dairies and Cow-sheds.

8. It shall not be lawful for any person following the trade of cow-keeper or dairyman to occupy as a dairy or cow-shed any building, whether so occupied at the commencement of this Order or not, if and as long as the lighting, and the ventilation including air-space, and the cleansing, drainage, and water-supply thereof are not such as are necessary or proper—

(*a.*) for the health and good condition of the cattle therein; and

(*b.*) for the cleanliness of milk-vessels used therein for containing milk for sale; and

(*c.*) for the protection of the milk therein against infection or contamination.

Contamination of Milk.

9. It shall not be lawful for any person following the trade of cow-keeper or dairyman or purveyor of milk, or being the occupier of a milk-store or milk-shop—

(*a.*) to allow any person suffering from a dangerous infectious disorder, or having recently been in contact with a person so suffering, to milk cows or to handle vessels used for containing milk for sale, or in any way to take part or assist in the conduct of the trade or business of the cow-keeper or dairyman, purveyor of milk, or occupier of a milk-store or milk-shop, so far as regards the production, distribution, or storage of milk; or

(*b.*) if himself so suffering or having recently been in contact as aforesaid, to milk cows, or handle vessels used for containing milk for sale, or in any way to take part in the conduct of his trade or business, as far as regards the production, distribution, or storage of milk—

until in each case all danger therefrom of the communication of infection to the milk or of its contamination has ceased.

10. It shall not be lawful for any person following the trade of cow-keeper or dairyman or purveyor of milk, or being the occupier of a milk-store or milk-shop, after he receipt of notice of not less than one month from the Local Authority calling attention to the provisions of this Article, to permit any water-closet, earth-closet, privy, cesspool, or urinal to be within,

communicate directly with, or ventilate into, any dairy or any room used as a milk-store or milk-shop.

11. It shall not be lawful for any person following the trade of cow-keeper or dairyman or purveyor of milk, or being the occupier of a milk-store or milk-shop to use a milk-store or milk-shop in his occupation, or permit the same to be used, as a sleeping apartment, or for any purpose incompatible with the proper preservation of the cleanliness of the milk-store or milk-shop, and of the milk-vessels and milk therein, or in any manner likely to cause contamination of the milk therein.

12. It shall not be lawful for any person following the trade of cow-keeper or dairyman or purveyor of milk to keep any swine in any cow-shed or other building used by him for keeping cows, or in any milk-store or other place used by him for keeping milk for sale.

Regulations of Local Authority.

13. A Local Authority may from time to time make Regulations for the following purposes, or any of them:

(*a.*) For the inspection of cattle in dairies.

(*b.*) For prescribing and regulating the lighting, ventilation, cleansing, drainage, and water-supply of dairies and cow-sheds in the occupation of persons following the trade of cow-keepers or dairymen.

(*c.*) For securing the cleanliness of milk-stores, milk-shops, and of milk-vessels used for containing milk for sale by such persons.

(*d.*) For prescribing precautions to be taken by purveyors of milk and persons selling milk by retail against infection or contamination.

Provisions as to Regulations of Local Authority.

14. * The following provisions shall apply to Regulations made by a Local Authority under this Order:

(1.) Every Regulation shall be published by advertisement in a newspaper circulating in the District of the Local Authority.

(2.) The Local Authority shall send to the Privy Council a copy of every Regulation made by them not less than one month before the date named in such Regulation for the same to come into force.

(3.) If at any time the Privy Council are satisfied on inquiry, with respect to any Regulation, that the same is of too restrictive a character, or otherwise objec-

* Article 14 revoked and new procedure substituted. See Article II of Dairies, Cow-sheds, and Milk-shops Order 1899, page 77, *post*.

tionable, and direct the revocation thereof, the same shall not come into operation, or shall thereupon cease to operate, as the case may be.

Existence of Disease among Cattle.

15. * If at any time disease exists among the cattle in a dairy or cow-shed, or other building or place, the milk of a diseased cow therein—

(*a.*) shall not be mixed with other milk; and

(*b.*) shall not be sold or used for human food; and

(*c.*) shall not be sold or used for food of swine, or other animals, unless and until it has been boiled.

Acts of Local Authorities.

16.—(1.) All Orders and Regulations made by a Local Authority under The Dairies, Cow-sheds, and Milk-shops Order of July 1879, or any Order revoked thereby, and in force at the making of this Order shall, as far as the same are not varied by or inconsistent with this Order, remain in force until altered or revoked by the Local Authority.

(2.) Forms of Registers and other forms which have been before the making of this Order prepared for use by a Local Authority under the Dairies, Cow-sheds, and Milk-shops Order of July 1879, or any Order revoked thereby, may be used, as far as they are suitable, for the purposes of this Order.

Scotland.

17. Nothing in this Order shall be deemed to interfere with the operation of The Cattle Sheds in Burghs (Scotland) Act, 1866.

C. L. Peel.

The Dairies, Cow-sheds, and Milk-shops Amending Order, 1887.

To all the Local Authorities in Scotland, in terms of "The Public Health (Scotland) Act, 1867."

WHEREAS by Section 34 of the Contagious Diseases (Animals) Act, 1878 (hereinafter referred to as "the principal Act"), it was enacted that Her Majesty's Most Honourable Privy Council (hereinafter referred to as "The Privy Council"), might from time to time make such general

* Article 15 amended by Article III of the said Order of 1899. See Explanation in Board's Circular of 19th October, 1899, page 79, *post.*

or special Orders as they should think fit, subject and according to the provisions of the Act, for the purposes specified in that section.

And whereas on the 15th day of June 1885, the Privy Council, in pursuance of the powers vested in them by the principal Act, made a General Order known as "The Dairies, Cow-sheds, and Milk-shops Order of 1885" (hereinafter referred to as "the Order of 1885"); and such Order extends to the whole of Scotland.

And whereas by Article 14 of the Order of 1885, it is provided that a copy of every Regulation therein referred to shall be sent to the Privy Council, and that if at any time the Privy Council are satisfied on inquiry with respect to any Regulation that the same is of too restrictive a character, or otherwise objectionable, and direct the revocation thereof, the same shall not come into operation, or shall thereupon cease to operate, as the case may be.

And whereas by Section 9 of the Contagious Diseases (Animals) Act, 1886 (hereinafter referred to as "the Act of 1886"), it is enacted as follows:—

9. (1.) The powers vested in the Privy Council of making general or special orders under Section 34 of the principal Act, for the purposes in that section mentioned, are hereby transferred to and shall henceforth be exerciseable by the Local Government Board; every such order shall have effect as if enacted in this section, and shall be published in such manner as the Local Government Board may direct, and the said Board may from time to time alter or revoke any such order.

(5.) The like penalties for offences against orders or regulations made for the purposes of Section 34 of the principal Act as amended by this section may be imposed by the Local Government Board or Local Authority making the same, and such offences may be prosecuted and penalties recovered in a summary manner, and subject to the like provisions, as if such orders or regulations were bye-laws of a Local Authority under the Public Health Act, 1875, and as if the Local Authority mentioned in that Act included a Local Authority in the metropolis as defined in this section.

(6.) (*a.*) The Dairies, Cow-sheds, and Milk-shops Order of 1885, and any regulations thereunder, or having effect in pursuance thereof, made by any Local Authority under the principal Act, other than the Local Authority of a county, shall be deemed to have been made respectively by the Local Government Board and by a Local Authority under this section.

(7.) In the application of this section to Scotland, the expression "Local Government Board" shall mean the Board of Supervision for relief of the Poor and for Public Health; the expression "Local Authority" shall mean the Local Authority under the Public Health (Scotland) Act, 1867, the expressions "Public Health Act, 1875," and "section one hundred and two of the said Act" shall mean respectively the Public Health (Scotland) Act, 1867, and Section 17 of the said Act; the expression "Bye-laws of a Local Authority" shall mean rules and regulations made by a Local Authority under the Public Health (Scotland) Act, 1867; and generally the Board of Supervision and the Local Authority under the Public Health (Scotland) Act, 1867, shall have all the powers of the Privy Council, and the Local Authority under section 34 of the Contagious Diseases (Animals) Act, 1878, with regard to the regulation of Dairies, Cow-sheds, and Milk-shops: Provided always, that no general or special order made by the Board of Supervision under this section shall be binding until it has been confirmed by the Secretary for Scotland, subject to such conditions, if any, as the Secretary for Scotland shall think fit.

And whereas it is expedient that the Order of 1885 should be altered as hereinafter mentioned, and that penalties should be imposed for offences against such Order.

Now therefore, We, the Board of Supervision for the relief of the Poor, and for Public Health in Scotland, in pursuance of the powers vested in Us by the Act of 1886, hereby Order as follows:—

Article 1.—This Order may be cited as "The Dairies, Cow-sheds, and Milk-shops Amending Order of 1887."

Article 2.—Article 14 of the Order of 1885 shall be altered by the substitution therein of the words "Board of Supervision" for the words "Privy Council" occurring therein.

Article 3.—If any person is guilty of an offence against the Order of 1885, he shall for every such offence be liable to a penalty of Five Pounds.

Provided, nevertheless, that the Sheriff or other Magistrate before whom any complaint may be made, or any proceedings may be taken in respect of any such offence, may, if he think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty imposed by this Order.

Article 4.—In this Order the expression "Local Authority" means the Local Authority under the Public Health (Scotland) Act, 1867.

Certified and signed by me this twenty-seventh day of January, in the year One Thousand Eight Hundred and Eighty-Seven.

JOHN SKELTON,
Secretary.

BOARD OF SUPERVISION,
EDINBURGH, 27*th January* 1887.

I hereby confirm the foregoing Order.

(L.S.) ARTHUR JAMES BALFOUR,
Her Majesty's Secretary for Scotland.

DOVER HOUSE, WHITEHALL,
8*th February* 1887.

Circular respecting Regulation of Dairies, Cow-sheds, and Milk-shops.

BOARD OF SUPERVISION,
EDINBURGH, 27*th January* 1887.

Sir,—The duty of putting in force the provisions of the Contagious Diseases (Animals) Act of 1878, in so far as regards the regulation of Dairies, Cow-sheds, and Milk-shops, in terms of Section 34 of that Act, having now devolved upon the Local Authorities under the Public Health Act, many communications have been received by the Board in reference to the provisions of the Act and the relative Privy Council Order of 1885, to which the Board have given their best consideration. The Board are anxious to assist Local Authorities as far as is in their power, and they trust that the explanations which they now propose to give will facilitate the action of the Local Boards.

The Circular of the Board, dated 16th August last, indicated in a general way the purposes of the Act and of the Order. The specific duties imposed upon Local Authorities by the Act and by the Order may be considered under the following heads:—I. Registration; II. Regulations; III. Inspection; IV. Prosecutions and Penalties.

I. REGISTRATION OF PERSONS CARRYING ON THE TRADE OF COW-KEEPER, DAIRYMAN, OR PURVEYOR OF MILK.

The Order declares that it shall not be lawful for any person to carry on the trade of cow-keeper, dairyman, or purveyor

of milk in the district of any Local Authority unless he is registered as such therein; and it requires every Local Authority to keep a Register of such persons, and from time to time to revise and correct the Register.

The Board have prepared for the guidance of Local Authorities various forms in connection with registration, of which copies are herewith sent.

a. A form of Application for Registration.
b. A form of Certificate of Registration.
c. A form of Register.

These forms are not compulsory, but the Board think they may be adopted with advantage.

Local Authorities are bound, on application, to register every person carrying on the trade within their districts, with certain exceptions; and they are not entitled to refuse to register any such persons. The exceptions are—

a. Persons who carry on the trade of cow-keeper or dairyman for the purpose only of making and selling butter and cheese, or both, and who do not carry on the trade of purveyor of milk; and
b. Persons who sell milk of their own cows in small quantities to their workmen or neighbours, for their accommodation.

These two classes of persons do not require to be registered.

In the case of persons who were entered in the Register of the Local Authority under the Contagious Diseases (Animals) Act (which Register, or a copy thereof, has now been handed over to the Local Authority under the Public Health Act) a repetition of their registration is not necessary. Nor does the Act or the Order provide for the annual or periodical renewal of registration; but the Local Authority are bound from time to time to revise and correct the Register.

The Local Authority must bear in mind that registration applies to persons, not to premises. They cannot therefore refuse to register any person, though his premises may be considered unfit for the purposes of the trade. But the fact of registration does not preclude proceedings being taken against such person for contravention of the provisions of the Order, or of any Regulation made thereunder.

It will be observed that registration is also necessary in the case of persons who sell milk, from carts or otherwise (though not occupying premises), within the district.

II. Regulations of Local Authorities.*

Where the Local Authority consider it necessary they may issue Regulations for the purposes specified in Article 13 of the Order. Any Regulations made by the Local Authority under the Contagious Diseases (Animals) Act are continued in force, and it is the duty of the Local Authority to see that they are complied with. Such Regulations do not require to be advertised of new by the Local Authority.

All new Regulations made by Local Authorities require to be published by advertisement in a newspaper circulating in the district, and a copy of every Regulation must be sent to the Board not less than one month before the date named in such Regulation for the same to come into force.

The approval of the Board is not required to the Regulations, but the Board are empowered at any time to direct the revocation of any Regulation which they deem to be of too restrictive a character, or otherwise objectionable (Art. 14, (2) and (3), of Order of 1885).

It will be observed that the effect of the Act is to substitute the Board of Supervision for the Privy Council.

The Board understand that the practice of the Privy Council in regard to the disallowing of Regulations has been as follows:—

a. Registration.

Registration is not one of the purposes specified in Article 13 of the Order for which Regulations may be made. When Local Authorities made Regulations as to Registration, or for enabling them to refuse or cancel Registration where requirements were not complied with, they were informed—(1) that they had no power to make regulations as to Registration, and (2) that Registration applies to persons and not to premises, and cannot be refused.

b. Inspection.

Article 13 of the Order empowers Local Authorities to make Regulations "for the inspection of cattle in dairies." Regulations authorising the periodical inspection of premises where cattle were kept by persons following the trade of cow-keepers or dairymen were not objected to by the Privy Council; but where Regulations proposed to authorise the inspection of milk-shops (where cattle were not kept) they were disallowed.

* Note.—For amendment of procedure regarding Regulations, refer to Board's Circular of 19th October, 1899, page 82, *post*.

c. Notification of Disease, &c.*

The following Regulations were disallowed by the Privy Council as being of too stringent a character, if not *ultra vires*, viz.:—

1. Purveyors of milk to give notice to Local Authority of outbreak of (human) disease on premises.
2. Purveyors of milk to keep books showing names of customers and farms or sources from which milk is supplied to each customer.
3. Power to prohibit dairymen from supplying milk coming from particular farms (the farms not necessarily being within the district of the Local Authority).

The first of these Regulations appeared to the Privy Council to be part of a much larger subject; and as regards the other two it seemed doubtful whether they could be said to be "precautions for protecting milk against infection or contamination," their object being rather to prevent the supply of milk when contaminated.

The above are the principal grounds on which Regulations were disallowed by the Privy Council.

The Board will in general be disposed to follow the course adopted by the Privy Council. They are prepared, however, if applied to by a Local Authority, to consider whether, as the duties have now been entrusted to the Board charged with the administration of the Public Health Acts, it may not be competent and desirable in certain cases to extend the scope of the Regulations hitherto sanctioned.

The Local Authority can alter or revoke any Regulation in force within their district. In the case of alteration, the same procedure must be gone through as in framing new Regulations. In the case of revocation, intimation should be made to the Board, and public notice should also be given by advertisement in the newspapers.

III. Inspection.

The Board deem it expedient that in every district in which any person carries on the trade of cow-keeper, dairyman, or purveyor of milk, the Local Authority should appoint an Inspector of Dairies, &c., to see that the provisions of the Act and the Order are carried out. It will be convenient, as a rule, that the Sanitary Inspector should also be Inspector of Dairies. This, however, is not compulsory; and it is competent for the Local Authority to appoint an Inspector of Dairies other than the Sanitary Inspector.

* *See* page 3 *ante*, "Milk Supplies" and "Notification."

The Sanitary Inspector, if appointed to act, should receive additional remuneration in respect of his new duties.

IV. Prosecutions and Penalties.

Section 9 (5) of the Contagious Diseases (Animals) Act, 1886, provides that—"The like penalties for offences against "Orders or Regulations made for the purposes of Section 34 "of the principal Act as amended by this Section may be "imposed by the Board of Supervision or Local Authority "making the same, and such offences may be prosecuted and "penalties recovered in a summary manner, and subject to "the like provisions, as if such Orders or Regulations were "Rules and Regulations of a Local Authority under the "Public Health (Scotland) Act, 1867."

The Board are of opinion that the effect of this enactment is to render inapplicable to future Orders and Regulations, and also to the Privy Council's Order of 1885, and Regulations thereunder, the penalties fixed by Section 60 of the Contagious Diseases (Animals) Act of 1878, for contravention of Orders or Regulations. They have accordingly issued an Order, which has been confirmed by Her Majesty's Secretary for Scotland, imposing penalties for contraventions of the Order of 1885. A copy is sent herewith. It will now be necessary for any Local Authority which has already made Regulations (or may hereafter make Regulations) to impose penalties for contraventions of such Regulations similar to those imposed for contraventions of Rules and Regulations under the Public Health Act of 1867. The penalties to be imposed should not exceed £5 for each offence. Penalties may be sued for summarily under the Summary Jurisdiction Acts, 1864 and 1881.—I am, Sir, your obedient servant,

John Skelton,
Secretary.

To the Clerk or Sanitary Inspector
of the Local Authority under the Public Health Act.

Form of Certificate of Registration.

THE CONTAGIOUS DISEASES (ANIMALS) ACTS, 1878 AND 1886; AND THE DAIRIES, COW-SHEDS, AND MILK-SHOPS ORDER OF 1885.

I certify that _____

residing at _____

and occupying premises at _____

is registered as a _____

within the district of the Local Authority of _____

(Signature) _____

Clerk to the Local Authority, or Sanitary Inspector.

(Place) _____

(Date) _____

This Certificate is to be preserved by the holder, and exhibited when required.

The fact of registration shall not be deemed to authorise the person registered to occupy as a dairy or cow-shed any particular building, or in any way preclude any proceedings being taken against such person for non-compliance with, or infringement of, any of the provisions of the above-named Order, or any Regulation made thereunder.

Form of Application for Registration.

THE CONTAGIOUS DISEASES (ANIMALS) ACTS, 1878 AND 1886; AND THE DAIRIES, COW-SHEDS, AND MILK-SHOPS ORDER OF 1885.

To the Local Authority of _____

I hereby make application to be placed on the Register kept by the Local Authority under the above-named Order.

Name of Applicant . .	
Occupation	
Residence	
Situation of Premises	
State whether a—	
Cow-keeper . .	
Dairyman, or . .	
Purveyor of Milk . .	

Signature of Applicant, _____

(Place) _____

(Date) _____

Form of Register of Dairies, Cow-sheds, and Milk-shops.

No._____ Name of Dairy, &c., _____

Date of Registration _____

	FIRST INSPECTION AND REPORT. This column to be filled up at first visit, any change of circumstances at subsequent visits to be noted under head "Remarks," on next page.
Name of person carrying on the trade	
Occupation (state whether Cow-keeper, Dairyman, or Purveyor of Milk)	
Residence	
Number of Cows	
Milk, how disposed of	
Byre or Cow-shed:—Construction	
,, Lighting ...	
,, Ventilation	
,, Cubic-Space	
,, Drainage	
,, Water Supply	
,, Cleanliness	
Situation of Byre or Cow-shed in relation to Dwelling-houses, Stables, Dungsteads, Piggeries, &c.	
Dairy, Milk-shop, or Store:—Situation, Construction, and general Sanitary Condition ...	
,, Cleanliness of Place and Vessels ...	
,, Persons Sleeping where Milk kept, or in place communicating therewith	
,, Other articles kept in Milk Store ...	
Privy, Closet, Urinal, or Cesspool, communicating with Byre, Milk-shop, or Store	
Swine kept in Byre or Milk Store, or Place communicating therewith	
	Date, _____
	_____ *Inspector.*

LOCAL AUTHORITY OF_____

SUBSEQUENT INSPECTIONS AND REPORTS.

DATE.	REMARKS.

The Dairies, Cow-sheds, and Milk-shops Order of 1899.

To all Local Authorities in Scotland, in terms of the Public Health (Scotland) Act, 1897,

AND to all others whom it may concern.

WHEREAS on the 15th day of June, 1885, Her Majesty's Most Honourable Privy Council (hereinafter referred to as "The Privy Council"), in pursuance of the Statutory provisions in that behalf, made an Order (hereinafter referred to as "The Order") which is known as "The Dairies, Cow-sheds, and Milk-shops Order of 1885;"

AND WHEREAS certain powers of the Privy Council including the power of altering or revoking the Order, were transferred to the Board of Supervision for the relief of the Poor and for Public Health in Scotland, and thereafter transferred to US, the Local Government Board for Scotland; and in pursuance of such powers, the Order was altered by an Order duly confirmed by the Secretary for Scotland (hereinafter referred to as "The Amending Order"), which was made by the aforesaid Board of Supervision on the 27th day of January, 1887, and is known as "The Dairies, Cow-sheds, and Milk-shops Amending Order of 1887;"

AND WHEREAS it is expedient that the Order as altered by the Amending Order should be further altered;

NOW THEREFORE, in pursuance of the powers vested in US in that behalf, we hereby Order as follows:—

Article I.—This Order may be cited as "The Dairies, Cow-sheds, and Milk-shops Order of 1899."

Article II.—Article 14 of the Order is hereby revoked, and the following provisions shall have effect after the date hereof:—

Regulations made by a Local Authority under the Order shall not take effect unless and until they have been submitted to and confirmed by the Board, who may allow or disallow the same as they may think proper; nor shall any such regulations be confirmed—

Unless notice of intention to apply for confirmation of the same has been given in one or more of the local newspapers circulated within, or by handbills posted throughout, the district to which such regulations relate, one month at least before the making of such application; and

Unless for one month at least before any such application is considered, a copy of the proposed regulations has

been kept at the office of the Local Authority, and in the case of districts other than burghs, at the office of the Parish Council of every parish to which such regulations relate, and has been open during office hours thereat to the inspection of the ratepayers of the district to which such regulations relate, without fee or reward.

Any person aggrieved by any proposed regulation, or by any proposed alteration of a regulation, may within such last-mentioned month forward notice of his objection to the Board.

The Clerk of the Local Authority shall, on the application of any such ratepayer, furnish him with a copy of such proposed regulations or any part thereof, on payment of sixpence for every hundred words contained in such copy.

A regulation when confirmed by the Board shall not require confirmation, allowance, or approval by any other authority.

Article III.—Article 15 of the Order shall be altered so that the expressions in the said Article which refer to disease shall include, in the case of a cow, such disease of the udder as shall be certified by a veterinary surgeon to be tubercular; and the Order and the Amending Order shall apply and be construed with the modifications necessary to give effect to this Article.

Given under the Seal of Office of the Local Government Board for Scotland, this Sixteenth day of October, in the year One thousand eight hundred and ninety-nine.

(L.S.)

MALCOLM M'NEILL,
Vice-President.

G. FALCONAR-STEWART,
Secretary.

I hereby confirm the foregoing Order.

(L.S.)

BALFOUR OF BURLEIGH,
Her Majesty's Secretary for Scotland.

DOVER HOUSE, WHITEHALL,
17th October, 1899.

Circular respecting Tuberculosis.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 19*th October* 1899.

Sir,—I am directed by the Local Government Board for Scotland to transmit for the information of the Local Authority the accompanying copy of "The Dairies, Cow-sheds, and Milk-shops Order of 1899," and to append the following explanatory notes regarding it:—

ARTICLE 15 OF THE ORDER OF 1885.

Article 15 of the Dairies, Cow-sheds, and Milk-shops Order of 1885, amended by the Order of 1887, is to the following effect:—

> "If at any time disease exists among the cattle in a dairy or cow-shed, or other building or place, the milk of a diseased cow therein—
>
> (*a*) Shall not be mixed with other milk; and
> (*b*) Shall not be sold or used for human food; and
> (*c*) Shall not be sold or used for food of swine, or other animals, unless and until it has been boiled."

The word "disease" as used in the above Article has hitherto had the meaning as given to it in Section 5 of the Contagious Diseases (Animals) Act, 1878. The effect of the enclosed Order is to extend this meaning for the purposes of Article 15 so as to include such disease of the udder of a cow as shall be certified by a veterinary surgeon to be tubercular. These purposes are to prevent the milk from a cow suffering from such disease from being sold or used for the food of man, or unless previously boiled, for the food of swine or other animals. Article 15 applies to all milch cows, whether their owners are registered under the Order or not.

ARTICLE 13 OF THE ORDER OF 1885.

Article 13 of the Order enables Local Authorities to make regulations, *inter alia*, for the inspection of cattle in dairies.

The obligation to inspect milch cows rests upon the Local Authority. For the purposes of Sections 43 and 60 of the Public Health (Scotland) Act, 1897, relative to the detection of unsound food and the discovery of the origin of infectious diseases attributable to milk, it is necessary that Local Authorities shall have previously "approved" Veterinary

Surgeons available, who may also be employed in the execution of this Order. The Inspector of Dairies may properly render assistance under the instructions of a Veterinary Surgeon in the detection of diseased conditions of the udder.

The Royal Commission on Tuberculosis which reported in 1895 came to the conclusion that "no doubt the largest part of the tuberculosis which man obtains through his food is by means of milk containing tuberculous matter." This view was endorsed by the subsequent Commission which reported in 1898. They further formed the opinion that contamination of milk is so generally associated with tubercular disease of the udder that the first step towards the elimination of all tuberculous cows from dairies should be the elimination of those suffering from tubercular disease of the udder.

In the power to make regulations for "prescribing and regulating the lighting, ventilation, cleansing, drainage, and water supply" of dairy byres, the Local Authority have control over the conditions which determine the health of cows while under cover. Through the judicious use of these powers by the Local Authority, and the intelligent co-operation of the owner, the general health of the cow may be improved, tuberculosis may be prevented, danger to the health of consumers of milk from tuberculous cows may be obviated, and pecuniary loss to the owners of a dairy-stock ensuing upon tuberculosis may be diminished.

The Board invite the attention of Local Authorities in framing regulations to the following recommendations of the most recent Commission, viz.:—

> "12. That the conditions of the attached cow-sheds that shall warrant the registering of a dairy in a populous place, whether technically urban or rural, in the future shall include the following:—
>
> 1. An impervious floor.
> 2. A sufficient water supply for flushing.
> 3. Proper drainage.
> 4. A depot for the manure at a sufficient distance from the byres.
> 5. A minimum cubic contents as regards such districts of from 600 to 800 feet for each adult beast, varying according to the average weight of the animals.
> 6. A minimum floor space of 50 feet to each adult beast.
> 7. Sufficient light and ventilation.
>
> While we have prescribed a minimum cubic contents and floor space without mentioning definite dimensions

affecting ventilation and lighting, we are distinctly of opinion that these are by far the most important, and that requirements as to cubic and floor space are mainly of value as tending to facilitate adequate movement of air.

Existing cow-sheds should be obliged to conform to the prescribed regulations within a period of twelve months from the time of the regulations coming into force.

13. The same conditions as those recommended for populous places should apply to cow-sheds in sparsely populated places, except in so far as cubic contents per cow are concerned; as regards these cubic contents, such space per cow should be provided as would, in view of the surrounding circumstances, secure reasonable ventilation without draught. But the physical circumstances prevailing in different localities being so various, we do not find it practicable to prescribe uniform minimum requirements in this respect."

The distinction as to "cubic contents" per cow in "populous" and in "sparsely populated" places recommended by the Commission rests ultimately upon the influence of these local conditions upon the regimen of the cow. If cows are habitually grazed on grass land during the greater part of the year, and, when not so grazed, are habitually turned out during a portion of each day, then there is a reasonable ground for some distinction in the regulation of "cubic contents" as between such cows and cows kept and fed under cover during the whole or greater part of the year and not turned out during a portion of each day.

Although in general the regimen which justifies the prescription of the lesser cubic space per cow exists in counties and the regimen which demands the greater cubic space exists in burghs, the Board recommend all Local Authorities to base any distinction which may be made upon the fact whether cows are or are not "habitually grazed on grass land during the greater part of the year, and when not so grazed are habitually turned out during a portion of each day."

The Board recommend a minimum floor space of 50 feet *in all cases*. The distribution of cubic space between area and height regulates the lateral isolation of cow from cow, not to mention convenience in working about the cow. Cubic space added above the animals is of no advantage in this respect. In all prescriptions of cubic space, it is assumed that the lighting and ventilation are perfect.

Suggestions for Regulations.

The Board add the following suggestions of proper subjects for regulation :—

The walls of a byre or cow-shed ought not to be masked by the erection against them of structures which interfere with lighting and ventilation.

Old horse-litter ought not to be used in bedding cows.

The exclusion of dust from access to milk or milk-vessels exposed during processes of cleansing or otherwise is of the utmost importance. The free use of water in all such processes, whether in byres or milk-shops, so as to avoid the production of dust, is necessary.

Among the most important precautions against infection or contamination of milk which Local Authorities may prescribe are the cleanness of the cow at the time of milking, especially of the udder and teats, and also the hands of milkers.

Procedure Regarding Regulations.

The Board have deemed it advisable to revoke Article 14 of the Order of 1885, and to substitute therefor a provision assimilating the procedure regarding regulations under the Order to the procedure laid down in the Public Health Act of 1897 with respect to bye-laws under that Act.

The effect will be to remove the confusion due to the difference of procedure, as well as to relieve the Local Authority of the expense of advertising the regulations *in extenso* in the newspapers. The revocation of Article 14 will not affect the validity of any regulation already made in accordance with the provisions of the Order of 1885, but in the case of new regulations, or of alterations on existing regulations, the provisions of Article II. of the Order of 1899 must be adhered to.

MEAT INSPECTION.

In a circular (No. IV., 1897), issued 16th November, 1897, the Board drew the attention of Local Authorities to the more important provisions contained in the new Public Health (Scotland) Act then about to come into operation, and, *inter alia*, to the greatly extended powers as regards the inspection of food contained in Section 43 thereof. I am directed to again ask the very careful consideration of this section by Local Authorities and their officers.

Any Medical Officer or Sanitary Inspector or any Veterin-

ary Surgeon approved for the purposes of the section may inspect and may seize in any circumstances of exposure, transit, or storage for sale as human food any live animal, any carcase or part of a carcase, or any article solid or liquid. In the case of a live animal a Veterinary Surgeon must accompany the Medical Officer or Sanitary Inspector in the inspection.

The Royal Commission on Tuberculosis, which reported in 1898, make the following recommendations as to the qualifications of Meat Inspectors, viz. :—

"5. We recommend that in future no person be permitted to act as a meat inspector until he has passed a qualifying examination, before such authority as may be prescribed by the Local Government Board (or Board of Agriculture), on the following subjects :—

(*a*) The law of meat inspection, and such bye-laws, regulations, &c., as may be in force at the time he presents himself for examination.

(*b*) The names and situations of the organs of the body.

(*c*) Signs of health and disease in animals destined for food, both when alive and after slaughter.

(*d*) The appearance and character of fresh meat, organs, fat and blood, and the conditions rendering them, or preparations from them, fit or unfit for human food."

In the absence of any authority to require such "a qualifying examination," the Board recommend Local Authorities who propose to appoint special Meat Inspectors to take means to satisfy themselves that the persons selected possess these qualifications. Where meat inspection forms part of the duty of the Sanitary Inspector, some consideration should be given to the possession of such qualifications in making appointments to the office,—not, however, to the depreciation of qualifications for his more important duties.

PRINCIPLES TO BE OBSERVED BY MEAT INSPECTORS IN THE INSPECTION OF TUBERCULOUS CARCASES OF CATTLE.

The Royal Commission also made the following recommendations relative to the practice of meat inspection, viz. :—

"6. We recommend that the Local Government Board be empowered to issue instructions from time to time for the guidance of meat inspectors, prescribing the degree of tubercular disease which, in the opinion

of the Board, should cause a carcase, or part thereof, to be seized.

Pending the issue of such instructions we are of opinion that the following principles should be observed in the inspection of tuberculous carcases of cattle :—

(*a*) When there is miliary tuberculosis of both lungs . . .	The entire carcase and all the organs may be seized.
(*b*) When tuberculous lesions are present on the pleura and peritoneum.	
(*c*) When tuberculous lesions are present in the muscular system, or in the lymphatic glands embedded in or between the muscles . .	
(*d*) When tuberculous lesions exist in any part of an emaciated carcase	
(*a*) When the lesions are confined to the lungs and the thoracic lymphatic glands	The carcase if otherwise healthy shall not be condemned, but every part of it containing tuberculous lesions shall be seized.
(*b*) When the lesions are confined to the liver	
(*c*) When the lesions are confined to the pharyngeal lymphatic glands	
(*d*) When the lesions are confined to any combination of the foregoing, but are collectively small in extent	

"In view of the greater tendency to generalisation of tuberculosis in the pig, we consider that the presence of tubercular deposit in any degree should involve seizure of the whole carcase and of the organs.

"In respect of foreign dead meat, seizure shall ensue in every case where the pleura have been 'stripped.'"

The Board have no authority to issue instructions, but they direct the attention of Local Authorities to the recommendations of the Royal Commission.

It is evident that any such principles can be applied in detail only through Medical Officers of Health and Veterinary Surgeons. In the Draft Regulations framed by the Board for regulating the duties of Sanitary Inspectors and very generally adopted by Local Authorities [No. 6, relative to meat inspection under Section 43 of the Public Health (Scotland) Act] there is the following proviso :—"Provided that in any case of doubt arising under this clause, he shall report the matter to the Medical Officer of Health, with the view of obtaining his advice thereon."

It is apparent also that these principles can be properly applied only under the conditions pertaining to inspection at the time of slaughter, when "all the organs" are under observation. In this connection, the Board direct attention to sub-section (3) of Section 43 of the Act which enables Local Authorities singly or in combination to appoint places at which animals alive or dead may be submitted to an "approved" Veterinary Surgeon for examination and condemnation or certification, "Provided that no carcase shall be submitted for examination either under this or the immediately preceding sub-section [which refers to a similar examination upon the premises where the animal was slaughtered], unless as a whole carcase, including the thoracic and abdominal viscera, in such manner that the examiner shall be readily able to satisfy himself that the organs are those of the carcase under inspection."

The circumstances under which the Meat Inspector usually performs a most important part of his duty differ from those contemplated by the Act and by the Commission. The carcase is eviscerated and dressed; it is not whole; the criteria suggested by which to determine as between partial and total seizure are gone. In the interests of the consumer, and in these circumstances, the ultimate procedure of the inspector and official experts requires the exercise of the greatest care and discrimination.

The Commission to some extent recognise this difference in the conditions of inspection when they recommend that "in respect of foreign dead meat seizure shall ensue in every case where the pleura have been 'stripped.'" This principle applies equally to all dead meat which comes under inspection in the same circumstances as "foreign dead meat."—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

III. HOSPITAL PROVISION, NURSING ARRANGEMENTS, AND DISINFECTION.

Memorandum as to Site and Plans of Hospitals for Infectious Diseases.

In order to facilitate the consideration by the Local Government Board of applications for their approval of the site and plans for the construction of Hospitals, in terms of Section 66 of the Public Health (Scotland) Act, 1897, the Board desire to draw the attention of Local Authorities to the following requirements:—

A. Site.

The application for approval of the site should be accompanied by:—

1. An Ordnance Survey Sheet having the proposed site distinctly marked thereon,—preferably in *red*:
2. A statement of the dimensions of the site,—length, breadth, and area:
3. A statement of the number of beds in the proposed Hospital (the unit of space being 2000 cubic feet) and their ward-distribution:
4. A general description of the site with information as to soil and sub-soil, exposure, facilities for drainage and water supply, accessibility, distance from furthest points of district to be served, distance from nearest inhabited house, distance from nearest medical man (where there is to be no resident medical officer); also, in rural districts, the distance from the nearest railway station, and the distance from the chief centres of population in the district to be served:
5. A statement, expressing opinion of the site, from the Medical Officer of Health of the district, or, in the case of a proposed Combination Hospital, from the Medical Officers, conjointly, of the Local Authorities joining in the Combination.

B. Buildings.

The plans of Hospital buildings submitted for the approval of the Board should each have a correct scale and "north-point," and should embrace:—

1. A block plan, scale $\frac{1}{384}$th ($\frac{1}{32}$nd inch to 1 foot), showing (1) the whole extent of the site, with a note of acreage, the boundaries edged with light green; (2) the buildings outlined in position and coloured all over, the ward blocks red, the others light brown, each block named and numbered with reference to the detail plans, and their distances from each other and from the boundaries figured; (3) public roads and other accesses, also the surroundings, with the nature of these noted, and any buildings, within (say) 50 yards of the site indicated; (4) the lines of drainage, with the calibres of the various drains and the position of traps, ventilators, gratings, and any other openings distinctly marked, and the nature of the outfall, the method of treating sewage before leaving the premises, and any works connected therewith (tanks, filter-beds, &c.) fully described. If separate systems of drainage for roof and soiled water are adopted, the lines of both should be shown.

2. Plans, Sections, and Elevations in detail of each block of building (scale preferably $\frac{1}{96}$th—$\frac{1}{8}$th inch to 1 foot—not less), sufficient to illustrate the design in all its parts, general structure, and details; the Plans figured with the linear sizes of the several apartments, the wards and bedrooms having the position of each bed indicated, and the total cubic contents and floor area of each such apartment distinctly figured; the Sections giving the height inside to the top of the wall, and, when it is an open roof, also to the ridge of the roof; and the Elevations showing any levelling of the ground that may be required.

3. A sufficient boundary wall or continuous fence to be included.

4. The arrangements for heating and ventilation to be shown, with parts in detail so far as necessary in explanation of the system proposed.

The plans should be accompanied by:—

(*a*) A general description by the architect, explaining in detail the arrangements for heating and ventilation, also the number of patients and the number and description of resident officials, *e.g.*, physician, matron, nurses, cleaners, cook, &c., &c., for whom he has provided.

(*b*) A statement expressing opinion of the plans and noting anything to which exception is taken, from the Medical Officer of Health of the district, or, in the case of a proposed Combination Hospital, from the Medical Officers, conjointly, of the Local Authorities joining in the Combination.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 31*st August* 1899.

General Memoranda on Hospitals for Infectious Diseases.

In determining the size, ward-distribution, and detail of the equipment of a Hospital for Infectious Diseases, each Local Authority ought to be guided by the advice of their own Medical Officer of Health. The Board will at all times be ready to meet representatives of Local Authorities, their accredited architects or officials, and to assist in special circumstances, but in general it is their desire that Local Authorities should avail themselves of the services of their own officials, and of the many competent architects who have made Hospital construction their special study. A Hospital for Infectious Diseases ought to come up to the highest standard of structure prescribed for a wholesome dwelling-house directed to the prevention of damp and the exclusion of ground air; while the heating, ventilation, and insolation must meet a higher standard still. In plaster-work, wood-work, fittings, and furnishings, considerations must be given effect to which involve an entire departure from the traditions of domestic architecture and furniture; *e.g.*, surfaces between ceiling and floor to be broken as little as possible by cornice, mouldings, or other deviations from the vertical; all surfaces to be impervious; enclosures to be avoided, and all corners, &c., to be accessible to light, inspection, and cleansing.

The following remarks are based upon the experience of the Board, as the Department to which is committed the statutory duty of approving the plans:—

1. Administration.—All the administrative structures—dormitories, kitchen, wash-house, &c.—ought not only to be liberal for the bed accommodation submitted, but to anticipate future extensions. Wards may be added at will without reconstruction or inconvenience, but to proportionately extend administrative buildings is necessarily more costly, and is accompanied by great inconvenience. The utility of a Hospital for Infectious Diseases depends upon its popularity, and this again upon its careful management, and especially upon the services of a good class of nurses. Good nurses cannot be retained unless they are made comfortable, as they ought to be in view of the risks of their occupation.

2. Material.—These remarks are specially applicable to the case of Local Authorities who propose to erect as permanent Hospitals structures which are in material and design primarily intended for temporary Hospitals erected in emergency. The propriety of constructing what are to be permanent Hospitals of merely *temporary* material must be

considered and determined from an economic aspect by Local Authorities themselves; but there is no reason why the wards should be deteriorated and the details of administrative accommodation made less complete and commodious, because with deliberation a Local Authority prefer such material to stone or brick. It must be understood, therefore, that although the material may be accepted, the plans must otherwise comply with the ordinary standards of Hospital accommodation.

3. Size.—In determining the bed accommodation necessary to meet the wants of the population, a rough standard of one bed per 1000 of urban and one bed per 1500 of rural population has come into vogue. This must not be applied too rigidly. There are more important factors than mere numbers. The differences in the physical and social circumstances of different urban populations are as great as between populations which may be generally classified as urban and rural. So with rural districts. The Local Authority, as advised by their Medical Officer, ought to take all the conditions of their district into account. The smaller the Hospital, the more ample in proportion must be the bed accommodation. Provision must be made for the isolation and treatment at the same time of at least two different infectious diseases and for the separation of the sexes.

4. Cubic Space.—The unit is 2000 feet per bed. The three dimensions must be properly distributed. Lateral isolation of beds may be sacrificed to height and width of wards.

5. Combination.—Small Hospitals share the financial disadvantages of all small undertakings. It is difficult, if not impossible, to erect small Hospitals adequate in accommodation at the same capital cost per bed as large, and the working expenditure, to secure equal efficiency, must be greater. These facts lead the Board to favour combinations for Hospital purposes, especially of the smaller Burghs with the Districts of Counties to which they territorially belong. At the same time, distance as an objection to removal on the part of relatives must not be overlooked. Although experience has shown that if proper ambulances are provided and care is taken in transport, no substantial injury results from transit, the objection is natural, and may make isolation unpopular. This consideration is most frequently overlooked by Local Authorities who make agreements with distant general hospitals, which are not "within a convenient distance" of their districts and are not available for the purposes of Section 54 of the Public Health (Scotland) Act, 1897.

6. Cottage Hospital.—It is not intended in any way to depreciate the utility in Highland and sparsely-populated districts and in the Islands of simple arrangements for the isolation of casual patients, amounting to nothing more than a wholesome cottage, where a nurse may be assured of that domestic comfort the absence of which forms the chief obstacle to home nursing in such localities, apart altogether from the question of isolation.

7. Sewage.—If land is necessary for the treatment of sewage, it must belong to and be under the control of the Local Authority.

8. Disinfection.—As regards all processes of disinfection, Hospitals for the treatment of Infectious Diseases ought to be self-contained. Suitable disinfecting appliances are therefore essential. Hospitals may properly be made disinfecting centres for the district in which they are situated. (*See* Section 46 of the Public Health (Scotland) Act, 1897.)

9. Smallpox.—The selection of a site for a Smallpox Hospital is subject to more exacting conditions than those applicable to the site of an ordinary Fever Hospital. In this, as in every detail of structure and subsequent management, the effective isolation *of the Hospital* itself as well as of every person treated or employed in it must be kept in view.*

N.B.—The attention of Local Authorities proposing to provide Hospital accommodation for the use of the inhabitants of their districts suffering from infectious diseases, whether alone or in combination, by building, by contract, or by agreement, is specially directed to the terms of Section 66 of the Public Health (Scotland) Act, 1897.

Local Government Board,
Edinburgh, 31*st August* 1899.

* In addition to detached papers in professional periodicals (among which may be specially mentioned, "Fever Hospitals," by T. W. Aldwinkle, *Journal of the Royal Institute of British Architects*, No. 9, vol. ii., 3rd series), and detailed descriptions of hospitals erected in their own districts by County Medical Officers in Annual Reports (Lanark, Renfrew, Dumbarton, Stirling, Fife, &c., &c.), reference may be made to the following :—

Reports and Papers on the Use and Influence of Hospitals for Infectious Diseases—Supplement to 10th Annual Report of Local Government Board (England), 1880-81. Re-issued 1894.

Pamphlet on Small Isolation Hospitals, by Sir Richard Thorne. Printed for H.M. Stationery Office (1895).

The Prevention of Epidemics and the Construction and Management of Isolation Hospitals, by Roger M'Neill, M.D., D.P.H., &c., &c. London, Churchill, 1894.

The Portfolio attached to Burdett's "Hospitals and Asylums of the World" (London, Churchill, 1893), contains the plans of a number of hospitals for infectious diseases.

The 5th vol. of Weyl's *Handbuch der Hygiene* contains a special division on Isolation Hospitals.

Form of Medical Certificate.

PUBLIC HEALTH ACT.

Local Authority of _____

Hospital at _____

I HEREBY certify, on soul and conscience, that on the _____ day of _____, I visited and carefully examined the Hospital at _____, and that, having regard to the Drainage, Ventilation, Furniture, and arrangements, and to the condition of the Plasterwork and Building generally, I am of opinion that the Hospital is in every respect fit for the immediate reception, without risk of injury to their health, of a number of patients not exceeding _____

(*Date*) _____

(*Signature*)

(NOTE.—*Any circumstances requiring special notice may be inserted below.*)

(*Signature*)

Form of Architect's Certificate.

PUBLIC HEALTH ACT.

Local Authority of _____

Hospital at _____

I HEREBY certify, that on the _____ day of _____, I visited and minutely inspected the Hospital at _____, and compared the whole Buildings, Drainage, and other arrangements, with the Plans approved and signed by the Local Government Board; that I find the whole of the said Buildings, Drainage, and other arrangements, executed in conformity with the aforesaid Plans; and that I am of opinion that the Hospital is in every respect safe and suitable for immediate occupation.

(*Date*) _____

(*Signature*)

(NOTE.—*Any circumstances requiring special notice may be inserted below.*)

(*Signature*)

Circular as to the necessity for the provision of Smallpox Hospitals and Reception Houses.

LOCAL GOVERNMENT BOARD,
EDINBURGH, *2nd March* 1901.

Sir,—In view of the wide diffusion of Smallpox, particularly in the West of Scotland, the Board deem it expedient to request the careful consideration by Local Authorities, especially in infected counties, of the following observations:—

1. The Board are satisfied that the epidemic of Smallpox with which the country is at present threatened, if it proceeds, will progress as it began—by first establishing itself in Burghs, and from thence invading County Districts. Self-protection therefore, requires the Local Authorities of these districts to co-operate with those of the Burghs in every possible way in the organisation of preventive measures. The Board cannot too strongly express their conviction that mutual helpfulness on the part of all Local Authorities in the use of their resources is necessary to success in resisting the advance of this disease.

2. This helpfulness can be most usefully exercised in the provision of hospital accommodation. Scarcely in any circumstances can Smallpox be safely treated *at home*. It is impossible with safety to treat it as Typhus, Scarlet Fever, and the other infectious diseases of this country are habitually treated, in wards or pavilions of the same hospital at the same time. Smallpox must have a hospital to itself, and that hospital ought to be isolated. In this respect, County Hospitals are more likely to be suitable than Burghal.

3. There are two ways in which co-operation may promote this end:—

(*a*) *By agreement of Local Authorities to designate an existing Hospital solely for the treatment of Smallpox*, ordinary cases which ought to go there being received into such other existing Hospitals as may be most convenient; financial claims as between Local Authorities to be adjusted on the clearing-house principle.

(*b*) *By combination* of Local Authorities to provide special Smallpox Hospitals.

The former is the more expeditious way of meeting an emergency. It may be facilitated by greater stringency in the admission of the ordinary cases. The latter would probably be the better method if a permanent system fell to be devised with deliberation, for an area such as a County with its burghs.

4. These remarks apply, but not to the same extent, to "houses of reception . . for persons who have been exposed to infection." It is not possible to deal thoroughly with Smallpox, especially in populous places, without such accommodation. Smallpox "contacts," like Smallpox patients, must be accommodated by themselves, but the accommodation must not be at a Smallpox Hospital, and will be most useful if convenient to the homes of the people. As a rule, therefore, each Burgh ought to have its own house or houses of reception.

5. The Board have been already gratified by evidences of co-operation. The comparatively slight hold which Smallpox has so far taken of the populous County of Lanark, in spite of its dangerous neighbourhood, is, no doubt, largely due to the assistance that has been wisely given to the Burghs by the admission of their cases to certain County Hospitals which in that County have been set aside for Smallpox alone.

6. I am instructed to take this opportunity of reminding Local Authorities of the free hand now given to them in Section 77 of the Public Health (Scotland) Act, 1897, "to "defray the cost of vaccinating or re-vaccinating such persons "as to them may seem expedient." The free exercise of this power is necessary to effectual dealing with existing Smallpox, but it will be observed that the power exists at all times, and therefore Local Authorities have the opportunity systematically to increase the insusceptibility of their district to Smallpox.

I have to request you to submit this communication without delay to the Local Authority.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Further Opinions of Board relative to Hospitals.

Orientation of Hospitals.

As we were anxious to have authoritative data on which to found our advice to Local Authorities as to the orientation of hospitals, we addressed a letter to the Astronomer-Royal for Scotland, which will be found in the Appendix, together with his reply. It will be seen from his valuable statement that the greatest amount of sunshine most equally distributed on all sides of a hospital is obtained when the long axis of each pavilion runs, on the whole, north and south, or a little to east

5th Annual Report (1899), p. xxxvi.

of north and west of south, and that he concurs in the generally accepted view that this is the best direction for the long axis of a hospital ward in Scotland.

COPY LETTERS REFERRED TO.

Local Government Board,
Edinburgh, 14th July 1899.

5th Annual Report (1899), App. A, p. 26.

Sir,—The Board presently have under consideration the plans of a hospital for infectious diseases submitted for their approval in terms of Section 66 of the Public Health Act, in which the long axis of the ward pavilions is shown running in one case a little north of east and south of west, and in another due east and west. The proper inclination is generally held to be north and south or a little to east of north and west of south, the object being the equal insolation of both sides. The site of the hospital first mentioned is in the centre of Dumfriesshire, and the Board would be extremely obliged by answers to the following questions:—

1. At summer and winter solstice, what proportions of possible sunshine would reach each of the sides of a pavilion running north and south, and of one running east and west?

2. In the latter case, would a room at the middle of north side have direct sunshine at any period of the year?

3. Having regard to the fairly equal distribution of sunshine on both sides, what in Scotland would be, on the whole, the best direction for the long axis of a ward?

The Board will esteem an answer at your convenience.—I am, Sir, your obedient servant,

(Signed) A. MURRAY,
for Secretary.

Professor Copeland, Ph.D., F.R.S.E.,
Astronomer-Royal for Scotland,
Blackford Hill, Blackford Avenue.

Royal Observatory,
Edinburgh, 20*th July* 1899.

Sir,—In reply to your communication of the 14th instant (No. 20,022) referring to the plans of a hospital for infectious diseases in the centre of Dumfriesshire, I beg to submit the following answers to your several questions. In framing these answers, I have supposed the view to be wholly unobstructed, and have made the usual allowance for refraction:—

1. (*a*) In the case of a pavilion running north and south, half

of the possible sunshine would reach each side of the building both at summer and winter solstice, and indeed at all seasons of the year.

(*b*) If the pavilion ran east and west, then at summer solstice the north side of the building would be accessible to possible sunshine for 7 hours 41 minutes, while the south side would be exposed to 9 hours 39 minutes of possible sunshine.

At winter solstice no direct sunshine could reach the north side of the building.

2. In the case of a pavilion running east and west, a room at the middle of the north side would receive a part of the possible sunshine during the summer half of the year (from March 21 to September 22), varying from 7 hours 41 minutes at midsummer to nothing at the equinoxes; the sun's rays, however, would always fall obliquely from the north of east or north of west on this face of the building, and never from a greater angle than 29 degrees above the horizon, and usually at a much more unfavourable angle.

During the winter half of the year no direct sunshine could reach a room facing due north.

3. The best direction for the long axis of a hospital ward in Scotland is, on the whole, north and south or a little to east of north and west of south, as stated in the first paragraph of your letter.—I am, Sir, your obedient servant,

(Signed) RALPH COPELAND.

The Secretary,
Local Government Board,
Edinburgh.

RELATION OF BEDS IN HOSPITAL TO SUPERFICIAL AREA OF SITE.

A question was put as to the proportion of beds to superficial area, to which we replied that while it is necessary that our approval of a site should be given with reference to a hospital of known size measured by the number of beds, it is impossible to lay down an absolute rule of universal application as to the relation of beds to superficial area of site. Modern opinions as to hospital construction tend to, and so far necessitate, liberal area of all hospitals, but especially of those for infectious disease. The breaking up and distribution of the necessary structures; the removal of the mortuary, washing-house, and disinfecting apparatus to a distance from the wards; the protection of free ventilation from interference by neighbouring buildings; the interposition of free space between wards, etc., and public roads; the reservation of room for

4th Annual Report (1898), p. xliv.

exercise of patients suffering from different diseases without necessary contact; possible extension where there is a growing population or to meet epidemics—these and the like considerations must be kept in view in determining the sufficiency of the area of a site.

Relation of Beds in a Hospital to Different Diseases.

5th Annual Report (1899), p. xxxv.

In reply to a question as to whether there was any fixed proportion of the total beds in a hospital to be designated for different diseases, we expressed the opinion that there cannot well be a fixed proportion, seeing that scarlet fever and enteric fever, which are the two chief diseases now falling to be dealt with in hospitals, prevail in epidemics. At one time the wards may be required for the one disease, and at another time for the other.

Assessment for Hospital Purposes.

2nd Annual Report (1895-6), p. xxx.

One District Committee inquired whether it was competent to assess for hospital purposes those parishes only within the district from which patients might lawfully be sent to the hospital, or whether the assessment must extend over the whole district. We informed them in reply that there was no provision in any of the Acts by which the assessment could be localised; in other words that there was no provision for a special Hospital District.

The Duties of Local Authorities as regards Hospital Provision.

3rd Annual Report (1896-7), pp. xxxv-xxxvi.

Our attention was drawn to the resolution of an Hospital Committee not to admit patients to the Local Authority's hospital without payment, except in the case of persons occupying single apartments. It was contended by the Hospital Committee that their resolution was in keeping with the terms of Section 54 of the Public Health Act, 1897; but we felt that there were considerations arising under the Statute which we wished to bring before the Committee. The hospital having been erected under the Public Health Act, and subject to the provisions of the Statute, the right of admission must, in our opinion, be as free as the Statute makes it. The main object of the provision for removal being the isolation of infected persons in the interests of the public health of the district, no consideration should be allowed to stand in the way of this where the Medical Officer orders the

removal. Even when the patient can be properly treated at home, eminent sanitary experts are of opinion that it is desirable, in the public interest, and to prevent any risk of infection, that removal should be effected, and that the cost of removal and of treatment in the hospital should in all cases be defrayed by the Local Authority unless where special privileges are requested ; and we hold that when a case occurs in which compulsory removal is competent it is the duty of the Local Authority, in the public interest to remove and to pay the the whole expense, and that even when the removal is carried out with consent.

When an application is made to the Local Authority (in a case where compulsory removal is not competent) to remove the patient to hospital for the convenience of the person occupying the house, then, in our opinion, it is in the discretion of the Committee whether payment may properly be required.

This was our view of the provisions of the Public Health (Scotland) Act, 1867, and it seems to us to apply with at least equal force to the provisions of the 54th Section of the Act of 1897.

Further, even though fees were to be charged, there is no provision in the Act for enforcing payment, and in the case of compulsory removal, it would therefore be difficult to recover the money.

There may, however, be so many voluntary removals of persons suffering from infectious disease who might have been isolated in their homes as to crowd a hospital to the exclusion of cases which cannot be so isolated. In these circumstances the Local Authority would not be going beyond their duty in taking steps to avoid such a result where it may reasonably be anticipated.

Respective Obligations of a Local Authority and Parish Council.

In one case we were asked to arbitrate between a District Committee and a Parish Council as to which body was liable for the expenses incurred in removing a patient to a hospital and for his maintenance therein. 4th Annual Report (1898), p. xli.

In our opinion the Parish Council is bound to treat cases of infectious disease occurring among paupers or proper objects of parochial relief. The Public Health Act does not relieve them of that obligation, and their liability continues.

But when a Local Authority, acting under the Public Health Act and for the protection of the public health,

remove or isolate the patient, all the expenses necessarily incurred for this purpose form a charge against the Public Health assessment and cannot be recovered from any other person or body.

We understood that in the case submitted to us for arbitration no parochial relief had been applied for or granted, and that prior to the appearance of the infectious disease the patient could not be considered a proper object of relief. This was consequently a case in which the obligations to take immediate action appeared to us to have rested solely on the Local Authority.

We therefore, in terms of the submission made to us, found that the expenses incurred in removing the patient to the hospital, and for his maintenance therein, were expenses for which the District Committee as Local Authority were alone liable, and to which the Parish Council were not bound to contribute, and we determined accordingly.

Influence of Hospital on surrounding Neighbourhood.

4th Annual Report (1898), p. xliv.

Where objections had been raised that the establishment of a hospital might destroy the amenity of the surrounding neighbourhood, as well as be a danger to the public health, we expressed the opinion that there is no risk to the public in the aggregation of infected persons in a properly constructed and well-regulated hospital; whereas the same persons treated in private houses—which are, for the time being, badly contrived, and ill-regulated hospitals—are inevitably a source of substantial risk even in sparsely populated districts.

Advantages of Hospital Combinations.

5th Annual Report (1899), pp. xxxiii-xxxiv.

We are of opinion that it is difficult, if not impossible, to erect small hospitals adequate in accommodation for the proper isolation of disease, and involving separation of sex, with economy in capital cost or in subsequent working expenditure. Experience has shown that if proper ambulances are provided and care is taken in transport no substantial injury results to patients from transit. We therefore favour, in the more populous counties, where the geographical circumstances permit, combination between Local Authorities for hospital purposes.

In general the smaller burghs are territorially connected with counties, or districts of counties, with which such a combination would be of mutual advantage. There are cases in which hospitals exist, erected either by districts alone or in conjunction with certain burghs, while other burghs equally

near stand aloof. There are other cases in which districts convinced of the general advantage of large hospitals are impeded through the refusal of burghs to combine.

In such cases it is our desire to assist in arranging equitable terms of combination, and our intention to promote such combination by the exercise, if necessary, of our special powers under Section 66 (2) of the Act.

Hospital Combinations—Individual Rights of Partners.

In one instance where a question had been raised regarding the individual rights to accommodation of the partners in a combination for hospital purposes, we concurred in the view expressed by the Clerk representing the Joint Hospital Committee that in a combination hospital the population of the combined districts is to be treated as a whole, not that each member of the combination has a right only to beds corresponding to its population, but that each is entitled to send in to the hospital from its district infectious cases which in the interests of the public health require to be isolated, so long as there is accommodation in the hospital; and if that accommodation is exhausted at any time, it will be the duty of the combination to provide more beds, either by temporary or permanent construction.

5th Annual Report (1899), p. xxxv.

It is found in experience that epidemics seldom coincide in isolated communities, such as the burghs in the combination in question, so that in point of fact, however paradoxical it may seem, each burgh has the resources of the whole hospital behind it, although in determining the aggregate bed accommodation a definite number of beds is attached to its proportion of the whole population provided for.

Effect of Court of Session Decision *re* Lanark Hospital; Limitation of use of Joint Hospitals erected by Town Councils and Parochial Boards as Local Authorities.

We have had frequent occasion during the year to refer to the recent decision of the First Division of the Court of Session in a special case in connection with the use of the Lanark Hospital.* The effect of the decision is to limit the

2nd Annual Report (1895-6), p. xxx.

* *Lanark Town Council and Upper Ward of Lanarkshire District Committee*, 28th November, 1895. The Court *held* that the right of the District Committee to send patients was limited to the landward part of the Parish of Lanark. At advising the Lord President said, referring to the agreement between the parties regulating *inter alia* the use of the hospital,—"The "agreement plainly referred, not to any and whatsoever persons who "come under the jurisdiction of the Local Authority for the time, but to "persons who are specified in that district or parish of Lanark."

use of a Joint Hospital erected by a Town Council and a Parochial Board as contiguous Local Authorities to the original area. The Parochial Board has been superseded as Local Authority in terms of the Local Government Act of 1889 by the District Committee, and the Area under the jurisdiction of the District Committee commonly consists of more than one parish.

Smallpox Hospitals—Necessity for separate treatment of Smallpox.

6th Annual Report (1900), p. xxxviii.

As soon as sporadic cases of smallpox began to appear (during the Epidemic of 1900-1901) we had to impress upon Local Authorities the necessity of entire structural and administrative severance of the treatment of Smallpox from that of any other disease. We are advised that even substantial barricades, cutting off all communication or intercourse between pavilions in the same enclosure used for other diseases and pavilions used for Smallpox in bulk with complete administrative adjuncts and staff attached, do not prevent the invasion of Smallpox. In addition to aerial convection, flies, vermin, cats, and the unknown possible though forbidden communications of convalescents and others have always to be reckoned with.

Use of Smallpox Hospitals or Wards for other Diseases.

5th Annual Report (1899), pp. xxxv-xxxvi.

With regard to smallpox, we stated that we were of opinion that it cannot with safety be treated in administrative conjunction with any other disease. With scarlet fever this may be done, but it is necessary to rail off part of the airing ground for the separate use of the convalescents. Under special circumstances, where, for example, a smallpox hospital has not been used for years, and every precaution has been taken in the way of cleansing and disinfection, there is no reason, of the nature of apprehended risk of infection, why a Local Authority should not *in emergency* use such a hospital in which cases of smallpox have been treated for the reception of any other infectious disease which has become epidemic. Occasions arise where the Local Authority, as advised by the Medical Officer, must exercise their discretion in the utilisation of their resources to the best advantage. It is, of course, assumed that the Medical Officer will give *detailed* instructions as to cleansing and disinfection of the whole premises and especially to the destruction of rags and other debris such as are apt to be left in presses, cupboards, and corners,

and that he will *personally* see that his instructions have been carried out.

Process: Failure of a Local Authority to provide a Hospital.

In one case only since the Public Health (Scotland) Act, 1897, came into force have the Local Government Board found it necessary to present a Petition to the Court of Session for the purpose of compelling a Local Authority to provide Hospital Accommodation. The following is the Interlocutor and Opinion of the Lord Ordinary in the case.

Local Government Board *v.* Local Authority of Ayr.

Interlocutor.

Edinburgh, 1st April 1899. Act. Pitman, Alt. Hunter.

The Lord Ordinary officiating on the Bills having heard Counsel upon the Petition and Complaint of the Local Government Board for Scotland with the answers thereto for the Local Authority of the Burgh of Ayr, Nos. 1 and 7 of Process, and Considered the proceedings: Finds that the said Local Authority have neglected to do what was by Law required of them, in respect that they have failed to provide, furnish, and maintain for the use of the inhabitants of their district suffering from infectious disease, a temporary hospital as required by the Board in terms of Section 66 of the Public Health (Scotland) Act, 1897. Therefore Ordains the said Local Authority within 14 days from this date to submit for the approval of the Petitioners the said Local Government Board, plans shewing the temporary hospital accommodation proposed to be provided by them in terms of the said Section and thereafter to erect, furnish and maintain such temporary hospital on a site to be approved of by the Petitioners and to their satisfaction and decerns: Finds the Respondents, the said Local Authority, liable to the said Petitioners in expenses, allows an account thereof to be given in and remits the same, when lodged, to the Auditor of Court to tax and to report.

(Signed) Moir T. Stormonth Darling.

OPINION.

Lord Stormonth Darling.

I rather think that all I am called upon to deal with just now is the temporary hospital. This is a proceeding under the Public Health (Scotland) Act, 1897, Section 147, which deals with the case of a refusal, or neglect, by a Local Authority, to do what is required by Law of them; and the Local Government Board say that the Local Authority of the Burgh of Ayr have refused, or neglected to do what is required of them, because they have failed to provide a temporary hospital for infectious diseases in that Burgh, they having been required by the Board to do so. Section 66 undoubtedly makes the Board supreme in this matter, because, if they require the erection of such an hospital, the Local Authority have no option in the matter. They must then proceed to do so, having, no doubt, a certain discretion as to the kind of hospital they are to erect, whether temporary or permanent, but being bound, even in that matter, to submit to the opinion of the central Board both with regard to the site and the plans. Accordingly, it seems to me quite clear that there has been, and there is, down to this moment, a refusal or neglect by this Local Authority, to provide the temporary hospital which the Board have required them to provide, and which, the Board are still of opinion, is necessary, in the interests of public health. It is said that negotiations have been going on for the erection of a permanent hospital; with that I think I have nothing to do, because it does not appear that the very first condition for the erection of a permanent hospital, viz:—the approval of the plans, has taken place. If the Local Authority had been in course of erecting a permanent hospital, it might have been hard that they should be compelled to erect a temporary one, seeing there are other provisions in the Statute for dealing with cases of emergency; but there being nothing said with regard to the erection of a permanent hospital, and the Board tell me that, in their opinion, the erection of a temporary one is necessary, and that they have required it, it seems to me that the Local Authority are in neglect of their Statutory duty by failing to provide. Accordingly I shall find that the Local Authority have failed to do what is by Law required of them under Section 66 of the Public Health (Scotland) Act, 1897; and I shall ordain them within 14 days to submit plans for the erection of such an hospital, to the central Board, upon a site to be approved by the central Board, and thereafter to

provide, furnish, and maintain the hospital in the manner directed by the 66th Section.

I think the Local Government Board are entitled to their expenses.

Reception Houses—Board's Views as to Suitable Requirements.

During a Smallpox outbreak a necessary adjunct to the Smallpox Hospital is the "House of Reception." The Public Health (Scotland) Act, 1897, Section 66 (3), requires that "the site and plans for the construction" of houses of reception must be approved by us, and in this connection we had occasion to explain our views to a Local Authority with reference to the site and plans of a Reception House to be erected in a large town. 6th Annnal Report (1900), p. xxxix.

In our opinion Reception Houses ought to be entirely dissociated from hospitals for infectious disease. Such hospitals are properly suburban, whereas houses of reception ought to be urban, convenient to the ordinary residences of the persons who may most probably be required to use them. They are not prisons, but places substituted for ordinary residences from which inmates may go in and out so long as they are in health and in person and clothing free from infection. The only difference, or the essential difference, between life in a Reception House and at home is that in the former case the inmate lives under skilled observation. We pointed out, in some cases, that the plans submitted partook too much of the nature of barracks. There was no suggestion of home about them, and no provision for the accommodation of families. There was no other division of inmates than according to sex, and subject to that division they were thrown together. There were no rooms where parents and young children might sleep, or any possibility of separating the respectable artisan and his adult sons and daughters from the tramp or person of doubtful character. The best Reception Houses known to the Board are adapted from large self-contained houses, with sufficient free space adjoining to form an airing ground, and if it be necessary to erect a building on purpose this is the idea to be kept in view.

Employment of Nurses.

Under the Public Health Act of 1867, while there was no express authority to provide nurses, we did not doubt the *power* of the Local Authority to engage the services of 4th Annual Report (1898), p. xlv.

nurses whenever they deemed it necessary to do so. But their legal obligation only arose when that necessity was apparent to them; in short, when the failure to make such provision would have been a source of danger to the health of the inhabitants. Under Section 66 (1) (*d*) of the Act of 1897 there is no such restriction, but our consent is required to the employment of nurses to attend persons suffering from infectious disease in their own houses.

A Local Authority enquired of us whether, in every case of emergency, it was necessary to procure our sanction to the employment of a nurse. To require consent in each case would often frustrate the object in view—viz., the immediate and thorough isolation of the patient. In our view the intention of the Legislature was that it should be in our power to give a *general* sanction to the employment of nurses in very special local circumstances, such as exist in insular or remote sparsely-peopled districts intersected by arms of the sea.

Accordingly, in one case where application was made for our consent in terms of Section 66 (1) (*d*) of the Act, after satisfying ourselves (1) that such employment was not intended to supersede the existing arrangement with regard to hospital provision, and (2) that the average cost for nursing had in past years been small in proportion to the cost of hospital provision, we consented to the present system of employing temporary nurses as occasion requires for cases of infectious disease, subject to the condition that we reserved to ourselves the right to recall our consent if this should be found advisable.

In two other instances in Highland districts we consented to the employment of nurses for one year only in the meantime as an experiment, and called for a report from the Medical Officer of Health on the working of the arrangement at the end of the twelve months, which have not yet expired. Should these experiments give satisfaction, we shall be prepared to consider further schemes on a larger basis, as we think that, within reasonable limits, the larger the number of Local Authorities which combine for fever nursing the less will be the difficulty in meeting demands which may suddenly arise. At the same time we cautioned the Local Authorities that our consent was not to be construed as implying that the employment of nurses was a sufficient substitute for hospital accommodation for infectious disease within the districts of the respective Local Authorities, which they might be called upon to supply under the 66th Section of the Act.

Circular respecting the Obligations of Local Authorities with regard to Disinfection.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 1*st June* 1898.

Sir,—In continuation of the series of Circulars which the Board have issued from time to time since the passing of the Public Health (Scotland) Act, 1897, I am directed to draw the attention of Local Authorities to the new and comprehensive provisions dealing with disinfection.

The most important of these provisions is contained in Section 46, which empowers Local Authorities to establish disinfecting stations. The means hitherto at the disposal of sanitary officers, especially in rural districts, are now considered inadequate to ensure thorough disinfection; but this Section places it in the power of every Local Authority to provide all the necessary apparatus for disinfection or for the destruction, if necessary, of infected articles, and Sections 141 and 142 enable them to borrow for such purpose from the Public Works Loan Board on the same advantageous terms as for water supply or drainage works or for hospitals. It will also be observed that if the Board deem it necessary they may call upon a Local Authority to provide such means of disinfection, or two or more Local Authorities may combine to provide disinfecting apparatus, or contract to have the use of such appliances already provided by one of the contracting parties. To the public, who are entitled to its use free of charge, the advantages of a disinfecting station cannot be over-estimated, as it not only ensures thorough disinfection of such articles as bedding, but it may also prevent the destruction of articles which would otherwise have been destroyed.

Section 47 describes the procedure in dealing with infected houses or articles.

With regard to the bedding, clothing, or other infected articles which the Local Authority are empowered to remove for the purposes of disinfection, Section 48 provides that these must after disinfection be brought back and delivered to the owner free of charge, and that compensation shall be given for any unnecessary damage or for any articles destroyed.

Section 51 imposes a fine not exceeding £20 on any person who knowingly lets for hire, without previous disinfection to the satisfaction of the Medical Officer of Health, any house or part of a house in which a person has been suffering from

infectious disease. This Section applies equally to inns and hotels as well as to private houses.

A similar penalty is attached to the case of a person who, on ceasing to occupy a house in which a person has within six weeks previously been suffering from infectious disease, (*a*) fails to have the said house disinfected to the satisfaction of the Medical Officer, (*b*) fails to give the owner or occupier of such house notice of the previous existence of infectious disease, or, (*c*) on being questioned by the owner or occupier as to the same, knowingly makes a false answer to such question (Section 53). Under Sections 51 and 53 articles liable to retain infection must be disinfected or destroyed. It is noteworthy also that in these Sections the certificate must be that of the Medical Officer of Health. The Local Authority will further observe that the terms of Section 53 (2) are imperative. They must intimate, through their officers, the provisions of this Section to the occupier of any house in which they are aware that there is a person suffering from infectious disease.

Section 56 imposes *inter alia* a fine not exceeding £5 on any person who knowingly lends, sells, pawns, or otherwise exposes infected articles without previous disinfection.

In the special provisions of Section 57 as regards children attending school from houses where infectious diseases exist, the Statute reiterates the necessity for disinfection.

The preceding Sections have reference mainly to infected houses, and Section 59 provides for a similar procedure being carried out with regard to public conveyances and ships. In addition to these general provisions, there are special regulations (1) under Section 79, when the country is threatened with epidemic disease, and (2) under Sections 96 and 97, in connection with the supervision of common lodging-houses.

It will thus be seen that the Act of 1897 imposes upon Local Authorities powers and responsibilities even in this one branch of public health work greatly in advance of the requirements of the Act of 1867. The Board do not propose to suggest to Local Authorities any particular method of disinfection, or to adjudicate on the several processes now recommended by sanitary experts. The various modern systems and inventions are well known, and the Board consider that the selection of a system applicable to the special circumstances of a district is one on which each Local Authority should be guided by the advice of their own Medical Officer of Health.

The Board therefore take this opportunity of withdrawing their Circular of 3rd December, 1874, containing *inter alia*

Instructions and Directions as to disinfection of infected premises, clothing, bedding, etc., and for it this Circular is now substituted. The Board have every confidence in leaving to the discretion of each Local Authority, assisted by their sanitary officers, the details of a scheme of disinfection suitable to local requirements for carrying out these statutory provisions.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Circular relating to the use of Carbolic Acid as a Disinfectant.

Local Government Board,
Edinburgh, *2nd December* 1901.

Order of Council declaring Carbolic Acid a Poison.

Sir,—I am directed by the Local Government Board to enclose a copy of an Order, dated 26th July, 1900, made by the Privy Council approving a Resolution passed by the Pharmaceutical Society of Great Britain that liquid preparations of Carbolic Acid and its homologues containing more than three per cent. of those substances should, except in certain cases connected with agriculture and horticulture, be deemed poisons within the meaning of the Pharmacy Act, 1868, and the Second Part of Schedule A to that Act.

The Board have reason to believe that, in a very large number of cases where Local Authorities disinfect or procure the disinfection of premises and things which have been exposed to infection, the disinfectant employed is Carbolic Acid. They desire to take this opportunity, therefore, of pointing out that whenever the disinfectant employed is Carbolic Acid, or any other poison within the meaning of the Pharmacy Act, 1868, only bottles similar to those prescribed by the Regulations adopted by the Pharmaceutical Society of Great Britain, and approved by an Order of the Lords of the Council, dated the 31st January, 1899, should be used to contain it. A copy of the last-mentioned Order is also enclosed.

It is obvious that the same precautions as are enforceable when Carbolic Acid is *sold*, should be carried out when it is gratuitously distributed by Local Authorities. Poisonous

disinfectants should be distributed with caution and should be applied under the supervision or direction of the officials of the Local Authority. The Board desire further to point out that there are other disinfectants equal to Carbolic Acid in efficiency and superior in safety, and it is for the consideration of the Local Authority and their Medical Officer of Health whether it would not be advisable to use one or other of these in preference.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

[ENCLOSURE, No. I.]

AT the *Council Chamber, Whitehall,* the 26*th* day of *July,* 1900.

By the Lords of Her Majesty's Most Honourable Privy Council.

Present:

Lord President,
Secretary Sir M. W. Ridley,
Sir John Gorst.

WHEREAS by "The Pharmacy Act, 1868," section 2, it is enacted that the Council of the Pharmaceutical Society of Great Britain may from time to time, by Resolution, declare that any Article in such Resolution named ought to be deemed a poison within the meaning of that Act; and thereupon the said Society shall submit the same for the approval of the Privy Council, and that, if such approval shall be given, then such Resolution and approval shall be advertised in the London Gazette, and on the expiration of one month from such advertisement the Article named in such Resolution shall be deemed to be a poison within the meaning of that Act:

AND WHEREAS the Council of the Pharmaceutical Society of Great Britain did on the fourth day of July, one thousand nine hundred, resolve and declare, by virtue and in exercise of the powers vested in the Council of the Pharmaceutical Society of Great Britain, that liquid preparations of Carbolic Acid and its homologues containing more than three per cent. of those substances, except any preparation prepared for use as sheep-wash or for any other purpose in connection with agriculture or horticulture, and contained in a closed

vessel, distinctly labelled with the word "Poisonous," the name and address of the seller, and a notice of the agricultural or horticultural purpose for which the preparation has been prepared, ought to be deemed poisons within the meaning of the Pharmacy Act, 1868, and ought to be deemed poisons in the second part of the Schedule A of the said Pharmacy Act, 1868:

AND WHEREAS the said Society have submitted the said Resolution for the approval of the Privy Council, and the Lords of the Privy Council are of opinion that the said Resolution should be approved:

NOW, THEREFORE, their Lordships are hereby pleased to signify their approval of the said Resolution.

A. W. FITZROY.

[ENCLOSURE, No. II.]

AT the *Council Chamber*, *Whitehall*, the 31*st* day of *January* 1899.

By a Committee of the Lords of Her Majesty's Most Honourable Privy Council.

Present:

Lord President,
Marquess of Lansdowne,
Sir John Gorst.

WHEREAS by Section 1 of "The Pharmacy Act, 1868," it is enacted that it shall be unlawful for any person to sell or keep open shop for retailing, dispensing, or compounding Poisons, or to assume or use the title "Chemist and Druggist," or Chemist or Druggist, or Pharmacist, or Dispensing Chemist or Druggist, in any part of Great Britain, unless such person shall be a Pharmaceutical Chemist or a Chemist and Druggist within the meaning of that Act, and be registered under that Act, and conform to such Regulations as to the keeping, dispensing, and selling of such Poisons as may from time to time be prescribed by the Pharmaceutical Society with the consent of the Privy Council:

AND WHEREAS the Pharmaceutical Society of Great Britain did, on the 11th day of January, 1899, adopt the following Regulations for the keeping, dispensing, and selling of Poisons within the meaning of "The Pharmacy Act, 1868,"

in accordance with the provisions set forth in Section 1 of that Act :—

"1. *That in the keeping of poisons, each bottle, vessel, box, or package containing a poison be labelled with the name of the article, and also with some distinctive mark indicating that it contains poison.*

"2. *Also that in the keeping of poisons, each poison to be kept on one or other of the following systems, viz. :—*

"(a) *In a bottle or vessel tied over, capped, locked, or otherwise secured in a manner different from that in which bottles or vessels containing ordinary articles are secured in the same warehouse, shop, or dispensary ; or*

"(b) *In a bottle or vessel rendered distinguishable by touch from the bottles or vessels in which ordinary articles are kept in the same warehouse, shop, or dispensary ; or*

"(c) *In a bottle, vessel, box, or package kept in a room or cupboard set apart for dangerous articles.*

"3. *That in the dispensing and selling of poisons, all liniments, embrocations, and lotions containing poison be sent out in bottles rendered distinguishable by touch from ordinary medicine bottles, and that there also be affixed to each such bottle (in addition to the name of the article, and to any particular instructions for its use) a label giving notice that the contents of the bottle are not to be taken internally.*"

AND WHEREAS the said Society has submitted the said Regulations for the consent of the Privy Council :

NOW, THEREFORE, the Lords of the Council are hereby pleased to signify their consent to the said Regulations.

A. W. FITZROY.

Circular as to the Interpretation of Section 57 of the Public Health (Scotland) Act, 1897.

LOCAL GOVERNMENT BOARD,
EDINBURGH, *7th July* 1898.

Sir,—Within the past few months the Board have been frequently asked for their opinion and advice as to the interpretation of Section 57 of the Public Health (Scotland) Act, 1897, and the respective obligations of Local Authorities and School Boards in connection therewith ; they therefore

deem it advisable to draw the attention of Local Authorities generally to this important subject.

There appears to be a general impression that the provisions of Section 57 as to the prohibition of children from attending school who are or have been suffering from infectious disease or who reside in a house where such disease exists or has existed within a period of three months, apply only to the diseases specified in the Infectious Disease (Notification) Act, 1889. These diseases are Smallpox, Cholera, Diphtheria, Membranous Croup, Erysipelas, Scarlatina or Scarlet Fever, and the fevers known as Typhus, Typhoid, Enteric, Relapsing, Continued, and Puerperal. In the opinion of the Board the Section applies, but is not limited, to the above-named diseases. The Board hold that the Section extends to infectious diseases generally, and that Measles and Whooping-cough, for example, are infectious diseases within the meaning of Section 57. The fact that these two diseases are not expressly named in the said Act of 1889 does not, in the opinion of the Board, affect the procedure under the Public Health Act.

As regards the procedure to be followed by Local Authorities in administering this Section, the Board do not anticipate any difficulty with regard to the notifiable diseases. When a notification is received inquiry should be made, and, if it be found that any child in the infected house is attending school, the attention of the parent or guardian should be directed to the provisions of Section 57, and intimation of the case should be given to the Clerk to the School Board or to the head teacher of the school.

It is evident that information cannot be afforded with the same completeness in the case of non-notifiable diseases, but, when there is reason to believe that such cases exist in the district, the Local Authority should intimate to the School Board or to the teachers any cases which may come to their knowledge. They should also, by means of handbills, issue a warning that children who are or have been suffering from infectious disease must not be allowed to attend school until they can produce to the teacher a certificate that they are free from infection, and that the house, etc., has been disinfected to the satisfaction of the Medical Officer of Health or of a medical practitioner.

The Local Authority should explain that the certificate may be given by any legally qualified medical practitioner, and also that the Medical Officer of Health (giving his name and address), if acquainted with the facts of the case, will grant such certificate free of charge.

The handbills should further state that all persons contravening the aforesaid statutory provisions are liable to a penalty not exceeding forty shillings.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Similar Provision in Glasgow Local Act.

4th Annual Report (1898), p. xxxix.

As a similar statutory provision had been for some years in force in Glasgow under the Glasgow Police Amendment Act, 1890, we asked that Local Authority to favour us with a brief statement of the procedure under their local Act, which we have inserted in the Appendix for the information and guidance of Local Authorities.

Statement referred to above.

4th Annual Report (1898), App. A, pp. 151-2.

Explanatory Statement by Dr. Russell, late Senior Medical Officer of Health of Glasgow, as to Procedure under Section XII. of the Glasgow Amendment Act, 1890, in connection with School Children and Infectious Disease.

City of Glasgow.

Glasgow Amendment Act, 1890. Section XII.

"Every parent or person having care or charge of a child who is or has been suffering from infectious disease, or who resides in a house where such disease exists or has existed within a period of three months, who shall knowingly or negligently permit such child to attend school without procuring and producing to the teacher or person in charge of such school a certificate from the Medical Officer, which he shall grant free of charge, or from some legally qualified medical practitioner, that such child has become free from disease and infection, and that the house and everything therein exposed to infection has been disinfected to the satisfaction of the Medical Officer or some legally qualified medical practitioner, shall be liable to a penalty not exceeding forty shillings."

Procedure.

To obviate any tendency to regard the term "infectious

disease" as limited for any purpose excepting that of the Notification Act, the Sanitary Department of the City of Glasgow specially point out in a pamphlet, entitled "The Law about Infectious Diseases," a copy of which is left at every house where infectious disease exists, that excepting in that Act the phrase includes *all* infectious diseases. In my opinion this is specially necessary, as the enforcement of the school clauses is really the only practical means of resisting the extension of measles. It will be observed that in this pamphlet the school clauses of our local Act, from which the clauses in the Public Health Act, 1897, are taken, are given *in extenso*, so that these powers have been thoroughly made known to the people and kept under their knowledge.

Each epidemic inspector is provided with a book of forms, each leaf of which consists of three parts—(1) a notification of infectious disease to head teacher embodying the terms of the Act; (2) a notice of disinfection to head teacher—"clearance line;" (3) a counterfoil, which remains. In the course of his rounds, as a matter of routine, in every case a note is made of children attending school who are themselves ill or who belong to the same family as the person who is ill. Each evening he goes over his notebook and fills up (1) as to the existence of infectious disease, which is delivered to the teacher, so that the element of knowledge in the event of contravention is provided for. If the case is removed to hospital, and other children are attending school, fourteen days are allowed to elapse before (2) the "clearance line" is issued. If the case is treated at home, then the "clearance line" is not issued until recovery and the final disinfection, which is almost invariably carried out by us. These "clearance lines" are delivered to the parents, and every day a list of the names and addresses of the children on whose behalf they have been issued is sent to the School Board, so that the Attendance Officers may be aware that the excuse for absence arising from infectious disease no longer exists. The official "clearance line" is not issued unless disinfection is carried out by the Local Authority, and as to the patient, unless a recognised period from the inception of the case has elapsed. In the case of measles this is three weeks, and of scarlet fever six weeks *at least*. Clearance certificates from private practitioners are very seldom used, and when such a line is presented teachers frequently send it on to me to ascertain if it is legitimate. If from the information obtained by the epidemic inspectors I know that the "clearance line" has been granted with undue precipitancy, as shewn by the duration of illness, or, as frequently happens in the case of

scarlet fever, from continuance of desquamation, I communicate privately with the medical attendant, stating that I cannot accept his certificate, and the reason.

J. B. Russell, M.D., LL.D.,
Medical Officer of Health.

Glasgow, 11*th March* 1898.

IV. INFECTIOUS DISEASE.

Circular intimating repeal of Public Health Act of 1896 as regards Scotland, and re-issuing Regulations as to Cholera, Yellow Fever, and Plague.

LOCAL GOVERNMENT BOARD,
EDINBURGH, *3rd January* 1898.

Sir,—I am directed by the Local Government Board for Scotland to transmit, for the information and guidance of the Local Authority, the accompanying copy in duplicate of an Order containing Regulations issued by the Board in pursuance of their powers under Part IV. of the Public Health (Scotland) Act, 1897.

As the Local Authority are aware, the Board's Order of 7th November 1896 was issued in terms of the Public Health Act of 1896; but this Act has been repealed so far as it relates to Scotland, and its provisions incorporated in Part IV. of the new Public Health Act. The accompanying Order, therefore, has the effect merely of continuing in force the Regulations already issued.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

General Order containing Regulations as to Cholera, Yellow Fever, and Plague.

To all Local Authorities in Scotland, within whose District there is a Port or Harbour:—
To all Officers of Customs:—
To all Medical Officers of Health of the Local Authorities aforesaid:—
To all Masters of Ships:—
To all Pilots:—
And to all others whom it may concern.

WHEREAS, We, the Local Government Board for Scotland, by an Order bearing date the 7th day of November, 1896, did make certain Regulations;

N.B.—*See* also the Regulations of the Venice Convention with regard to Plague, page 140 *et seq.* *See* also page 138 *post.*

And Whereas the Public Health Act, 1896, 59 and 60 Victoria, chapter 19, under which the aforesaid Order was made, has been repealed (except the repeals therein contained) in so far as it relates to Scotland, by the Public Health (Scotland) Act, 1897, 60 and 61 Victoria, chapter 38; and the said Order ceased to have any effect or force from and after the 1st day of January, 1898;

And Whereas We are empowered by Section 78 of the aforesaid Public Health (Scotland) Act, 1897, from time to time to make, alter, and revoke such Regulations as to Us may seem fit, with a view to the treatment of persons affected with any epidemic, endemic, or infectious disease, and preventing the spread of such diseases as well on the seas, rivers, and waters of Scotland, and on the high seas within three miles of the coast thereof, as on land; and may declare by what authority or authorities such Regulations shall be enforced and executed;

And Whereas by Section 85 of the Public Health (Scotland) Act, 1897, it is enacted that Regulations of the Local Government Board for Scotland, in pursuance of Part IV. of the said Act, may provide for such Regulations being enforced and executed by the Officers of Customs and the officers and men employed in the Coastguard, as well as by other authorities and officers, and without prejudice to the generality of the powers conferred by Part IV., may provide for:—

(*a*) The signals to be hoisted by vessels having any case of epidemic, endemic, or infectious disease on board; and

(*b*) The questions to be answered by masters, pilots, and other persons on board any vessel, as to cases of such disease on board during the voyage or on the arrival of the vessel; and

(*c*) The detention of vessels and of persons on board vessels; and

(*d*) The duties to be performed in cases of such disease by masters, pilots, and other persons on board vessels.

Provided that the Regulations shall be subject to the consent:—

(*a*) So far as they apply to the Officers of Customs, of the Commissioners of Her Majesty's Customs; and

(*b*) So far as they apply to officers or men employed in the Coastguard, of the Admiralty; and

(*c*) So far as they apply to signals, of the Board of Trade.

And Whereas it is expedient that the Regulations made by the said Order in terms of the Public Health Act, 1896, should now be re-issued in exercise of the powers conferred on Us by the Public Health (Scotland) Act, 1897, and every other power enabling Us in that behalf; And whereas the Commissioners of Her Majesty's Customs, the Lords of the Admiralty, and the Board of Trade have respectively signified their consent to such Regulations so far as they respectively apply to the Officers of Customs and to signals;

NOW THEREFORE, We, the Local Government Board for Scotland, do hereby re-issue the following Regulations and Declare that they shall be enforced and executed by the Authorities and Officers hereinafter mentioned:—

Part I.

Art. 1.—In this Order—

The term "Ship" includes any sailing or steam ship, vessel, or boat not belonging to Her Majesty or any foreign Government;

The term "Officer of Customs" includes any person acting under the authority of the Commissioners of Her Majesty's Customs;

The term "Master," used in relation to a ship, includes the officer, pilot, or other person for the time being in charge or command of the ship;

The term "Cholera" includes Choleraic Diarrhœa;

The term "Local Authority" has the same meaning as in the Public Health (Scotland) Act, 1897;

The term "Medical Officer of Health" includes any duly qualified Medical Practitioner appointed or employed by a Local Autthority to act in the execution of this Order;

The term "Infected" means infected with Cholera, Yellow Fever, or Plague: Provided that every ship shall be deemed infected in which there is or has been during the voyage, or during the stay of such ship in the port of departure, or in a port in the course of such voyage, any case of Cholera, Yellow Fever, or Plague.

Part II.

Art. 2.—(1) The Officer of Customs who, on the arrival of any ship from foreign, shall visit the ship, shall ascertain, so far as possible, whether such ship is infected, and if he have

any reason to suspect that the ship is infected, or has come from any infected place, shall require the Master of the Ship, or the Surgeon, if the Ship carries a Surgeon, to give (in writing under his hand, and in the form hereunto appended, or in a form to the like effect) a true answer to the following question :—

Question.—Has any case or suspected case of
Cholera
Yellow Fever, or
Plague
occurred in the ship , of which you are , during the voyage from , or during the stay of the ship in that port, or in any other port in the course of the voyage?

Answer.— cases or suspected cases of occurred on board the during the voyage from [or during the stay of the ship in the port of],

or

No case or suspected case of Cholera, Yellow Fever, or Plague occurred on board the during the voyage from , or during the stay of the ship in that port, or in any other port in the course of the voyage.

Signed

Master [or Surgeon] of the

(2.)—The Officer of Customs who, on the arrival of any ship from foreign, shall visit such ship, shall, if he find or have reason to suspect that the ship is infected, detain such ship, and order the Master forthwith to moor or anchor the same in such position as such Officer of Customs shall direct; and thereupon the Master shall forthwith moor or anchor the ship accordingly.

Art. 3.—Whilst such ship shall be so detained, no person (other than an Officer of Customs or a person acting in the execution of this Order) shall leave the same.

Art. 4.—The Officer of Customs detaining any ship as aforesaid shall forthwith give notice thereof, and of the cause of such detention, to the Local Authority of the place where such ship is lying.

Art. 5.—Such detention by the Officer of Customs shall cease as soon as the ship shall have been duly visited and

examined by the Medical Officer of Health; or if the ship shall, upon such examination, be found to be infected, as soon as the same shall be moored or anchored, in pursuance of Article 10.

Provided that, if the examination be not commenced within twelve hours after the ship shall have been moored or anchored, in pursuance of sub-division 2 of Article 2, the ship shall, on the expiration of the said twelve hours, be released from detention.

Part III.

Art. 6.—Every Local Authority within whose district persons are likely to be landed from ships coming foreign shall, with the approval of the Chief Officer of Customs of the port, fix some place where any ship may be moored or anchored, for the purpose of Article 10; and shall make provision for the reception of patients and persons suffering from Cholera, Yellow Fever, and Plague, and removed under Articles 13 and 14.

In the case of any Local Authority within whose district or jurisdiction there is, in the opinion of the Local Authority and of the Chief Officer of Customs of the port, no place where a ship can be moored or anchored safely or suitably for the purpose of this Article, such Local Authority may fix some place without such jurisdiction or district, but as near thereto as possible, wherein a ship may be moored or anchored for the purpose of Article 10 hereof. Provided that no such place shall be fixed without the consent of the Local Authority within whose jurisdiction or district the said place is situate, and that in the event of such consent being refused the first mentioned Local Authority may, in their discretion, refer the matter to Us, whose decision on any or all the points in dispute (without prejudice to any other course provided by law) shall be final; and any expenses incurred by either Local Authority in carrying into effect the provisions of this Article shall be chargeable to the Local Authority for whom such place of anchorage is provided within the terms of this Article.

Provided also that where, in pursuance of the Order of the Privy Council of the ninth day of September, One thousand eight hundred and ninety-three, or of any Order by the said Order revoked, or of any Order under the Public Health Act, 1896, places have been fixed for the mooring or anchoring of ships; for the purposes of the Regulations contained in any of such Orders, such places shall be deemed to have been so fixed in pursuance of and for the purposes of this Order.

Art. 7.—The Local Authority, on notice being given to them by an Officer of Customs under Article 4, shall forthwith cause the ship in regard to which such notice shall have been given to be visited and examined by their Medical Officer of Health, for the purpose of ascertaining whether such ship is infected.

Art. 8.*—The Medical Officer of Health, if he have reason to suspect that any ship coming or being within the jurisdiction or district of the Local Authority, whether examined by the Officer of Customs or not, is infected, shall, or, if he have reason to suspect that the ship has come from an infected place, may visit and examine such ship, for the purpose of ascertaining whether such ship is infected, and may make the like visit and examination in the case of any ship coming or being within the jurisdiction of the Local Authority which has come from an infected place. The Master of any such ship shall permit the same to be so visited and examined.

The Master of any such ship shall also, on being required so to do by the Medical Officer of Health, cause the ship to be brought to, and, if necessary, moored or anchored in some convenient place while the same shall be visited and examined; but due regard shall be had to the safety of the ship and to the convenience of navigation.

Art. 9.—If the Medical Officer of Health, on making such examination as aforesaid (whether under Article 7 or under Article 8), shall be of opinion that the ship is infected, he shall forthwith give a certificate in duplicate in the following Form, or to the like effect, and shall deliver one copy to the Master, and retain the other copy or transmit it to the Local Authority. He shall also give to Us information as to the arrival of the ship, and such other particulars as We may require.

Certificate.

_____ *day of* _____ 189 .

LOCAL AUTHORITY OF _____.

I hereby certify that I have examined the ship , of , now lying in the Port of [*or detained at*], and that I find that such ship is infected with [Cholera, or Yellow Fever, or Plague].

Signed

Medical Officer of Health [or Medical Practitioner appointed or employed by the Local Authority].

* *See* pages 130 and 132 *vost.*

Art. 10.—The Master of any ship so certified to be infected shall thereupon moor or anchor such ship at the place fixed for that purpose under Article 6, and such ship shall remain there until the requirements of this Order have been duly fulfilled.

Art. 11.—No person (other than an Officer of Customs or a person acting in the execution of this Order) shall leave any such ship until the examination hereinafter mentioned shall have been made.

Art. 12.—The Medical Officer of Health shall, as soon as possible after any such ship has been certified to be infected, examine every person on board the same, and in the case of any person suffering from Cholera, Yellow Fever, or Plague, or from any illness which the Medical Officer of Health suspects may prove to be Cholera, Yellow Fever, or Plague, shall certify accordingly.

Art. 13.—Every person certified by the Medical Officer of Health to be suffering from Cholera, Yellow Fever, or Plague, shall be dealt with under any Bye-laws that may have been made by the Local Authority under Section 180 of the Public Health (Scotland) Act, 1897; or, where no such Bye-laws shall have been made, shall be removed, if his condition admit of it, to some hospital or other suitable place appointed for that purpose by the Local Authority; and no person so removed shall leave such hospital or place until the Medical Officer of Health shall have certified that such person is free from the said disease.

If any person so certified to be suffering from Cholera, Yellow Fever, or Plague cannot be removed, the ship shall remain subject, for the purposes of this Order, to the control of the Medical Officer of Health; and such person shall not be removed from or leave the ship, except with the consent in writing of the Medical Officer of Health.

Art. 14.—Any person certified by the Medical Officer of Health to be suffering from any illness which such Officer suspects may prove to be Cholera, Yellow Fever, or Plague, may either be detained on board the ship for any period not exceeding two days, or be taken to some hospital or other suitable place appointed for that purpose by the Local Authority, and detained there for a like period, in order that it may be ascertained whether the illness is or is not Cholera, Yellow Fever, or Plague.

If any such person, while so detained, shall be certified by the Medical Officer of Health to be suffering from Cholera, Yellow Fever, or Plague, the provisions of Article 13 shall apply.

Art. 15.—No person on board such a ship as is mentioned in Article 12, who has not been certified as required by that Article, shall be permitted to land unless he satisfy the Medical Officer of Health as to his name, intended place of destination, and intended address at such place.

Such name, intended place of destination and address shall forthwith be given by the Medical Officer of Health to the Clerk to the Local Authority, and such Clerk shall thereupon transmit the same to the Local Authority of the District in which such intended place of destination is situate.

Every such person who, within forty-eight hours after landing, shall arrive at any place of destination or address other than such place or address as aforesaid, shall forthwith, upon such arrival, notify in writing his place of destination and address to the Medical Officer of Health of the Local Authority, or to the Local Authority of the District in which such place is situate.

Art. 16.—The Medical Officer of Health shall, in the case of every ship certified to be infected, give directions and take such steps as may appear to him to be necessary for preventing the spread of infection, and the Master of the said ship shall forthwith carry into execution such directions as shall be so given to him.

Art. 17.—In the event of any death from Cholera, Yellow Fever, or Plague taking place on board such ship while detained under Article 10, the Master shall, as directed by the Local Authority or the Medical Officer of Health, either cause the dead body to be taken out to sea and committed to the deep, properly loaded to prevent its rising, or shall deliver it into the charge of the said Authority, who shall thereupon cause the same to be otherwise lawfully and properly disposed of.

Art. 18.—The Master shall cause the clothing and bedding and other articles of personal use likely to retain infection, which have been used by any person who may have suffered from Cholera, Yellow Fever, or Plague on board such ship, or who, having left such ship, shall have suffered from Cholera, Yellow Fever, or Plague during the stay of such ship in any Port, to be disinfected or destroyed; and if the Master shall have neglected to do so before the ship arrives in Port, he shall forthwith, upon the direction of the Local Authority or the Medical Officer of Health, cause the same to be disinfected or destroyed, as the case may require; and if the said Master neglect to comply with such direction within a reasonable time, the Local Authority shall cause the same to be carried into execution.

Art. 19.—The Master shall cause the ship to be disinfected, and every article therein, other than those last described, which may probably be infected, to be disinfected or destroyed, according to the directions of the Medical Officer of Health.

Art. 20.—Where a ship is not ascertained or certified to be infected, but has passengers on board who are in a filthy or otherwise unwholesome condition, or has come from a place infected with Cholera, Yellow Fever, or Plague, the Medical Officer of Health may, if in his opinion it is desirable with a view to checking the introduction or spread of Cholera, Yellow Fever, or Plague, give a certificate in duplicate in the following form, or to the like effect, and shall deliver one to the Master, and retain the other or transmit it to the Local Authority.

Certificate.

_____ *day of* _____ 189 .

LOCAL AUTHORITY OF _____

I hereby certify that I have examined the ship from now in the port of and that such ship has passengers on board in a filthy or otherwise unwholesome condition [*or* has come from an infected place], and that, in my opinion, it is desirable, with a view to checking the introduction or spread of Cholera, Yellow Fever, or Plague, that the persons on board such ship should not be allowed to land unless they satisfy me as to their names, places of destination, and addresses at such places.

Signed

Medical Officer of Health [or Medical Practitioner appointed or employed by the Local Authority].

Art. 21.—When such certificate has been given, no person on board the ship shall leave or be allowed to leave the same unless he satisfy the Medical Officer of Health as to his name, intended place of destination and intended address at such place; and such name and intended place of destination and address shall forthwith be given by the Medical Officer of Health to the Clerk to the Local Authority, and such Clerk shall thereupon transmit the same to the Local Authority of the District in which such intended place of destination is

situate. Every such person who, within forty-eight hours after landing, shall arrive at any place of destination or address other than such place or address as aforesaid, shall forthwith, upon such arrival, notify in writing his place of destination and address to the Medical Officer of Health of the Local Authority or to the Local Authority of the District in which such place is situate.

Art. 22.—If the Medical Officer of Health have reason to believe that any ship coming or being within the jurisdiction of the Local Authority is infected, or has come from an infected place, he may direct all bilge water and water ballast to be pumped out in some suitable place before such ship enters any Dock or Basin; provided that in every case where there may be reasonable cause to apprehend that the ship may be endangered by the removal of the water ballast, the Medical Officer of Health may cause any tank or other receptacle containing the water ballast to be sealed, and thenceforward, so long as the ship remains within the jurisdiction of the Local Authority, no person shall, without the permission of the Medical Officer of Health, break or remove such seal, or discharge or remove from such tank or receptacle any part of the water ballast. On the Local Authority providing a proper supply of water for drinking or cooking purposes for persons on board any such ship, the Medical Officer of Health may direct all casks or tanks on board the ship containing water for the use of such persons to be emptied and cleansed, and the Master shall cause the said direction to be carried into effect.

Art. 23.—The Master of any ship, or any other person, shall answer truly all such questions put to him by and give all such information to any Officer of Customs or Medical Officer of Health as may be necessary for any purpose of this Order; and no person who is required, in pursuance of this Order, to give to the Medical Officer of Health, or to notify to any Local Authority the name and intended place of destination and address of such person, shall knowingly give or notify a false or fictitious name, place of destination, or address, or refuse to give or notify as aforesaid the true name, intended place of destination, and address of such person.

Art. 24.—The Local Authority may appoint one or more legally qualified medical practitioners to act in the execution of this Order, either in place of or as an assistant or assistants to the Medical Officer of Health, and may pay such practitioner or practitioners reasonable remuneration for his or their services.

Part IV.

Art. 25.*—The Master of every ship infected with Cholera, Yellow Fever, or Plague shall, when within three miles of the coast of any part of Scotland, cause to be hoisted at the mast-head, or where best seen, a large flag of yellow and black, borne quarterly, and shall keep the same displayed during the whole of the time between sunrise and sunset; and no person (other than an Officer of Customs, or a person acting in the execution of this Order) shall leave such ship until after such visit of the Officer of Customs as is mentioned in Article 2, or until after the visit of the Medical Officer of Health in pursuance of Article 8.

Part V.

Art. 26.—Nothing in this Order shall render liable to detention, disinfection, or destruction any article forming part of any mail (other than a parcel mail) conveyed under the authority of the Postmaster-General, or of the Postal administration of any Foreign Government, or shall prejudicially affect the delivery in due course of any such mail (other than a parcel mail) to the Post Office, in accordance with the provisions of the Post Office Acts.

Given under the Seal of Office of the Local Government Board for Scotland, this first day of January, in the Year One thousand eight hundred and ninety-eight.

(L.S.)

MALCOLM M'NEILL,
Vice-President.

G. FALCONAR-STEWART,
Secretary.

NOTICE.—The Public Health (Scotland) Act, 1897, provides by Section 87 that if any person wilfully neglects or refuses to obey or carry out, or obstructs the execution of any Regulation made under Part IV. of the aforesaid Act, he shall be liable to a penalty not exceeding *One Hundred Pounds*, and in the case of a continuing offence to a further penalty not exceeding *Fifty Pounds* for every day during which the offence continues; and any such penalty shall be recoverable with expenses at the instance of the Lord Advocate on behalf of the Board, or by any Local Authority with the consent of the Board, in any competent Court.

Date of publication in the Edinburgh Gazette,
4th January 1898.

* *Note.*—By an amending Order dated 24th December, 1902, Article 25 is amended so as to provide that infected ships shall, in addition to the day signal, carry a night signal consisting of three lights which shall be arranged at a distance of not less than six feet apart, in the form of an equilateral triangle, and of which the light at the apex of the triangle shall be white, and the other lights at the ends of the base of the triangle shall be red in colour.

Circular as to notifying cases of Cholera, Yellow Fever, and Plague.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 10*th October*, 1901.

Sir,—In connection with the Board's Order of 1st January 1898,* and relative Regulations as to Cholera, Yellow Fever, and Plague, I am directed to remind the Local Authority of the Board's instruction of 18th January 1900† calling upon Medical Officers of Health to report forthwith to them and to the Local Authority every case of *Smallpox* or *Suspected Smallpox* occurring within their districts, and to inform them that the Board do now further require Medical Officers of Health to similarly report forthwith to the Board and to the Local Authority every case or suspected case of *Cholera*, *Yellow Fever*, or *Plague*, which may come to their knowledge.

I have transmitted a Copy of this Circular direct to the Medical Officer for his information and attention when occasion requires.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

Circular as to preparedness of Seaboard Local Authorities to cope with possible introduction of Cholera.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 16*th August*, 1902.

CHOLERA.

Sir,—In view of the spread of Cholera in Egypt, the Board desire to impress upon all Local Authorities, and especially upon seaboard Local Authorities, the necessity for readiness and vigilance.

They have to direct the attention of Local Authorities within whose district there is a Port or Harbour to the Order of 1st January 1898,* and the Regulations therein contained.

The Board would remind all Local Authorities of their duty to see that their district is at all times kept free of nuisances and all insanitary conditions. Districts where the Local Authority have habitually neglected their duties and

* *Vide* Circular, page 115, *ante*. † *Vide* Circular, pages 173 & 176, *post*.

permitted nuisances to continue are those which present a congenial soil for the organism of Cholera, and in which there is the greatest likelihood of the spread of the disease should a case be casually imported. When the infection has reached this country, local action in such districts is taken more or less under the influence of panic. It is precipitate, costly, and ineffective. The only means of establishing a state of thorough preparedness is by the steady performance from year to year of statutory duty. In the case of Cholera, a pure water supply, the provision of proper conveniences, their care and cleansing, systematic public scavenging, and all measures tending to the prevention of excremental nuisance are of prime importance.

With regard to Hospital accommodation for cases of Cholera, the Board take this opportunity of stating that Local Authorities who have provided Hospitals for the use of the inhabitants of their district suffering from the ordinary infectious diseases may with safety under proper supervision set aside an isolated portion for the reception of cases of Cholera. It is to be remembered, however, that persons suffering from this rapidly progressing and exhausting disease cannot be transported to any distance without injury, and that the risk of the dissemination of infective matters during transport is great.

A copy of this Circular has been sent to the Medical Officer of Health for his information.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Circular as to preparedness of Seaboard Local Authorities to cope with the possible introduction of Plague. This Circular was issued in view of the Outbreak at Oporto.

Local Government Board,
Edinburgh, 24*th August* 1899.

Confidential.

Sir,—In view of the existence of Bubonic Plague on the Continent, the Board have directed their Inspecting Officers to visit all Ports in their respective districts, and to report on

the preparations which have been made, or which may be required, to meet the disease if it should be imported.

I am therefore to request that your attention may be meantime directed to the subject, and I enclose for your private information a copy of the heads of the enquiry which the Inspecting Officers have been directed to make.

In case any matters should be present to your mind in connection with the general sanitary condition of the area under your charge (water supply, nuisances, &c.), which appear to you to demand attention, you will no doubt take the opportunity of bringing them to the notice of the Inspecting Officer.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Medical Officer of the Local Authority.

Form of Report of Port Sanitary Inspection.

Date of Inspection _____ 189 .

Name of Port

Local Authority

Customs Port

Name and Address of Chief Officer of Customs

1. *Brief General Description.*

2. *Ports from whence Ships arrive.*

   Foreign

   Coastwise

3. *General Character of Trade.*

   Foreign

   Coastwise

4. *Medical Officer of Health.*—Name.

   Qualifications. Salary.

5. *Sanitary Inspector.*—Name.

   Qualifications. Salary.

Special Staff for Ordinary Port-work.

6. Nature and Amount of Ordinary Port-work—say last year. (Vessels inspected—Nuisances dealt with, &c.)

7. *Isolation Hospital.*—Date of erection. Distance from shipping. General nature and amount of accommodation. Conveyance to Hospital. Permanent Staff, including arrangements for medical attendance. Washing, disinfection, destruction.

8. *Disinfecting Apparatus.*—Character—Distance from shipping.

9. *Mortuary.*—Situation. Character.

10. *Bye-laws under Section* 180 *Public Health (Scotland) Act*, 1897.

Arrangements made to carry out the Board's Order, dated 1st *January* 1898:—*

(*a*) Customs Boarding Station or Stations:—

(*b*) Arrangements as to detention of vessels by Officers of Customs and Coastguard and by Pilots:—

(*c*) Arrangements for communication between Officials detaining vessels and Medical Officer of Health:—

(*d*) Means provided, or facilities given, for conveyance of Medical Officer of Health to ships—steam launch—boat—property of Local Authority or otherwise:—

(*e*) Mooring Station:—(? Satisfactory.) (If the Mooring Station be not yet selected, be about to be altered, or has been appointed in disregard of necessary procedure, the Inspector should obtain from the Customs and other local people information as to the most appropriate site for a Mooring Station.)

(*f*) Inspection of vessels ("infected" or from "infected port"):—

(*g*) Examination of persons on vessels ("infected" or from "infected port"):—

(*h*) Address Book:—

(*i*) Special Isolation Provision:—

(*k*) Arrangements for isolation of suspected persons:—

(*l*) Means provided for transfer of infected persons from ship to hospital.

(*m*) Arrangements made for disinfection of (a) clothes, (b) ship, (c) goods:—

(*n*) Arrangements made as to the disposal of the dead:—

* *See* pages 115-125 *ante*.

(*o*) Action as to water supply of vessels from infected ports:—

(*p*) Action as to bilges of vessels from infected ports:—

Observations and Comments on PARTICULAR Sanitary Conditions or POINTS NOT SPECIFIED in foregoing.

The Inspecting Officer is requested to meet with the Local Authority, their Clerk and Sanitary Officers, to point out wherein their arrangements are defective, and to discuss and advise how they may be improved. Precis of defects thus pointed out, of advice given and measures proposed, to be given here.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 23*rd August* 1899.

Circular as to Precautions against Introduction of Plague.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 15*th January* 1900.

Sir,—Referring to the Board's Circular of 17th August last* as the existence of Plague in Portugal, and in view of the great importance of securing that the supervision of shipping by Sanitary Officers, and in particular the examination under Article 8† of the Board's Order of the 1st January 1898 of ships arriving from places known to be infected with Plague, should be carried out with especial care, I am directed to request the attention of the Local Authority to a General Order recently issued by the Commissioners of Customs to their Boarding Officers.

The object of the Customs Order is to make certain that in carrying out the Regulations of the Board the Medical Officer of Health shall receive the greatest possible assistance from Officers of Customs. Two copies of the Order are enclosed, and I am to request that one may be handed to the Medical Officer of Health, and that his particular attention may be drawn to its object and provisions.

It will be observed from Article 9 that, while the Customs Order is more particularly directed to Officers of Customs at ports in England and Wales, it applies equally to Scotland. In its application to this part of the United Kingdom any references to the Local Government Board Order of 9th November 1896 for England and Wales are to be read as references to the corresponding Order for Scotland, issued by this Board on 1st January 1898. The numbering of the Articles is the same in both Orders.

* Unnecessary to reprint here. † *See* page 120 *ante*.

It will be seen from Paragraph 4 of the Customs Order that the Officers of Customs will look to the Medical Officer of Health to inform them from time to time of any particular ports or countries, the vessels arriving from which the Medical Officer of Health may desire to visit; and, in this connection, I am to observe that the earliest information which would usually be available to this end is that which would be obtained by a regular examination of the news telegraphed from abroad for the purposes of the daily press. The Officers of Customs, having thus been communicated with, will then, on their part, give the Medical Officer of Health any information they may possess respecting the arrival, or impending arrival, of any ships from the ports or countries indicated. The Board are desirous that the Medical Officer of Health should avail himself to the full of this valuable assistance; and that, in view of the facilities offered him under Paragraphs 5 and 6 of the Customs Order, he should, on his part, use every effort so to carry out his duties as to cause the least possible inconvenience or delay to the Customs Officers in the discharge of their duties, and thus to obviate, as far as may be practicable, any ground of complaint on the part of the shipping interest.

I am to request that the Local Authority will at the same time consider whether their existing sanitary staff is adequate for the prompt performance of the duties thus devolving on the Medical Officer of Health in connection with the supervision of shipping generally in the district. It will be remembered that under Article 1* of the Board's Order of the 1st of January 1898, the term "Medical Officer of Health" in that Order includes any duly qualified medical practitioner appointed or employed by a Local Authority to act in the execution of the Order.

I am instructed to take this opportunity of reminding Medical Officers of Health of the peculiar facility given for the importation and dissemination of Plague by the circumstance that it affects the lower animals, and most especially rats, mice, and, by natural sequence, cats, and of the inquiries which ought therefore to be made as to evidences of disease among those animals on board ship, and the special importance of measures for their extermination, which may form a proper part of the directions authorised to be given by Medical Officers of Health under Article 16 of the Order.†—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

* *See* page 117 *ante.*

† *See* page 152 *post.*

(Enclosure—General Order issued by Commissioners of Customs.)

Further Precautions against the Introduction of Plague.

Custom House,
London, 31*st October* 1899.

(1.) By recent Circulars, 17th August, $\frac{10396}{1899}$; 25th August, $\frac{10728}{1899}$; 4th October, $\frac{12297}{1899}$, and of which printed copies are appended, the Board have drawn the attention of the Department to the necessity for the exercise, at the present time, on the part of Boarding Officers, of the utmost vigilance with a view to preventing the introduction of Plague by means of Vessels reaching British Ports from abroad.

(2.) These instructions the Board now desire to emphasise, by directing Collectors and other Officers in charge of Ports to impress upon responsible Boarding Officers the importance of always working in complete harmony and co-operation with the Medical Officers of Health of the Port Sanitary Authorities at the respective Ports.

(3.) In this connection, particular attention is to be given to Article 8* of the Local Government Board Order dated the 9th November, 1896, issued with General Order $\frac{63}{1896}$, which empowers local Medical Officers of Health who have reason to suspect that any ship either

(*a*) is infected, or

(*b*) has come from an infected place,

to visit and examine such ship *whether she has already been "examined by the Officers of Customs or not."*

(4.) The more immediate object of this Order is to make it clear to Boarding Officers that, in any case where a Medical Officer of Health informs them that he desires to visit all ships arriving from a particular Port or Country designated by him, it is expected of the Boarding Officers that, without interfering with their duties under General Order $\frac{63}{1896}$ or any subsequent similar directions, they will give to the Medical Officer of Health any information which they may possess, or which may come to them in the course of their duties, respecting the arrival or impending arrival of any ship from such Port or Country, "with a view to the adoption of whatever special precautions may be deemed to be necessary" by the Medical Officer of Health (see Circular $\frac{12297}{1899}$), for the purpose of giving effect to Article 8 of the Local Government Board Order above quoted.

* *See* page 120 *ante.*

(5.) It is also expected that, as far as they can do so without undue interference with their own regular Boarding duties, the Boarding Officers will assist the Medical Officer of Health in getting on board any ship which he may be desirous of visiting under that Article, before anyone on board has had opportunity of getting on shore.

(6.) In cases where the Boarding has necessarily to be done by boat (steam or row) it is expected of the Boarding Officers that, in the case of a ship coming from a particular Port or Country designated by the Medical Officer of Health, they will, when they are starting for the vessel, facilitate, as far as they consistently can, the visit of the Medical Officer of Health, and will impose no difficulties that can be avoided in conveying him with them on board the incoming ship.

(7.) The Board expect of Collectors and other Officers in charge of Ports that, in order to further the carrying out of the directions of paragraph (4) of this Order, they will also make it their business to ascertain beforehand, as far as may be practicable, and to communicate to local Medical Officers of Health, information as to the impending arrival of any ships from Ports or Countries which may have been designated by the Medical Officers as open to suspicion.

(8.) Also, until further notice, the directions of the Circular 4th October, $\frac{12297}{1899}$, regarding the treatment of ships arriving from Countries or Ports which have thus been designated by the Port Medical Officer of Health as open to suspicion, *viâ* another Port or Ports of call in the United Kingdom, are to be read as requiring that, in every such case, the same procedure shall be applied, in all respects, as if she had first arrived at the second or any subsequent British Port of call directly from foreign.

(9.) This Order is more particularly directed to Officers at Ports in England and Wales, but it is to be read as of equal application, as occasion may require, at Ports in Scotland and Ireland, with reference to the Orders corresponding to that of the 9th November, 1896 (England and Wales), as above quoted, as issued by the respective Local Government Boards in those parts of the United Kingdom.

By Order of the Board,

R. T. Prowse.

[First Enclosure to Customs General Order.]

Sec$^{y.}$ Customs.

No. $\frac{10396.}{1899.}$

Custom House,
London, 17*th August* 1899.

Epidemic at Oporto of what is alleged to be Bubonic Plague.

The appended copy of a letter, of yesterday's date, addressed by the Local Government Board to the Port Sanitary Authorities, is communicated for the information of Officers at Ports in England and Wales, with instructions to them to give special attention to any vessel which may arrive from Oporto, and to act in accordance with the directions contained in Part II. of the Order of the Local Government Board, dated 9th November, 1896, transmitted with General Order $\frac{63}{1896}$.

By Order of the Board,

(Signed) John Courroux.

(Copy.)

Local Government Board,
Whitehall, S.W., 16*th August* 1899.

Sir,—I am directed by the Local Government Board to state that they have received from the Foreign Office copies of telegrams, dated the 12th and 14th instant, from Her Majesty's Minister at Lisbon, from which it appears that there is an epidemic at Oporto, and that the Portuguese Government have every reason to believe that the disease is bubonic plague. It is reported that there have been 25 cases and 4 deaths since the 4th July.

The Board think it right to inform the Port Sanitary Authority of these telegrams. It appears to the Board that the special attention of the Port Sanitary Authority and of their Medical Officer of Health should be given at the present time to any vessels coming from Oporto.—I am, Sir, your obedient servant,

(Signed) S. B. Provis,
Secretary.

The Clerk to the Port Sanitary Authority.

[Second Enclosure to Customs General Order.]

Sec^{y}. Customs,
No. 10728. / 1899.

Custom House,
London, 25*th August* 1899.

Plague in Portugal.

With reference to the Circular of the 17th instant, No. $\frac{10396}{1899}$, the Board direct that, whenever invited, Collectors or other Officers in charge of Ports may enter into communication with the Port Sanitary Authorities, and the Medical Inspectors of the Local Government Board, with a view to the adoption of proper precautions against the introduction of Plague into this country from Portugal, or other similar measures that circumstances may call for.

The Board have heard with surprise that, in some instances, a Collector has declined to accept an invitation from an Inspector to meet him and the Local Authorities in conference on this subject; but they feel sure that no such mistake will recur.

Collectors will remember that, of all their non-revenue duties, none are more important than those connected with the Public Health, and that the Board confidently expect them to render every assistance in their power to Medical and Sanitary Authorities who are endeavouring to exclude disease from this country.

By Order,
(Signed) John Courroux.

[Third Enclosure to Customs General Order.]

Sec^{y}. Customs.
No. 12297. / 1899.

Custom House,
London, 4*th October* 1899.

Boarding of Vessels on Arrival from Plague-infected Countries or Ports.

With reference to the Circular of the 17th August last, No. $\frac{10396}{1899}$,* Boarding Officers are now directed, pending any further instructions, to be particular in the enquiries which

* As to Scotland, 18th August, $\frac{10417}{1899}$.

they put, under paragraph 6 of General Order $_{1}\frac{63}{896}$, to the Masters of Ships which arrive at their Port from any infected Country or Port *viâ* another Port or Ports of call in the United Kingdom, and whether in the pursuit of a foreign voyage or (having discharged all foreign cargo) on a coastwise voyage in cargo or in ballast.

As to such ships so arriving, the earliest possible notice is, until further Orders, always to be given to the Local Health Authorities with a view to the adoption of whatever special precautions may be deemed necessary by them. Ships are, however, not to be detained in such circumstances.

By Order of the Board,

(Signed) R. T. Prowse.

PLAGUE.

Note.—The following Circular, relative to the Regulations of the International Sanitary Convention signed at Venice on 19th March, 1897, was issued by the Board on 4th October, 1900, at the time of the outbreak of Plague in Glasgow. It appeared to the Board advisable to explain to Local Authorities the scope of this Convention, to impress upon them the reciprocal obligations of this and other countries under the Convention of Venice, and to warn seaboard Local Authorities at the same time to look to their "slum" areas where the bacillus of Plague would readily flourish.

Local Government Board,
Edinburgh, *4th October* 1900.

Extract from the "General Sanitary Regulations for the Prevention of the Introduction and Propagation of Plague," adopted by the Convention of Venice, 19th March, 1897.

Sir,—I am directed to forward for the information of the Local Authority and the Medical Officer of Health copies of a translation of Chapter II. (*Measures to be taken in Europe*) of the "General Sanitary Regulations for the Prevention of the Introduction and Propagation of Plague" prescribed by the International Sanitary Convention signed at Venice, 19th March, 1897, known as the Convention of Venice. Chapters

III. (*Disinfection*) and IV. (*Preventive Measures on Board Ship*), which apply both within and without Europe, are added.

The Convention remains in force for five years, reckoning from the date of deposit of ratifications, which was not completed until October 1899, but it may be formally extended quinquennially. The Plenipotentiaries of the respective Governments who were parties to the Convention included eminent sanitary experts from each country. Among those of Great Britain were the Chief Medical Officer of the Local Government Board (England), the Director-General of the British Indian Medical Service, and the Professor of Military Hygiene at the Army Medical School, Netley.

The Convention is Imperial in its origin, and binds the signatory Powers to concerted action for the prevention of Plague in Europe and Asia, but the Board desire to impress upon all Local Authorities in Scotland the fact that so far as Europe and Scotland are concerned *they* are the agents through whom alone practical effect can be given to this international scheme. Governments may make Conventions; Local Government Boards may issue Regulations by Order; but in Great Britain the Local Authorities are the administrative agents.

The Convention binds each Government to notify to the other Governments "the existence of cases of Plague, the places where they have occurred, the date of their appearance, the number of cases reported, and the number of deaths." All this information must come from Local Authorities. The Convention impresses on the different Governments that "doctors should be obliged to report all cases of Plague." With Local Authorities rests the initiative in the application of the Infectious Disease (Notification) Act to Plague. The Convention stipulates that these International Reports should be as complete as possible, and should in particular "state "the measures taken to check the spread of the epidemic, and "should give in detail the preventive measures adopted with "regard to sanitary or medical inspection, isolation, disin-"fection, and the measures prescribed with regard to the "*departure* of ships and the *export* of susceptible articles." These measures are primarily in the hands of Local Authorities to adopt, and they involve the provision of hospitals, houses of reception, apparatus for disinfection, etc.

Any single Local Authority may make this Convention a failure. The zeal and energy of a Burgh containing a million inhabitants may be neutralised by the apathy and slovenliness of the Authority in a population of five hundred, and the health and commerce of the country may thus be sacrificed.

This failure may be brought about in two ways:—

(1) The most common and the most serious is by systematic neglect on the part of a Local Authority to perform their current statutory duty within their district. Nuisances accumulate from year to year, slums grow up, overcrowding prevails, common lodging-houses are neglected, the inhabitants live without the necessaries of health, and hospitals, disinfecting apparatus, houses of reception, etc., are not provided. In this way not only is the health of the community deteriorated, but a tempting and friendly soil is kept in readiness for the reception of the seeds of infectious disease. The bacillus of Plague is like all organisms of its kind—it finds such communities congenial and flourishes in them. The special obligations resting upon Local Authorities in respect of, and only arising on the occasion of, the imminence of Plague or of its actual outbreak are comparatively few. Indeed, excepting in the case of the Local Authorities of ports, they may be said to be trifling. An inland Authority acting from year to year up to the standard of their statutory duty are at all times prepared to deal with any imported case of infectious disease, and *their* district is at all times as immune to infection as it can be made by thorough sanitary administration.

(2) On a Local Authority having a port within their district there rest certain special and important obligations incidental to Plague *in addition to* the common obligations of all Local Authorities. On them lies the responsibility to prevent the "Introduction" of Plague by the observance of the "Regulations as to Cholera, Yellow Fever, and Plague" made by the Board by Order dated 1st January 1898.* Remissness in the observance of these Regulations is the other way by which Local Authorities may defeat the ends of the Convention.

The great importance of the statutory duties special to a port must not be permitted to obscure the fact that *the common duties of a Local Authority are enhanced in importance by the existence of a port within the district.* The port is the landing-place of Plague. The most diligent observance of the regulations may fail to detect it. The standard of ordinary current sanitation ought therefore to be at its highest in port districts. The Board regret that this is by no means the case. Many of the *smaller ports* which have not the difficulties to contend with—incidental to extensive harbours and the characteristics of the population of a large sea-port—are slovenly in their ordinary administration, and have in consequence slum areas ready to receive, retain, and propagate the bacillus of Plague This may also be said of many inland towns and villages.

* *See* pages 115–125 *ante.*

It is impossible for Local Authorities who habitually permit the inhabitants of their district to live in conditions of gross uncleanliness, who have neglected to provide the common necessaries of health, and who have slum areas in their midst, to retrieve their position on the instant they receive warning that Plague has landed upon our shores. Spasmodic emptying of ashpits and lavish use of so-called disinfectants and the like impromptu proceedings are no substitute for structural alterations and improvements, which can be carried out only in detail and by perseverance from year to year, which with a proper public service would put an end to such accumulations and make the precincts of the dwellings of the working classes always pure and wholesome, immune to the bacillus of Plague, which possesses the faculty of flourishing in soil sodden with filth.

Apart from such lessons as these which the Venice Convention suggests, and which the Board desire to inculcate, the document enclosed contains much information of value to Medical Officers of Health and administrators generally, *e.g.*, as to the incubation period of Plague and the administrative application thereof; the processes of disinfection applicable in different circumstances; and the articles of merchandise regarded as "susceptible articles," etc., etc. It must be remembered, however, that since 1897, when the Plenipotentiaries drew up these regulations, new features of Plague have been recognised as of practical importance, such as the agency of rats in its distribution; and new disinfectants have been admitted to the first rank in efficacy, *e.g.* Formaline. The regulations must not therefore be regarded, in such details, as stereotyped, but the principles they enforce are permanent.

Similar Conventions exist regarding Cholera, so that it is not only the centre in which either of these diseases is permitted to take root and subsist which is penalised, but the trade and commerce of the whole country.

Local Authorities may be reminded that the Board have power to compel them to apply the Public Health Act generally, and specially to provide the official and material apparatus necessary for effective dealing with infectious disease. The Board's policy has been as far as possible to persuade Local Authorities regarding their duty on the merits of each particular case. It is clear that this policy can, in justice to the inhabitants of their districts, be pursued only up to a certain point. In view of the much wider interests which it is the purpose of this Circular to open up to the intelligence of Local Authorities as being in their keeping, it

is evident that this point has been already reached at this time, more especially in the case of those Local Authorities who have been hitherto negligent, and even in some cases recalcitrant, in regard to the advice and instructions of the Board.

From Local Authorities generally the Board bespeak for these views serious consideration, and they hope for renewed energy in the fulfilment of ordinary statutory duty as the best possible precaution against Plague.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

To the Clerk to the Local Authority.

Enclosure: Extract referred to.

Extract from the "General Sanitary Regulations for the Prevention of the Introduction and Spread of the Plague," adopted by the Convention of Venice, 19th March 1897.

N.B.—This Extract is reprinted from the official "Translation of the Venice Convention," published by His Majesty's Stationery Office in 1901, and is not the translation which was issued by the Board along with their Circular of 4th October 1900.

CHAPTER II.

Measures to be taken in Europe.

Section I.—*Measures intended to keep the Governments which are parties to the Convention acquainted with the circumstances of an epidemic of Plague, and with the means taken to prevent its spread and its importation into healthy places.*

Notification and subsequent communications.

The Government of an infected* country must notify to the other Governments the existence of all cases of plague. This measure is essential.

It will only be of real use, if the Government of the infected* country is itself informed of cases of plague and suspicious cases occurring in its territory. It cannot, therefore, be too

* "Contaminé" in the original text.

strongly impressed on the different Governments that doctors should be obliged to report all cases of plague.

The notification shall state the existence of cases of plague, the places where they have occurred, the date of their appearance, the number of cases reported, and the number of deaths.

The notification shall be made to the diplomatic or consular agents in the capital of the infected* country. In the case of countries not represented there, the notification shall be made, by telegram, direct to the foreign Governments.

This first notification shall be followed by subsequent regular communications, with a view to keep the Governments informed of the course of the epidemic. These communications shall be made at least once a week.

The reports concerning the outbreak and course of the disease must be as complete as possible. They shall, in particular, state the measures taken to check the spread of the epidemic, and must give, in detail, the preventive measures adopted, with regard to—

sanitary or medical inspection;
isolation;
disinfection;

and the measures prescribed with regard to the departure of ships, and the export of susceptible articles.

It is to be understood that neighbouring countries reserve to themselves the right to make special arrangements, with the object of organising an exchange of direct information between the principal administrative officers on their frontiers.

The Government of each country must publish, immediately, the measures which it decides to adopt with regard to arrivals from an infected* country or local area.

Information as to the measures so published shall be at once communicated to the diplomatic or consular agent of the infected* country, resident in the capital. In the absence, in the capital, of a diplomatic or consular agency, the communication shall be made direct to the Government of the country concerned.

The withdrawal of these measures, or any modifications which may be made in them, must be communicated in the same manner.

* "Contaminé" in the original text.

SECTION II.—*Conditions under which a local area* is to be considered infected† or healthy.*

Any area in which a case of plague has been officially reported to exist will be considered to be infected.†

Any area in which plague has existed will cease to be considered as infected† when it is officially reported that no death or fresh case of plague has taken place for ten days after the recovery or death of the last case, provided that the necessary disinfection has been carried out.

Preventive measures shall be put in force as regards the infected† territory as soon as cases of plague are officially reported.

These measures shall be discontinued as soon as it is officially stated that the area has again become healthy.

The occurrence of a few imported cases in a local area shall not be regarded as warranting resort to these measures, unless these cases give rise to other cases.

SECTION III.—*Necessity of restricting to the infected† local areas the measures intended to prevent the spread of the epidemic.*

In order that preventive measures be confined to the infected tract the Governments must apply them to ships, persons, and things from infected† areas only.

But the obligation to restrict precautions to the infected† area shall exist only on the express condition that the Government of the infected† country takes the necessary measures to prevent the export of susceptible articles derived from the infected† area.

No restrictive measures should be enforced against ships, persons, or things from an infected† area, if they left it at least five days before the occurrence of the first case of plague.

SECTION IV.—*"Susceptible" goods and articles considered in relation with rules regarding the prohibition of import or of transit, and rules regarding disinfection.*

I.—Import and transit.

The following is a list of the susceptible articles and goods, the importation of which may be prohibited:—

* A local area means a portion of the territory of a country placed under a recognised administrative authority; as, for instance, a province, a Local Government, a district, a department, a canton, an island, a commune, a town, a village, a port, an area reclaimed from the sea, etc., whatever may be the extent and population of the portion of territory.

† "Contaminé" in the original text.

1. Body-linen things (*hardes*) and clothes that have been worn (things for personal use), and bedding that has been used.

When these articles are carried as baggage, or in consequence of a change of abode (household goods), they are subjected to special treatment.

Soldiers' and sailors' kits, returned to their country, after their death, will be treated in the same way as the articles named in 1, as above.

2. Rags, not excepting rags compressed by hydraulic force, which are carried as merchandise in bales.

3. Used sacks, carpets, and embroidery that has been used.

4. Raw hides, untanned and fresh skins.

5. Fresh animal refuse, claws, hoofs, horse hair, hair of animals generally, raw silk and wool.

6. Human hair.

The transit of susceptible goods or articles packed in such a way that they cannot be handled on the way must not be forbidden.

Similarly, when susceptible goods or articles are transported in such a manner that they cannot have come into contact with contaminated* objects during the journey, their transit through an infected† local area must not bar their importation into the country to which they are consigned.

The rules regarding the prohibition of the import of susceptible goods and articles shall not be applied in cases where it is proved to the authority of the country to which they are consigned that they were despatched at least five days before the occurrence of the first case of plague.

Merchandise must not be kept in quarantine on land frontiers. Absolute prohibition or disinfection are the only measures which may be taken.

II.—Disinfection.

Baggage.—Disinfection shall be compulsory in the case of soiled linen, wearing-apparel, clothes and articles carried as personal baggage or household goods, if they have come from a local area, declared infected,† and if the local sanitary authority deem them contaminated.

Merchandise.—Disinfection shall be enforced only in the case of merchandise and articles which the local sanitary authority considers contaminated, or whose importation may be prohibited.

* In the original text the word employed is "souillé."

† "Contaminé" in the original text.

It rests with the authorities of the country to which the articles are consigned to settle the manner by which and the place in which disinfection should be carried out.

The disinfection must be carried out so as to injure the articles as little as possible.

Each country will settle the question of the compensation to be paid for damages resulting from disinfection.

Letters and correspondence, printed matter, books, newspapers, business documents, &c. (not including parcels received through the post), shall be subject to no restrictions or disinfection.

SECTION V.—*Measures to be taken on land frontiers. Railway traffic. Travellers.*

Passenger carriages and mail and luggage vans may not be detained on the frontiers.

If a carriage is contaminated,* it shall be detached from the train to be disinfected, either at the frontier, or at the nearest stopping place, if this can be arranged.

Goods vans shall be treated in the same way.

Land quarantine shall no longer be enforced. Only persons presenting symptoms of plague may be detained.

This principle does not affect the right of each country to close, if necessary, part of its frontiers.

It is of importance that the railway staff keep a watch on the travellers' health.

Medical intervention shall be confined to an inspection of the travellers, and the care of the sick.

Where there is a medical inspection, it will be combined, as far as is practicable, with the custom-house inspection, so as to detain the passengers as short a time as possible. On the arrival of travellers from an infected† area at their destination, it will be found of the greatest service to keep them under surveillance for 10 days, counting from the date of departure.

The measures to be taken in regard to the crossing of the frontiers by the railway and the Post Office staff should be settled by the administrations concerned. They shall be arranged so as not to interrupt the regular service.

Governments reserve to themselves the right to take special measures with regard to certain classes of people, especially—

A.—Gipsies and vagabonds.

B.—Emigrants and persons travelling or crossing the frontier in bands.

* In the original text the word employed is "souillé."

† "Contaminé" in the original text.

SECTION VI.—*Special rule for Frontier Tracts.*

The regulation of the frontier traffic, and of the questions involved in this traffic, as well as the adoption of exceptional measures of supervision, must be left to special arrangement between neighbouring countries.

SECTION VII.—*Water-ways, rivers, canals, and lakes.*

The task of regulating by special arrangements the sanitary rules for water-ways must be left to the Governments of the countries bordering such water-ways.

SECTION VIII.—*Ocean traffic. Measures to be taken at ports.*

Any ship with plague on board, or on board which one or more cases have taken place within 12 days, will be considered *infected.*

Any ship on board which there has been a case of plague at the time of departure, or during the voyage, but on which no fresh case has occurred for 12 days, will be considered as *suspected.*

Any ship, even though coming from an infected* port, which has had no death from plague nor case of plague on board, either before departure, during the voyage, or on arrival, will be considered as *healthy.*

Infected ships are subject to the following rules:—

1. The sick will be immediately disembarked and isolated.

2. The other persons on board must also, if possible, be disembarked and kept under observation or surveillance† for a period varying according to the sanitary condition of the ship, and the date of the last case, but which must not exceed ten days.

3. The soiled linen, the things for personal use, and articles belonging to the crew and passengers, which, in the opinion of the sanitary authority of the port, shall be considered as contaminated, shall be disinfected.

4. The bilge-water shall be pumped out after disinfection, and good drinking-water shall be substituted for the water stored on board.

* "Contaminé" in the original text.

† *Note.*—The expression "observation" means isolation of the passengers, either on board a ship, or in a lazaretto before obtaining free pratique. The expression "surveillance" means that passengers will not be isolated; they will at once obtain free pratique, but on arriving at their destination they will be subject to medical supervision.

5. All parts of the ship which have been inhabited by plague patients must be disinfected. More extensive disinfection may be ordered by the local sanitary authority.

Suspected ships are subjected to the following measures :—

(1) Medical inspection.

(2) Disinfection ; the soiled linen, the things for personal use, and the articles belonging to the crew and passengers, which, in the opinion of the local sanitary authority, shall be regarded as contaminated, shall be disinfected.

(3) Pumping out the bilge-water after disinfection, and the substitution of good drinking-water for the water stored on board.

(4) Disinfection of all parts of the ship which have been inhabited by plague patients. More extensive disinfection may be ordered by the local sanitary authority.

It is recommended that a watch (*surveillance*) should be kept over the health of the crew and passengers for ten days from the date of the arrival of the ship.

It is also recommended that the crew should not be allowed to land, except on duty.

Healthy ships shall be given free pratique at once, irrespective of the nature of the bill-of-health.

The only measures which the authorities of the port of arrival may enforce with regard to such ships consist in those which are prescribed in the case of suspected ships (medical inspection, disinfection, pumping out the bilge-water, and the substitution of good drinking-water for the water stored on board), except that the measures prescribed for the disinfection of the ship itself may not be enforced in the case of healthy ships.

It is recommended that a watch (*surveillance*) should be kept over the health of the crew and passengers for ten days from the date on which the ship left an infected* port.

It is also recommended that the crew should not be allowed to land except on duty.

It is to be understood that the competent authority of the port of arrival may always demand a written declaration, on oath, from the doctor of the ship, or failing him, from the captain, that there has been no case of plague on the ship since her departure.

In deciding on the extent to which effect is to be given to the measures prescribed above, the competent authority of the port shall take into consideration the fact of there being a

* "Contaminé" in the original text.

doctor, or a disinfecting apparatus (disinfecting chamber), on board the ships coming under the three headings mentioned above.

Special measures may be prescribed for crowded ships, particularly for emigrant ships, or any other ship in an insanitary state.

Goods arriving by sea must be treated in the same way as goods arriving by land, as regards disinfection, prohibition of import, transit, and quarantine.

Any ship objecting to submit to the obligations imposed by the authority of the port shall be free to put back to sea.

The disembarkation of goods from such ship may be authorised after the following necessary precautions have been taken:—

(1) Isolation of the ship, crew, and passengers.
(2) Pumping out the bilge-water after disinfection.
(3) Substitution of good drinking-water for the water stored on board.

The disembarkation of passengers wishing to land from such ship may also be authorised on condition that they submit to the measures prescribed by the local authorities.

Each country must provide at least one port on each of its seaboards, with the organisation and equipment necessary to enable it to receive a ship, whatever its sanitary state.

Coasting vessels shall be subject to special rules, to be drawn up conjointly by the countries concerned.

SECTION IX.—*Measures to be taken with regard to ships coming from an infected* port and ascending the Danube.*

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CHAPTER III.

INSTRUCTIONS RECOMMENDED REGARDING THE METHOD OF DISINFECTION.

1. Wearing apparel, old rags, infected dressings, papers, and other articles without value should be destroyed by fire.

2. Under-clothing, bedding, clothes, mattresses, carpets, etc., which are contaminated or suspected should be disinfected in disinfecting chambers at *normal pressure, or at a pressure of from one-and-a-half to two atmospheres, with or without circulation of saturated steam.*

Before a disinfecting chamber can be regarded as efficient

* "Contaminé" in the original text.

for the purposes of disinfection, it must be subjected to tests, with the aid of a *signal thermometer*, showing the moment when the temperature in the middle of a mattress rises to at least 100° (Centigrade).*

To ensure that the disinfection is effective, this temperature must be maintained for from 10 to 15 minutes.

3. Disinfecting solutions—

(*a*) Solution of corrosive sublimate, of 1 part in 1000, *with the addition of 10 parts of chloride of sodium.*

The solution should be coloured with *aniline blue or indigo.* It should not be placed in metal vessels.

(*b*) A 5 per cent. solution of pure crystallized carbolic acid, *or 5 per cent. of crude commercial carbolic acid in a warm solution of soft soap.*

(*c*) Fresh slaked lime.†

4. Special instructions to be observed in the employment of disinfecting solutions.

The linen, clothing, and articles soiled by the excreta of patients should be soaked in the solution of corrosive sublimate. The solution of pure carbolic acid, and the solution of soap and carbolic acid are perfectly suitable for the same purpose. The articles should remain in the solution for at least six hours.

Articles which cannot be subjected to the temperature of the disinfecting chamber (100° Centigrade*) without injury, such as leather goods, wooden articles stuck together with glue, felt, velvet, silk, etc., should be washed with the solution of corrosive sublimate; coins can be disinfected with the solution of soap and carbolic acid.

Persons in attendance on the sick should wash their hands and faces with the solution of corrosive sublimate, or with one of the carbolic solutions.

The carbolic solutions will be useful more particularly for disinfecting articles, such as metals, instruments, etc., which can neither be subjected to a temperature of 100° Centi-

*212° Fahr.

† To get very strong slaked lime, take lime of good quality, slake it by moistening it gradually with half its weight of water. When the operation is completed put the powder in a carefully-corked receptacle and place in a dry spot. As lime absorbs half its weight of water in order to become slack, 10 lbs. of lime will require ½ gallon of water. In order to obtain a whitewash which will be of about 20 per cent. strength of lime, it is sufficient to dilute the already slaked lime with double its weight of water, that is, every 10 lbs. of *slaked* lime will require to be diluted with 2 gallons of water. Or the unslaked lime may be gradually slaked and diluted in the proportion of 3½ gallons of water to every 10 lbs. of lime. (*Note.*—In the official translation the quantities are stated in grammes, &c., but for convenience they are adapted as above.)

grade* nor placed in contact with corrosive sublimate without damage.

Slaked lime is particularly recommended for disinfecting excreta and vomited matters. Expectorated and purulent matters should be burnt.

5. Disinfection of ships with plague patients on board.

The cabin or cabins, and all parts of the ship occupied by the sick or suspected, should be cleared out, and all articles in them should be treated as described above.

The walls should be disinfected with the solution of corrosive sublimate with an addition of 10 per cent. of alcohol. The spraying should commence from the top, horizontally, and be continued downwards, so that the whole surface of the wall becomes covered with a coating of minute drops.

The flooring should be washed with the same solution.

Two hours after, the walls and flooring should be scrubbed and washed down with plenty of water.

6. Disinfection of the hold of an infected ship.

To disinfect the hold, sulphate of iron, in quantity sufficient to neutralise the sulphurated hydrogen, should first be thrown in, the bilge-water should be pumped out, and the hold washed with sea-water. Solution of corrosive sublimate should then be thrown in.

The bilge-water should not be pumped out while the ship is in port.

CHAPTER IV.

Precautionary Measures recommended for Ships on Departure, during the Voyage, and on Arrival.

Note.—Plague appears to be transmitted by the excretions of the sick (expectorated matters, excreta), by the morbid products of the disease (pus from buboes, etc.), and consequently by means of soiled linen, clothing, and hands.

I.—Measures to be taken on Departure.

1. The captain should be careful not to embark persons suspected to be suffering from plague. He should refuse to receive on board dirty or suspicious linen, wearing apparel, and bedding, and, generally, all dirty or suspicious articles.

Bedding, clothes, wearing apparel, etc., that have belonged to persons suffering from plague should not be taken on board.

* 212° Fahr.

2. Before embarkation the ship should be put in a state of perfect cleanliness, and she should, if necessary, be disinfected.

3. It is essential that the drinking-water taken on board should be obtained from a source free from all possible contamination.

Water is not dangerous if it is distilled or boiled.

II.—Measures to be taken during the Voyage.

1. It is desirable that every ship should have a special place reserved for the segregation of persons attacked by contagious disease.

2. If there is no such place on board, the cabin or other place, in which a person is attacked with plague, should be forbidden to all on board except those attending the patients.

Such attendants should be cut off from all contact with the other persons on board.

3. The bedding, linen, and clothing which have been in contact with the patient should immediately, and in the patients' room, be soaked in a disinfecting solution.

The same measure should be taken in the case of the clothing of the persons who have attended on the patient and which may have become contaminated.*

Such of these articles as are of no value should be burnt, or thrown overboard, if the ship is not in port or in a canal. Other articles should be carried to the disinfecting chamber, in impermeable bags washed with a solution of corrosive sublimate, so as to avoid all contact with surrounding objects.

If there is not a disinfecting chamber on board, the articles should be soaked in the disinfecting solution for *six* hours.

The excretions of the sick (sputa, fœcal matters, urine) should be collected in vessels, into which a glass of one of the disinfecting solutions above described has been previously poured.

The vessels should be at once emptied into the latrines, which should be carefully disinfected each time.

4. The places occupied by the sick should be carefully disinfected according to the rules previously laid down.

5. Corpses should be wrapped in a shroud impregnated with corrosive sublimate and thrown into the sea.

6. All the preventive measures taken during the voyage should be stated in the log, which should be submitted to the sanitary authority immediately on arrival in port.

7. These measures should be applied to everything that has

* "Souillé" in the original text.

been in contact with the sick, irrespective of the gravity and result of the illness.

III.—Measures to be taken on Arrival.

1. If the ship is infected, the persons attacked should be disembarked and segregated in a place set apart for the purpose.

Those who have had access to the sick should be considered as suspected.

2. All contaminated articles and all articles, such as clothes, bedding, mattresses, carpets, and other articles which have been in contact with the sick, the clothes of those who have been in attendance on them, the articles in the patients' cabin, and in any cabin and on the deck, or parts of the deck where the sick have been, should be disinfected.

Circular as to Bacteriological Examination of Material from Suspected Cases of Plague.

Local Government Board,
Edinburgh, 29*th May* 1901.

Sir,—I am directed to inform you that, in view of the possibility of the introduction of Plague into Scotland, the Local Government Board, with the object of assisting in the identification of that disease in suspicious cases on board ship or in the earliest suspected case or cases newly developing in any district, have arranged for bacteriological testing, without cost to the Local Authority, of material from such cases. *This material can be received only from the Medical Officer of Health.*

I have accordingly to append for the information of the Local Authority the accompanying Directions for obtaining and forwarding for bacteriological examination material from suspected Plague cases, in order that the Local Authority and their Officers may be fully prepared to take any steps which may be necessary should occasion arise. This occasion, I am to remark, is made more imminent in present circumstances by the outbreak of the disease at the Cape.

These Directions have been drawn up with the assistance of the Council of the Royal College of Physicians of Edinburgh, and have their approval.

I am also to remind you of the concluding paragraph of the Circular as to "Precautions against introduction of Plague," issued on 15th January, 1900, in which I stated:

"I am instructed to take this opportunity of reminding Medical Officers of Health of the peculiar facility given for the importation and dissemination of Plague by the circumstance that it affects the lower animals, and most especially rats, mice, and, by natural sequence, cats, and of the inquiries which ought therefore to be made as to evidences of disease among those animals on board ship, and the special importance of measures for their extermination, which may form a proper part of the directions authorised to be given by Medical Officers of Health under Article 16 of the Order."*

The most important practical results of the reciprocity of Plague infection between the rat and man may be summarised as follows:

1. Prevalent sickness and mortality among rats may be significant of the actual existence or the imminent appearance of Plague in man. An expert examination of the bodies of rats with a view to the discovery of the Plague bacillus ought, in such circumstances, to be made, even in absence of declared disease in man.

2. It is of primary importance to destroy rats in infected ships and to prevent their escape meanwhile by placing obstructive guards on moorings, removing gangways at night, etc. Vessels lying in infected harbours ought to use similar precautions to cut off access *from* the shore.

3. All plague-infected matters ought to be carefully disinfected before being committed to the sewers; all combustible refuse burned, so as to prevent infection of home rats in sewers or ashpits and rubbish heaps. The bodies of suspected rats ought to be promptly cremated, and not handled. Their parasites are dangerous.

4. When the ordinary methods of sanitation, which suffice to place communities in a position of general security against epidemic invasions, are exhausted, the existence of rats keeps a door still open for Plague. When Plague is present in a ship or locality infested with rats, after all the ordinary methods of suppression are exhausted, if the rats are allowed to survive, the most active agents for its spread remain, should they be infected. To the purely destructive habits of those animals there is therefore now added another justification for a permanent crusade against rats, especially on ship-

* *See* page 131 *ante*.

board and in seaport towns, on the part of ship-owners and Local Authorities.

I have transmitted a copy of this Circular direct to the Medical Officer of Health for his information. I have to request the Local Authority to instruct that officer to give effect, if occasion should arise, to the suggestions therein and otherwise to give its contents their best attention and consideration.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

To the Clerk to the Local Authority.

Directions issued by the Local Government Board for Scotland for obtaining and forwarding for Bacterioscopic Examination Material from Suspected Plague Cases.

A.—From the Living Person.

1. When a bubo has formed, the needle of a hypodermic syringe, which, along with the syringe, has been sterilised with absolute alcohol and ether, should be inserted and as much fluid as possible withdrawn. The point of the needle should then be securely closed with sealing wax and the whole enclosed in some waterproof covering.

2. Clean with soap and water and then with alcohol the last phalanx of either the second or third finger. When dry, put a piece of tape round the proximal end of the last phalanx so as to cause venous congestion. Prick the palmar surface of this phalanx with a needle sterilised by passing through a flame and then cooled, and immediately take up the exuding blood in two capillary tubes such as are used for collecting vaccine lymph, sterilised by passing through a flame. These tubes when charged should be sealed by heat at both ends.

N.B.—Unless in very severe cases, such as the septicæmic, Plague bacilli are rarely found in the blood, and then not usually until 24 hours before death.

3. If expectoration be obtainable, collect some in a phial, previously well washed out with alcohol, care being taken that no alcohol remains in the phial.

B.—From the Dead Body.

1. Cut out any inflamed lymph gland, together with some of its surrounding tissue, and place the whole in a wide-mouthed glass-stoppered bottle, previously well washed out with alcohol, care being taken that no alcohol remains in the bottle. The bottle should have the stopper well secured and sealed.

2. Obtain also a piece of the spleen, dealing with it in the same manner.

All suspected Plague material should be carefully packed so as to avoid risk of breakage.*

The packet should be dispatched without delay, and addressed to:

The Local Government Board,
c/o Laboratory of Royal College of Physicians,
2 Forrest Road,
Edinburgh.

Full particulars as to source should in each instance accompany the material forwarded.

Simultaneously the Medical Officer of Health is requested to intimate to the Secretary of the Board the despatch of such packet, with information as to the circumstances under which it was thought necessary to forward the material.

Local Government Board,
Edinburgh, 29*th May* 1901.

N.B.—Facilities for this examination since extended to Rats, *see* page 157 *post*.

* *Note.*—If sent by post, the following instructions, taken from page 28 of the Post Office Guide, must be strictly observed :—

Deleterious Liquids or Substances.

"Any such liquid or substance must be enclosed in a receptacle hermetically sealed, which receptacle must itself be placed in a strong wooden, leathern, or metal case in such a way that it cannot shift about, and with a sufficient quantity of some absorbent material (such as saw-dust or cotton-wool) so packed about the receptacle as absolutely to prevent any possible leakage from the packet in the event of damage to the receptacle.

"The packet so made up must be marked 'Fragile, with Care,' and tendered at a Post Office for transmission by Registered Letter Post. *It must on no account be dropped into a letter box, or sent by Parcel Post.* These regulations will be rigidly enforced. Any postal packet of the kind found in the parcel post, or any postal packet of the kind, whether registered or not, found in the letter post not packed as directed, will be at once stopped and destroyed with all its wrappings and enclosures."

Circular containing general directions for dealing with Rats in connection with Plague, and transmitting an Order and relative Regulations under Section 79 of the Public Health (Scotland) Act, 1897.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 21*st January* 1902.

MEMORANDUM WITH RESPECT TO PLAGUE.

Sir,—I am directed by the Local Government Board for Scotland to transmit for the information and guidance of the Local Authority the accompanying copy in duplicate of an Order containing Regulations issued by the Board in pursuance of their powers under Part IV. of the Public Health (Scotland) Act, 1897.

In view of the possibility of the recurrence of Plague in this country, the Board have deemed it advisable to issue these Regulations in addition to the recommendations to Local Authorities contained in the Board's Circular of 29th May 1901* relative to the danger of Plague infection being communicated through the rat, and it occurs to them that the following further observations and suggestions on this subject will be useful to Local Authorities in giving effect to the Order now issued.

I. THE RELATION OF RATS TO PLAGUE DIFFUSION.

The conclusion that the Rat is one of the primary agencies in the diffusion of Plague among human beings now rests upon a large mass of evidence. To this evidence the recent outbreaks of Plague in Glasgow have materially added. The Report of the Indian Plague Commission of 1898-99 contains masses of carefully sifted facts, showing that outbreaks of Plague among human beings have repeatedly been traceable to infected rats. The immense danger from plague-infected rats is, therefore, no longer doubtful. The evidence accumulated makes it imperative on all executive Public Health Authorities to take every practicable and reasonable precaution against the increase of rats in any locality, against their importation by land or by sea, and against their migration from one locality to another.

II. MEASURES ENJOINED ON LOCAL AUTHORITIES.

With these aims in view, the Board have issued the accom-

* *See* page 151 *ante*.

panying Regulations under Section 79 of the Public Health (Scotland) Act, 1897. The purpose of these Regulations is to empower Local Authorities to deal effectively with infection among rats and with rat-infested areas. The discovery of any unusual mortality among rats should at once be followed by active measures for the protection of human beings. If Plague has not already been added to the list of diseases notifiable under the Infectious Disease (Notification) Act, 1889, the Board strongly urge that it be now added permanently.

III. General Directions for Dealing with Rats.

For the extirpation of rats, and the prevention of their migration from place to place, there is no single method of general applicability. Each Local Authority will select the method appropriate to the circumstances. To sea-board authorities, the Directions recently issued by the English Local Government Board will be a useful guide. These Directions, which are based on the experience of seaports infected with Plague, are as follows :—

"In view of the susceptibility of the rat to Plague, and of "risk therefore of importation into this country by shipping "of plague-infected rats, Sanitary Authorities of seaports "should be on the alert to prevent introduction of the "disease into their districts in this way—

"1. On the arrival in port of a vessel whereon, during the "voyage, Plague or sickness suspected to be Plague has "occurred, measures should be taken to secure the destruc-"tion of the rats on board the vessel. Until this has been "done, endeavour should be made to prevent rats leaving the "ship, by mooring the vessel a sufficient distance from other "ships and from the shore, and by placing guards on cables "and hawsers in use for mooring purposes.

"2. In the case of vessels that have come from places "infected with Plague, but on board of which no Plague or "suspected Plague has occurred, strict inquiry should be "made on their arrival in port as to mortality or sickness "among rats during the voyage. Should this have occurred, "the Authority would do well to obtain the body of a sick "rat for the purpose of ascertaining the nature of the "malady affecting those animals on board the vessel. In "the event of the malady being found to be Plague, the ship "should be dealt with as under Paragraph 1.

"3. Exceptional sickness or mortality among rats on board "any vessel within the district, whatever may have been her

"port of departure, should be viewed with suspicion and as "giving occasion for action similar to that indicated under "Paragraph 2.

"4. Rats when destroyed on shipboard should not be "handled; they should be at once cremated.

"5. In the event of rats on board any ship being found to "be infected with Plague, all parts of the vessel frequented "by those animals should, as far as possible, be disinfected.

"6. The Authorities of seaport towns invaded by Plague "should endeavour to secure the destruction of the rats of "the town, not least those inhabiting the docks and quayside "warehouses. Measures should be taken to guard against "shore-rats making their way on board vessels lying in the "port, and attempt made to destroy all rats on board ships "about to proceed on their voyage. Captains of such vessels "should be urged to take steps during the ensuing voyage for "the destruction of rats that may have remained alive on "board their vessels notwithstanding the action of the Local "Authority."

IV. Bacteriological Examination of Material from Suspected Cases.

I am further directed to again advert to the Board's Circular of 29th May 1901,* and to state that the facilities given by the Board for bacteriological examination of material from suspected cases either from the living person or the dead body are hereby extended to include examination of material from rats suspected to be suffering from, or to have died of, Plague.

When the Medical Officer of Health of a Local Authority considers it necessary to have such an examination of rats, application must first of all be made to the Board, with information as to the circumstances relative to which such examination is thought desirable.

I have transmitted a copy of this Circular and relative Order direct to the Medical Officer of Health for his information; but I am to add that the Board trust that the Local Authorities themselves will give this matter their serious attention and consideration, and will instruct their Officers to use their best efforts (1) in giving effect to the foregoing suggestions, and (2) in enforcing the Regulations contained in the accompanying order.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

* *See* page 151 *ante.*

General Order containing Regulations with respect to Plague.

(21*st January* 1902.)

To ALL THE LOCAL AUTHORITIES IN SCOTLAND having jurisdiction under the Public Health (Scotland) Act, 1897,

And to all others whom it may concern :

WHEREAS it is enacted by Section 79 of the Public Health (Scotland) Act, 1897, that whenever any part of Scotland appears to be threatened with or is affected by any formidable epidemic, endemic, or infectious disease, the Local Government Board may make regulations, *inter alia*, for the promotion of cleansing, ventilation, and disinfection and for guarding against the spread of disease, and for any such matters or things as may to them appear advisable for preventing or mitigating such disease :

AND WHEREAS cases of plague have occurred in Scotland and it is expedient to make provision thereanent :

NOW THEREFORE, WE, the Local Government Board for Scotland, in exercise of the authority vested in Us as aforesaid, do by this our Order, make the Regulations following, and declare that the same shall be enforced within the whole district of every Local Authority in Scotland, and shall apply to all ships whether in ports or in inland waters or on arms or parts of the sea within the jurisdiction of the Admiralty until the same be revoked or altered.

Article I.—The Local Authority shall take measures to ascertain whether there is or has recently been any disease or unusual mortality among rats within their district, and if such be found to exist the Local Authority shall at once report the facts to the Board and take steps to ascertain whether any of such animals are suffering from plague.

Article II.—If plague is found or suspected to exist among rats within the district, or in any neighbouring district, or in any ship lying in any river, harbour, or other water within or *ex adverso* of the district, the Local Authority shall at once take the necessary steps to include plague among the diseases to which the Infectious Disease (Notification) Act, 1889, applies, and shall adopt all necessary precautions to prevent the dissemination of the disease, and for that purpose shall take measures :—

(*a*) To disinfect all places and to disinfect or destroy all articles that may have been exposed to infection;

(*b*) To destroy all rats in the locality;

(*c*) To prevent their entrance into houses, ships, and other premises;

(*d*) To remove all deposits or accumulations of rubbish, refuse, manure, or other materials likely to attract such animals; and

(*e*) Generally to do everything calculated to stamp out the disease.

GIVEN under the Seal of Office of the Local Government Board for Scotland, this Twenty-first day of January, One thousand nine hundred and two.

(L.S.) MALCOLM M'NEILL,
Vice-President.

G. FALCONAR-STEWART,
Secretary.

Circular as to notifying cases of Smallpox.

Note.—The following Circular of 2nd November 1900, was issued during the Smallpox epidemic of 1900-1901, and the particular reasons for its issue will be found in a passage from the Board's Sixth Annual Report for 1900, which is here quoted:—

"In our Circular of 18th January, 1900, we informed Local Authorities that Medical Officers of Health were required to report forthwith to us every case of Smallpox, or suspected Smallpox, and that all previous instructions as to the intimation of Smallpox were withdrawn. As the intimations increased during the last quarter of the year (1900), we found it necessary to methodise the information thus required, so as to secure uniformity and sufficient specification to enable us to follow it up—so as, for example, to secure that Medical Officers should be warned of the movements of persons previous or subsequently to sickening, of the whereabouts of 'contacts,' so that they might be kept under observation, and otherwise to establish through the Board a centre for the spread of information and advice which might enable Medical Officers more quickly to detect and efficiently to grapple with this most communicable and, in its modified

forms, deceptive disease. With this end we issued a Circular direct to Medical Officers of Health asking them to submit the information in a prescribed uniform fashion. A copy of this Circular will be found in the Appendix."

The response of the Medical Officers has been gratifying. In many instances the Medical Officers now themselves wire on information to other Medical Officers, and altogether we have no doubt that our co-operation has been of the greatest practical benefit.

A few months later, namely in March 1901, the Board issued a model Form for reporting cases of Smallpox in order to promote uniformity and save trouble to Medical Officers of Health. In burghs and districts where Smallpox was prevalent this Form was printed by the Local Authorities themselves.

LOCAL GOVERNMENT BOARD,
EDINBURGH, *2nd November* 1900.

SMALLPOX.

Sir,—In a Circular, dated 18th January last,* addressed to the Clerk to the Local Authority, the Board required "every Medical Officer of Health to report forthwith to them and to the Local Authority every case of Smallpox or suspected Smallpox within the Burgh (or District) which may come to his knowledge." They further intimated that "all previous instructions as to the intimation of Smallpox are hereby withdrawn."

The Board now direct me to state that they desire the following information to be given by Medical Officers of Health when reporting† to the Board any case of Smallpox or suspected Smallpox:—

1. Name of patient.
2. Age of patient.
3. Address of patient.
4. Vaccinated or Unvaccinated.
5. Occupation of patient and householder.
6. Source of infection. Notes of movements of patient for a fortnight previous to sickening and up to date of discovery with reference to source and possible distribution of infection.

N.B.—All local references must be as specific as possible, giving names of persons, occupa-

* *Vide* Circular, pages 173 and 176, *post.*

† For form of Report, see page 161, *post.*

tions, addresses, etc., so as to enable the information to be followed up.

7. Measures adopted, *e.g.*, Revaccination, Hospital, Reception-house, Disinfection, etc. — I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

To the Medical Officer of Health.

Form of Report of Case of Smallpox in Accordance with the Order of the Local Government Board.

*Local Authority of the** _____ *County of* _____

_____

_____ 190 .

1. Name _____ Age _____ Occupation _____
2. Address _____
3. Date of Notification _____ of Sickening _____
4. Householder _____ Occupation _____
5. Number of Inmates—Under Ten _____ Over Ten _____
   Number of Rooms _____
6. Vaccinated or Unvaccinated { Patient _____ Inmates _____
7. Probable source of Infection _____

_____

_____

8. Notes of Movements of Patient for a fortnight previous to sickening and up to date of discovery† _____

_____

_____

9. Has information been passed on to Medical Officers of Health of Local Authorities concerned? _____
10. Precautions—Vaccination and Revaccination? _____
    Hospital? _____
    House of Reception? _____
    Disinfection, etc.? _____

* Insert Burgh of _____ or District of _____ as the case may be.

† All local references must be as specific as possible, giving names of persons, occupations, addresses, etc., so that the information may be followed up.

11. Remarks_____

_____

_____

Medical Officer of Health.

To the Secretary,
Local Government Board,
Edinburgh.

Note.—This Model Form for reporting cases of Smallpox is issued by the Board in order to promote uniformity and save trouble to Medical Officers of Health. It is sufficient to use the reference numbers in reports, where Local Authorities do not reprint the form.

Circular drawing attention to the Compulsory Notification of Infectious Disease.

LOCAL GOVERNMENT BOARD,
EDINBURGH, *2nd November* 1897.

INFECTIOUS DISEASE (NOTIFICATION) ACT, 1889.
(52 AND 53 VICT., C. 72.)

Sir,—I am directed by the Local Government Board to draw the attention of the Local Authority to the terms of Section 44 of the Public Health (Scotland) Act, 1897, which extends the Infectious Disease (Notification) Act, 1889, to every district in Scotland whether it has been adopted or not.

As this provision takes effect from and after the 1st day of January next, the Board deem it advisable to draw the special attention of all Local Authorities who have not previously adopted the Act to this most important provision.

Hitherto it has been necessary for Local Authorities, wishing to adopt the Infectious Disease (Notification) Act, to give due notice "to all persons interested," Section 5 (2) prescribing that the resolution adopting the Act must be published by advertisement in a local newspaper and by handbills and otherwise in such manner as the Local Authority think sufficient. In view of the penalties attached to any contravention of the Statute, the Board recommend that the Local Authority should now give similar public intimation that the Act is to take effect in every district in Scotland from and after 1st January, 1898.

The Board have accordingly amended their form of advertisement and handbill to suit the altered circumstances, and have appended it hereto.

In terms of Section 4 of the Infectious Disease (Notification) Act, the Board have prescribed a form of certificate to be sent to the Medical Officer of Health by medical practitioners when notifying cases of infectious disease. As this form is statutory and must be used by all Local Authorities, the Board append a copy for the information of the Local Authority.

The Board would also remind you that, in terms of Section 4, it will be necessary for the Local Authority to supply gratuitously these forms of certificate to any medical practitioner residing or practising in their district who applies for the same, and to pay to every medical practitioner for each certificate duly sent by him, in accordance with this Act, a fee of two shillings and sixpence if the case occurs in his private practice, and of one shilling if the case occurs in his practice as medical officer of any public body or institution.

Any expenses incurred by a Local Authority in the execution of the Act shall be paid as part of the expenses of such Authority in the execution of the Acts relating to the public health.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Form of Advertisement and Handbill recommended by the Local Government Board, giving public intimation of the leading provisions of the Infectious Disease (Notification) Act.

Infectious Disease (Notification) Act, 1889.

* _____

* Insert the name of Local Authority.

NOTICE.

Notice is hereby given, that in terms of Section 44 of the Public Health (Scotland) Act, 1897, the Infectious Disease (Notification) Act, 1889, shall extend to and take effect within the † _____ from and after the first day of January, 1898.

† Insert district of....., or burgh of....., as the case may be.

Attention is hereby directed to the following provisions of the Act:—

I.—Notification by Private Persons.

Where an inmate of any building, ship, vessel, boat, tent, van, shed, or similar structure used for human habitation, is suffering from an infectious disease, namely :—

Smallpox,	Typhoid or Enteric,
Cholera,	Relapsing,
Diphtheria,	Continued, or
Membranous Croup,	Puerperal,*
Erysipelas,	
Scarlatina, or	
Scarlet Fever,	
And the Fevers known as Typhus,	

* Here add any other infectious disease which may have been included by resolution of the Local Authority and approved by the Local Government Board.

then, unless such building is a hospital in which persons suffering from an infectious disease are received, THE HEAD OF THE FAMILY to which the patient belongs, and in his default the NEAREST RELATIVES of the patient present in the building or being in attendance on the patient, and in default of such relatives EVERY PERSON IN CHARGE OF OR IN ATTENDANCE ON THE PATIENT, and in default of any such person THE OCCUPIER OF THE BUILDING, shall, as soon as he becomes aware that the patient is suffering from any infectious disease to which this Act applies, send notice thereof to the Medical Officer of Health of the District.

The expression "occupier" includes a person having the charge, management, or control of a building, or of the part of a building in which the patient is, and in the case of a house the whole of which is let out in separate tenements, or in the case of a lodging-house the whole of which is let to lodgers, the person receiving the rent payable by the tenants or lodgers, either on his own account or as the agent of another person, and in the case of a ship, vessel, or boat, the master or other person in charge thereof.

II.—Notification by Medical Practitioners.

Every Medical Practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from an infectious disease to which this Act applies, send to the Medical Officer of Health for the District a certificate, stating the name of the patient, the situation of the building, and the infectious disease from which, in the opinion of such medical practitioner, the patient is suffering.

III.—Penalties.

Every person required to give a notice or certificate who fails to give the same, shall be liable, on summary conviction, in manner provided by the Summary Jurisdiction Acts, to a fine not exceeding Forty Shillings.

The Medical Officer of Health of the Local Authority is

*_____

to whom the Notices and Certificates above mentioned are to be sent.

* Insert name and address in full.

By Order of the Local Authority,

_____

Clerk.

Statutory Form of Medical Practitioner's Certificate prescribed by the Local Government Board.

The Infectious Disease (Notification) Act, 1889.

Certificate of Medical Practitioner.

†_____

To the Medical Officer of Health of the Local Authority under the Public Health Act.

† Name of Local Authority.

I hereby certify and declare, that in my opinion[1] _____

_____

an inmate of[2] _____

is suffering from[3] _____

and that the above is a case occurring in my[4] _____

Dated the_____day of_____19____

(Signed)_____

Medical Practitioner.

(Address)_____

[1] Name in full of person suffering from disease.

[2] No. or name of the house, and name of the street or road, and parish or place, where person is resident. In the case of a ship, boat, tent, van, shed, or other similar structure,

N.B.—This Certificate must (under a penalty not exceeding forty shillings) be sent to the Medical Officer of Health of the Local Authority forthwith, on the Medical Practitioner attending on or called in to visit the patient becoming aware

that the patient is suffering from an infectious disease to which the Act applies—namely, any of the following diseases:—Small-pox, cholera, diphtheria, membranous croup, erysipelas, the disease known as scarlatina or scarlet fever, and the fevers known by any of the following names: typhus, typhoid, enteric, relapsing, continued or puerperal, and also any infectious disease to which the Act has been applied by the Local Authority in manner provided by the Act.

[2] the name or description of the dwelling, and the name of the place where it is situate, should be given.

[3] Name of disease.

[4] State whether in private practice or in practice as M.O. to public body or institution.

[5] The Local Authority may here print the name and address of the M.O.H.

[5] _____

_____

The above is the FORM FOR CERTIFICATE under Section 4 of the Infectious Disease (Notification) Act, 1889 (52 and 53 Vict. *ch.* 72), prescribed by the Local Government Board. It is thus a statutory form, and cannot be altered except by the Board. A Local Authority may, however, in a footnote give any further information that will in their opinion facilitate the working of the Act.

G. FALCONAR-STEWART,
Secretary.

V.—MEDICAL OFFICERS OF HEALTH AND SANITARY INSPECTORS.

Circular and relative letter from Scottish Office as to County Medical Officers and private and consulting practice.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 26*th December* 1901.

SANITARY OFFICERS' GRANT.

Sir,—I am directed to transmit for the information of the County Council the appended copy of a letter from the Acting Under-Secretary for Scotland, dated 9th December 1901, informing the Board that the Secretary for Scotland has determined to lay down new conditions of participation in the Grant of £15,000 under the Local Taxation (Customs and Excise) Act, 1890, towards the cost of Medical Officers and Sanitary Inspectors.

I am directed to call the attention of the County Council to the terms of that letter and to intimate that in accordance therewith :—

1. Where after this date the County Council shall appoint a Medical Officer with permission to engage in *general* private practice, no share of the Grant will be allowed ; and

2. In any future case of a County Medical Officer being permitted to engage in *consulting* practice, no share of the Grant will be allowed unless the Secretary for Scotland is satisfied that the circumstances are exceptional and justify the relaxation of the general rule.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

To the County Clerk.

(*Copy.*)

SCOTTISH OFFICE,
WHITEHALL, S.W., 9*th December* 1901.

Sir,—Adverting to the letter of the 13th May 1893, addressed to the late Board of Supervision from this office,

under which the practice of the Local Government Board in regard to the appointment of County Medical Officers and Sanitary Inspectors is at present guided, I am directed by the Secretary for Scotland to acquaint you, for the information of the Board, that he considers that the time has arrived for the issue by the Board of a fresh Circular prescribing the conditions under which a County Council will in future be entitled to obtain a share of the £15,000 contributed under the Local Taxation (Customs and Excise) Act, 1890, towards the cost of Medical Officers and Sanitary Inspectors.

Lord Balfour has, as you are aware, always held the view, and, after the experience of the past seven years, is now fully convinced, that, in the best interests of sanitary administration, County Medical Officers should not be allowed to engage in *general* private practice, so that they may be enabled to devote their entire energies to the special and important public duties which they undertake to perform.

His Lordship has accordingly determined to lay down, as a necessary condition of participation in the Grant, that the County Medical Officers shall be expressly prohibited from engaging in *general* private practice.

The Board should point out to the County Councils that in the event of their being unable to procure the services of an efficient Medical Officer at a reasonable salary, without permission to engage in general private practice, they should consider whether it would not be mutually advantageous to combine with an adjoining County, or Counties, for the purpose.

The Secretary for Scotland does not, however, hold so strong an opinion in regard to Medical Officers being permitted to take *consulting* practice, as distinguished from *general* private practice, and he does not therefore propose to withhold the Grant in the case of Medical Officers engaging in consulting practice with the statutory consent of the County Council; but in such cases it must also be shown to the satisfaction of the Secretary for Scotland that the circumstances are exceptional and really justify this relaxation.

The principles thus laid down will in no way affect existing Medical Officers whose appointments have been already confirmed, unless it is proposed to alter the conditions of appointment, and the rule now laid down will only be brought into operation as vacancies occur.

I am to add that, subject to these considerations, the Secretary for Scotland desires that the Grant shall depend entirely on the efficiency of the sanitary administration, and,

so long as the Board are satisfied upon that head, the Grant will be forthcoming.—I am, Sir, your obedient servant,

(Signed) Wm. C. Dunbar.

The Secretary to the Local Government Board.

Regulations framed by the Secretary for Scotland for the Distribution of the Contribution from the Local Taxation Account to the cost of Medical Officers and Sanitary Inspectors.

"Contribution from the Local Taxation (Scotland) Account, to the cost of Medical Officers and Sanitary Inspectors:

"I, the Right Honourable Alexander Hugh Bruce, Lord Balfour of Burleigh, His Majesty's Secretary for Scotland, hereby determine that the sum of £15,000, mentioned in the Second Section of the Local Taxation (Customs and Excise) Act, 1890, Sub-Section (III.) (*a*), be distributed as prescribed in the following conditions and instructions, viz.:—

"(1.) That the contribution shall, subject to the provisions contained in Section 2, Sub-Section (III.) of the Local Taxation (Customs and Excise) Act, 1890, and until otherwise prescribed, be divided and distributed at such rate per £ on the cost of Medical Officers and Sanitary Inspectors appointed by County Councils, District Committees, and Burgh Local Authorities under the Public Health or Local Government Acts, as will exhaust, or as nearly as may be exhaust, the whole amount of the contribution.

"In addition to the Salary of a Medical Officer or Sanitary Inspector duly appointed under the Public Health or Local Government Acts,

(*i.*) the reasonable Travelling Expenses of a Medical Officer or Sanitary Inspector of a County (including his Travelling Expenses as Medical Officer or Sanitary Inspector of any or all of the Districts within a County), and also

(*ii.*) the reasonable Travelling Expenses of any Medical Officer or Sanitary Inspector of a District of a County, who shall in the opinion of the Local Government Board devote his whole time to the duties of his office,

shall be held to be part of the cost of said Officers, in terms of the Local Taxation (Customs and Excise) Act, 1890, Section 2 (III.) (*a*).

"The contribution will be payable from the Office of the Secretary for Scotland, upon the Certificate of the Local Government Board for Scotland.

"(2.) That in order to entitle a County Council, District Committee, or other Local Authority to participate in the contribution, it is necessary that the arrangements made by the County Council, District Committee, or other Local Authority for carrying out the provisions of the Public Health or Local Government Acts, as regards the amount of the salaries and qualification of the Officers and their duties and respective relations to each other, shall be approved by the Secretary for Scotland, upon the recommendation of the Local Government Board for Scotland.

"No alteration of the *approved* salary of a Medical Officer or Sanitary Inspector shall be made without the consent of the Local Government Board for Scotland to the alteration being first obtained.

"The County Clerk or Clerk to the Local Authority shall, immediately after its occurrence, intimate to the Local Government Board for Scotland the appointment, resignation, or death of a Medical Officer or Sanitary Inspector."

(Signed) BALFOUR OF BURLEIGH.

OFFICE OF THE SECRETARY FOR SCOTLAND,
WHITEHALL, 11*th November* 1902.

Circular to District Local Authorities respecting Regulations for Medical Officers of Health and Sanitary Inspectors.

LOCAL GOVERNMENT BOARD FOR SCOTLAND,
EDINBURGH, 18*th January* 1900.

Sir,—

I.—RECALL OF REGULATIONS UNDER 52 AND 53 VICT., CAP. 50, SEC. 53 (1).

I am directed to inform you that the Local Government Board for Scotland have of this date recalled the Regulations for Medical Officers and Sanitary Inspectors of Districts of Counties issued by the Board of Supervision on 1st May, 1890, under the authority of Sec. 53 (1) of the Local Government (Scotland Act, 1889.

II.—REPORTS TO BE MADE BY MEDICAL OFFICERS OF HEALTH.

In virtue of their powers under Sec. 15 of the Public Health (Scotland) Act, 1897, the Board hereby call upon every Medical Officer of Health of a District of a County, or

of any part thereof, to prepare annually a Report with regard to his district for the year ending 31st December, which Report shall contain—

a. A general account of the sanitary state of the district, and of any measures which in his opinion should be adopted for its improvement.

b. A statement of the general inquiries he has made during the year, and of any special inquiries as to sanitary matters.

c. A general statement of any matters as to which he has given advice or granted certificates, including any action as to offensive trades and the sanitary condition of factories and workshops.

d. An account of his inspections of the bakehouses in the district, and of any proceedings taken with regard to them.

e. An account of the house accommodation of the labouring classes in the district, and of any proceedings under the Housing of the Working Classes Acts, or otherwise.

f. An account of any action taken under the Rivers Pollution Prevention Acts.

g. An account of the available means of isolation of persons suffering from infectious disease, of houses of reception, and of apparatus for disinfection.

h. Observations on condition and adequacy of the apparatus provided for disinfection, and of the hospitals belonging to the Local Authority, or to which the Local Authority are entitled to send patients.

i. A summary of the action taken to prevent the outbreak and spread of infectious disease.

j. A statement as to the causes, origin, and distribution of diseases within the district, and the extent to which the same have depended on or been influenced by conditions capable of removal or mitigation.

k. A tabular statement, in such form as the Local Government Board may from time to time direct, of the sickness and mortality within the district.

The Medical Officer of Health shall transmit a copy of the aforesaid Report to the Local Government Board and to the Local Authority not later than the 31st March immediately following the year to which such Report refers.

Where in any district there is a chief Medical Officer of Health with one or more assistants or subordinates, it will not be necessary for each assistant or subordinate Medical

Officer of Health to furnish a report to the Board. The chief Medical Officer of Health will report on the whole district.

Where the County Medical Officer is Medical Officer of Health for each of the districts in the county, the Board will hold the foregoing instructions to be complied with if the County Medical Officer furnishes a Report for the whole county, provided that in such Report each district is separately dealt with.

III.—Reports to be made by Sanitary Inspectors.

The Board also call upon every Sanitary Inspector of a District of a County, or of any part thereof, to prepare annually a Report with regard to his district for the year ending 31st December, which Report shall contain—

a. A general account of the sanitary state of the district as regards water-supply, drainage, scavenging, nuisances, etc., together with any suggestions for its improvement.

b. An account of his general inspections, and of any special inspections or inquiries, including the supervision of slaughter-houses, and other offensive trades, and the sanitary condition of schools and of factories and workshops.

c. An account of the condition of the common lodging-houses.

d. An account of the condition of the dairies, cowsheds, and milkshops.

e. An account of the condition of the burial-grounds.

f. A statement, in such form as the Local Government Board may from time to time direct, of his proceedings during the year.

He shall transmit a copy of the aforesaid Report to the Local Government Board and to the Local Authority not later than the 31st March immediately following the year to which such Report refers.

Where in any district there is a Chief Sanitary Inspector with one or more assistants or subordinates, it will not be necessary for each assistant or subordinate Sanitary Inspector to furnish a report to the Board. The chief Sanitary Inspector will report on the whole district.

Where the County Sanitary Inspector is Sanitary Inspector for each of the districts in the county, the Board will hold the foregoing instructions to be complied with if the County Sanitary Inspector furnishes a Report for the whole county,

provided that in such Report each district is separately dealt with.

IV.—Medical Officers of Health to Report Cases of Smallpox.*

The Board further require every Medical Officer of Health to report forthwith to them and to the Local Authority every case of smallpox or suspected smallpox within his district which may come to his knowledge.

All previous instructions as to the intimation of smallpox are hereby withdrawn.

V.—Regulations as to the Duties of Medical Officers and Sanitary Inspectors.

The Board find that a number of Local Authorities have not yet made Regulations as to the duties of Medical Officers and Sanitary Inspectors and their relations to each other. They desire to remind Local Authorities that the making of such Regulations is imperative under Section 15 of the Public Health Act of 1897, and they hereby call upon those Local Authorities which have not yet submitted Regulations for the Board's approval to do so at an early date.

I am directed to transmit herewith a copy of Regulations† which have been compiled by the Board as a guide to Local Authorities. These supersede any previous suggestions or recommendations issued by the Board, all of which are hereby withdrawn.

I have to request you to submit this Circular to the first meeting of the Local Authority and to hand a copy to each Medical Officer and Sanitary Inspector of the District.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

To the Clerk to the Local Authority.

* *Vide* Circulars as to notification of cases of Smallpox, page 160 *ante*, and as to notification of cases of Cholera, Yellow Fever, or Plague, page 126 *ante*.

† *Vide* page 177 *post*.

Circular to Burgh Local Authorities respecting Regulations for Medical Officers of Health and Sanitary Inspectors.

Local Government Board for Scotland,
Edinburgh, 18*th January*, 1900.

Sir,—

I.—Reports to be made by Medical Officers of Health.

In virtue of their powers under Sec. 15 of the Public Health (Scotland) Act, 1897, the Board hereby call upon every Medical Officer of Health of a Burgh to prepare annually a Report for the year ending 31st December, which Report shall contain—

a. A general account of the sanitary state of the burgh, and of any measures which in his opinion should be adopted for its improvement.

b. A statement of the general inquiries he has made during the year, and of any special inquiries as to sanitary matters.

c. A general statement of any matters as to which he has given advice or granted certificates, including any action as to offensive trades and the sanitary condition of factories and workshops.

d. An account of his inspections of the bakehouses in the burgh, and of any proceedings taken with regard to them.

e. An account of the house accommodation of the labouring classes in the burgh, and of any proceedings under the Housing of the Working Classes Acts, or otherwise.

f. An account of any action taken under the Rivers Pollution Prevention Acts.

g. An account of any proceedings under the Burgh Police Act, including the substance of his half-yearly Reports on slaughter-houses (Section 280).

h. An account of the available means of isolation of persons suffering from infectious disease, of houses of reception, and of apparatus for disinfection.

i. Observations on the condition and adequacy of the apparatus provided for disinfection, and of the hospitals belonging to the Local Authority, or to which the Local Authority are entitled to send patients.

j. A summary of the action taken to prevent the outbreak and spread of infectious disease.

k. A statement as to the causes, origin, and distribution of diseases within the burgh, and the extent to which the same have depended on or been influenced by conditions capable of removal or mitigation.

l. A tabular statement, in such form as the Local Government Board may from time to time direct, of the sickness and mortality within the Burgh.

The Medical Officer of Health shall transmit a copy of the aforesaid Report to the Local Government Board and to the Local Authority not later than the 31st March immediately following the year to which such Report refers.

Where in any burgh there is a chief Medical Officer of Health with one or more assistants or subordinates, it will not be necessary for each assistant or subordinate Medical Officer of Health to furnish a report to the Board. The chief Medical Officer of Health will report on the whole burgh.

II.—Reports to be made by Sanitary Inspectors.

The Board also call upon every Sanitary Inspector of a Burgh to prepare annually a Report for the year ending 31st December, which Report shall contain—

a. A general account of the sanitary state of the burgh as regards water supply, drainage, scavenging, nuisances, etc., together with any suggestions for its improvement.

b. An account of his general inspections, and of any special inspections or inquiries, including the supervision of slaughter-houses and other offensive trades, and the sanitary condition of schools and of factories and workshops.

c. An account of the condition of the common lodging-houses.

d. An account of the condition of the dairies, cowsheds, and milkshops.

e. An account of the condition of the burial-grounds.

f. An account of his proceedings under the Burgh Police Act.

g. A statement, in such form as the Local Government Board may from time to time direct, of his proceedings during the year.

He shall transmit a copy of the aforesaid Report to the Local Government Board and to the Local Authority not later than the 31st March immediately following the year to which such Report refers.

Where in any burgh there is a chief Sanitary Inspector

with one or more assistants or subordinates, it will not be necessary for each assistant or subordinate Sanitary Inspector to furnish a Report to the Board. The chief Sanitary Inspector will report on the whole burgh.

III.—Medical Officers of Health to Report Cases of Smallpox.*

The Board further require every Medical Officer of Health to report forthwith to them and to the Local Authority every case of smallpox or suspected smallpox within the burgh which may come to his knowledge.

All previous instructions as to the intimation of smallpox are hereby withdrawn.

IV.—Regulations as to the Duties of Medical Officers and Sanitary Inspectors.

The Board find that a number of Local Authorities have not yet made Regulations as to the duties of Medical Officers and Sanitary Inspectors and their relations to each other. They desire to remind Local Authorities that the making of such Regulations is imperative under Section 15 of the Public Health Act of 1897, and they hereby call upon those Local Authorities which have not yet submitted Regulations for the Board's approval to do so at an early date.

I am directed to transmit herewith a copy of Regulations which have been compiled by the Board as a guide to Local Authorities. These supersede any previous suggestions or recommendations issued by the Board, all of which are hereby withdrawn.

I have to request you to submit this Circular to the first meeting of the Local Authority and to hand a copy to each Medical Officer and Sanitary Inspector of the Burgh.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

To the Clerk to the Local Authority.

See circular, page 160 *ante.*

Draft Regulations suggested by the Local Government Board for Scotland for the Guidance of Local Authorities in Regulating the Duties of Medical Officers of Health.

NOTE.—*These Regulations have no force or effect until they have been adopted by the Local Authority and approved by the Local Government Board.*

1. The Medical Officer of Health shall perform all the duties lawfully imposed upon him by any bye-laws and regulations of the Local Authority; and he shall further observe and execute, so far as the circumstances of his district may require, the instructions of the Local Government Board.

2. The Medical Officer of Health shall attend all meetings of the Local Authority and Committees thereof, when so required.

3. The Medical Officer of Health shall inform himself as far as practicable respecting all influences affecting or threatening to affect injuriously the public health within his district.

4. The Medical Officer of Health shall inquire into and ascertain by such means as are at his disposal the causes, origin, and distribution of diseases within his district, and ascertain to what extent the same have resulted from or may depend on conditions capable of removal or mitigation.

5. The Medical Officer of Health shall, by inspection of his district, both systematically at certain periods and as occasion may require, keep himself informed of the conditions injurious or dangerous to health existing therein.

6. The Medical Officer of Health shall advise the Local Authority on all matters affecting the health of his district, and on all sanitary points involved in the action of the Local Authority; and in cases requiring it, he shall certify for the guidance of the Local Authority or of the Sheriff or any Magistrate or Justice, as to any matter in respect of which the Certificate of a Medical Officer of Health or a Medical Practitioner is required as the basis or in aid of sanitary action.

7. The Medical Officer of Health shall advise the Local Authority on any question relating to health involved in the framing and subsequent working of such bye-laws and regulations as they may have power to make.

8. When a Certificate has been received from a Medical Practitioner or a notice from the head of a family in terms of

Section 3 (*1*) (*a*) and (*b*) of the Infectious Disease (Notification) Act, or otherwise the existence of a case of infectious disease has come to his knowledge, the Medical Officer of Health shall instruct the Sanitary Inspector or other competent officer to make the necessary inquiries, and to take such measures as are necessary for preventing the spread of the disease.

9. It shall be the duty of the Medical Officer of Health to enter or cause to be entered both the Certificates and the Notices in a book to be provided by the Local Authority and to be called the *Register of Notifications*, which shall be kept in the office of the Local Authority for that purpose; he shall also tabulate and report to each ordinary meeting of the Local Authority the notifications received.

10. The Medical Officer of Health shall also keep any other books or forms in connection with the Infectious Disease (Notification) Act which the Local Government Board or the Local Authority may from time to time consider necessary.

11. On receiving information of the outbreak of any dangerous infectious disease within his district, the Medical Officer of Health shall visit without delay the place where the outbreak has occurred, and inquire into the causes and circumstances of such outbreak, and in case he is not satisfied that all due precautions are being taken, he shall advise the persons competent to act as to the measures which may appear to him to be required to prevent the extension of the disease, and shall take such measures for the prevention of disease as he is legally authorised to take under any Statute in force in the district or by any Resolution of the Local Authority.

12. When in his opinion any infectious disease threatens to become dangerous or epidemic within the district, the Medical Officer of Health shall forthwith report the same to the Local Government Board and to the Local Authority, stating the extent of the outbreak, its supposed origin, and the measures adopted for the prevention of the spread of the disease, and for the isolation and treatment of those affected.

13. When the Medical Officer of Health becomes aware that any infectious disease, within the meaning of the Infectious Disease (Notification) Act, exists at any dairy within the meaning of the Public Health (Scotland) Act, 1897, or in the household of any person registered under the Dairies, Cowsheds, and Milkshops Order, and that milk is supplied from such dairy or by such person without the district, he shall forthwith report the same to the Local

Government Board and to the Local Authority, specifying the name and address of such dairy or person, and of the person to whom such milk is consigned, or the district within which it is supplied, and the measures adopted to prevent the spread of the disease.

14. The Medical Officer of Health shall report to the Local Government Board and to the Local Authority every case of Smallpox in the district as soon as it comes to his knowledge.

15. When the Medical Officer of Health becomes aware that any infectious disease exists in any house in which children of school age reside, he shall cause intimation thereof to be made to the Clerk of the School Board and to the headmaster of any school which such children or any of them may be attending.

16. Whenever the Local Government Board shall make regulations for all or any of the purposes specified in Section 79 of the Public Health (Scotland) Act, 1897, and shall declare the regulations so made to be in force within his district or any part thereof, the Medical Officer of Health shall observe such regulations, so far as the same relate to or concern his office.

17. The Medical Officer of Health, on receiving information from any Sanitary Inspector that his intervention is required in connection with any nuisance, shall, as early as practicable, take such steps as he is legally authorised to take under any Statute in force in the district, or by any Resolution of the Local Authority, as the circumstances of the case may justify and require.

If the Local Authority desire that the Medical Officer of Health shall superintend the work of the Sanitary Inspector, the following Regulation may be substituted for No. 17:—The Medical Officer of Health shall direct or superintend the work of the Sanitary Inspector or Sanitary Inspectors in the way and to the extent that the Local Authority shall approve, and on receiving information from any Sanitary Inspector that his intervention is required in connection with any nuisance, he shall, as early as practicable, take such steps as he is legally authorised to take under any Statute in force in the district, or by any Resolution of the Local Authority, as the circumstances of the case may justify and require.

18. The Medical Officer of Health shall in any case when required by the Local Authority or when it appears to him to be necessary or advisable, exercise the powers conferred on

him by Section 43 of the Public Health (Scotland) Act, 1897. In the case of any proceeding with regard to a living animal, he shall call upon the Veterinary Surgeon approved by the Local Authority to accompany him.

If the Medical Officer of Health is a qualified Veterinary Surgeon, the last sentence of No. 18 will be omitted.

19. The Medical Officer of Health shall inquire into any offensive process of trade carried on within his district, and report on the appropriate means for the prevention of any nuisance or injury to health therefrom.

20. The Medical Officer of Health shall from time to time inspect any bakehouses which are workshops, and are situate within his district, and he shall thereupon report to the Local Authority whether any steps are necessary to be taken for the purpose of enforcing, as respects such bakehouses, the provisions of the Factory and Workshop Acts.

21. The Medical Officer of Health shall from time to time report in writing to the Local Authority his proceedings and the measures which may require to be adopted for the improvement or protection of the public health in his district. He shall in like manner report with respect to the sickness occurring within his district, so far as he is able to ascertain the same, and with respect to the mortality thereof.

22. The Medical Officer of Health shall also from time to time make such special reports and returns as may be called for by the Local Authority or the Local Government Board.

23. The Medical Officer of Health shall keep a book or books, to be provided by the Local Authority, in which he shall make an entry of his visits, and notes of his observations and instructions thereon, and also the date and nature of applications made to him, the date and result of the action taken thereon and of any action taken on previous reports; and shall produce such book or books, whenever required, to the Local Authority.

24. The Medical Officer of Health shall examine and report on all plans submitted to him by the Local Authority.

Draft Regulations suggested by the Local Government Board for Scotland for the Guidance of Local Authorities in Regulating the Duties of Sanitary Inspectors.

NOTE.—*These Regulations have no force or effect until they have been adopted by the Local Authority and approved by the Local Government Board.*

1. The Sanitary Inspector shall perform all the duties specially imposed upon a Sanitary Inspector by any Statute, or by any Order issued by the Local Government Board, or by any Bye-law or Regulation lawfully made by the Local Authority.

If the Local Authority desire that the Sanitary Inspector shall act under the superintendence of the Medical Officer of Health, the following words should be inserted at the beginning of No. 1 :—"Subject to the general superintendence and directions of the Medical Officer of Health." And at the end there should be added :—"He shall also, subject to the directions of the Local Authority, attend to the instructions of the Medical Officer of Health with respect to any measures which can be lawfully taken by a Sanitary Inspector."

2. The Sanitary Inspector shall attend all meetings of the Local Authority and Committees thereof, when so required.

3. The Sanitary Inspector shall, by inspection of his district, both systematically at certain periods and as occasion may require, keep himself informed in respect of the nuisances existing therein that require removal.

4. On receiving any complaint or information of the existence of any nuisance within his district, the Sanitary Inspector shall, as early as practicable, visit the place, and if he finds that a nuisance under the Public Health Act exists, he shall intimate the same, within twenty-four hours thereafter, to the author of the nuisance, and shall, after a reasonable interval, visit and inquire, and, if he finds that the nuisance is not removed, he shall report the matter in writing to the Local Authority, and act in accordance with such instructions as he may receive.

A form in which the intimation of a nuisance may be made is given in No. 10 of the Forms of Procedure issued by the Local Government Board (page 271 *post*).

5. Whenever it appears to the Sanitary Inspector that the intervention of the Medical Officer of Health is necessary

in connection with any nuisance, he shall forthwith inform such officer thereof, and shall, if requested, accompany and assist him in his inspection of the locality.

6. The Sanitary Inspector shall, if directed by the Local Authority to do so, superintend and see to the due execution of all works which may be undertaken under their direction for the removal of nuisances within his district.

7. The Sanitary Inspector shall keep the Register of Common Lodging-Houses; he shall visit and inquire as to the condition of each Common Lodging-House within the district, at least once every *calendar month*, or oftener if required by the Local Authority, and enter in his journal a report of the result; he shall also report in writing to the Local Authority all unregistered Common Lodging-Houses, as well as any violation of the statutory provisions or of the Bye-laws of the Local Authority relating to Common Lodging-Houses which may come to his knowledge, and act in accordance with such instructions as he may receive.

8. The Sanitary Inspector shall keep the Register of Houses let in Lodgings, in accordance with the Bye-laws made by the Local Authority; he shall visit and inquire as to the condition of each such House within the district, at least once every *calendar month*, or oftener if required by the Local Authority, and enter in his journal a report of the result; he shall also report in writing to the Local Authority all such Houses which in his opinion it is expedient to register, as well as any violation of the Bye-laws of the Local Authority relating to Houses let in Lodgings which may come to his knowledge, and act in accordance with such instructions as he may receive.

9. The Sanitary Inspector shall keep a register of all offensive businesses lawfully established and carried on within the district, and shall report to the Local Authority any contravention of the Bye-laws relating to such businesses; he shall also report when any offensive business is established or enlarged without the sanction of the Local Authority, or when any premises are used as a slaughter-house or knacker's yard without a licence.

10. The Sanitary Inspector shall from time to time visit and inspect any Water-closet, Earth-closet, Privy, or similar convenience within the district used in common by the occupiers of two or more separate dwelling-houses, or by other persons, and shall report to the Local Authority any offence under Section 31 of the Public Health (Scotland) Act, 1897.

11. The Sanitary Inspector shall from time to time visit

and inspect the workshops within the district, and shall report to the Local Authority any contravention of the sanitary provisions of the Factory and Workshop Acts; on receipt by the Local Authority of any notice from the Inspector under the said Acts as to any sanitary defect, the Sanitary Inspector shall forthwith inquire into the same and report the result to the Local Authority.

12. The Sanitary Inspector shall from time to time visit the shops and places within the district with a view to the prevention of the sale of unsound food, and shall on receiving any complaint, or when required by the Local Authority, or when it appears to him to be necessary or advisable, exercise the powers conferred on him by Section 43 of the Public Health (Scotland) Act, 1897. In any case of doubt he shall report the matter to the Medical Officer of Health with the view of obtaining his advice thereon. In the case of any proceeding with regard to a living animal, he shall call upon the Veterinary Surgeon approved by the Local Authority to accompany him.

If the Sanitary Inspector is a qualified Veterinary Surgeon, the last sentence of No. 12 will be omitted.

13. The Sanitary Inspector shall, when and as directed by the Local Authority, procure samples of food or drugs, and if he suspect the same to have been sold to him contrary to any provision of the Sale of Food and Drugs Acts, he shall submit the same to be analysed by the analyst appointed under the said Acts, and if it appear from the certificate of the analyst that an offence against some one of the provisions of the said Acts has been committed, he shall report the matter to the Local Authority, and act in accordance with any instructions which he may receive.

14. The Sanitary Inspector shall keep the Register of Cow-Keepers, Dairymen, and Purveyors of Milk, and shall from time to time, and once at least in every *three months*, visit all Dairies, Cowsheds, and Milkshops within the district, and report the result to the Local Authority. He shall also forthwith inform the Local Authority of any infringement of the Orders or Regulations applicable to such premises.

If any other officer has been appointed by the Local Authority to inspect the Dairies, No. 14 will be omitted.

15. The Sanitary Inspector shall from time to time make such inquiries as may be necessary with a view to ascertaining whether the Bye-laws made by the Local Authority are duly observed, and shall report to the Local Authority any violation of the Bye-laws which may come to his knowledge.

16. In every case in which it shall be reported or otherwise become known to him that any person in a Common Lodging-House, or in any Tent, Van, Shed, or similar structure, is suffering from any infectious disease, the Sanitary Inspector shall forthwith report the same to the Medical Officer of Health, and act under his instructions.

17. The Sanitary Inspector shall, by the instructions of the Medical Officer of Health, remove or superintend the removal of any patient suffering from infectious disease, and shall carry out any process of disinfection or any other measures that may be required for preventing the spread of infectious disease. He shall also, as soon as possible, examine the sanitary arrangements of any house in which infectious disease has occurred and report to the Medical Officer of Health.

18. The Sanitary Inspector shall, under the direction of the Medical Officer of Health make inquiries into the circumstances of each case of infectious disease within the district as regards facilities for isolation, employment, school, water-supply, milk-supply, and any other matters likely to assist the Medical Officer of Health in carrying out his statutory duties; he shall also serve the notices required by Section 50 (2) and 53 (2) of the Public Health Act.

19. The Sanitary Inspector shall enter from day to day, in a book to be provided by the Local Authority, particulars of his inspections and of the action taken by him in the execution of his duties. He shall also keep a book or books, to be provided by the Local Authority, so arranged as to form, as far as possible, a continuous record of the sanitary condition of each of the premises in respect of which any action has been taken under the Public Health (Scotland) Act, 1897, or under any other Statute, and shall keep any other systematic records that the Local Authority may require.

20. The Sanitary Inspector shall at all reasonable times, when applied to by the Medical Officer of Health, produce to him his books, or any of them, and render to him such information as he may be able to furnish with respect to any matter to which the duties of Sanitary Inspector relate.

21. The Sanitary Inspector shall observe and execute all lawful orders and instructions of the Local Authority and the Local Government Board applicable to his office; and, if required, he shall attend upon the Inspecting Officer of the Local Government Board, and afford him such information and assistance as he may desire.

22. The Sanitary Inspector shall examine and report on all plans submitted to him by the Local Authority.

Forms of Tabular Statement of Sickness and Mortality referred to in the Regulations issued by the Local Government Board for Medical Officers.

COUNTIES.

County of _____ _____ *District.*

TABLE I.—Births and Deaths occurring in the District during the Year 19.....

Names of Sub-Divisions of District, if any.	Population.		Acreage.	Registered Births.	Mortality at Subjoined Ages.							Mortality from Subjoined Causes.																Under or Over Five Years of Age.
	Census, 1901.	Estimated to middle of 19....*			At all ages.	Under 1 Year.	1 and under 5.	5 and under 15.	15 and under 25.	25 and under 60.	60 and upwards.	Smallpox.	Diphtheria.	Scarlet Fever.	Typhus Fever.	Enteric Fever.	Other or Doubtful Fevers.	Measles.	Whooping Cough.	Diarrhœa.	Septic Diseases.*	Tubercular Diseases. Phthisis.	Tubercular Diseases. Other than Phthisis.	Cancer, Malignant Diseases.	Diseases of Nervous System.*	Diseases of Circulatory System.*	Diseases of Respiratory System.*	Violence.	All other Certified Causes.	Uncertified Causes.	
	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds
	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds
	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds
Total of District	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds

The Local Government Board request this Statement to be returned to them as soon as possible, duly filled up, apart from the Medical Officer's Annual Report.

NOTES.—The Medical Officer may, if he thinks fit, give separately the figures for any Sub-Divisions of the District: in all cases the total for the District is to be given.

Deaths of Persons belonging to a District occurring in Public Institutions (as Lunatic Asylums, Poorhouses, Hospitals) outside of the District, are to be included with the figures for that District, and deaths of persons not belonging to a District, occurring in Public Institutions within the District, are to be excluded.

"Diphtheria" shall include "Membranous Croup," "Diphtheritic Croup," "Croupous Diphtheria."

All deaths from "Diarrhœa," "Dysentery," "Enteritis," "Gastro-Enteritis," "Muco-Enteritis"—unless qualified by the designation "Chronic," or by an alleged primary cause, *e.g.*, "Phthisis—Diarrhœa," "Bright's Disease—Diarrhœa," are to be entered under the heading "Diarrhœa."

The designation "Other Tubercular Diseases" shall include, *inter alia*, "Tabes Mesenterica," "Tubercular Meningitis," "Hydrocephalus," "Struma," "Scrofula."

The headings distinguished by asterisks shall cover all diseases placed under these headings in the classification of the Registrar-General.

The heading "Uncertified Causes" should include only those cases of Uncertified Deaths which, from want of information, cannot be assigned to one or other of the "Causes" forming headings.

TABLE II.—Density of Population, Birth Rate, Infantile, and other Death Rates.

Names of Sub-Divisions of District, if any.	Persons to the Acre.	Birth Rate.	Deaths under 1 Year per 1000 Births.	DEATH RATES,† PER THOUSAND FROM																
				All Causes.	The Principal Zymotic Diseases.									Septic Diseases.	Tubercular Diseases.		Cancer.	Diseases of Nervous System.	Diseases of Circulatory System.	Diseases of Respiratory System.
					Total.	Smallpox.	Diphtheria.	Scarlet Fever.	Typhus Fever.	Enteric and other or Doubtful Fevers.	Measles.	Whooping Cough.	Diarrhœa.		Phthisis.	Other than Phthisis.				
Total for District,																				

† To be calculated to three places in Decimals.

TABLE III.—Cases of Infectious Disease coming to the knowledge of the Medical Officer during the Year 19....

Names of Sub-Divisions of District, if any.	Smallpox.	Cholera.	Diphtheria and Membranous Croup.	Erysipelas.	Scarlet Fever.	Typhus Fever.	Enteric Fever.	Relapsing Fever.	Continued Fever.	Puerperal Fever.	Measles.	Whooping Cough.		
Total of District, ...														
Cases Treated in Hospital, ...														
Percentage of Cases Treated in Hospital, ...														

*Date*_____ *Signature*_____

Medical Officer.

BURGHS.

County of _____ _____ *Burgh.*

TABLE I.—Births and Deaths occurring in the Burgh during the Year 19.....

Names of Sub-Divisions of Burgh, if any.	Population.		Acreage.	Registered Births.	Mortality at subjoined Ages.						Mortality from Subjoined Causes.																Under or Over Five Years of Age.
	Census, 1901.	Estimated to middle of 19....			At all Ages.	Under 1 Year.	1 and under 5.	5 and under 15.	15 and under 25.	25 and under 60.	60 and upwards.	Smallpox.	Diphtheria.	Scarlet Fever.	Typhus Fever.	Enteric Fever.	Other or Doubtful Fevers.	Measles.	Whooping Cough.	Diarrhœa.	Septic Diseases.*	Tubercular Diseases. Phthisis.	Tubercular Diseases. Other than Phthisis.	Cancer, Malignant Diseases.	Diseases of Nervous System.*	Diseases of Circulatory System.*	Diseases of Respiratory System.*	Violence.	All other Certified Causes.	Uncertified Causes.	
	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds
	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds
	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds
Total of Burgh,	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Under 5
												...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5 and upw'ds

The Local Government Board request this Statement to be returned to them as soon as possible, duly filled up, apart from the Medical Officer's Annual Report.

NOTES.—The Medical Officer may, if he thinks fit, give separately the figures for any Sub-Divisions of the Burgh: in all cases the Total for the Burgh is to be given.

Deaths of Persons belonging to a Burgh occurring in Public Institutions (as Lunatic Asylums, Poorhouses, Hospitals) outside of the Burgh, are to be included with the figures for that Burgh, and deaths of persons not belonging to a Burgh, occurring in Public Institutions within the Burgh, are to be excluded.

"Diphtheria" shall include "Membranous Croup," "Diphtheritic Croup," "Croupous Diphtheria."

All deaths from "Diarrhœa," "Dysentery," "Enteritis," "Gastro-Enteritis," "Muco-Enteritis"—unless qualified by the designation "Chronic," or by an alleged primary cause, *e.g.*, "Phthisis—Diarrhœa," "Bright's Disease—Diarrhœa" are to be entered under the heading "Diarrhœa."

The designation "Other Tubercular Diseases" shall include, *inter alia*, "Tabes Mesenterica," "Tubercular Meningitis," "Hydrocephalus," "Struma," "Scrofula."

The headings distinguished by asterisks shall cover all diseases placed under these headings in the classification of the Registrar-General.

The heading "Uncertified Causes" should include only those cases of Uncertified Deaths which, from want of information, cannot be assigned to one or other of the "Causes" forming headings.

TABLE II.—Density of Population, Birth Rate, Infantile, and other Death Rates.

Names of Sub-Divisions of Burgh, if any.	Persons to the Acre.	Birth Rate.	Deaths under 1 year per 1000 Births.	DEATH RATES,† PER THOUSAND, FROM															
				All Causes.	The Principal Zymotic Diseases.									Septic Diseases.	Tubercular Diseases.		Cancer.	Diseases of Nervous System.	Diseases of Circulatory System.	Diseases of Respiratory System.
					Total.	Smallpox.	Diphtheria.	Scarlet Fever.	Typhus Fever.	Enteric and other or Doubtful Fevers.	Measles.	Whooping Cough.	Diarrhœa.		Phthisis.	Other than Phthisis.				
Total for Burgh,																				

†To be calculated to three places in decimals.

TABLE III.—Cases of Infectious Disease coming to the knowledge of the Medical Officer during the Year 19....

Names of Sub-Divisions of Burgh, if any.	Smallpox.	Cholera.	Diphtheria and Membranous Croup.	Erysipelas.	Scarlet Fever.	Typhus Fever.	Enteric Fever.	Relapsing Fever.	Continued Fever.	Puerperal Fever.	Measles.	Whooping Cough.		
Total of Burgh ...														
Cases treated in Hospital ...														
Percentage of Cases Treated in Hospital ...														

*Date*_____ *Signature*_____

Medical Officer.

Additional Form of Tabular Statement under the Infectious Disease (Notification) Act, 1889,

for the Year ending 31st December .....

To be filled up by the Medical Officer.

Local Authority of the District (or Burgh) of _____ County of _____

Population, 1901, _____. Estimated Population to middle of 19..., _____

TABLE I.

Cases.	DISEASES.															
	Smallpox.	Cholera.	Diphtheria.	Membranous Croup.	Erysipelas.	Scarlet Fever.	Typhus Fever.	Typhoid or Enteric Fever.	Relapsing Fever.	Continued Fever.	Puerperal Fever.	†				Total.
Notified	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Of which Treated in Hospital ...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...

Where a Local Authority have no hospital of their own, please specify below hospital or hospitals to which cases were removed.

TABLE II.

NUMBER OF MEDICAL PRACTITIONERS' CERTIFICATES.	£	s.	d.
_____cases in Private Practice @ 2/6 ...			
_____cases in Public Institutions @ 1/-			
_____cases. Total cost in Fees ...			

3. Number of Notifications by Head of Family, Occupier, &c.....
4. Number of cases omitted either by Medical Practitioners or Heads of Families, &c.....
5. Number of Prosecutions, in terms of Section 3 (2), consequent on such omissions.....
6. Number of Convictions consequent on such Prosecutions.....

Date _____ Signature _____

Note.—The Local Government Board request this Statement to be returned to them as soon as possible, duly filled up, apart from the Annual Reports.

† Insert in blank columns any other Disease to which, in terms of Section 7, the Act may have been extended.

Form of Statement by Sanitary Inspector of Proceedings under the Public Health and other Acts during the year 19 .

*County*_____ *District or Burgh*_____

	NUMBER.
Subordinate Sanitary Inspectors employed -	
I. *Nuisances.*	
Complaints received - - - - -	
Intimations served under Sec. 19 - - -	
Notices served under Sec. 20 - - - -	
Cases in which legal proceedings were taken -	
Do. do. do. successful	
II. *Workshops.*	
Inspections - - - - - - -	
Notices served under Sec. 2 (3) of Factory and Workshop Act, 1901 - - - -	
Cases in which legal proceedings were taken -	
Do. do. do. successful	
III. *Tents and Vans.*	
Inspections - - - - - - -	
IV. *Underground Dwellings.*	
Number reported to Local Authority - -	
Notices to Owners (Sec. 74) - - - -	
V. *Common Lodging Houses.*	
On Register at 1st January 19.. - - -	
Registered during year - - - - -	
Renewals of Registration - - - -	
Removed from Register - - -	
Inspections between 8 A.M. and 10 P.M. - -	
Inspections between 10 P.M. and 8 A.M. - -	
Intimations of Irregularities sent to Keepers -	
Cases of Infectious Disease reported to Medical Officer (Sec. 97) - - - - -	
Unregistered Premises dealt with - - -	
Cases in which legal proceedings were taken (breaches of bye-laws, &c.) - - -	
Cases in which legal proceedings were successful	
VI.—*Houses Let in Lodgings.*	
On Register at 1st January 19.. - - -	

NUMBER.

Registered during year - - - -
Removed from Register - - - -
Inspections - - - - - -
Cases in which legal proceedings were taken -
Do. do. do. successful

VII. *Infectious Diseases.*

Visits of Inquiry, &c. - - - - -
Patients removed to Hospital - - - -
Persons removed to House of Reception - -
Notices served under Sec. 50 (2) - - -
Notices served under Sec. 53 (2) - - -
Intimations to School Boards, Teachers, &c. -
Houses or Premises disinfected - - -
Sets of Clothing, Bedding, &c., disinfected or destroyed - - - - - -
Cases in which legal proceedings were taken -
Do. do. do. successful

VIII. *Burials.*

Burials undertaken in terms of Sec. 69 - -

IX. *Dairies, Cowsheds, and Milkshops.*

On Register at 1st January 19.. - - -
Registered during year - - - - -
Removed from Register - - - - -
Inspections - - - - - - -
Number of Cows in Cowsheds (Byres) - -
Contraventions of Orders or Regulations dealt with - - - - - - -
Cases in which legal proceedings were taken -
Do. do. do. successful

X. *Slaughter-Houses and Offensive Trades.*

Applications under Sec. 32 for sanction to establish - - - - - -
Applications granted - - - - -
Applications under Sec. 33 for Licence or Renewal of Licence - - - - - -
Applications granted - - - - -
Public Slaughter-Houses - - - -
Other Slaughter-Houses as at 31st December 19..
Unlicensed Slaughter-Houses dealt with - -
Inspections of Slaughter-Houses - - -
Inspections of other Offensive Businesses -

NUMBER.

Number of such other Offensive Businesses at 31st December 19.. - - - -
Cases in which legal proceedings were taken (breaches of bye-laws, &c.) - - -
Cases in which legal proceedings were successful

XI. *Unsound Food.**

Inspections under Sec. 43 - - - -
Seizures of Unsound Food - - - -
Cases in which owners of Unsound Food were prosecuted - - - - - -
Convictions in connection with above cases -

XII. *Food and Drugs Acts.*†

Samples procured for Analysis - - -
Certified pure by Analyst - - - -
Certified to be adulterated - - - -
Cases in which legal proceedings were taken
Do. do. do. successful

XIII. *Bye-laws.*

Inspections in carrying out bye-laws relating to—
(*a*) Pigstyes - - - - - -
(*b*) Public Conveyances - - - -
(*c*) Buildings‡ - - - - -
(*d*) Cleansing in Special Scavenging Districts‡
(*e*) Other bye-laws relating to sanitary matters

_____ *Sanitary Inspector.*

Date_____

*Only those inspections and seizures in which the Sanitary Inspector has personally taken part should be inserted. The Sanitary Inspector is requested to give on the fly-leaf a statement of the nature and quantities (or weights) the food seized—distinguishing butcher-meat, fish, fruit, etc.

†Only those samples which have been procured by the Sanitary Inspector personally should be inserted here, and the Sanitary Inspector is requested to give on the fly-leaf a statement of the articles analysed :—Milk, butter, pepper, etc.

‡Sanitary Inspectors of *Burghs* do not report on these matters.

REGISTRARS' RETURNS.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 24*th January*, 1898.

Sir,—I am directed by the Local Government Board to draw the attention of the Local Authority to the fourth paragraph of Section 15 of the Public Health (Scotland) Act, 1897, under which the Registrar is required to furnish to the Local Authority such periodical Returns of Births and Deaths as may be required. As the approval of the Board is necessary before such Returns can be called for, I am directed to transmit for the information of the Local Authority a suggested form of Return, which may be adopted by the Local Authority or modified according to their requirements. —I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

FORM of RETURN of Births and Deaths to be Furnished by Registrars to Medical Officers of Health.

Local Authority of the*_____

Return of Births and Deaths Registered in the _____ *of* _____ *during the* _____ *ending* _____ 189

Number in Register.	DATE OF DEATH.	NAME.	PLACE OF DEATH. (If in Infirmary or Hospital state, if possible, the usual place of residence of the deceased.)	SEX.	AGE.		OCCUPATION OR CONDITION OF LIFE.	CAUSE OF DEATH. (A Complete Copy of Medical Certificate.)	BY WHOM CERTIFIED.	REMARKS.
					Years.	Months.				

BIRTHS { LEGITIMATE, M____ F____ / ILLEGITIMATE, M____ F____ } TOTAL____

AGES AT DEATH.
(*Not to be filled up by Registrar.*)

Under 1 year _____
1 year and under 5 _____
5 ,, ,, 15 _____
15 ,, ,, 25 _____
25 ,, ,, 60 _____
60 years and upwards _____
TOTAL _____

_____ *Registrar.*

NOTE.—The number of lines in the form should be proportionate to the Population.

* Insert here Name of Local Authority, County, District, or Burgh as the case may be.

VETERINARY SURGEONS.

FORM OF STATEMENT OF PROCEEDINGS BY THE VETERINARY SURGEON APPROVED BY THE LOCAL AUTHORITY FOR THE PURPOSES OF SECTION 43 OF THE PUBLIC HEALTH (SCOTLAND) ACT, 1897, FOR THE YEAR ENDING 31ST DECEMBER 19 .

*County of*_____ *District* _____

or Burgh of _____

	Number.
Inspections under Section 43 (1) - - -	
How many of these were inspections of living animals? - - - - - - -	
Seizures under Section 43 (1) - - - -	
Certificates granted under Sub-section 2 of Section 43 (place of slaughter) - - - -	
Certificates granted under Sub-section 3 of Section 43 (place appointed by the Local Authority)	
Animals or Carcases condemned under Section 43 (3) - - - - - - -	
Inspections in terms of Section 60 (1) - -	
Inspections in terms of Section 60 (2) - -	
Inspections of Udders of Cows for the purposes of the Dairies, &c., Order of 1899, Article III.	
Cases in which Udder was certified to be affected with Tubercular disease - - - -	
Inspections under the Regulations for Dairies -	
Other inspections at the instance of the Local Authority or their Officers - - -	

_____

Veterinary Surgeon.

*Date*_____

VI.—LOANS TO LOCAL AUTHORITIES.

Circular as to Loans to Local Authorities.

Local Government Board,
Edinburgh, 21*st October* 1898.

Sir,—The reduced rates of interest* now chargeable on loans authorised by the Public Works Loan Act, 1897, having led to a large increase in the number of applications for such loans, I am directed by the Board to bring under notice of Local Authorities certain considerations to be kept in view by them in applying to the Public Works Loan Board for such advances for public works.

The Board cannot too strongly urge the necessity of applying for such loans and asking the Board's recommendation before the works are begun, or at least before any payments, which the Local Authority are not to meet out of the current assessment, have been made. It has always been the rule of the Public Works Loan Board that they will not advance money on account of works already completed and paid for out of borrowed money obtained on the security of the assessments. Previously to 1887, this rule had not been extended to the case of temporary advances (such as an overdraft on the Local Authority's account with the bank) which had not been secured over the rates, but since that date it has been applied in every case where money has been borrowed from whatever source.

The above statement of the views of the Public Works Loan Board is confirmed by a recent letter addressed by their Secretary to this Board. He writes :—"As some borrowers "appear to consider that the works should be actually execu- "ted before they come to this Board for a loan, I am to state "that it appears to this Board desirable that borrowers should "borrow direct from this Board either prior to or concurrently "with the execution of the work (and in cases of large sums "this Board advance the loans by instalments). Temporary "loans would thus be avoided, and are unnecessary. This "Board find that so-called temporary loans sometimes run a "considerable time, and the borrower very often expects that "the term of 30 years named in the Act will be in addition

* *Note.*—At the present date, 1903, the rate of interest on loans for a period not exceeding 30 years is 3¼ per cent. per annum.

"to the term of the temporary loan and that during the "currency of the temporary loan any part of the principal "need not be raised out of the rates—a course which appears "to this Board to be contrary to the meaning of the Act if it "be not illegal."

The intention of the Legislature was that the ratepayers should year by year pay the interest on their capital expenditure, and a definite proportion of instalment in reduction of the amount of such capital expenditure; but the Public Works Loan Board point out that by the expedient of temporary loans the existing ratepayers escape the payment of these annual instalments, with the result of casting the burden of the instalments which they ought to have paid on their successors. The object of the Legislature in encouraging loans from the Public Works Loan Board is not that the debts of a Local Authority may be made easier, but that the construction of sanitary works may be facilitated by providing Local Authorities with the necessary funds at low rates of interest.

I am also to remind Local Authorities of the practice of this Board to appoint Engineers, Architects, or Surveyors of repute, according to the nature of the works, to report on the efficiency of the scheme for which a loan is required, and it is to the advantage of Local Authorities that the inspection by the Board's Commissioner should be made at an early stage, when they may benefit by his experience and advice. In connection with such inspections, the Board have had frequent occasion to draw the attention of Local Authorities to defects in their schemes, and to suggest improvements. When the works are completed *before* the application for the Board's recommendation is lodged, it is obvious that any structural alterations which may be thought essential by the Board can only be made—if at all—at a considerable additional expense to the Local Authority.

With regard to the mode of repayment of loans, the usual and, in the opinion of the Board, the most equitable method is that of repayment by equal annual instalments of the principal together with interest on the balance remaining unpaid. The amount payable under this method gradually decreases, and the Local Authority will thus be in a better position to provide for the cost of any further capital works which may from time to time become necessary.

The Board, in their general Circular of 16th November 1897, have already reminded Local Authorities of the various purposes for which loans may now be obtained under the Public Health (Scotland) Act, 1897;* and in addition to these the

* *See* page 7 *ante.*

Board will continue their practice of reporting to the Public Works Loan Board, when application is made to them by Local Authorities, on all loans proposed to be incurred for *sanitary purposes*, in terms of the Burgh Police (Scotland) Act, 1892.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the Local Authority.

Forms of Application for Board's Recommendation to Loans.

FORM A.

COUNTIES.

PUBLIC HEALTH (SCOTLAND) ACT, 1897.
(60 & 61 Vict. Cap. 38.)

APPLICATION BY THE COUNTY COUNCIL OF _____

FOR A LOAN OF £_____ FOR* _____

_____

(*Date*)_____

* Insert water works or drainage works as the case may be.

Sir,—In terms of Section 142 of the Public Health (Scotland) Act, 1897, I am directed by the County Council of _____ to apply for the recommendation of the Local Government Board for Scotland to a Loan from the Public Works Loan Commissioners for the purpose specified in the Schedule attached hereto, which I have signed as duly authorised on behalf of the County Council.

I annex copies of (1) Minute of the Local Authority resolving to execute the works, (2) Minute of the Standing Joint Committee consenting thereto, (3) Minute of the County Council resolving to borrow, and (4) Minute of the Standing Joint Committee consenting thereto, with date of Minute in each case.—I am, Sir, your obedient servant,

_____
County Clerk.

To the Secretary,
Local Government Board, Edinburgh.

SCHEDULE.

Amount of Loan.	Assessable Rental of District to be Assessed.	Population of District to be Assessed.	Number of Years over which Repayment to extend.	Probable duration of Works after completion.	MINUTES REFERRED TO IN APPLICATION.
£.....	Owners £..... Occupiers £.....	.....	.....Years.	.....Years.	

Security offered		
State whether any prior Loan or Lien exists, and whether it is intended to apply the Loan now asked in repayment thereof		
(1) Present Rate of Public Health General Assessment.	(2) Present Rate of Special Sewer and Special Water Assessment. [Not to include rate referred to in (3).]	(3) Rate of Assessment to be levied to meet Loan now applied for.
Nature of Works		
Locality (give name of Special District, or Village, or other Place; and District of County)		
Sections of Public Health Act under which Works undertaken		

County Council of _____ _____, *County Clerk.*

FORM B.

COUNTIES.

PUBLIC HEALTH (SCOTLAND) ACT, 1897.
(60 & 61 Vict. Cap. 38.)

APPLICATION BY THE COUNTY COUNCIL OF _____

FOR A LOAN OF £_____ FOR* _____

_____

(*Date*) _____

* Insert purpose for which Loan is required (other than water or drainage works).

Sir,—In terms of Section 142 of the Public Health (Scotland) Act, 1897, I am directed by the County Council of _____ to apply for the recommendation of the Local Government Board for Scotland to a Loan from the Public Works Loan Commissioners for the purpose specified in the Schedule attached hereto, which I have signed as duly authorised on behalf of the County Council.

I annex copies of (1) Minute of the Local Authority resolving to execute the works, (2) Minute of the Standing Joint Committee consenting thereto, (3) Minute of the County Council resolving to borrow, and (4) Minute of the Standing Joint Committee consenting thereto, with date of Minute in each case.—I am, Sir, your obedient servant,

_____

County Clerk.

To the Secretary,
Local Government Board, Edinburgh.

SCHEDULE.

Amount of Loan.	Assessable Rental of District to be Assessed.	Population of District to be Assessed.	Number of Years over which Repayment to extend.	Probable duration of Works after completion.
£.....	Owners £..... Occupiers £.....	.....	.....Years.	.....Years.

Security offered	
State whether any prior Loan or Lien exists, and whether it is intended to apply the Loan now asked in repayment thereof	

(1) Present Rate of Public Health General Assessment. [Not to include rate referred to in (2).]	(2) Rate of Assessment to be levied to meet Loan now applied for.

Nature of Works	
Locality (giving name of Village or other Place; and District of County)	
Sections of Public Health Act under which Works undertaken	

MINUTES REFERRED TO IN APPLICATION.

Signed on behalf of the County Council of _____

_____, *County Clerk.*

FORM C.

BURGHS.

BURGH SEWERAGE, DRAINAGE, AND WATER SUPPLY (SCOTLAND) ACT, 1901.
(1 Edw. VII., Cap. 24.)

APPLICATION BY THE TOWN COUNCIL OF THE BURGH OF

_____ FOR A LOAN OF £_____

FOR* _____

_____

* Insert water works or drainage works as the case may be.

(*Date*) _____

Sir,—In terms of Section 142 of the Public Health (Scotland) Act, 1897, I am directed by the Town Council of the Burgh of _____ to apply for the recommendation of the Local Government Board for Scotland to a Loan from the Public Works Loan Commissioners for the purpose specified in the Schedule attached hereto, which I have signed as duly authorised on behalf of the Town Council.

I annex copies of (1) Minute of Town Council resolving to execute the works, (2) Minute of Town Council proposing to borrow, and—where the works have been carried out under the Burgh Police (Scotland) Act, 1892—(3) Minute of Town Council disposing of proposal to borrow six weeks after public notice has been given in terms of Section 374 thereof, with date of Minute in each case. A copy of the newspaper containing the above public notice is also enclosed.—I am, Sir, your obedient servant,

_____

Town Clerk.

To the Secretary,
Local Government Board, Edinburgh.

SCHEDULE.

Amount of Loan.	Assessable Rental of District to be Assessed.	Population of District to be Assessed.	Number of Years over which Repayment to extend.	Probable duration of Works after completion.	MINUTES REFERRED TO IN APPLICATION.
£.....	Owners £..... Occupiers £.....	.....	.....Years.	.....Years.	

Security offered	
State whether any prior Loan or Lien exists, and whether it is intended to apply the Loan now asked in repayment thereof	

(1) Present Rate of Sewer and Water Assessment. [Not to include rate referred to in (2).]	(2) Rate of Assessment to be levied to meet Loan now applied for.
(*a*) Sewer Assessment*..... (*b*) Water Assessment..... *If the Burgh is divided into Drainage Districts, give rate in each District.	

Nature of Works	
Locality. [If the Loan is for Drainage Works for a separate Drainage District, give name of such District.]	
Section of Act under which Works undertaken ...	

Signed on behalf of the Town Council of _____

_____, *Town Clerk*,

FORM D.

BURGHS.

BURGH POLICE (SCOTLAND) ACT, 1892.
(55 & 56 Vict. Cap. 55.)

APPLICATION BY THE TOWN COUNCIL OF THE BURGH OF

_____ FOR A LOAN OF £_____

FOR*_____

_____

* Insert purpose for which Loan is required.

(*Date*)_____

Sir,—In terms of Section 142 of the Public Health (Scotland) Act, 1897, I am directed by the Town Council of the Burgh of _____ to apply for the recommendation of the Local Government Board for Scotland to a Loan from the Public Works Loan Commissioners for the purpose specified in the Schedule attached hereto, which I have signed as duly authorised on behalf of the Town Council.

I annex copies of (1) Minute of Town Council resolving to execute the works, (2) Minute of Town Council proposing to borrow, and (3) Minute of Town Council disposing of proposal to borrow six weeks after public notice has been given in terms of Section 374 of the Burgh Police (Scotland) Act, 1892, with date of Minute in each case. A copy of the newspaper containing the above public notice is also enclosed.—I am, Sir, your obedient servant,

_____

Town Clerk.

To the Secretary,
Local Government Board, Edinburgh.

SCHEDULE.

Amount of Loan.	Assessable Rental of District to be Assessed.	Population of District to be Assessed.	Number of Years over which Repayment to extend.	Probable duration of Works after completion.	MINUTES REFERRED TO IN APPLICATION.
£.....	Owners £..... Occupiers £.....	.....	.....Years.	.....Years.	

Security offered	
State whether any prior Loan or Lien exists, and whether it is intended to apply the Loan now asked in repayment thereof ...	

(1) Present Rate of Burgh General Assessment. [Not to include rate referred to in (2).]	(2) Rate of Assessment to be levied to meet Loan now applied for.

Nature of Works	
Section of Act under which Works undertaken ...	

*Signed on behalf of the Town Council of*_____

_____ *Town Clerk.*

FORM E.

BURGHS.

PUBLIC HEALTH (SCOTLAND) ACT, 1897
(60 & 61 Vict. Cap. 38.)

APPLICATION BY THE TOWN COUNCIL OF THE BURGH OF

_____ FOR A LOAN OF £_____

FOR* _____

_____

* Insert purpose for which Loan is required.

(Date) _____

Sir,—In terms of Section 142 of the Public Health (Scotland) Act, 1897, I am directed by the Town Council of the Burgh of_____to apply for the recommendation of the Local Government Board for Scotland to a Loan from the Public Works Loan Commissioners for the purpose specified in the Schedule attached hereto, which I have signed as duly authorised on behalf of the Town Council.

I annex copies of (1) Minute of Town Council resolving to execute the works, and (2) Minute of Town Council proposing to borrow, with date of Minute in each case.—I am, Sir, your obedient servant,

_____

Town Clerk.

To the Secretary,
Local Government Board, Edinburgh.

SCHEDULE.

Amount of Loan.	Assessable Rental of District to be Assessed.	Population of District to be assessed.	Number of Years over which Repayment to extend.	Probable duration of Works after completion.	MINUTES REFERRED TO IN APPLICATION.
£.....	Owners £..... Occupiers £.....	.....	.....Years.	.....Years.	

Security offered	
State whether any prior Loan or Lien exists, and whether it is intended to apply the Loan now asked in repayment thereof ...	

(1) Present Rate of Public Health General Assessment. [Not to include Rate referred to in (2).]	(2) Rate of Assessment to be levied to meet Loan now applied for.

Nature of Works	
Section of Act under which Works undertaken ...	

Signed on behalf of the Town Council of _____

_____ *Town Clerk.*

Forms of Returns in connection with Applications for Loans.

WATER.

LOCAL GOVERNMENT BOARD FOR SCOTLAND.

RETURN BY THE LOCAL AUTHORITY OF _____

APPLYING FOR LOAN FOR WATER WORKS.

1. By what Engineer or Surveyor are the projected water works designed? .. .. _____
2. Under whose management and superintendence are the works to be executed? _____
3. Are the works to be executed by contract or day's wages? .. .. _____
4. Are the works to be executed by means of the proposed Loan complete in themselves, or parts of other works? .. _____
5. Has any contract been entered into for the whole or any portion of the proposed works? If not, can it be shown that any such contract can be made with a responsible contractor at a cost not exceeding the Engineer's or Surveyor's estimate? .. .. _____
6. If the works have already been executed, state the date of their completion _____
7. State population of the district to be supplied .. _____
8. What is the supply in gallons per head of population to be given by the proposed works? _____

9. If the proposed supply is intended only as an additional supply, what is the number of gallons per head per day at present supplied? . . _____

10. How is it proposed to distribute the water to the inhabitants? . . _____

11. The following documents and plans should accompany the Local Authority's application for Loan:—

(*a*) Copies of all reports that have been made by the Engineer or Surveyor regarding the proposed Water Supply.

(*b*) Detailed working drawings and sections showing method of construction and dimensions of work.

(*c*) Detailed working specification, giving quality and sizes of materials.

(*d*) Detailed measurement of work, giving the quantities of work of every kind in separate items.

(*e*) Detailed estimate by Engineer or Surveyor, which shall consist of the above measurement, with prices attached to each item, and the whole of these items summed up so as to give the lump estimate.

(*f*) Report by Engineer or Surveyor stating the time within which it is expected to complete the whole or any separate portion or portions.

(*g*) An analysis of the quality of the water, specifying its adaptation for domestic purposes.

(*h*) A description of the gathering ground—(1) area. (2) how much of that area is hill pasture? (3) how much arable? and (4) how much peat?

(*i*) Rain-gauge observations; annual fall of rain in district during last five years.

(*j*) Reports (1) by the Medical Officer of Health on the quality and quantity of the water, the sufficiency of the proposed scheme for the area to be supplied, and any circumstance likely to affect the wholesomeness of the water; (2) by the Sanitary Inspector on any sources of nuisance within the gathering area or in dangerous proximity to any part of the water-supply system.

(*k*) Statement showing how the amount of the proposed Loan is made up.

(*Signature*)_____
Clerk.

*Date*_____

DRAINAGE.

LOCAL GOVERNMENT BOARD FOR SCOTLAND.

RETURN BY THE LOCAL AUTHORITY OF_____

APPLYING FOR LOAN FOR DRAINAGE WORKS.

1. By what Engineer or Surveyor are the projected drainage works designed?
2. Under whose management and superintendence are the works to be executed?
3. Are the works to be executed by contract or day's wages? .. .. ..
4. Are the works to be executed by means of the proposed Loan complete in themselves, or parts of other works? .. .. ..
5. Has any contract been entered into for the whole or any portion of the proposed works? If not, can it be shown that any such contract can be made with a responsible contractor at a cost not exceeding the Engineer's or Surveyor's estimate?
6. If the works have already been executed, state the date of their completion
7. How is the sewage ultimately treated or disposed of?

8. The following documents and plans should accompany the Local Authority's application for Loan :—
   (*a*) Copies of all reports that have been made by the Engineer or Surveyor regarding the proposed Drainage Scheme.
   (*b*) Detailed working drawings and sections showing method of construction and dimensions of work.
   (*c*) Detailed working specification, giving quality and sizes of materials.
   (*d*) Detailed measurement of work, giving the quantities of work of every kind in separate items.
   (*e*) Detailed estimate by Engineer or Surveyor, which shall consist of the above measurement, with prices attached to each item, and the whole of these items summed up so as to give the lump estimate.
   (*f*) Report by Engineer or Surveyor stating the time within which it is expected to complete the whole or any separate portion or portions.
   (*g*) Reports by the Medical Officer of Health and Sanitary Inspector as to whether, in their opinion, the proposed scheme is satisfactory.
   (*h*) Statement showing how the amount of the proposed Loan is made up.

(*Signature*)_____
Clerk.

*Date*_____

HOSPITAL.

LOCAL GOVERNMENT BOARD FOR SCOTLAND.

RETURN BY THE LOCAL AUTHORITY OF_____

APPLYING FOR LOAN FOR ERECTION OF A HOSPITAL.

1. By what Architect were the plans for the proposed Hospital furnished? _____
2. Under whose superintendence is the work to be executed? .. .. _____
3. Is it to be executed by contract or day's wages? _____

4. Has any contract been entered into for the whole or any portion of the proposed work? If not, can it be shown that any such contract can be made with a responsible contractor at a cost not exceeding the Architect's estimate? . . . .

5. Are the works commenced? If in progress, state—
   (*a*) Date of commencement . . . .
   (*b*) Probable date of completion . .

6. If the works have already been executed, state date of their completion . .

7. In order that the proposed method of construction may be apparent, state here—
   (*a*) The kind of materials to be used in constructing walls and roofs
   (*b*) If it is the intention (as is desirable) to line the inner faces of the walls of the Wards and their Sanitary Annexes with brick (leaving an air-space between the inner brick lining and the outer walls to prevent the passage of damp), so that the plastering may be executed upon the brickwork without

the intervention of wall-straps and lath . . _____

(*c*) If it is the intention to provide a concrete or an asphalte damp-proof course below the wood floors . . . . _____

(*d*) If it is the intention to use (as is desirable) adamant or other hard drying cement plaster in the Ward Blocks . . _____

(*e*) If it is the intention (as is desirable) to subject the Sewage to septic treatment . . . . _____

(*f*) The outlet into which it is intended ultimately to discharge the Sewage . . . . _____

(*g*) The source from which the Water Supply will be obtained . . _____

8. The following documents and plans should accompany the Local Authority's application for Loan :—

(*a*) Detailed working drawings and sections showing method of construction and dimensions of work.

(*b*) Detailed working specification, giving quality and sizes of materials (unless these are incorporated in the schedules of measurement).

(*c*) Detailed schedules of measurement, priced and extended by the Contractor entrusted, or to be entrusted, with the work, stating :—1st. The quantities of every kind of artificer's work

in separate items. 2nd. Following the above quantities, the descriptions, sizes, and qualities of the materials to be used. 3rd. Opposite the quantities and descriptions, the individual rates and extensions relating to each item.

(*d*) Detailed abstract by Architect, giving:—1st. The totals of the various estimates for the several trades. 2nd. Detailed note of any items of work not included in the schedules of measurement but necessary for the completion of and the equipment of the buildings (including their Drainage, Water Supply, Lighting, Furnishing, and the Laying out and Enclosing of Grounds), with prices and extensions attached to each item. 3rd. Probable note of Architect's fees, Surveyor's fees (if not included in the schedules), Clerk of Works' salary, legal expenses, and other necessary outlays. *Note.*—The whole of the above to be summed together so as to give the total lump Estimate.

(*e*) Report by Architect stating the time within which it is expected to complete the whole or any separate portion or portions.

(*Signature*)_____

Clerk.

*Date*_____

GENERAL.

LOCAL GOVERNMENT BOARD FOR SCOTLAND.

RETURN BY THE LOCAL AUTHORITY OF_____

APPLYING FOR LOAN FOR_____

1. By what Architect were the plans for the proposed works furnished? .. _____
2. Under whose superintendence is the work to be executed? .. .. _____
3. Is it to be executed by contract or day's wages? _____

4. Has any contract been entered into for the whole or any portion of the proposed work? If not, can it be shown that any such contract can be made with a responsible contractor at a cost not exceeding the Architect's estimate? .. ..

5. Are the works commenced? If in progress, state—
   (*a*) Date of commencement .. ..
   (*b*) Probable date of completion ..

6. If the works have already been executed, state date of their completion ..

7. In order that the proposed method of construction may be apparent, state here—
   (*a*) The kind of materials to be used in constructing walls and roofs
   (*b*) The outlet into which it is intended ultimately to discharge the sewage ..
   (*c*) The source from which the Water Supply will be obtained

8. The following documents and plans should accompany the Local Authority's application for Loan:—
   (*a*) Detailed working drawings and sections showing method of construction and dimensions of work.
   (*b*) Detailed working specification, giving quality and sizes of materials (unless these are incorporated in the schedules of measurement).
   (*c*) Detailed schedules of measurement, priced and extended by the Contractor entrusted, or to be entrusted, with the work, stating:—1st. The

quantities of every kind of artificer's work in separate items. 2nd. Following the above quantities, the descriptions, sizes, and qualities of the materials to be used. 3rd. Opposite the quantities and descriptions, the individual rates and extensions relating to each item.

(*d*) Detailed abstract by Architect, giving:—1st. The totals of the various estimates for the several trades. 2nd. Detailed note of any items of work not included in the schedules of measurement but necessary for the completion of and the equipment of the buildings (including their Drainage, Water Supply, Lighting, Furnishing, and the Laying out and Enclosing of Grounds), with prices and extensions attached to each item. 3rd. Probable note of Architect's fees, Surveyor's fees (if not included in the schedules), Clerk of Works' salary, legal expenses, and other necessary outlays. *Note.*—The whole of the above to be summed together so as to give the total lump Estimate.

(*e*) Report by Architect stating the time within which it is expected to complete the whole or any separate portion or portions.

*Signature*_____

Clerk.

*Date*_____

VII.—SALE OF FOOD AND DRUGS.

Circular addressed to the Local Authorities under the Sale of Food and Drugs Acts directing attention to the provisions of these Acts.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 25*th January* 1900.

Sir,—The Local Government Board desire to draw the attention of the County Councils in Scotland to the provisions of the Sale of Food and Drugs Act, 1899 (62 and 63 Vict. ch. 51), which came into operation on the first day of January 1900.

The general effect of the amending Act is to extend and to render more stringent the provisions of the earlier Acts, viz.:—The Sale of Food and Drugs Act, 1875 (38 and 39 Vict. ch. 63); The Sale of Food and Drugs Act Amendment Act, 1879 (42 and 43 Vict ch. 30); and The Margarine Act, 1887 (50 and 51 Vict. ch. 29).

By Section 23 of the Act of 1899 all the powers and duties vested in or imposed on the Secretary for Scotland in relation to the Sale of Food and Drugs Acts are transferred to this Board.

The Board are also invested with further powers of securing the execution and enforcement of the Acts, particularly in relation to matters affecting the general interest of the consumer as distinguished from the interests of agriculture. Under Section 2 the Board may direct one of their officers to procure samples of food for analysis, the analyst's fee to be payable by the Local Authority, and the subsequent proceedings to be carried out by them. And under Section 3, if the Local Authority have failed to execute and enforce any provision of the Acts, the Board through their officers may proceed to do so at the expense of the defaulting Local Authority.

Under Section 10 of the Act of 1875 power was given to Local Authorities to appoint public analysts, but they were under no obligation to exercise this power save when a vacancy occurred or when required by the Central Authority. Section 3 of the Act of 1899 makes it imperative on every such Local Authority now to appoint a public analyst.

In this connection the Board are advised that the power

and duty to appoint analysts for Police Burghs devolve upon the Burgh Commissioners.

By the Sale of Food and Drugs Act, 1899, the provisions of the Margarine Act, 1887, are extended to "margarine-cheese," which expression is defined as meaning "any "substance, whether compound or otherwise, which is prepared "in imitation of cheese, and which contains fat not derived "from milk."

The requirement of the Margarine Act as to the registration of manufactories is extended by the Act of 1899 to any premises wherein the business of a wholesale dealer in margarine or margarine-cheese is carried on. The Board have therefore found it necessary in substitution for the Order of the Secretary for Scotland of 27th December 1887 to issue a new Order directing the manner in which such registration is to be made and including the registration of manufactories of margarine-cheese as well as margarine, and of premises wherein the business of a wholesale dealer in margarine or margarine-cheese is carried on in Scotland. A copy of this Order is enclosed.*

The Act of 1899 also contains other amendments relative to the sale of milk, labelling and branding of articles, restriction on amount of butter-fat in margarine, the definition of food, and other minor matters, to which the attention of Local Authorities is specially directed, and regarding which the Board would refer Local Authorities to the Act itself.

It will be observed that Section 3 (1) of the Act of 1899 makes it the duty of the County Council as Local Authority under the Acts to put in force from time to time, as occasion may arise, the powers with which they are invested, so as to provide proper securities for the sale of food and drugs in a pure and genuine condition, and in particular to direct their officers to take samples for analysis; and accordingly the Board would impress upon the County Council the necessity for vigorously executing their administrative duties under the Sale of Food and Drugs Acts.

Meanwhile the Board would point out that, as a first step towards carrying out their statutory duties under these Acts, all Local Authorities who have not hitherto appointed Public Analysts must now proceed to do so at once in terms of the Statute.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the County Council.

The Town Clerk, or Clerk to the Burgh Commissioners.

* *See* page 221 *post.*

Circular addressed to District Local Authorities reminding them of the provisions of Section 13 of the Sale of Food and Drugs Act, 1875.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 25*th January* 1900.

Sir,—The Local Government Board have issued circular-letters to County Councils and Burgh Local Authorities, drawing attention to the Sale of Food and Drugs Act, 1899 (62 and 63 Vict. ch. 51), which came into operation on the first day of January 1900.

By Section 23 of this Act all the powers and duties vested in or imposed on the Secretary for Scotland in relation to the Sale of Food and Drugs Acts are transferred to this Board.

The amending Act does not directly affect District Committees. The appointment of analysts remains with the County Council, and the Board have accordingly merely to remind District Local Authorities of the provisions of Section 13 of the Act of 1875, under which the Medical Officer and Sanitary Inspector are authorised to take samples under the direction and at the cost of the Local Authority.

In terms of that enactment, it falls to the District Committee to set in motion the executive proceedings whereby the purposes of the Acts are to be carried out, by giving directions to their officers to take samples and by causing action to be taken against all offenders. — I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk to the District Committee.

Margarine Act, 1887.
Sale of Food and Drugs Act, 1899.

ORDER FOR REGISTRATION.

To the OWNERS and OCCUPIERS for the time being of MANUFACTORIES of MARGARINE and MARGARINE-CHEESE and of premises, wherein the business of a WHOLESALE DEALER in MARGARINE or MARGARINE-CHEESE is carried on in SCOTLAND, to which the Margarine Act, 1887, as amended by the Sale of Food and Drugs Act, 1899, applies:—

To the several Local Authorities under the said Acts for the time being in Scotland:

And to all others whom it may concern:—

Whereas by Section 23 of the Sale of Food and Drugs Act, 1899, all the powers and duties vested in or imposed on the Secretary for Scotland in relation to the Sale of Food and Drugs Acts are transferred to, vested in, and imposed on Us, the Local Government Board for Scotland;

And whereas by Section 9 of the Margarine Act, 1887, as amended by Sections 7 and 23 of the Sale of Food and Drugs Act, 1899, provision is made for the Registration with the Local Authority of every Manufactory of Margarine or Margarine-Cheese (as defined respectively by the said Acts) and of the premises wherein the business of a Wholesale Dealer in Margarine or Margarine-Cheese is carried on in Scotland from time to time in such manner as We may direct;

And whereas in terms of the provisions of the Margarine Act, 1887, the Local Government (Scotland) Act, 1889, the Burgh Police (Scotland) Act, 1892, and the Sale of Food and Drugs Act, 1899, the Local Authorities with whom such manufactories and premises are to be registered are as follows, namely—The County Council for Counties, and the Commissioners or Town Council for Burghs, including Police Burghs;

Now, therefore, We, the Local Government Board for Scotland, in substitution for the Order of the Secretary for Scotland of the twenty-seventh day of December in the year One thousand eight hundred and eighty-seven, which is hereby revoked, do hereby order and direct as follows:—

Article 1.—Every owner or occupier of a Manufactory of Margarine or Margarine-Cheese, or of premises wherein the business of a Wholesale Dealer in Margarine or Margarine-Cheese is carried on in Scotland, who shall make application to the Local Authority for a Certificate of Registration under the aforesaid Acts, shall, in his application, state the following particulars:

(*a*) The name and address of the owner or occupier making the application.
(*b*) The situation of the manufactory or premises.
(*c*) The name and address, or names and addresses, of the owner or owners, or occupier or occupiers, carrying on the manufacture or business.

Every such application shall be signed by the person making the same, or by someone acting on his behalf.

Article 2.—If the application is in due form, the Local Authority shall cause the manufactory or premises, as the case may be, to be registered by entering in a book the particulars of the application for registration; and thereupon a Certificate, in the form A. set forth in the Schedule hereto,

shall be issued by the Local Authority to the person applying for the same.

Article 3.—Where any change occurs in the persons carrying on the manufacture or business, written notice thereof shall be given by the owner or occupier of the manufactory or premises to the Local Authority, and the Register shall thereupon be amended by making therein the requisite alteration, and an endorsement shall be made by the Local Authority on the certificate in accordance with the form B. set forth in the said Schedule.

Article 4.—This Order shall come into operation on the date hereof.

Given under the Seal of Office of the Local Government Board for Scotland, this twenty-second day of January, One thousand nine hundred.

(L.S.)

MALCOLM M'NEILL,
Vice-President.

G. FALCONAR-STEWART,
Secretary.

SCHEDULE.

FORM (A.).

Certificate under the Margarine Act, 1887, as amended by the Sale of Food and Drugs Act, 1899.

(50 & 51 Vict. c. 29, and 62 & 63 Vict. c. 51.)

This is to certify that the Manufactory[1] known as the _____ situate at _____ at which the manufacture of Margarine or Margarine-Cheese[2] is at present carried on by _____ the owner [*or* occupier] thereof, has been duly registered by[3] _____ in accordance with the provisions of the aforesaid Acts in that behalf, on the application of _____

Dated this day of in the year One thousand nine hundred

Signed _____

Clerk to the[4] _____

1. Or "premises," as the case may be.

2. Or "Wherein the business of a Wholesale Dealer in Margarine or Margarine-Cheese," as the case may be.

3. Here insert the name of the Local Authority within whose District the Manufactory or Premises, as the case may be, are situate.

4. Here insert the name of the Local Authority.

FORM (B.).

Endorsement on Certificate in case of change in Persons carrying on the Manufacture or Business.

This is to certify that_____ has been duly registered as the owner [*or* occupier] carrying on the manufacture of Margarine or Margarine-Cheese[5] in the within named manufactory[6] in the place of_____

Dated this day of , in the year One thousand nine hundred

Signed_____

Clerk to the _____

5. Or "the business of a Wholesale Dealer in Margarine or Margarine Cheese," as the case may be.

6. Or "premises."

Circular as to the proof of competency of the person appointed to the office of Public Analyst.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 17*th April* 1900.

Sir,—I am directed by the Local Government Board to draw attention to the provisions of sub-sections (1) and (5) of Section 3 of the Sale of Food and Drugs Act, 1899 (62 and 63 Vict. c. 51). The former sub-section provides that it shall be the duty of every Local Authority entrusted with the execution of the laws relating to the sale of food and drugs to appoint a Public Analyst, and the latter that any Public Analyst appointed under the Sale of Food and Drugs Acts shall furnish such proof of competency as may from time to time be required by regulation framed by the Board.

The Board have issued an Order, of which two copies are enclosed, prescribing the regulation which they have framed under the above enactment.

The regulation requires that every person appointed on or after the First day of January, 1900, to the office of Public Analyst shall furnish such proof as the Board may deem sufficient of his competent skill in and knowledge of (*a*) analytical chemistry, (*b*) therapeutics, and (*c*) microscopy; and the Order proceeds to indicate the nature of the documentary evidence to be comprised in such proof. Such evidence of competency is to be furnished by the Public Analyst to the Local Authority by whom he is appointed; and to be transmitted to the Board, together with a copy of his application, by that Authority when applying for the Board's approval of the appointment

In the case, however, of any person who was appointed to the office of Public Analyst with the approval of the Secretary for Scotland between 1st January, 1891, and 31st December, 1899, or who has been or may be appointed to that office with the approval of the Board for the first time after the last-mentioned date, the regulation will not apply in the event of his subsequent appointment as Public Analyst.

Before approving an appointment the Board, in view of the proviso to Section 10 of the Principal Act, must be satisfied that the Analyst is not engaged directly or indirectly in any trade or business connected with the sale of food or drugs in the place for which he is appointed.

As regards the reference in the Order to a person or body of persons whom the Board may from time to time recognise as competent to confer the requisite qualification or to test the skill or knowledge of which proof is required by the Order, the Board are prepared to accept as sufficient documentary evidence of the requisite qualification under the Acts, the Diploma of Fellowship or Associateship of the Institute of Chemistry of Great Britain and Ireland, together with the Certificate granted by the Institute after an examination, conducted by them on lines approved by the Board, in Therapeutics, Pharmacology, and Microscopy.

The possession of a diploma registrable under the Medical Acts is accepted as sufficient proof of competency in microscopy and therapeutics, and, in addition to this, a person so qualified, if appointed as a Public Analyst, will only be required to furnish evidence of competent skill in and knowledge of analytical chemistry.

Evidence of skill or knowledge on the part of a candidate in respect of any of the qualifications referred to as requisite, which is tendered by an individual, must be from a person recognised as entitled to speak with authority as to proficiency in the particular qualification in question.

I am to add that the Board favour the appointment in the smaller burghs of the County Public Analyst in the interests both of economy and uniform action.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the County Council,

The Town Clerk or Clerk to the Burgh Commissioners.

General Order: Appointment of Public Analyst: Regulation as to Competency.

To the SEVERAL LOCAL AUTHORITIES for the time being required by law to appoint a Public Analyst:—
And to all others whom it may concern.

Whereas by Section 23 of the Sale of Food and Drugs Act, 1899, all the powers and duties vested in or imposed on the Secretary for Scotland in relation to the Sale of Food and Drugs Acts are transferred to, vested in, and imposed on Us, the Local Government Board for Scotland;

And whereas by the Sale of Food and Drugs Acts provision is made for the appointment by certain Local Authorities of persons to act as Analysts of all articles of Food and Drugs, and every such appointment is made subject to the approval of the Local Government Board;

And whereas by sub-sections (1) and (5) of Section 3 of the Sale of Food and Drugs Act, 1899 (hereinafter referred to as "the Act"), it is enacted as follows:—

"(1.) It shall be the duty of every Local Authority "entrusted with the execution of the laws relating to "the sale of food and drugs to appoint a public "analyst * * * * * *"

"(5.) Any public analyst appointed under the Sale of "Food and Drugs Acts shall furnish such proof of com- "petency as may from time to time be required by "regulation framed by the Local Government Board."

And whereas by Section 25 of the Act it is enacted as follows:—

"In this Act unless the context otherwise requires—

* * * * * * *

"The expression 'Local Authority' means any Local "Authority authorised to appoint an analyst for the "purposes of the Sale of Food and Drugs Acts, and the "expression 'public analyst' means an analyst so "appointed."

And whereas in terms of the provisions of the Local Government (Scotland) Act, 1889, the Burgh Police (Scotland) Act, 1892, and the Sale of Food and Drugs Act, 1899, the Local Authorities authorised to appoint an Analyst are as follows, namely—The County Council for Counties, and the Commissioners or Town Council for Burghs, including Police Burghs;

Now therefore, We, the Local Government Board for Scotland, in pursuance of the powers given to Us by Sub-

section (5) of Section 3 of the Act, do hereby Order that the following Regulation shall have effect; that is to say,—

Every person appointed on or after the First day of January, One thousand nine hundred, to the office of Public Analyst shall furnish such proof as we may deem sufficient of his competent skill in and knowledge of (*a*) analytical chemistry, (*b*) therapeutics, and (*c*) microscopy.

Such proof shall in every case comprise documentary evidence that such person holds the requisite certificate, diploma, licence, or document conferring the qualification or attesting his possession of the skill or knowledge to which the same applies, and granted or issued by any person or body of persons for the time being recognised by Us as competent to confer such qualification or to test such skill or knowledge. Such proof shall also comprise such further evidence as We may in any particular case require.

All such documentary evidence as is herein-before mentioned shall be furnished by such person to the Local Authority by whom he is appointed and shall be transmitted to Us by the Local Authority when applying for Our approval of the appointment.

Provided that nothing in this Regulation contained shall, in the case of any person who was appointed to the office of Public Analyst with the approval of the Secretary for Scotland between the First day of January, One thousand eight hundred and ninety-one, and the Thirty-first day of December, One thousand eight hundred and ninety-nine, or who has been or may be appointed to that office with Our approval for the first time after such last-mentioned date, apply upon any subsequent appointment of such person to the said office.

Given under the Seal of Office of the Local Government Board for Scotland, this Seventeenth day of April, One thousand nine hundred.

(L.S.)

MALCOLM M'NEILL,
Vice-President.

G. FALCONAR-STEWART,
Secretary.

Circular prescribing Regulations as to Form, Etc., of Quarterly Reports.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 5*th June* 1900.

Sir,—With reference to Section 19 of the Sale of Food and Drugs Act, 1875, I am directed to inform you that the Board have determined that certified copies of the quarterly Reports of the Analysts shall be transmitted in the form prepared by them—copies of which are enclosed.*

The Act prescribes that the certified copies of the Reports shall be transmitted *annually*; but it would be much more convenient to the Board that they should be forwarded *quarterly*, as soon as possible after the Report has been submitted to the Local Authority in terms of the Act. The portion of the form "to be filled up by the Clerk to the Local Authority" should also be completed before transmission to the Board.

In order that uniformity may be secured, the Board recommend that the Reports by the Analysts should be made for the Quarters ending 31st March, 30th June, 30th September, and 31st December.

The Reports for the Quarter ending 31st March last might be prepared and transmitted to this Department at once. Those for the Quarter ending 30th June should be forwarded as soon as convenient after that date.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART,
Secretary.

The Clerk of the Local Authority.

Circular as to the Necessity for submitting for Analysis Samples of Food or Drugs for the Purpose of ascertaining whether or not they contain Arsenic.

ARSENIC IN BEER, ETC.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 27*th December*, 1900.

Sir,—I am instructed by the Board to state that they have had under consideration the circumstances under which Arsenic has been detected in certain beers produced and sold in England, through the appearance of serious forms of disease in districts where those beers are consumed.

* For copy Form, *see* page 235 *post.*

Whatever may be the conclusion of the enquiry now being carried out as to the connection between the Arsenic present in some qualities and makes of beer and illness among the consumers, there is no doubt that Arsenic has been found in beer and porter, in glucose and "invert" sugar used in brewing, and in the sulphuric acid used in the preparation of those sugar substitutes.

No facts have come to the knowledge of the Board either as to the occurrence of similar illnesses or the detection of Arsenic in beer in Scotland. Indeed they are aware that analyses instituted in some of the larger Burghs have yielded negative results.

The detection of Arsenic in sugar substitutes, and especially in glucose, opens up a wider area of risk. Glucose is frequently used in the manufacture of preserves, syrups, sweetmeats, and the like. Sulphuric Acid is used in the manufacture of other articles intended for human consumption. The possible presence of Arsenic has therefore to be remembered, and Arsenic has to be looked for in hitherto unsuspected articles.

On these grounds I am to remind your Local Authority of their powers under "The Sale of Food and Drugs Acts," and to suggest that while it would be prudent to submit to analysis samples of beer taken in the district, it is even more necessary to take steps to test the purity of those other articles of food or drugs which in the circumstances described may contain Arsenic and prove injurious to public health.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Circular as to the Transmission of Samples to Analysts.

Local Government Board,
Edinburgh, 13*th December* 1901.

Sir,—It appears from information received by the Board that it is the practice of some Sampling Officers to transmit samples to the Analyst for analysis under the Food and Drug Acts without furnishing any information as to the circumstances under which the samples were taken, and in some instances, indeed, it seems even to be customary to refuse to inform the Analyst of the name under which the article was purchased or offered for sale.

The result is that, in some cases, it is impossible for the Analyst to grant a proper certificate showing whether, in his opinion, the sample is genuine or adulterated. Quarterly reports have been received by the Board in which articles sold as a mixture (*e.g.* coffee and chicory) have been reported adulterated *because they were a mixture*,—the Analyst having been kept in ignorance that the articles were sold as a mixture, and having dealt with them on the understanding that they were "pure."

In the interests of sound and efficient administration, and in order to avoid the risk of fruitless prosecutions being undertaken under misapprehension, it is essential that the Local Authorities, their Analysts, and Sampling Officers should work together harmoniously. In the view of the Board, all the aid possible ought to be given by Local Authorities and the Sampling Officers to the Analysts in their important and delicate work. They accordingly suggest that Local Authorities should instruct their Sampling Officers :—

(1) To confine themselves to articles *sold* or *offered for sale*, when taking samples for the purpose of analysis, and

(2) When transmitting samples, to make known to the Analyst all marks, statements, or declarations on labels, packages, tins, bottles, or wrapping paper, and also any statement made by the vendor at the time of sale bearing on the quality of the article.

I have to request that you will submit this communication to the Local Authority at their first meeting.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Circular issued by the Board of Agriculture to Local Authorities in Great Britain as to the Regulations made by that Board relating to the Sale of Milk.

Board of Agriculture,
4 Whitehall Place,
London, S.W., 28*th December* 1901.

Sir,—I am directed by the Board of Agriculture to bring under the notice of your Local Authority the following

observations with reference to the Regulations relating to the Sale of Milk in Great Britain, which, in pursuance of the powers conferred upon the Board by Section 4 of the Sale of Food and Drugs Act, 1899, were made by the Board on the 5th August, and came into operation on the 1st September 1901.

The Regulations were as follows:—

MILK.

1. Where a sample of milk (not being milk sold as skimmed, or separated, or condensed, milk) contains less than 3 per cent. of milk-fat, it shall be presumed for the purposes of the Sale of Food and Drugs Acts, 1875 to 1899, until the contrary is proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat, or the addition thereto of water.

2. Where a sample of milk (not being milk sold as skimmed, or separated, or condensed, milk) contains less than 8·5 per cent. of milk-solids other than milk-fat, it shall be presumed for the purposes of the Sale of Food and Drugs Acts, 1875 to 1899, until the contrary is proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-solids other than milk-fat, or the addition thereto of water.

SKIMMED OR SEPARATED MILK.

3. Where a sample of skimmed or separated milk (not being condensed milk) contains less than 9 per cent. of milk-solids, it shall be presumed for the purposes of the Sale of Food and Drugs Acts, 1875 to 1899, until the contrary is proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-solids other than milk-fat, or the addition thereto of water.

In the Regulations the limits below which a presumption is raised that the milk is not genuine were necessarily fixed at figures lower than those which are usually afforded by genuine milk, in which the proportion of milk-fat and non-fatty solids very frequently exceeds the percentages specified above. It is therefore important that Local Authorities should keep steadily in view the possibility of the artificial reduction of the quality of natural milk to the official limits by the abstraction of cream, or the addition of separated milk, or of water, and arrangements should be made for the taking of samples and the submission of the same for analysis whenever the existence of malpractices of the kind is sus-

pected. In this connection it may be observed that the evidence given before the Milk Regulations Committee [Cd. 491] tended to show that the practice of fraudulently mixing separated milk with new milk has become increasingly prevalent, particularly in some of the larger towns.

Although the quality of genuine milk offered for sale will usually be well above the official limits of milk-fat and non-fatty solids, there may occasionally, and especially in certain seasons of the year, be cases in which a sample of genuine milk may fall below those limits. To meet cases of this kind it is suggested that in the absence of any special circumstances indicating that the case is a fraudulent one, the Local Authority might, in the first instance, call the vendor's attention to the analyst's report, and ask him whether he desires to offer any explanation, and if the explanation is one they are able to accept, they might, in the exercise of their discretion, refrain from the institution of proceedings or withdraw any summons which, in order to prevent the failure of proceedings, by reason of the time-limit imposed by the Act, it may have been necessary to take out. But it may be desirable that further samples of milk should be taken in such cases, in order that a satisfactory conclusion as to the character of the milk supplied may be arrived at.

Cream.

The Milk Regulations Committee reported that the evidence submitted to them went to shew that it was a common practice to add gelatin to cream for the purpose of giving it a fictitious appearance of richness or thickness. Local Authorities are urged to take steps to ascertain whether this form of adulteration is practised within their districts, and if a public analyst reports the presence of gelatin or other similar substance in a sample of cream, the Local Authority concerned should consider whether the case is one in which proceedings might not with advantage be instituted under Section 6 of the Sale of Food and Drugs Act, 1875.

Collection and Retention of Samples.

It is desirable that, so far as may be found practicable, there should be uniformity of procedure in collecting and retaining samples of milk procured under the provisions of the Sale of Food and Drugs Acts, and the following recommendations have been drawn up for the guidance of the local officials employed in this work: —

(1) The quantity to be purchased should not be less than one pint, except that it may be expedient to purchase only half-a-pint, in cases where there is reason to believe that the object of the purchase would be defeated if a greater quantity were demanded.

(2) The division of the sample under Section 14 of the Act of 1875, as amended by Section 13 of the Act of 1899, should be made as equally as possible, so that the portion reserved by the purchaser may be not less than one-third of the whole.

(3) The bottle used for each divided part should have a narrow neck, and be of such capacity that the milk may nearly or quite fill it. The shape of bottle known as "Winchester" is strongly recommended, but in any case the bottles should have rounded sides in order to give security to the sample during transit by post or otherwise.

(4) Corks only should be used, and these should always be new and sound, and fitting so tightly as to secure the contents without any aid from the wax which is subsequently used for sealing the sample. It is most desirable that the sealing should be carried out in such a way as to prevent any attempt to remove the cork. It is therefore recommended that the cork should be slit down to one-fourth of its length and the string drawn through and securely fastened round the neck, the ends being afterwards carried to the top of the cork and sealed thereon.

(5) Special attention should be given that the reserved portion of milk be kept in as equable and cool a temperature as possible, pending its production in Court in instances where proceedings are taken; and, if directed by the Justices to be referred to the Government Laboratory, it should be carefully packed so as to secure its safe transmission.

The Board would be obliged if you would take steps to bring this Circular under the notice of your Local Authority, and they will be glad to forward you additional copies for distribution amongst the members of your Local Authority and the officers concerned, upon being informed of the number you require.—I am, Sir, your obedient servant,

T. H. Elliott,
Secretary.

Medical Practitioners as Public Analysts.

Sixth Annual Report (1900), p. lii.

Under Section 10 of the Act of 1875 we were asked to approve in the case of a Burgh the appointment of a medical practitioner engaged in private practice in the district to the office of Public Analyst, but we stated that after due consideration we were not prepared to approve such an appointment. In another case we informed a Local Authority that we were not prepared to approve of the proposal to appoint as Public Analyst for a Burgh the County Medical Officer who was also Medical Officer of Health for the Burgh. In both cases, apart from any question of competency, we had to consider whether such appointments were in accordance with sound policy, and came to the conclusion that in neither case was such an appointment or conjunction of offices expedient.

Remuneration of Analysts.

Sixth Annual Report (1900), p. liii.

In reply to an enquiry as to the remuneration to be paid to a Burgh Analyst, we stated that we could offer no suggestion, as the matter was one for arrangement between the Local Authority and the Analyst, but we referred the Local Authority to the following extract from the Report of the Select Committee on Food Products Adulteration, which reported to the House of Commons in July, 1896:—

> "In some cases a fixed annual stipend is awarded, "while in others a stated fee is paid in respect of each "sample analysed. In most instances, however, the "remuneration of the officer is by way of a combination "of both these systems, and it has been represented to "your Committee that such a method of remuneration "is best calculated to secure the service of the most "competent Analysts. Your Committee agree in this "conclusion."

T to be filled up by the CLERK TO THE LOCAL AUTHORITY.

N	Penalty d.		10. AMOUNT OF COSTS.						11. Observations of Clerk to the Local Authority.
			Charged on Offender.			Charged on Local Authority.			
		d.	£	*s.*	*d.*	£	*s.*	*d.*	

*Signature*_____

Clerk to the Local Authority.

ompleted, should be transmitted to the LOCAL GOVERNMENT BOARD, s soon as possible after the close of the Quarters ending 31st March, 30th mber, and 31st December.

* For explanatory Circular. *see* page 228 *ante*.

Sampling Officers under the Sale of Food and Drugs Acts.

As regards the officers for taking samples of food and drugs for analysis, the Local Authority of a County reported to us that it was proposed to appoint the Chief Constable and his officers to carry out the instructions of the Local Authority in taking samples for analysis and requested our observations on the proposal. We replied that Local Authorities must make such arrangements as seem to them best for executing the Sale of Food and Drugs Acts, but that it seemed to us that no objection could reasonably be taken to the appointment of the Police for the purpose of taking samples for analysis, as these officers are expressly mentioned in Section 13 of the Sale of Food and Drugs Act, 1875. We, however, directed the attention of the Local Authority to the following observations of the Select Committee on Food Products Adulteration already referred to:— 6th Annual Report (1900), p. liii.

> "It is obvious that, when officers empowered to take "samples become known to the traders of a district, there "is little advantage to be derived from their taking "samples for the purposes of the Acts. Care would no "doubt be exercised in every case to supply them with "articles free from adulteration. It is essential, in order "to obtain samples that are fairly representative of the "commodities supplied by a trader, that the agent "taking the samples should be unrecognised."
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> * * * * * * *
>
> "Your Committee were informed that in a district "where the police were employed to take samples, an "arrangement was made whereby a constable was brought "from a distance and temporarily attached to the police "force of the division for this particular duty. Such an "arrangement seems likely to be successful in securing "that the agent engaged in taking samples from traders "is not recognised by them, and your Committee think "that it might be adopted generally with considerable "advantage."

We have, however, expressed the opinion that we prefer the County and District Sanitary Inspectors to the Police as Sampling Officers, and with reference to the appointment of the District Sanitary Inspectors as Sampling Officers we have stated that we are of opinion that Section 13 of the Sale of Food and Drugs Act, 1875, which provides that "any ". . . . Inspector of Nuisances . . . . under the direction "and at the cost of the Local Authority . . . . charged with,

"the execution of this Act may procure any sample" etc., empowers the County Council as the Local Authority charged with the execution of the Act to instruct any Sanitary Inspector within their jurisdiction to take samples. It is, however, expedient and desirable that the County Council should obtain the consent of the District Committees to the employment of the District Sanitary Inspectors who are not also County Sanitary Inspectors.

As to the Extent to which Sampling should be carried out.

6th Annual Report (1900), p. liv.

We were asked by a small Burgh Local Authority how many samples we considered should be submitted by them for analysis so as to carry out the provisions of the Sale of Food and Drugs Acts. We replied that the object of these Acts is to secure that food and drugs sold within the jurisdiction of Local Authorities shall be pure and genuine. That being so, the proper standard of the effective application of the Acts is the extent to which purity and genuineness of food and drugs so sold have been attained. It was thus impossible for us to say how many samples a Local Authority ought to submit for analysis to carry out the provisions of the Acts, but we referred our correspondent to the Report of the Select Committee on Food Products Adulteration of 1896, and especially to the following statements therein :—

> "It has been shewn that a close connection exists "between the extent of adulteration and the number of "articles submitted for analysis in pursuance of the "Acts, the proportion of adulterated samples being found "to diminish as the number of samples taken relatively "to the population increases."
>
> * * * * * * *
>
> "It appears to your Committee that a local authority "would do well to increase the number of samples taken "on their behalf from time to time until the number of "adulterated samples found in those taken falls below a "proportion which may be regarded as not unsatisfac-"tory."

It is therefore the duty of Local Authorities to cause samples to be taken of such number and variety as will enable them to ascertain the extent of adulteration within their respective districts, and to be guided by the result, keeping in view the above cited opinions of the Select Committee.

Another small Burghal Local Authority asked us for a list

of articles most likely to be adulterated. In reply, we informed them that we had no such list, but that the Sale of Food and Drugs Acts contained all the necessary information. The duty of the Local Authority could only properly be discharged by a systematic sampling of all articles, and from the result of the analyses thus obtained the Local Authority might frame their own list for special attention.

Prosecutions under the Sale of Food and Drugs Acts.

In answer to an enquiry by a Sampling Officer as to whether he should obtain the sanction of the Local Authority before instituting proceedings under the Sale of Food and Drugs Acts, we stated that in our opinion a prosecution under these Acts should not be entered upon without the express instructions of the Local Authority or a Committee duly authorised. 6th Annual Report (1900), p. liv.

Sale of Butter Regulations, 1902.

In exercise of the powers conferred on them by Section 4 of the Sale of Food and Drugs Act, 1899, the Board of Agriculture on 22nd April, 1902, made a Regulation as to the proportion of water in butter. This Regulation, which applies to Great Britain, and came into operation on 15th May, 1902, is here produced for the convenience of Local Authorities:—

> "Where the proportion of water in a sample of butter "exceeds 16 per cent. it shall be presumed for the pur- "poses of the Sale of Food and Drugs Acts, 1875 to "1899, until the contrary is proved, that the butter is "not genuine by reason of the excessive amount of water "therein."

VIII.—FACTORIES AND WORKSHOPS.

Memorandum issued by the Home Office as to the duties of Local Authorities under the Factory and Workshop Act, 1901.

Factory and Workshop Act, 1901.

DUTIES OF LOCAL AUTHORITIES.

ENGLAND AND WALES.

The Factory and Workshop Act, 1901, which consolidates with amendments all previous Acts relating to factories and workshops, makes considerable alterations in and additions to the duties of District Councils in regard to factories, workshops and workplaces. The present memorandum describes the duties of District Councils as now extended by that Act.

"District Council" includes for the purposes of the Act—

(i.) Councils of municipal boroughs, including county boroughs.

(ii.) Councils of urban districts.

(iii.) Councils of rural districts.

In London, subject to certain exceptions, *"District Council" means the Court of Common Council and the Councils of the Metropolitan Boroughs.

District Councils have duties in regard to each class of places named above, factories, workshops and workplaces. It will be useful therefore at the outset to state briefly what is included in these terms by the Act.

Definitions.

Factories include (1) all places in which mechanical power is used in aid of the manufacturing processes; and (2) all places, whether mechanical power is used or not, in which the industries specified in Part I. of Schedule VI. to the Act are carried on (that is, print works, bleaching and dyeing works, earthenware works, lucifer match works, percussion cap works,

* *See* page 253 *post.*

cartridge works, paper staining works, fustian cutting works, blast furnaces, copper mills, iron mills, foundries, metal and india rubber works, paper mills, glass works, tobacco factories, letterpress printing works, bookbinding works, flax scutch mills, electrical stations).*

Workshops include—

(1) The places specified in Part II. of Schedule VI. (that is, hatworks, ropeworks, bakehouses, lace warehouses, shipbuilding yards, quarries, pit banks of metalliferous mines, dry cleaning works, carpet beating works, and bottle washing works),* unless mechanical power is used and they are in consequence factories within the meaning of the Act.

(2) Any other premises (not being factories) in which manual labour is exercised by way of trade or for purposes of gain in or incidental to the making, altering, repairing, ornamenting, finishing or adapting for sale of any article and to or over which the employer of the persons working there has the right of access or control.

(3) Any workplace (termed in the Act "tenement workshop") in which "with the permission of or under agreement with the owner or occupier two or more persons carry on any work which would constitute the workplace a workshop if the persons working therein were in the employment of the owner or occupier." These are included for the first time by the Act of 1901. Previously they were partially or wholly excluded because some or all of the persons working there were not employed but worked on their own account. Instances of tenement workshops are (*a*) the Sheffield file-cutting shops where file-cutters work on their own account with or without other persons to help them, at stalls hired by them from the owner or occupier of the shop; (*b*) journeymen tailors' workshops where journeymen tailors work on their own account, with or without other persons to help them, each hiring a separate "sitting" or place to work at from the owner or occuper of the workshop. These will for the future be deemed to be workshops within the meaning of the Factory Act.

Laundries† do not come within the definitions of "factory" and "workshop"; but under sec. 103 of the Act, they are so far as sanitation and means of escape from fire are concerned to be treated as factories if mechanical power is used; if mechanical power is not used, as workshops. Laundries however which are worked by inmates of a prison, reformatory

*The definitions of these places in the schedule should be consulted.

†Laundries on factory or workshop premises form part of the factory or workshop and are subject to all the provisions of the Act.

school, industrial school or any institution subject to inspection under other Acts or by inmates of a *bona-fide* religious or charitable institution, or by members of the same family dwelling on the premises, are excluded from the Act, if the inmates of the prison, &c., or the members of the family work the laundry by themselves or with the assistance of not more than two persons from outside.

Factories and workshops belonging to or in the occupation of the Crown are excluded from the jurisdiction of the District Council, the powers of the Council being exercised in regard to them by the Inspector of Factories (sec. 150).

Bennet *v.* Harding, 1900, 2 Q.B. 397.

"*Workplace*" is not defined in the Act, but in a case under sec. 38 of the Public Health (London) Act, 1891, where the same phrase as in this Act occurs, viz., "factory, workshop and workplace," it was held that the word is not to be limited to places where something is being manufactured or made, but includes any "place where work is done permanently, and where people assemble together to do work permanently of some kind or other." It is therefore a word of wider signification than the word "workshop." In the case in question a stable and stable-yard where men were employed as cab cleaners and horse keepers was held to be a workplace. Similarly the Secretary of State has been advised that the kitchens of restaurants, &c., though they are not workshops, come within the meaning of the term "workplace."

Factories.

In the case of factories the duties of a District Council are few. The Council is charged with the duty of seeing that every factory in its district is provided with means of escape in case of fire; and also has special duties in regard to domestic factories and underground bakehouses. These duties, which apply also in the case of workshops, will be further referred to below. Another duty in regard to factories, though not arising under the Factory and Workshop Act, is (in districts where Part III. of the Public Health Acts Amendment Act, 1890, is in force) the enforcement of the requirement in sec. 22 of that Act* as to the provision of suitable and sufficient sanitary conveniences.

Workshops and Workplaces.

In regard to workshops and workplaces, District Councils have important duties, which may be classified under four heads: (1) the sanitary condition of workshops and workplaces

See page 254 *post.*

generally; (2) provision of means of escape from fire; (3) special sanitary regulations for bakehouses; (4) home-work.

Sanitation (secs. 2, 3, 7 and 8).

The District Council is made the authority responsible for the sanitary condition of the workshops and workplaces in its district, while the Factory Inspector is responsible for the sanitary condition of factories. "Sanitary conditions" include (*a*) the cleanliness, (*b*) air space, (*c*) ventilation, and (*d*) drainage of the floors of workshops and workplaces. For these purposes the provisions of sec. 91 of the Public Health Act, 1875, apply and are supplemented by additional provisions in the Factory Act. It should be noted that the other sanitary provisions in Part I. of the Act, viz., with regard to temperature and sanitary conveniences (secs. 6 and 9) are not brought under the law relating to public health and will therefore be enforced by the Factory Inspectors.

The requirements of the Act in the matters above-mentioned, which it is the duty of a District Council to enforce, are as follows:—

(a) *Cleanliness* (sec. 2).—Every workshop and workplace must be kept in a cleanly state and free from effluvia, and if not so kept may be dealt with by the Council as a nuisance under section 91 of the Public Health Act, 1875.

If the medical officer of health, or the inspector of nuisances, certifies that it is necessary for the health of the persons employed that a *workshop**, or any part of a workshop, should be limewashed, cleansed or purified, the District Council may give notice to the owner or occupier of the workshop to carry out such limewashing, cleansing or purifying as the case may require, within a time specified in the notice. If the person to whom the notice is addressed fails to comply with it in the time specified, he will be liable to a penalty of 10s. for each day during which the default continues, and the Council may themselves undertake the work and recover the expense from him in a summary manner.

(b) *Air space* (secs. 2, 3).—Workshops and workplaces must not be overcrowded while work is carried on so as to be dangerous or injurious to the health of the persons employed, and a workshop or workplace which is overcrowded may be dealt with as a nuisance under sec. 91 of the Public Health Act. A *workshop* is deemed to be overcrowded unless in each

*In London, this power extends also to domestic factories and to workplaces:—Public Health (London) Act, 1891, sec. 25.

room at least 250* cubic feet of air space (or during overtime 400) are allowed for each person employed in the room, and the Act requires a notice to be affixed in the workshop specifying the number of persons who may be employed in each room of the workshop.

(c) *Ventilation* (secs. 2, 7).—Every workshop and workplace must be ventilated in such a manner as to render harmless as far as practicable any gases, vapours, dust or other impurities generated in the course of the work that are a nuisance or injurious to health. Any workshop or workplace not so ventilated may be dealt with as a nuisance under sec. 91 of the Public Health Act.

This general provision is supplemented in the case of workshops by a special requirement introduced for the first time by the Act of 1901, that in every room in a workshop sufficient means of ventilation must be provided and sufficient ventilation maintained, and where a standard of sufficient ventilation has been prescribed by the Secretary of State (as he has now power to do) for any class of workshops, that standard must be observed. Workshops, however, where men only are employed are excluded from the operation of this requirement. Any workshop where this requirement is contravened may be dealt with as a nuisance.

In workshops where dust, gas, or other impurities are generated and inhaled by the workers to an injurious extent, the Factory Inspector has power to require the provision of a fan or other mechanical means for preventing such inhalation. If in any case the Council are of opinion that this power could be usefully employed, they should refer it to the Inspector of the district.

(d) *Drainage of floors* (sec. 8).—A provision introduced for the first time by the Act of 1901, requires that in every workshop or part of a workshop in which any process is carried on which renders the floor liable to be wet to such an extent that the wet is capable of being removed by drainage, adequate means shall be provided for draining off the wet. A workshop not so drained may be dealt with as a nuisance under sec. 91 of the Public Health Act. This provision, however, does not apply to workshops in which men only are employed.

(e) *Sanitary accommodation.*—In districts where Part III. of the Public Health Amendment Act, 1890, is in force,

* Under Sec. 3 (3) of the Act the Secretary of State has power to alter this amount in the case of a workshop, not being a domestic workshop, which is occupied by night as a sleeping apartment. He proposes to make an order increasing the amount in such cases to 400 cubic feet.

every building used as a workshop or manufactory, or where persons are employed or intended to be employed in any trade or business, must be provided with sufficient and suitable accommodation in the way of sanitary conveniences (sec. 22). On a report from their surveyor that this requirement is not observed in the case of any building, the Council may serve a written notice on the owner or occupier requiring him to make such alterations or additions as may be required for the purpose.

(ii.) *Safety from fire* (secs. 14 and 15).

It is the duty of a District Council to see that every factory and workshop in its district is provided with sufficient means of escape in case of fire.

Briefly, the provisions which are to be enforced by District Councils are now as follows:—

(1) Every factory of which the construction was commenced after 1st January, 1892, and every workshop of which the construction was commenced on or after 1st January, 1896, must, if more than 40 persons are employed, be furnished with a certificate from the District Council that it is provided with such means of escape in case of fire for the persons employed therein as can reasonably be required in the circumstances of the case. (The provision in the previous Acts which limited the requirements to the storeys above the ground floor is now repealed.) Before giving the certificate the Council must have the factory or workshop examined, and must satisfy itself that means of escape are provided as required by the Act. Any such factory or workshop not furnished with a certificate will be deemed not to be kept in conformity* with the Act. If a case comes to the knowledge of the Council in which any such factory or workshop is being used as a factory or workshop without the Council's certificate, it will be open to the Council either to take proceedings itself against the occupier or to report the matter to the District Inspector of Factories with a view to proceedings being taken by him.

As questions sometimes arose under the previous Acts as to what were the means of escape which had been passed by a Council as satisfactory, a new provision is inserted in the Act requiring that the certificate given by the Council must specify in detail the means of escape provided.

*The penalty in the case of a factory or workshop not kept in conformity with the Act is a fine not exceeding £10, and in the case of a second or subsequent offence within two years from the last conviction for the same offence, not less than £1. The Court may order means to be adopted to bring the factory or workshop into conformity with the Act.

It will doubtless be convenient for the Council when considering the plans of any new building which is intended to be used as a factory or workshop to examine the means of escape proposed to be provided.

(2) In the case of all other factories and workshops in which more than 40 persons are employed, the District Council is charged with the duty of ascertaining from time to time whether they are provided with such means of escape from fire as can reasonably be required. In the case of a factory or workshop not so provided, the Council is required to serve on the **owner* a notice specifying the measures necessary to be taken for providing such means of escape, and requiring him to carry them out within a specified time. If the owner disagrees with the Council as to the measures required, the dispute is to be determined by arbitration in the manner provided by the Act (sec. 14 (3); Sch. I.).

To meet a difficulty which arose under the previous Acts in cases where a building was divided up into a number of separate factories or workshops, each with a separate occupier (so that though more than 40 persons were employed in the building, each of the separate factories or workshops might be exempt from the provisions of the Act as to fire), it is provided in the Act that for the purposes of these provisions the whole of a tenement factory or workshop is in future to be counted as a single factory or workshop, and the owner is to be substituted for the occupier.

In addition to these powers, a new and important power is given to District Councils by sec. 15 of the Act to make bye-laws providing for means of escape from fire in the case of any factory or workshop. The provisions of the Public Health Act with regard to the making of byelaws are to apply to the making of these byelaws, and they will accordingly require to be confirmed by the Local Government Board before they can come into operation.

(iii.) *Bakehouses.* (Secs. 97–102.)

Bakehouses are either factories or workshops within the meaning of the Act according as mechanical power is or is not used in aid of the processes carried on. They are, therefore, subject to the general provisions of the Act; and the same powers will be exercised by District Councils in regard to bakehouses that are exercised by them in regard to factories and workshops.

* "Owner" has the same meaning as under the Public Health Act, 1875, sec. 4.

A general power is also given to the Council in the case of any bakehouse which is in such a state as to be on sanitary grounds unfit for use or occupation as a bakehouse to bring the case before a court of summary jurisdiction; and the Court may thereupon impose a fine of £2 (if a first offence) or £5 (if a subsequent offence), and, either in addition to or in lieu of imposing a fine, order means to be adopted for the purpose of removing the ground of complaint.

In addition to the general regulations of the Act, special sanitary regulations for bakehouses are contained in the Act. These regulations require that—

(1) A bakehouse must not contain or communicate directly with a water closet, earth closet, privy or ashpit; a cistern supplying water to a bakehouse must be separate from any cistern supplying water to a water closet; and a sewage pipe or drain must not have any opening in the bakehouse. The penalty for any contravention is a fine not exceeding £2 both on the occupier and on the person letting or suffering the bakehouse to be occupied, and a further fine not exceeding 5s. for each day occupation continues after conviction.

(2) All inside walls and ceilings of rooms and all passages and staircases must be limewashed every six months, or coated with three coats of paint or varnish every seven years and washed with hot water and soap every six months; if not, the bakehouse will be deemed not to be kept in conformity with the Act.

(3) Places on the same level with a bakehouse and forming part of the same building must not be used as sleeping places unless effectually separated from the bakehouse by a partition from floor to ceiling and provided with an external glazed window 9 square feet, of which 4½ feet must be made to open:—for a first offence a penalty of £1 and for a second or subsequent offence a penalty of £5 may be imposed both on the person occupying and on the person letting or knowingly suffering the place to be occupied.

These regulations will in the case of all *retail* bakehouses* be enforced by the District Council; a "retail bakehouse" meaning any bakehouse or place in which no mechanical power is used and the bread, biscuits, or confectionery baked in which are sold not wholesale, but by retail, in some shop or place occupied with the bakehouse. The medical officer of health is, for the purpose, given all the powers of entry, inspection, taking legal proceedings, and otherwise of a Factory Inspector.

*In London these provisions will be enforced by the Borough Councils in every bakehouse (whether retail or not) which is a workshop:—Public Health (London) Act, 1891, sec. 26.

Further, new duties of great importance are placed by sec. 101 of the Act on District Councils in regard to underground bakehouses :—

(i) The Act provides generally that no underground bakehouse shall be used as such unless it was so used on the 17th August last : this provision it will be the duty of the Council to enforce in the case of retail bakehouses.*

(ii) Moreover, after 1st January, 1904—that is, after a period of two years from the coming into force of the Act—it will not be lawful to use any underground bakehouse (whenever established) unless the Council are satisfied that it is suitable for the purpose in regard to construction, light, ventilation, and in all other respects, and have given it a certificate of suitability. This provision will apply to all bakehouses, whether wholesale or retail.

Every bakehouse will be deemed an underground bakehouse if any room used for baking, or for any process incidental thereto, is so situate that the surface of the floor is more than 3 feet below the surface of the footway of the adjoining street, or of the ground adjoining or nearest to the room.

An underground bakehouse used in contravention of these provisions will be deemed to be a workshop not kept in conformity with the Act.

(iv.) *Home Work.* (Secs. 107–115).

Very important powers of controlling the conditions under which certain classes of work are done in the homes of the workers are for the first time given to District Councils by the Act of 1901. These powers aim at the prevention of home work being done (1) in dwellings which are injurious or dangerous to the health of the workers themselves, *e.g.*, through overcrowding, want of ventilation, or other insanitary conditions ; (2) in premises where there is dangerous infectious disease.

The provisions of the Act are as follows :—

(1) *Unwholesome dwellings.*—If any place in which home work is being done in connection with the business of a factory or workshop is injurious or dangerous to the health of the persons working there, the Council may, by notice to the occupier of the factory or workshop, or to any contractor employed by such occupier, prohibit him from giving out work to be done in that place.

* In London this provision will be enforced by the Borough Councils in every bakehouse (whether retail or not) which is a workshop :—Public Health (London) Act, 1891, sec. 26.

The power may be exercised also in the case of work given out from places other than factories or workshops, *e.g.*, laundries, warehouses, shops, &c.

The power does not apply to all classes of home work, but only to those which may be specified by orders of the Secretary of State. The classes of work in regard to which the power may be exercised by the Council have been fixed as follows:—

The making, cleaning, washing, altering, ornamenting, finishing, and repairing of wearing apparel, and any work incidental thereto;

The making, ornamenting, mending, and finishing of lace, and of lace curtains and nets;

Cabinet and furniture making, and upholstery work;

The making of electro-plate;

The making of files; and

Fur-pulling.

(2) *Infected dwellings.*—If any inmate of a house in which home work is done is suffering from any infectious disease which is required by law to be notified to the local authority, the Council may, whether such inmate has been removed from the house or not, by order served on the occupier of any factory, workshop, or other place from which work is given out, or on any contractor employed by such occupier, prohibit him from giving out such work to any person living or working in the house during such time as the Council may fix. In an emergency, the power may be exercised by any two or more members of the Council acting on the advice of the Medical Officer of Health.

This power, like the last, does not apply to all classes of work, but only to such as the Secretary of State may fix. The classes of work in regard to which the power may be exercised have been fixed as follows:—

The making, cleaning, washing, altering, ornamenting, finishing, and repairing of wearing apparel, and any work incidental thereto;

The making, ornamenting, mending, and finishing of lace, and of lace curtains and nets;

Upholstery work; and

Fur-pulling.

In order that the Council may be kept fully informed as to the places in its district in which home work is being done, occupiers of factories, workshops, or any place from which work is given out, and contractors employed by such occupiers are required, in regard to such classes of work as may be fixed by the Secretary of State, to keep lists showing the names and addresses of all persons employed by them, either

as workmen or as contractors outside such factory, workshop or place, and the place where they are employed, and to send to the Council twice a year (viz., on or before the 1st February and the 1st August) copies of such lists.

In the event of any occupier failing to keep or to send such lists he will be liable to a fine of £2 for the first offence, and to a fine of £5 for a second or subsequent offence. Proceedings to recover the fine may be taken by the Council.

It will be the duty of the Council to have the lists so sent to them examined, and if the place of employment of any outworker included in the list is in another district, to furnish his name and place of employment to the Council of that district.

The list required to be kept by the occupier or contractor will be open to inspection by any duly authorised officer of the Council; and the copies sent to the Council, and any particulars furnished to it by another Council, will be open to inspection by any of the Inspectors of Factories and Workshops.

The classes of work to which these provisions apply have been fixed by the Secretary of State so as to include all those which have been fixed by him in regard to (1) and (2) above, as follows:—

The making, cleaning, washing, altering, ornamenting, finishing, and repairing of wearing apparel and any work incidental thereto;

The making, ornamenting, mending, and finishing of lace and of lace curtains and nets;

Cabinet and furniture making and upholstery work;

The making of electro-plate;

The making of files; and

Fur-pulling.

Domestic Factories and Workshops.

In some cases it will be found that dwellings in which home work is done will constitute a factory or workshop, in consequence of the employment by the occupier of the dwelling, or some part of it, of persons on work which comes within the definitions in the Act. Such places will be subject to the ordinary provisions of the Act with regard to factories and workshops. An important exception, however, is made for dwellings in which no mechanical power is used and the only persons employed are members of the same family dwelling there. These places (termed in the Act "Domestic

Factories" and "Domestic Workshops") are exempted from many of the provisions of the Act.*

Domestic Factories are exempted from the provisions in the Act as to the sanitation of factories, and are made subject only, so far as sanitary conditions are concerned, to the provisions in sec. 2 (1) and sec. 3; *i e.*, if not kept in a cleanly state, or not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work that are a nuisance or injurious to health, or so overcrowded while work is carried on as to be dangerous or injurious to the health of the workers, it is liable to be dealt with as a nuisance under sec. 91 of the Public Health Act, 1875. A domestic factory will, for the purpose of this provision, be deemed to be overcrowded unless in each room at least 250 cubic feet of air-space (or during overtime 400) are allowed for each person employed in the room. These provisions will be enforced by the District Council.

Domestic workshops are exempted from the special provisions as to means of ventilation and the drainage of floors, but are otherwise, so far as sanitary conditions are concerned, to be treated as ordinary workshops.†

Any domestic factory and workshop, however, in which any work is carried on that has been certified by the Secretary of State as dangerous, is subject to all the provisions of the Act as though it were an ordinary factory or workshop.

Administration.

Powers of District Council.—For the purpose of their duties with respect to workshops and workplaces under the Act, and under the Public Health Acts, the District Council and their officers are given the same powers of entry, inspection, taking legal proceedings, or otherwise as a Factory Inspector possesses. These powers in the case of workplaces are given for the first time by the Act of 1901. The powers of an Inspector are contained in sec. 119 of the Act, and include the power to enter, inspect, and examine, to take a constable in cases in which there is reason to apprehend any

*The only classes of factories which can come within the definition of "Domestic Factory" are those specified in Part I. of the Sixth Schedule to the Act. *See* p. 240 *ante*.

†Domestic workshops in which the work is only done at irregular intervals and does not furnish the whole or principal means of living to the family, or in which certain classes of work of a light character (viz. straw-plaiting, pillow-lace making and glove making) are carried on are wholly exempt, except so far as they come within the term "workplace."—*See* sec. 114.

serious obstruction, to examine the persons found therein, to require the production of documents, &c. In cases where proceedings are taken under the Factory Act, and not under the Public Health Acts, special attention should be paid to the provisions of sec. 146 of the Act with respect to legal proceedings.

Register of Workshops.—The Act places a new duty on every District Council to keep a register of all workshops situate within its district (sec. 131). To assist the Council in preparing such a register, instructions have been given to the Factory Inspectors to allow the District Council to make copies of the register of workshops kept by the Inspector, and the Council will also continue to receive (sec. 127) from the Inspector any notices of occupation of a workshop which may be sent to him. The Council should not, however, depend exclusively on these sources of information for compiling their register, but should take steps, through their own officers, to ascertain what workshops are situate in their district, with a view to making the register as complete as possible.

Duties of Medical Officer of Health.—Under sec. 132 of the Act, the Council's Medical Officer of Health is required for the future in his annual report to the Council to report specifically on the administration of the Act in workshops and workplaces so far as the matters under the charge of the Council are concerned, and to send a copy of his report on the subject to the Secretary of State. The matters which the report should specially deal with will be the provisions as to sanitation, bakehouses and home work.

It is also the duty of the Medical Officer, if he finds any woman, young person, or child employed in a workshop *in which no abstract of the Act is posted up*, to inform the District Inspector of Factories in writing.

Matters referred to Council by Factory Inspectors.—The Factory Inspector will, on finding in a factory or workshop, any act, neglect, or default in relation to a drain, water-closet, earth-closet, privy, ashpit, water supply, nuisance, or other matter which is punishable or remediable under the Public Health Acts but not under the Factory Act, give notice to the Council of such act, &c.; and it will then be the duty of the Council to make inquiry into the matter, take such action as may seem proper, and inform the Inspector of the proceedings taken. If proceedings are not taken by the Council within one month, the Inspector is authorised to take the same proceedings as the Council might have taken, and to recover from the Council the expenses incurred by him

which have not been recovered from any other person, and have not been incurred in any unsuccessful proceedings (sec. 5).

The Inspector may take similar action for the purpose of enforcing in a factory or workshop the provision of means of escape in case of fire.

In the event of a District Council failing generally to carry out the provisions of the Act and the Public Health Acts with regard to factories, workshops, and workplaces, the Secretary of State may authorise a Factory Inspector during such time as he may fix to enforce those provisions. An Inspector so authorised will be entitled to recover from the Council any expenses incurred by him which are not recovered from any other person (sec. 4).

General.—It is provided that the powers conferred by the Act on District Councils shall be in addition to and not in substitution for any other power which they may possess.

Application to London.

The duties of District Councils as described above will be discharged in London by the Metropolitan Borough Councils, and, in the City, by the Court of Common Council, with the following exceptions.—

(1) The duties in regard to the provision of means of escape in case of fire will be discharged by the London County Council.

(2) For the references to sec. 91 of the Public Health Act, 1875, should be substituted references to sec. 2 of the Public Health (London) Act, 1891.

(3) For the references on pp. 242 and 244 to sec. 22 of the Public Health Acts Amendment Act, 1890, should be substituted a reference to sec. 38 of the Public Health (London) Act, 1891, which applies throughout the County of London, and requires that every factory, workshop, or workplace shall be provided with sufficient and suitable accommodation in the way of sanitary conveniences. The Metropolitan Borough Councils are charged with the duty of enforcing this provision.

(4) The Metropolitan Borough Councils have special powers under secs. 25 and 26 of the Public Health (London) Act, 1891. *See* notes on pp. 243, 247, and 248 *ante*.

SCOTLAND.

The foregoing memorandum will apply in all particulars to Scotland, subject to the following modifications :--

(1) For the references to the Public Health Act, 1875, should be substituted references to the Public Health (Scotland) Act, 1897, and in particular for references to section 91 of the former Act, references to section 16 of the latter Act. It should be noted that the word "factory" in sub-section 8 of the latter section includes "workshop" and "workplace"—see definition of "factory" in section 3 of the Act.

(2) For "District Council" should be substituted "Local Authority," as defined in section 12 of the Act of 1897.

(3) For "Medical Officer of Health" and "Inspector of Nuisances" should be substituted "Medical Officer" under the Act of 1897, and "Sanitary Inspector," as defined in section 3 of that Act.

(4) For "Local Government Board" should be substituted "Local Government Board for Scotland."

(5) For the reference to section 22 of the Public Health Acts Amendment Act, 1890, may be substituted a reference to section 29 of the Public Health (Scotland) Act, 1897, which empowers the Local Authority by written notice to the owner or occupier of any factory (including workshop and workplace), or building in which persons are employed in any manufacture, trade or business, to require them, or either of them, within a specified time, to provide a sufficient number of water-closets or privies for the separate use of each sex.

IRELAND.

The memorandum will apply in all particulars to Ireland, subject to the following modifications .—

(1) For the references to the Public Health Act, 1875, should be substituted references to the Public Health (Ireland) Act, 1878, and in particular for references to section 91 of the former Act, references to section 107 of the latter Act.

(2) For "Medical Officer of Health," should be substituted "Medical Superintendent of Health."

(3) For "Local Government Board" should be substituted "Local Government Board for Ireland."

20th December, 1901.

Circular and relative Order prescribing the Form of Requisition for Extract of Entry of Birth under the Factory and Workshop Act, 1901.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 14*th February* 1902.

Sir,—I am directed by the Local Government Board for Scotland to transmit, for your information and guidance, the annexed copy of an Order issued by the Board in pursuance of their powers under the Factory and Workshop Act, 1901, prescribing the Form of Requisition for Extract of Entry of Birth for the purposes of the above-mentioned Act.—I am, Sir, your obedient servant,

G. FALCONAR-STEWART.
Secretary.

The Registrar of Births and Deaths.

TO ALL REGISTRARS OF BIRTHS AND DEATHS IN SCOTLAND: And to all others whom it may concern.

WHEREAS by Section 134 of the Factory and Workshop Act, 1901, it is enacted as follows :—

> "Where the age of any young person under the age of sixteen years, or child, is required to be ascertained or proved for the purposes of this Act, or for any purpose connected with the employment in labour or elementary education of the young person or child, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by the Local Government Board, and on payment of a fee of sixpence, be entitled to obtain a certified copy under the hand of a registrar or superintendent registrar of the entry in the register, under the Births and Deaths Registration Acts, 1836 to 1874, of the birth of that young person or child; and such form of requisition shall, on request, be supplied without charge by every superintendent registrar and registrar of births, deaths, and marriages";

AND WHEREAS by Section 159 of the aforesaid Act, it is enacted as follows :

> "In the application of this Act to Scotland"—
>
> . . .
>
> "the expression 'Local Government Board' means the Local Government Board for Scotland";

NOW THEREFORE, We, the Local Government Board for Scotland, in pursuance of the powers given to Us by the Statutes in that behalf, hereby Order as follows:

Article I. The requisition to be made to entitle any person to obtain an extract under the hand of the Registrar of an entry of birth under the section above cited shall be in the Form set forth in the Schedule to this Order.

Article II. This Order shall come into operation on the twenty-first day of February, One thousand nine hundred and two.

SCHEDULE.

THE FACTORY AND WORKSHOP ACT, 1901.

Requisition for an extract under the hand of the Registrar of an entry of Birth for the purposes of the above Act, or for any purpose connected with the employment in labour or elementary education of a Child or Young Person under the age of sixteen years.

To the Registrar having the custody of the Register in which the birth of the undermentioned Child or Young Person is registered.

I, the undersigned, hereby demand for the purposes above mentioned, or some or one of them, an Extract under your hand of the Entry of the Birth of the Child or Young Person named in the subjoined Schedule.

Christian Name and Surname of the Child or Young Person of whose Age a Certificate is required.	Names of the Parents of such Child or Young Person.		Where such Child or Young Person was born.	When such Child or Young Person was born.
	Father.	Mother.		

Dated this _____ *day of* _____ *190* .

Signature _____

Address _____

Occupation _____

Given under the Seal of Office of the Local Government Board for Scotland, this fourteenth day of February, One thousand nine hundred and two.

(L.S.) MALCOLM M'NEILL,
Vice-President.

G. FALCONAR-STEWART,
Secretary.

IX.—MISCELLANEOUS.

Circular respecting Co-operation of Local Authorities and School Boards with regard to Neglected Children.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 10*th October*, 1901.

Sir,—The Local Government Board desire to direct the attention of Local Authorities to the mutual advantages of co-operation with the School Boards in their districts in the discharge of their respective duties.

It is unnecessary to dwell on the national importance of the health of children, on the influence thereon of the physical conditions existing at home and at school, on the relations of both to education, and the consequent practical utility of sympathy and active friendliness between Local Authorities and School Boards. It need scarcely be added that approaches by either body to the other regarding these subjects of common interest ought to be made without censoriousness and received in a friendly spirit.

Through Section 57 of the Public Health (Scotland) Act, 1897, relative to infectious diseases and school attendance, and Article 30 of the Education Code regarding closure of schools or exclusion of scholars on the notice of the Local Authority, a certain amount of administrative co-operation is required and recognised. The Board are aware that between many Local Authorities and School Boards and their respective officials there already exists a carefully organised system of co-operation for the prevention of the spread of infectious diseases through the agency of schools, which experience has shown to have great utility both in the control of epidemics and the promotion of education. The Board are satisfied that without such co-operation it is impossible to deal effectively with the infectious diseases of children.

By the definition of "house" in the Act, all the statutory obligations of the owners of dwelling-houses are laid upon School Boards as regards school premises. There are also provisions specifically applicable to "schoolhouses" in Sections 16 (8) and 29. In the great majority of cases the primary

structure of such premises is unexceptionable, and calls for no interference on the part of the Local Authority, but in maintaining the structure, especially in the prompt detection of defects in drains and plumber work, disrepair or irregularity in the cleansing of conveniences, &c., School Boards require the assistance of Local Authorities. This ought to be freely rendered by the exercise of regular supervision over schools.

Those points of administrative contact between Local Authorities and School Boards are plainly indicated by statute. Other opportunities of co-operation ought to be sought in pursuance of a settled policy of helpfulness.

The Board are informed that School Boards sometimes have difficulty in dealing with children who present themselves at school in a state of uncleanness so gross that they cannot be allowed to mingle with other children. In cases where this is associated with a "filthy or unwholesome condition" of the home and its contents, the Local Authority should, on receiving information to that effect, consider as to the exercise of their powers under Section 40 of the Public Health Act, 1897. In burghs the provisions of Sections 118 and 119 of the Burgh Police Act will also be available. It ought to be remembered that such conditions as defective water supply, darkness and want of ventilation, disrepair of floors, walls, &c., want of proper w.-c. accommodation, encourage personal and domestic uncleanliness.

In this connection the Board direct attention also to the Cleansing of Persons Act, 1897. That Act provides:—

> "1. On and after the passing of this Act any Local Authority shall have the power, when in their discretion they shall see fit, to permit any person who shall apply to the said authority, on the ground that he is infested with vermin, to have the use, free of charge, of the apparatus (if any) which the authority possess for cleansing the person and his clothing from vermin. The use of such apparatus shall not be considered to be parochial relief or charitable allowance to the person using the same, or to the parent of such person, and no such person or parent shall by reason thereof, be deprived of any right or privilege or be subject to any disqualification or disability.
>
> "Local Authorities may expend any reasonable sum on buildings, appliances, and attendants that may be required for the carrying out of this Act, and any expenses for these purposes may be defrayed out of any rate or fund applicable by the authority for general sanitary purposes or for the relief of the poor."

"3. In the application of this Act to Scotland, "Local Authority" means and includes any Local Authority under the Public Health (Scotland) Act, 1867, and any Acts amending that Act; but the Local Authority shall not erect buildings for the purposes of Section 1 hereof, except with the sanction of the Local Government Board for Scotland."

Local Authorities should, on the application of any School Board, be prepared to consider how far they can exercise their powers under this Act and afford facilities for cleansing the persons and clothing of children. If any Local Authority should resolve to erect buildings for the purpose, the Board will be ready to give the sanction required by Section 3, unless strong reasons exist for refusing.

I am further to remind Local Authorities that, in the execution of their duties under the Education Act, the officers of School Boards are frequently led into houses and localities which stand in need of sanitary supervision. In the course of their domiciliary visits they cannot fail to observe various "nuisances" and insanitary conditions.

The Board are aware that in certain of the large burghs the systematic communication to the Local Authority by the School Board of the observations thus made by their officers has been encouraged and has proved of signal service to the Local Authority in the execution of their duties. The Board highly approve of all such understandings and recommend them for the adoption of Local Authorities generally.

I am to express the confident anticipation of the Board that Medical Officers of Health and Sanitary Inspectors will cordially welcome the assistance which the officials of School Boards may in this way render, and will generally aid their Local Authority in acting upon the lines of this Circular.

Three copies of this Circular are sent, together with three copies of a Circular addressed by the Scottish Education Department to School Boards, and I am to request you to submit these Circulars to an early meeting of the Local Authority and to hand copies to the Medical Officer of Health and Sanitary Inspector for their information.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

Enclosure—Circular issued to School Boards on same subject by the Scotch Education Department.

SCOTCH EDUCATION DEPARTMENT,
DOVER HOUSE, WHITEHALL,
LONDON, S.W. 10*th October* 1901.

Sir,—My Lords have had under special consideration the difficulties presented to School Boards in enforcing the attendance at school of neglected children. The more ordinary aspects of this question need not be referred to, where the question is simply one of truancy, due to absence of home control, vagrancy, and general wildness. It is sufficient here to suggest that, in dealing with these cases, School Boards should avail themselves, more freely than is usually the case, of the assistance that may be obtained by co-operation with the Police Authorities, which will be specially useful to them in obtaining knowledge of and securing the attendance at school of children belonging to the migratory classes, who may otherwise escape the usual School Board Census.

But it is to a special class of children that my Lords wish now to direct attention, viz., of those who, either by disease, uncleanness, want of clothing, or other results of neglect and unwholesome conditions, are rendered unfit to sit in school with other scholars. Such children, it is to be feared, are too often allowed to remain away from school for long periods, and even to grow up without the benefit of any education at all, with consequences not only harmful to the children themselves, but dangerous to society.

While recognising that the physical condition of such children, and the dangers to other children arising therefrom, may be "reasonable ground" for refusing admission to them in terms of Article 17 (a) of the Code, my Lords must hold that School Boards are none the less responsible for their obtaining education; and that it is, therefore, the Board's duty to use every means in their power whereby their condition may be sufficiently improved for them to attend school. In this They feel sure that They will have the full agreement of School Boards. Some doubt may, however, be felt as to a Board's power to cope with this difficulty, and it is Their Lordships' present object to point out some of the resources available for the purpose.

The most important of these is, doubtless, the individual effort of School Managers themselves, who by personal influence can effect much that lies beyond the reach of a corporate body. On the other hand, in order to be really effective,

such effort should be employed, not in a desultory manner, but as a supplement to a systematic plan of action on the part of the School Board, acting both by themselves and in co-operation with other bodies. It is to the importance of such co-operation that my Lords desire to call special attention.

Mention has been made of the assistance that may be and, in certain cases, has been obtained by School Boards from the Police Authorities in dealing with cases of truancy. Similarly, in dealing with the class of children who are rendered unfit to attend school by conditions due to filthy and unsanitary homes, it is of immense importance that the School Board should act in concert with the Local Sanitary Authority. I am to refer the Board to the Public Health (Scotland) Act, 1897, generally, and especially to Section 40 of that Act. It is evident that much might be done by systematically reporting to the Local Authority cases to be dealt with by them under this Act. In Burghs a similar use may be made of the Burgh Police (Scotland) Act, 1892, sections 118 and 119. Attention is also called to the Cleansing of Persons Act, 1897. Instances already exist proving the extent to which Officers of the School Board and of the Local Authority can render each other mutual assistance, and my Lords have little doubt that any School Board will obtain from the Local Authority all the aid which they ask for, if they bring themselves or their attendance-committee into systematic relations with them.

By acting on these lines School Boards may be able largely to reduce the number of children of the class now under consideration. But there will remain cases which are beyond the scope of such action, especially those of confirmed disease. Many of such diseases are of a more or less infectious nature and, in any case, they are most repugnant to other children. The risk of infection, however, is almost entirely removed and the repugnance is mitigated, if the sores or affected parts are properly dressed. My Lords are advised that it is beyond the power of the Board to provide medical treatment out of the school fund; but a substitute for paid service may, perhaps, be found in philanthropic agencies having medical aid within their scope, and it has been suggested that every school in which such cases occur with any frequency might be associated with some society of this kind. Either in this way, or by other means which may suggest themselves, the Board should endeavour to secure that every such case is either properly attended to by the parents themselves or that, where the parents or guardians are from whatever cause incapable of

giving proper attention, they should be put in the way of obtaining the necessary assistance.

The form in which the question under consideration occurs will naturally differ widely according to the character of the school district, as will also the means at hand for dealing with it. But in all cases it is hoped that the School Board will recognise the duty to deal with it, which is implied in their duties under the compulsory clauses of the Education Acts, and will seriously consider in what direction their present practice in the matter may be extended.

It has been thought expedient to enclose, for the information of your Board, a copy of a Circular, relating mainly to the same subject, which is being issued by the Local Government Board to Local Sanitary Authorities.—I have the honour to be, Sir, your obedient servant,

H. Craik.

To the Clerk of the School Board.

X.—PRACTICAL FORMS OF PROCEDURE.

Circular transmitting Forms of Procedure under Public Health (Scotland) Act, 1897, suggested by the Board for the Use of Local Authorities.

LOCAL GOVERNMENT BOARD,
EDINBURGH, 6*th May*, 1898.

Sir,—I am directed by the Local Government Board to transmit to the Local Authority the enclosed copies of Forms of Procedure under the Public Health (Scotland) Act, 1897, which have been prepared under the instructions of the Board.

The Board desire to draw attention to the changes introduced by the Act of last year in the procedure with respect to the removal of nuisances.

In the first place the Statute requires that intimation of the existence of any nuisance shall be immediately given to the person who may be required to remove it, and the duty is laid on the Local Authority of giving such directions to their officers as shall secure that this requirement is carried out. The Board suggest that the duty of giving the intimation should be laid on one officer, and that he should be held responsible for its due performance. A form in which the intimation may be made will be found in the enclosed print (No. 10). Section 19.

Should further procedure be necessary, the next step is the service of a notice on the author of the nuisance, or, if the author cannot be found, on the occupier or owner of the premises, requiring him to remove the nuisance. The Local Authority will mark the distinction between the *intimation* of the existence of a nuisance and the *notice* to remove it. Both are statutory, but the intimation is a less formal proceeding, which may be carried out by any officer in accordance with a general instruction of the Local Authority. The notice, on the other hand, appears to be an indispensable preliminary to legal proceedings for the removal of a nuisance. In the opinion of the Board the Local Authority are not entitled to delegate to any officer or person their power to issue such notices. There must in every case be a Minute of the Local Authority, or of a Committee duly Section 20.

authorised, directing that the notice be served. A suggested Form of Notice is contained in the enclosed print (No. 11).

Section 14. The Local Authority, or their Committee thereto duly authorised, may empower any officer or person to serve such notices. The authority must be in writing under the hand of the Clerk, and may be either a General Authority or a Special Authority in each particular case. The mode of

Section 159. service is provided for in Section 159, and the officer or other person serving the notice should draw up and sign a Certificate of service, duly attested by a witness who was present. (See Form No. 5.)

Additional copies of these Forms may be obtained on application to Messrs. Oliver & Boyd, Tweeddale Court, 16 High Street, Edinburgh, price 4d.—I am, Sir, your obedient servant,

G. Falconar-Stewart,
Secretary.

The Clerk to the Local Authority.

No. 1.

Petition for Warrant to Admit to Premises.—Section 18.

(Where application is addressed to a Sheriff.)

In the Sheriff Court of _____ at _____,

A. B., Sanitary Inspector[1] appointed by the _____ District Committee of the County Council of the County of[2] _____ Local Authority of the said District[3] under the Public Health (Scotland) Act, 1897, *Pursuer*,

AGAINST

C. D. (design), _____ *Defender.*

The above-named Pursuer submits to the Court the Condescendence and Note of Plea in Law herewith annexed, and prays the Court—

To take the oath of the Pursuer to his belief on reasonable grounds that a nuisance exists on the premises at _____ occupied by the Defender[4] within the District of the said Local Authority, as stated in the Condescendence; to ordain

[1] The petition may also be in the name of the Medical Officer of Health or the Local Authority.

[2] Or by the Town Council of the Burgh of ——, or otherwise as the case may be.

[3] Or otherwise as the case may be

[4] Or, "of which the defender is the person in charge."

the Defender to admit the Pursuer and[5] _____ _____ at any hour between *nine a.m.* and *six p.m.*[6] _____ _____ in order to inspect said premises, and, if necessary, to cause such work to be done therein as may be necessary for an effectual examination thereof; and, in the event of the Defender failing or refusing to obey such order, to grant warrant to the Pursuer and said _____ to take such steps as may be necessary to obtain immediate forcible entry into said premises; and to find the Defender liable in expenses.

[5] Insert the names and designati'ns of the persons for whom admission is desired.

[6] Add, if the case requires it, "or at any hour when the operations suspected to cause the said nuisance are believed to be in progress, or are usually carried on."

Condescendence.

1. The Pursuer is Sanitary Inspector under the _____ District Committee of the County Council of the County of _____ who are the Local Authority of said District under the Public Health (Scotland) Act, 1897. The Defender is the owner and occupier[7] _____ of the premises, which are within said District.

[8] _____ _____

[7] Or, "is the person having the custody." If another person is the owner, design him.

[8] Describe them.

2. The Pursuer believes on reasonable grounds that there exists in said premises a nuisance within the meaning of the said Public Health (Scotland) Act, 1897, namely[9] _____ _____

[9] State shortly the nature of the alleged nuisance in terms of Section 16.

3. On[10] _____ the Pursuer applied for admission for himself and said _____ to inspect the said premises. Admission was refused. In consequence of such refusal this application has been rendered necessary.

[10] Insert date.

4. Reference is made to Sections 16 and 18 of the said Public Health (Scotland) Act, 1897.

Plea in Law.

The Pursuer having reasonable grounds for believing that a nuisance exists within the premises occupied by the Defender,[11] _____, and having been refused admission to inspect the said premises, is entitled under Section 18 of the Public Health (Scotland) Act, 1897, to decree and warrant as concluded for.

[11] Or, "of which the Defender is the person having the custody."

In respect whereof &c.,

(Signed) A.B.

No. 2.

PETITION FOR WARRANT TO ADMIT TO PREMISES.—SECTION 18.

(Where Application is addressed to a Magistrate or Justice of Peace.)

Unto[1] _____

The Petition of A. B.,

Sanitary Inspector[2] appointed by the _____ District Committee of the County Council of the County of [3] _____, Local Authority of said District[3] under the Public Health (Scotland) Act, 1897.

Humbly Sheweth,—

That the Petitioner verily believes, on reasonable grounds, that within or near the following premises, situated within the District of said Local Authority, viz. :—[4] _____

_____

there exists a nuisance within the meaning of the Public Health (Scotland) Act, 1897, viz :—[5] _____

_____

_____

that the Petitioner on _____, at ____ o'clock .m., demanded admission for himself[6] _____

_____

_____

[1] Magistrate or Justice of Peace. (*See* Section 3 for definition of Magistrate)

[2] The Petition may also be in name of the Medical Officer of Health or the Local Authority.

[3] Or otherwise as the case may be.

[4] Describe the premises.

[5] State the nuisance in terms of Section 16.

[6] Here may be inserted the Local Authority ;

to inspect the same, but admission was refused. Wherefore this application is made under Section 18 of the said Act, for an Order in Writing for admission to inspect the premises at any hour between nine in the morning and six in the evening.[7]

May it therefore please your Honour to appoint this Petition to be intimated to C. D., the owner and occupier, or to the person in charge of said premises, and thereafter to grant an Order in Writing requiring the occupier or person having the custody of the aforesaid premises to admit the Petitioner,[8] _____ at the times aforesaid, or at such other times as may be fit, and, in case of opposition, to find the opposing party liable in expenses.

According to justice, etc.

also the Medical Officer, the Superintendent of Police, etc., naming them. (*See* Sec. 18.)

[7] Add, if the case requires it, "or at any hour when the operations suspected to cause the said nuisance are believed to be in progress, or are usually carried on."

[8] State others *ut supra*, if wished.

No. 3.

DEPOSITION OF THE PURSUER (OR PETITIONER).

At _____,
the _____ day of _____, in presence of
_____,
compeared the said _____,
Petitioner, who, being solemnly sworn, depones that the whole statements in the foregoing Petition are true.

[1] _____
_____

[1] Signatures of deponent and judge.

No. 4.

WARRANT FOR INTIMATION.

[1] _____

[1] Place and date.

Appoints a copy of the foregoing Petition and Deposition, and of this Deliverance, to be served on the owner and occupier, or person in charge of the premises therein mentioned, and appoints appearance to be made by him or them before the undersigned at _____, on

_____, at _____ o'clock .m.,[2] _____ previous service being made.

[2] State so many hours or days.

Note.—In the case of a Petition in the Sheriff Court this Deliverance will be in the ordinary form for a Warrant of Service on shortened *inducia* in use in the Sheriff Court under the Sheriff Courts Act, 1876, and will be signed by the Sheriff.

No. 5.

Certificate of Service.

[*This Form may be used for all Certificates of Service under the Act.*]

I,[1] _____, hereby Certify that on _____, at _____ o'clock .m., I served a copy of the foregoing Petition, Deposition, and Deliverance upon[2] _____, all in presence of _____, witness hereto subscribing.

[1] Name and designation.

[2] State the person or persons on whom the service is made, and the mode of service. (*See* Section 159.)

Signature, _____

_____, *Witness.*

Note.—Service may be made by any person. Section 159.

No. 6.

Order for Admission.

[1] _____

I,[2] _____, having considered the foresaid Petition and Deposition, hereby, in terms of Section 18 of the Public Health (Scotland) Act, 1897, ordain and require the occupier or person having the custody of the aforesaid premises to admit the Sanitary Inspector foresaid[3] _____ _____ to the said premises, for the purpose of inspecting the same, and that on this present day, or any of the next _____ days, at any hour between nine in the morning and six in the

[1] Place and date.

[2] Sheriff, Magistrate, or Justice.

[3] State if others.

evening, and also between the hours of _____ and _____.

Note.—Expenses may be given. Section 154.

No. 7.

CERTIFICATE OF FAILURE OR REFUSAL TO GIVE ADMISSION.

I, _____, hereby certify that on the _____, at _____ o'clock .m., I demanded admission, in terms of the foregoing Order, but admission was refused and withheld.

No 8.

WARRANT FOR IMMEDIATE FORCIBLE ENTRY.*

I,[1] _____, being satisfied of the failure or refusal to give admittance, in terms of the foregoing Order, hereby grant warrant to the said Sanitary Inspector,[2] _____ or any of them, for immediate forcible entry into the foresaid premises.[3]

[1] Sheriff, Magistrate, or Justice.

[2] Here insert any others.

[3] In the Sheriff Court the interlocutor will be in the usual form for interlocutors in Sheriff Courts—*e.g.*, "The Sheriff having considered the Petition with the certificate of failure or refusal to admit in terms of the preceding order of Court, grants warrant," &c.

No. 9.

PETITION TO RECOVER A PENALTY FOR REFUSAL TO OBEY ORDER TO ADMIT TO PREMISES.

UNDER THE PUBLIC HEALTH (SCOTLAND) ACT, 1897—SECTION 18.

UNDER THE SUMMARY JURISDICTION ACTS, 1864 AND 1881.

Unto the Honourable the Sheriff of the County of _____ at [1] _____

*Besides this warrant for forcible entry, the Prosecutor may insist for a penalty not exceeding £5 ; but this should be on a separate Petition, in the appropriate form. *See infra*, No. 9 and No. 57.

The Complaint of

A. B., Sanitary Inspector[2] appointed by the_____ District Committee of the County Council of the County of[3] _____, Local Authority of said District,[3]

Humbly Sheweth—

That C. D. [4]_____ has been guilty of an offence within the meaning of the Public Health (Scotland) Act, 1897, Section 18, in so far as on or about [5]_____, at [6]_____, within the District of said Local Authority,[3] he being occupier of the premises at_____, and having been required by order of your Lordship[7] duly served upon him to admit_____ to said premises in order to inspect the same, did on _____ refuse to admit the said_____ to said premises, whereby the said C. D. is liable in a penalty not exceeding Five Pounds sterling, with expenses[8] of this prosecution, and, failing payment of said penalty within a time to be specified by the Court, to imprisonment in terms of the sixth section of the Summary Jurisdiction Act, 1881, the imprisonment to cease upon payment of the amount of penalty and expenses.

May it therefore please your Lordship to cite the said C. D. to appear before you to answer to this complaint, and thereafter to convict him of the aforesaid contravention, and to adjudge him to suffer the penalties provided by the said Acts.

According to Justice, etc.

(Signed) A. B., Complainer.

Note.—See the general form for Petitions for recovery of penalties under the Act. *Infra*, No. 57.

[1] Or Magistrate (*see* Sec. 3) or Justice.

[2] The Petition may also be at the instance of the Medical Officer of Health or of the Local Authority.

[3] Or otherwise as the case may be.

[4] Design him.

[5] Date.

[6] Place.

[7] Or Honour.

[8] Expenses may be given. (Section 154.)

No. 10.

FORM OF INTIMATION OF EXISTENCE OF NUISANCE.—SECTION 19.

[1] _____

[2] _____

Sir,—

I beg to intimate to you that a Nuisance consisting of [3] _____

_____

_____

exists upon the premises at _____ within the District of the Local Authority of _____

This intimation is made to you in terms of Section 19 of the Public Health (Scotland) Act, 1897.

(Signed) A. B.,
Sanitary Inspector (or other Officer).

_____

_____

[1] Name of District of Local Authority.

[2] Place and date.

[3] State generally the nature of the nuisance in terms of Section 16.

[4] Describe them.

[5] To be addressed to the author of the nuisance or the owner or occupier of the premises.

No. 11.

NOTICE REQUIRING REMOVAL OF NUISANCE.—SECTION 20.

Notice by the Local Authority of _____

to

C. D. [1] _____.

The Local Authority of _____ hereby give you Notice, in terms of the Public Health (Scotland) Act, 1897, Section 20, that a Nuisance, consisting of [2] _____

_____

exists upon the premises at _____ within the District of the said Local Authority, and they require you to remove the said nuisance within [3] _____ from the date of service of this Notice, and for that purpose to execute such works and do such things as may be necessary for that purpose. [4] _____ [5] _____

[1] Design him. The notice is to be served on the author of the nuisance, or, if he cannot be found, on the occupier or owner of the premises. For Certificate of service see No. 5, *supra*.

[2] State generally the nature of the nuisance in terms of Section 16.

[3] State the time thought suitable.

[4] If the Local Authority think it desirable, certain works may be

This notice is given in respect that you are the author of the said nuisance,[6] this_____day of_____.

(Signed) A. B.,
Sanitary Inspector (or other Officer).

No. 12.

PETITION FOR DECREE FOR REMOVAL OF NUISANCE.—SECTION 22.

(Where application is addressed to a Sheriff.)

(Note that all applications under heads (6), (8), (9), (10), and (11) of Section 16 must be made to the Sheriff.)

In the Sheriff Court of_____at_____, A. B., Sanitary Inspector,[1] appointed by the_____ District Committee of the County Council of the County of[2]_____, Local Authority of said District[2] under the Public Health (Scotland) Act, 1897, *Pursuer*,

Against

C. D. (design)_____, *Defender*.

The above-named Pursuer submits to the Court the Condescendence and Note of Plea in Law hereunto annexed, and prays the Court—

To find that there exists upon the premises of which the Defender is owner and occupier[2] at_____, within said District_____,[3] and that the said_____ is a nuisance within the meaning of the Public Health (Scotland) Act, 1897, and that the Defender is the author of the said nuisance, and to ordain the Defender forthwith to remove[4] the said nuisance, and for that purpose to execute[5]_____ or such other works as may, in the judgment of the Court, be required for

specified. It will frequently, however, be desirable not to specify such works.

[5] If a recurrence of the nuisance is apprehended, add "The said Local Authority further require you to do what is necessary to prevent the recurrence of said nuisance."

[6] Or the owner (or occupier) of the said premises, as the case may be.

[1] The Petition may also be in the name of the Local Authority.

[2] Or as the case may be.

[3] State shortly the nature of the alleged nuisance in terms of Section 16.

[4] Or remedy or discontinue.

[5] State, if thought desirable, any specific work which ought to be performed.

[9] Or, to cease from (state the

removal of said nuisance complained of[6]_____, [7] and to do further or otherwise as the case may in the judgment of the Court require; and to find the Defender liable to expenses.

[6] act which is believed to cause the nuisance).

[7] If interdict against future nuisance is desired, add—and on the removal of said nuisance to interdict the Defender from again (state the act or default by which the nuisance is caused).

Condescendence.

1. The pursuer is Sanitary Inspector appointed by the District Committee of[2]_____, who are the Local Authority of said District[2] under the Public Health (Scotland) Act, 1897. He is duly authorised by said Local Authority to take these proceedings on their behalf. The Defender is owner and occupier[2] of premises known as_____and situated at _____, in said District.

[8] State generally the nature of the nuisance in terms of Section 16.

2. At the said premises there exists a nuisance in the sense of the Public Health (Scotland) Act, 1897, consisting in[8]_____. The Defender is the author of said nuisance.[9] Intimation of the existence of said nuisance was given to the Defender by the Pursuer[10] on _____. A copy of said intimation is herewith produced.

[9] Or, the Defender is the occupier (or owner) of the premises on which the said nuisance exists.

[10] Or other officer of the Local Authority, as the case may be.

3. The said Local Authority, having been satisfied of the existence of the said nuisance, served upon the Defender on_____a notice[11] requiring him to remove the same within[12]_____, by delivering the same to him[13]_____. A copy of said Notice, with certificate of said service, is produced.[14]

(For form of Intimation see No. 10 *supra*.)

[11] See form of notice No. 11 *supra*.

[12] State generally the contents of the notice.

4. The Defender has failed or refused to comply with the requisition contained in said Notice, and the said nuisance still exists at the said premises. This

[13] State the mode of service.

application to have the same removed or discontinued [and for interdict against its continuance] is therefore rendered necessary.*

[14] *See* form of certificate, *supra*, No. 5.

5. This application is made under the Public Health (Scotland) Act, 1897, and particularly Sections 16, 19, 20, 21, 22, 23, 25, and 26 thereof.

Plea in Law.

The Defender being bound to remove the nuisance complained of, and having failed, after due notice from the Local Authority, to remove said nuisance, the Pursuer is entitled to decree, with expenses, for its removal or discontinuance, and to interdict.

In respect whereof, etc.,

(Signed) A. B.

[1] Magistr'te or Justice. Under Sec. 16 (6), (8), (9), (10), (11) the petition must be to the Sheriff, and all such petitions to the Sheriff must be in the form No. 12, *supra*. This form is therefore only available under Sec. 16 (1), (2), (3), (4), (5), and (7).

* In cases under Sub-sections (6) and (8) of Section 16 insert here:—"A medical certificate under the hand of ————, Medical Officer of Health (or, a representation by the Parish Council of the Parish of ——, contained in a minute of said Council, of which a copy, certified by the Clerk thereof, is produced; or, a requisition in writing under the hands of ten ratepayers of said District), has been laid before the said Local Authority requesting them to institute this proceeding, and said certificate (copy minute, or requisition) is herewith produced and founded upon.

No. 13.

PETITION FOR DECREE FOR REMOVAL OF NUISANCE.—SECTION 23.

(Where application is addressed to a Magistrate or Justice of the Peace.)

Unto[1] _____.

The Petition of _____,

Sanitary Inspector,[2] appointed by the _____ District Committee of the County Council of the County of[2] _____

Humbly sheweth,—

That within or near the following premises, situated within the said district,[2] viz.:[3] _____

[2] Or as the case may be.

[3] Describe the premises.

[4] State the nuisance as in Sec. 16.

[5] State the author or authors of the nuisance, and whether owner or occupier or both. If the author of thenuisance cannot be

there exists a nuisance within the meaning of Section 16 of the Public Health (Scotland) Act, 1897, viz. :[4] _____

_____

That the author of said nuisance is[5] _____

[6] _____

_____,

Reference is made to said Act, and particularly Sections 16, 19, 20, 21, 25, 26 thereof.

May it therefore please your Honour to ordain service of this Petition, and of the deliverance thereon, on the said _____, and thereafter to ordain[7] _____ to remove and discontinue the said nuisance, and for that purpose to[8] _____

_____

[9] _____.

According to Justice, etc.,

[10] _____

[4] found state so, and that _____ is the owner or occupier of the premises.

[6] In case of removal or discontinuance of the nuisance, and of its probable recurrence, it may be set forth: That although the said nuisance is now removed or discontinued, it is likely to recur or be repeated.

[7] Him or them.

[8] State any special order.

[9] Add if desired: And to prohibit and interdict (him or them) from, etc., in time to come.

[10] Signature of petitioner or agent.

No. 14.

REQUISITION BY RATEPAYERS FOR REMOVAL OF A NUISANCE UNDER SECTION 22.

Unto the Local Authority of _____

The Requisition of the Undersigned,

_____

We, the undersigned Ratepayers of the District of the said Local Authority, hereby, in terms of Sections 16 and 22 of the Public Health (Scotland) Act, 1897, require you, the said Local Authority, to apply to the Sheriff for removal or remedy, or discontinuance, or interdict of the following nuisance existing within the said district, viz. :[1] _____

_____

[2] _____

[1] Here state the nuisance in terms of Section 16 (6) or (8); *e.g.*, That the manufactory of —— carried on at —— by —— is injurious to the health of the neighbourhood.

[2] Signatures mentioning

Note.—A representation may also be made by a Parish Council.

No. 15.

Medical Certificate of the Existence of a Nuisance.—Section 22.

the place of residence. Not fewer than ten ratepayers must sign.

[1] _____

[1] Place and date.

I hereby certify, on soul and conscience, that within or near the following premises, viz. :[2] _____,

[2] Describe the premises.

there exists a nuisance within the meaning of the Public Health (Scotland) Act, 1897, viz. :[3] _____.

[3] State the nuisance, in terms of Section 16.

(Signature) _____

Medical Officer of Health.[4]

[4] Or otherwise as the case may be.

Note.—The medical certificate may be used in all cases; and where the nuisance falls under heads (6) or (8) of Section 16, either such certificate or a requisition of not fewer than ten ratepayers or a representation by a Parish Council, is essential.

No. 16.

Warrant of Service on Petition for Decree for Removal of a Nuisance.

[1] _____

[1] Place and date.

[2] _____ appoints a copy of the foregoing Petition, and of this deliverance, to be served on the said _____, and appoints the parties to appear before the said _____ at _____, the _____ day of _____ at _____ o'clock.

[2] The Magistrate or Justice.

[3] Or appoints Answers to be lodged within —— days after service.

Note.—Answers must be lodged not more than three days after service (*see* Section 154). Service may be made by any person (Section 159). See form of Certificate of Service No. 5, *supra*.

In cases before a Sheriff Court the usual deliverance in a case of shortened *inducia* will be pronounced,

---

No. 17.

Interlocutor making Remit or allowing Proof.

[1] _____

[1] Place and date.

Remits to _____

to examine the premises, and report as to the alleged nuisance.

Or,

Allows the Petitioner a proof of his averments, and the Respondent a conjunct proof. Appoints the proof to take place before the undersigned[2] _____ at _____, day of _____ at _____ o'clock.[3]

[2] Or, the Sheriff.

[3] The day for proof must not be later than five days after the date of the interlocutor (Sec. 154).

No. 18.

Interlocutor on the Merits, if the Party does not Appear.

If structural works are required, the provisions of Sec. 25 will fall to be attended to.

If the case falls under Sec. 16 (9), (10), or (11) the Sheriff shall take evidence as in civil proofs (Sec. 155).

[1] _____

The[2] _____, in respect the respondents have failed to[3] _____, and having heard the Sanitary Inspector, and considered the matter, ordains the said _____ to remove and discontinue the said nuisance* _____

_____

_____

_____

Finds the said _____ liable in expense of process, and modifies the same to the sum of _____, and decerns.

[1] Place and date.

[2] Sheriff, Magistrate, or Justice.

[3] Appear or lodge answers.

* Here may be inserted, "and for that purpose to" (do whatever may be deemed necessary,) "and that within ——— from this date; and failing of this order being duly implemented, authorises the Local Authority, at the expense of the said ———, to perform the said operations, and for that purpose to enter the premises, and prohibits and interdicts the said ——— from renewing or repeating the," etc.

No. 19.

Interlocutor on the Merits, after Appearance of the Respondents.

[1] _____

The[2] _____ having[3] _____

[1] Place and date.

[2] Sheriff, Magistrate, or Justice.

[3] "Heard parties," or, "consider'd the petition and answers." or "consider'd the proof, and whole process."

Ordains the said _____ to remove and discontinue the said nuisance[4] within _____ days, and appoints the Petitioner to report on or before the _____ day of _____ whether this judgment has been complied with; Finds the said _____ liable in expenses of process[5] _____, and decerns.

[4] If structural works appear to be required, the provisions of Sec. 25 require attention.

[5] "Modifies the same to the sum of ——," or "appoints an account thereof to be lodged, and remits the same to —— to tax and report."

Note.—In the event of the foregoing interlocutor not being complied with, penalties may be enforced under Section 24. It is advisable that these be sought under a Petition for Penalties in the general form given *infra*, No. 57.

——

No. 20.

Interlocutor on Report of Auditor.

[1] _____

[1] Place and date.

Approves of the Report of the Auditor on the Petitioner's account of expenses; modifies the same to the sum of _____, for which, and expense of extract, decerns.

——

No. 21.

Interlocutor Refusing the Petition.

[1] _____

[1] Place and date.

[2] Sheriff, Magistrate, or Justice.

The [2] _____ refuses *or* dismisses the Petition; finds the Petitioner liable in the sum of _____ of modified expenses, and decerns.

_____

——

Proceedings under Section 28.

The Local Government Board have resolved that all applications for their approval, in terms of Section 28 of the Public Health (Scotland) Act, 1897, shall be made as in the Minute in Form No. 22, hereto annexed; and that before

considering any such application they will require evidence that the intention to make such application has been intimated by publishing a notice as in Form No. 23, hereto annexed, once in each of two successive weeks in two newspapers circulating in the District, aud that a copy of said Minute has been served upon the Local Authority of the District into which the sewer or other structure is to be carried.

No. 22.

PUBLIC HEALTH (SCOTLAND) ACT, 1897.—SECTION 28.

MINUTE.

Whereas a [1]_____, along the side of a [2]_____, being [3]_____ is used, or partly used, for the conveyance of water, sewage, or other liquid or matter, from the premises at [4]_____, owned by [5]_____, and occupied by [6]_____, and cannot, in the opinion of the Local Authority of_____, be rendered free from foulness or offensive smell without the laying down of a [7]_____, and whereas it is necessary for the purpose of outfall or distribution of the sewage to lay down a sewer or other structure without the District of the said Local Authority, the said Local Authority do hereby resolve to appl* or the approval of the Local Government Board for Scotland, in terms of Section 28 of the Public Health (Scotland) Act, 1897, to the laying down of a [8]_____from [9]_____ to [9]_____, as indicated by a line on the plan which is marked as relative hereto, the said [10]_____ _____being without the District of the said Local Authority and within the District of the Local Authority of _____, and the same being

[1] Insert, as the case may be, "watercourse," "ditch," "gutter," or "drain."

[2] Insert, as the case may be, "street," or "between or parallel to rows of dwelling-houses."

[3] Describe the street or rows of dwelling-houses by name (if any) and by position.

[4] Describe the premises by their position and by their name (if any).

[5] Specify owner or owners.

[6] Specify occupier or occupiers.

[7] Insert, as the case may be, "sewer," or whatever other structure is required.

[8] Insert, as the case may be, "sewer, as aforesaid," or "structure, as aforesaid."

necessary for the purpose of outfall or distribution of the sewage.

[9] Specify the point from which, and the point to which, the sewer or other structure is to run without the District of the Local Authority.

Signed by order and on behalf of the Local Authority of _____,

_____

(Place) _____

(Date) _____

[10] Insert, as the case may be, "sewer" or "structure"

No. 23.

PUBLIC HEALTH (SCOTLAND) ACT, 1897.—SECTION 28.

NOTICE.

Notice is Hereby Given, That on the [1] _____ of _____ next, the Local Authority of _____ will apply to the Local Government Board for Scotland to approve, in terms of Section 28 of the Public Health (Scotland) Act, 1897, of a [2] _____ as set forth in the subjoined Minute, and that the plan mentioned in said Minute may be inspected at the office of _____ on any lawful day between the hours of 10 a.m. and 6 p.m.

[1] Insert a day not less than three weeks nor more than six weeks after the date of Notice.

[2] Insert, as the case may be, "sewer" or "structure"

Objections to the proposed sewer or structure must be lodged with the Clerk to the Local Authority before the [3] _____ day of _____, and they will be transmitted to the Local Government Board along with the application.

[3] Insert a day not less than three weeks after the date of the Notice.

(Place) _____

(Date) _____

(Copy Minute to be subjoined.)

No. 24.

Notice by the Local Authority to the Owner or Occupier of a Schoolhouse, Factory, &c., to Construct Water-Closets or Privies.—Section 29.

Notice to Construct Water-Closets or Privies.

The Local Authority of _____ hereby give Notice to you [1] _____, and require you [2] _____, and that within _____ from the service of this Notice, all in the terms of, and under the penalties specified in, Section 29 of the Public Health (Scotland) Act, 1897.

This Notice served [3] on the _____ day of _____.

_____,

Sanitary Inspector.

(If this Notice be not complied with, the General Form, No. 57, may be employed for the recovery of the penalties.)

[1] Name and designation, and add, Owner (or occupier) of a schoolhouse at —— or, of a factory or building situated at —— in which persons are employed in the manufacture of, &c.

[2] To construct —— water clos'ts or privies for the separate use of male persons, and water-closets or privies for the separate use of the female persons therein being educated or employed, &c.

[3] Certificate of Service, *supra*, No. 5.

No. 25.

Requisition to Local Authority to Apply to Sheriff under Section 36.

Unto the Local Authority of _____

We, the Undersigned, [1] _____ being [2] _____ Ratepayers within the District of said Local Authority, hereby, in terms of Section 36 of the Public Health (Scotland) Act, 1897, represent to you that the trade of [3] _____ carried on in the manufactory at [4] _____ by [5] _____, and which causes effluvia, is a nuisance [6] to the inhabitants of said District, and we hereby require you to meet to consider whether application should be made to the Sheriff of the

[1] The Local Authority may also act on the certificate of the Medical Officer, or on a representation by a Parish Council.

[2] Insert number, not being less than ten.

[3] Nature of trade, business, pro-

cess, or manufacture.
[4] Place.
[5] Name and designation
[6] Or, is dangerous or injurious to the health of.

County of_____by Petition under said Section 36 to impose a penalty upon the author of said nuisance, in terms of said Section.

(Signatures)

_____

_____

_____

No. 26.

PETITION FOR ORDER TO CLEANSE OFFENSIVE DITCH NEAR BOUNDARY OF DISTRICT.—SECTION 41.

In the Sheriff Court of the County of_____ at_____

The District Committee of the County Council of the County of_____, Local Authority of said District under the Public Health (Scotland) Act, 1897, *Pursuer*,[1]

[1] Or, person authorised by the Local Authority.

Against

The_____District Committee of the County Council of the County of_____, Local Authority of said District under the said Act, *Defender*.

The above-named Pursuer submits to the Court the Condescendence and Note of Pleas in Law hereunto annexed, and prays the Court—

To ordain the Defender to show cause why an order should not be made by the Court finding that the open ditch now existing upon the lands of A., and extending for_____yards or thereby near to[2] the boundary between the Pursuer's District and the Defender's District, as shown on a sketch produced herewith, ought to be cleansed, and such permanent or other structural works executed as may appear to the Court to be necessary for maintaining it in a proper and wholesome condition; and thereafter to ordain the Defender to execute such works, and that at the sight of such person as to the Court may seem fit for said purposes; and to find the Defender liable in expenses in the event of opposition hereto.

[2] Or, forming the boundary, as the case may be.

Condescendence.

1. The Pursuer is the Local Authority of _____, and the Defender is the Local Authority of_____. The Defender's District adjoins the boundary of the Pursuer's District on the west.

2. There exists in the District of the Defender and close to the said boundary an open ditch which runs through the lands of A. for about_____yards, and then joins a sewer which was constructed some years ago. The said ditch contains a quantity of filth and stagnant water, and is in a foul and offensive condition. Its condition is such as injuriously or dangerously to affect the Pursuer's District. A sketch is produced and referred to showing the boundary between the said Districts and the line of said ditch.

3. In consequence of the condition of said ditch it is necessary that steps be forthwith taken for its being cleansed. The Defender, within whose District it is, has been frequently applied to by the Pursuer to execute the powers conferred by the said Public Health Act for the said purpose, but the said condition of said ditch has not been remedied. The present application is therefore necessary for an order on the Defender to show cause why said ditch should not be cleansed, and the necessary works executed for that purpose. Reference is made to the Public Health (Scotland) Act, 1897, and particularly to Sections 16 and 41 thereof.

Pleas in Law.

1. The said ditch being foul and offensive, and being within the District of the Defender, the Defender should be called on to show cause why an order should not be made for its being cleansed.

2. The Defender ought to be ordained to execute the necessary works.

In respect whereof, etc.,

(Signed) A. B.

Clerk to said Local Authority (or Agent).

No. 27.

PETITION FOR ORDER FOR DESTRUCTION OF UNSOUND FOOD.—SECTION 43.

(Where Application is made in the Sheriff Court.)

In the Sheriff Court of the County of _____ at _____

A. B., Sanitary Inspector[1] appointed by the _____ District Committee of the County Council of the County of _____, Local Authority of said District under the Public Health (Scotland) Act, 1897, *Pursuer*,

Against

C. D. (design) _____, *Defender*.

The above-named Pursuer submits to the Court the Condescendence and Note of Plea in Law hereunto annexed, and prays the Court—

To condemn as unfit for the food of man, and to direct to be destroyed, or so disposed of by the Pursuer as to prevent from being exposed for sale or used for the food of man,[2] _____ which was on _____ seized by the Pursuer at _____, and to find the Defender, in the event of opposition hereto, liable in expenses.

Condescendence.

1. The Pursuer is Sanitary Inspector under the Local Authority of _____, and is authorised to take this proceeding in virtue of a resolution of said Local Authority. The Defender is

---

2. In virtue of the powers contained in Section 43 of the Public Health (Scotland) Act, 1897, the Pursuer seized in the _____ at _____ the carcase of a cow which is diseased or unsound or unfit for the food of man.[3] A certificate from A. B., Medical Officer, and a certificate from E.F., Veterinary Surgeon, to that effect are produced. The said carcase belongs to the Defender.[4] It was exposed for sale. It was intended for the food of man. It is necessary that the said carcase be destroyed or disposed of so as to prevent its being exposed for sale or used for the food of man. Reference is made to Section 43 of the Public Health (Scotland) Act, 1897.

[1] The Medical Officer or a veterinary surgeon approved by the Local Authority for the purpose of Section 43 may also seize the unsound food, and may present the Petition The Petition may also be in name of the Local Authority.

[2] State the nature of the article seized—*e.g.*, the carcase of a cow, box of fish, etc.

[3] There should be a specific statement applicable to the facts of each individual case.

[4] Or was in the possession of the Defender, as the case may be.

Plea in Law.

The said carcase having been exposed for sale for the food of man, and being unfit for the food of man, warrant for its being destroyed, or so disposed of as to prevent it being exposed for sale or used for the food of man, ought to be granted.

Note.—Notice to the owner or person in custody of the article seized is desirable but not imperative.

No. 28.

PETITION FOR ORDER FOR DESTRUCTION OF UNSOUND FOOD.—SECTION 43.

(Where Application is made to a Magistrate or Justice.)

Unto the Honourable the_____

The Petition of

A. B., Sanitary Inspector appointed by the_____District Committee of the County Council of the County of_____ Local Authority of that District under the Public Health (Scotland) Act, 1897,

Humbly Sheweth,—

That the Petitioner on_____found in the shop occupied by C. D. at_____the carcase of a cow, which was exposed for sale and intended for the food of man; that said carcase appeared to be diseased or unsound or unfit for the food of man; and that the Petitioner seized it,[1] and that it is now in his custody; and that it is diseased or unsound or unfit for the food of man;[2] that certificates to that effect by A. B., Medical Officer, and E.F., Veterinary Surgeon, are herewith produced; and that it is necessary that the same be destroyed or so disposed of by the Petitioner as to prevent it from being exposed for sale or used for the food of man, in terms of Section 43 of the Public Health (Scotland) Act, 1897.

May it therefore please your Honour to condemn the said carcase as unfit for the food of man, and grant warrant to the Petitioner to destroy it, or direct it to be so disposed of as to prevent it from being exposed for sale or used for the food of man.[3]

(Signature of Petitioner)_____

[1] The Medical Officer or a veterinary surgeon approved by the Local Authority for the purpose of Section 43 may also seize the unsound food, and may present the Petition. The Petition may also be in name of the Local Authority.

[2] There should be a specific statement applicable to the facts of each individual case.

[3] Notice to the owner or person in custody of the article seized is desirable, though not imperative.

No. 29.

Order for the Destruction of Unwholesome Meat, etc.—Section 43.

[1] Place and date. [1]_____

on the application of _____, the Sanitary Inspector for _____

whose signature is accordingly hereto subjoined, and being satisfied that[2] _____

[2] The carcase of a cow (or the like).

seized by him on _____

and found in the possession of, or on the premises occupied by _____

[3] Is or are.

at _____ [3]

[4] There should be a specific statement applicable to the facts of each individual case.

diseased or unsound or unfit for the food of man,[4] hereby, in virtue of Section 43 of the Public Health (Scotland) Act, 1897, ordain the said Sanitary Inspector to destroy or otherwise dispose of the same in such manner and with such precautions as to prevent the same being exposed for sale or used for the food of man.

Judge[5] _____

[5] Signature of Sheriff or Magistrate or Justice.

Inspector _____

Note.—If it is desired to recover the penalty or expenses mentioned in Section 43, a Summary Petition must be presented. (See *infra* No. 30.)

No. 30.

Petition for Penalty for Exposing for Sale Unsound Food.—Section 43.

[See General Form No. 57, *infra*.]

(Under the Summary Jurisdiction (Scotland) Acts, 1864 and 1881.)

[1] Sheriff, Magistrate, or Justice.

Unto the Honourable the[1] _____

The Complaint of

A. B., Sanitary Inspector acting under the _____ District Committee of the County Council of the County of _____

Humbly Sheweth :—

that C. D. (design) _____
has contravened Section 43 of the Public Health (Scotland) Act, 1897, in so far as on the _____ day of _____ he had in his shop at[2] _____
_____
which was exposed for sale and intended for the food of man, and which was diseased or unsound or unfit for the food of man,[3] and was seized on said date by _____, Sanitary Inspector of _____, and was by order of _____ dated _____, condemned and ordered to be destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man; whereby the said C. D. is, in terms of the said Section 43 of said Act, liable to a penalty not exceeding Fifty Pounds, and, failing payment within a time to be specified by the Court, to imprisonment in terms of the 6th Section of the Summary Jurisdiction Act, 1881, the imprisonment to cease upon payment of the amount of penalty and expenses.[4]

May it therefore please your[5] _____ to cite the said C. D. to appear before you to answer to this Complaint, and thereafter to convict him of the aforesaid contravention, and to adjudge him to suffer the penalties provided by the said Acts.

(Signature of Complainer) _____

[2] State the place and the article of food seized.

[3] There should be a specific statement applicable to the facts of each individual case.

[4] When the proceedings are before the Sheriff, and he is of opinion that the respondent has knowingly and wilfully committed the offence, he may pass sentence of imprisonment for a term not exceeding three months, with or without hard labour, without the alternative of a fine.

[5] Lordship or Honour.

No. 31.

Medical Certificate for Disinfecting House, etc., and Notice thereon.—Section 47.

Certificate by Medical Officer or Legally Qualified Medical Practitioner.

I hereby certify, on soul and conscience, that the cleansing and disinfecting of the[1] _____, situated at _____
_____
and occupied by _____,

[1] Describe the house or part of house.

and of the[2]_____

_____

therein contained, would tend to prevent or check the spreading of an infectious disease, viz.,_____ of which[3]_____

_____

recently occurred therein[4]_____

_____

(Signature)_____

(Place and date)_____

[2] State articles requiring to be disinfected. If destruction be desired, then so state.

[3] A case or cases—if there be such.

[4] State any necessary particulars.

No. 32.

NOTICE BY LOCAL AUTHORITY FOLLOWING ON MEDICAL CERTIFICATE.—SECTION 47.

Notice by the Local Authority of_____

To[1]_____

[2]_____

The Local Authority of_____ hereby give you Notice that the premises, and also the articles therein which are mentioned in the foregoing* Certificate, will be cleansed and disinfected, or (as regards the articles) destroyed, by the Local Authority unless you shall, within _____ days from the date of the service of this Notice, inform the Local Authority that you will clean and disinfect the said premises and articles, or destroy said articles, to the satisfaction of the Medical Officer of the Local Authority or other legally qualified practitioner, as testified by a Certificate by him.

This Notice is given in terms of the Public Health (Scotland) Act, 1897, Section 47 (1).[3]

Signed_____

Sanitary Inspector.

*A copy of the Certificate should be prefixed or subjoined to the Notice.

[1] Insert name and designation of occupier, or, where the house or part thereof is unoccupied, of the owner.

[2] Place and date.

[3] For Certificate of Service, see No. 5, *supra*

No. 33.

PETITION BY A LOCAL AUTHORITY FOR REMOVAL OF THE RESIDENTS FROM AN INFECTED HOUSE.—SECTION 47 (4).

Unto the Honourable the_____

The Petition of

the Local Authority of_____

Humbly Sheweth:—

That in consequence of the existence[1] of an infectious disease, viz.,[2]_____, it is deemed necessary, by the petitioners to remove from the house[3] at_____ within the district of the petitioners all[4] of the residents in said house who are not themselves sick. A Certificate to the effect that such removal is necessary, under the hand of A. B., Medical Officer of Health, is herewith produced. The Petitioners have provided temporary accommodation[5] for said persons while prevented from returning to said house.

May it therefore please your Honour to grant warrant authorising the Petitioners to remove such persons on such conditions as to time or otherwise as may seem fit.

(Signature)_____

[1] Or recent existence.
[2] Specify if possible.
[3] Or part of a house.
[4] Or as the case may be.
[5] If temporary maintenance is necessary and is provided, so state.

No. 34.

NOTICE BY LOCAL AUTHORITY TO DELIVER INFECTED BEDDING FOR DISINFECTION.—SECTION 48.

NOTICE BY LOCAL AUTHORITY.

(Place and Date)_____

To[1]_____ The Local Authority of _____hereby give you Notice that you are required[2]_____to deliver over to A. B., Sanitary Inspector[3] acting under said Local Authority, the bedding and clothing[4] in your house at_____ of which bedding and clothing you are owner, and which have been exposed to the infection of an infectious disease, viz.,_____to be by him removed for the purpose of disinfection[5]_____

[1] Name and designation of owner of bedding, etc.
[2] Forthwith, or, within —— hours from the service hereof.
[3] Or other officer of the Local Authority.
[4] Or other articles.
[5] Or destruction.

In the event of failure to comply with this Notice you are liable to the penalty provided by Section 48 of the Public Health (Scotland) Act, 1897.

(Signature)_____

No. 35.

CERTIFICATE BY MEDICAL OFFICER OR PRACTITIONER FOR REMOVAL OF SICK PERSONS TO HOSPITAL.—SECTION 54.

CERTIFICATE BY MEDICAL OFFICER OR LEGALLY QUALIFIED MEDICAL PRACTITIONER.

[1] _____

I hereby certify, on soul and conscience, that _____ is at present suffering from an infectious disease, viz., _____ and is[3] _____

(Signature)_____

[1] Place and date.

[2] Insert name of infectious disease.

[3] Without proper lodging or accommodation; *or*, lodged in a room occupied by others besides those in attendance on him; *or*, is on board the ship or vessel —— lying at ——; *or*, so lodged that proper precautions cannot be taken for preventing the spread of the disease.

No. 36.

CONSENT BY THE SUPERINTENDENT OF AN HOSPITAL OR PLACE FOR THE RECEPTION OF THE SICK.—SECTION 54.

_____

[1] _____

I, [2] _____

_____

consent to the reception of _____ of _____ mentioned in the foregoing* Certificate.

(Signature)_____

[1] Place and date.

[2] State his name and office and the hospital or place for reception of the sick.

*A copy of the Certificate to be prefixed.

No. 37.

APPLICATION FOR WARRANT OF REMOVAL TO HOSPITAL.—SECTION 54.

[1] _____

I, _____

Sanitary Inspector of the District of _____ hereby, in terms of Section 54 of the Public Health (Scotland) Act, 1897, crave a warrant for the removal of the said _____ to the said _____

_____

OR,

[2] _____

I, _____

Sanitary Inspector of the District of _____ hereby, in terms of Section 54 of the Public Health (Scotland) Act, 1897, crave a warrant and direction to remove from the room occupied by the said _____ all others not in attendance on him, the Local Authority providing suitable accommodation for such other persons.

_____

Note.—A Medical Certificate to be produced with, or a copy prefixed to the application in either case.

[1] Place and date.

[2] Place and date.

No. 38.

ORDER FOR REMOVAL TO HOSPITAL.—SECTION 54.

[1] _____

I, [2] _____, hereby direct the removal by the said Local Authority of the said _____ to the said _____ at the cost of the said Local Authority.

_____

OR,

[3] _____

I, [4] _____, hereby direct the removal by the said Local Authority from the room occupied by the said _____ of all persons not in attendance on him, the Local Authority providing suitable accommodation for such other persons.

_____

[1] Place and date.

[2] Sheriff, Magistrate, or Justice.

[3] Place and date.

[4] Sheriff, Magistrate, or Justice.

No. 39.

RESOLUTION BY A LOCAL AUTHORITY REQUIRING A DAIRYMAN TO CEASE SUPPLYING MILK.—SECTION 60, SUB-SECTION (3).

(Place and date)_____

The Local Authority of_____, having considered the report of their Medical Officer, dated_____ embodying the results of his examination of the dairy occupied by_____ at_____, and having considered [1] the other evidence adduced by the parties concerned, hereby resolve and make order that the said_____ shall not supply any milk from said dairy within or without the district of said Local Authority, from the date of service hereof [2] until this Order has been withdrawn.

(Signature)_____

[1] Here may be inserted "the report of ——, veterinary surgeon approved in terms of the Public Health (Scotland) Act, 1897, by the said Local Authority, and the report of——, Medical Officer of the Local Authority of ——, and of ——, veterinary surgeon approved in terms of said Act by said last-mentioned Local Authority."

[2] Certificate of Service, No. 5, *supra*

No. 40.

ORDER BY LOCAL AUTHORITY REQUIRING DAIRYMAN NOT TO SUPPLY MILK.—SECTION 60, SUB-SECTION (3).

(Place and date)_____

To_____

The Local Authority of_____, having considered the reports of A. B., Medical Officer of said Local Authority, and of C. D., Veterinary Surgeon, [1] and the other evidence adduced by the parties concerned, by this their Order require you not to supply any milk from your dairy at_____, within or without the district of said Local Authority, until this Order has been withdrawn.

(Signature)_____
Clerk.

[1] Or as the case may be. See note to No. 39, *supra*.

(Copy of resolution to be subjoined.)

(To be served upon the person named.[2])

[2] Certificate of Service No. 5, *supra*.

No. 41.

APPEAL TO SHERIFF UNDER SECTION 60, SUB-SECTION (7).

Unto the Sheriff of the County of _____.

Appeal for the Local Authority of _____, in terms of the Public Health (Scotland) Act, 1897, Section 60, Sub-Section 7. The said Local Authority of _____ appeal against an Order[1], dated _____, of the Local Authority of _____, a copy whereof is annexed hereto, and whereby they are aggrieved, and they pray the Court to rescind said Order[1] of the said Local Authority of _____; or to do otherwise in the premises as to the Court may seem fit.

[1] Or resolution or withdrawal of Order, as the case may be.

(Signature) _____

Clerk to the Local Authority of _____

(or Agent).

(Subjoin Order [or resolution, or withdrawal of Order] complained of.)

No. 42.

CERTIFICATE BY MEDICAL OFFICER OR QUALIFIED MEDICAL PRACTITIONER UNDER SECTION 61.

(Place and date) _____.

I hereby certify on soul and conscience to the Local Authority of _____ that an outbreak[1] of infectious disease, viz.: [2] _____ now existing in the District of said Local Authority, is, in my opinion, attributable to the milk supplied by A. B., dairyman at _____

[1] *Or*, the spread of.

[2] State the infectious disease.

(Signed) _____

To the Local Authority of _____

No. 43.

NOTICE BY LOCAL AUTHORITY TO DAIRYMAN UNDER SEC. 61.

(Place and date) _____

It having been certified to the Local Authority of _____ by medical certificate, of which a copy is annexed,[1] that an outbreak[2] of infectious disease, viz.: [3] _____, existing

[1] A copy should be annexed.

[2] *Or*, the spread.

[3] State the disease.

within the District of said Local Authority is, in the opinion of [4] _____ attributable to milk supplied by you, the said Local Authority require you to furnish to them within [5] _____ *First*, A full and complete list of the names and addresses of all your customers within the District of said Local Authority in so far as known to you; and, *Second*, A full and complete list of the names and addresses of the farmers, dairymen, or other persons from whom the milk or any part of the milk which you sell and distribute has been obtained within the period of [6] _____ last past; *Third*, The said Local Authority hereby require you to produce and exhibit to A. B., Medical Officer of said Local Authority, or to any person deputed by him in writing, all invoices, pass-books, accounts, or contracts connected with the consignment of milk to, or purchase of milk by you, during the period of [6] _____ last past. This Notice given under Section 61 of the Public Health (Scotland) Act, 1897.

[4] Name of Medical Officer or legally qualified practitioner who granted the certificate.

[5] State the period, being not less than 24 hours.

[6] State the period thought necessary.

By Order of Local Authority.

(Signed) _____

No. 44.

CERTIFICATE BY A MEDICAL OFFICER OR LEGALLY QUALIFIED MEDICAL PRACTITIONER FOR THE REMOVAL OF A DEAD BODY TO A MORTUARY OR OTHERWISE.—SECTION 69.

CERTIFICATE BY MEDICAL OFFICER OR BY A LEGALLY QUALIFIED MEDICAL PRACTITIONER.

[1] _____

I hereby certify that _____

died on or about [2] _____

and that [3] _____

and that the body ought forthwith to be removed to the mortuary at _____ and to be buried within a time not exceeding _____ days from the date hereof.[4]

[1] Place and date.

[2] Or that a dead body found within the district of——, is unclaimed, and no sufficient person has undertaken to bury it.

[3] He died of an infectious disease, viz.: ——, and the body is retained in a room in which persons live or sleep; *or*, the dead body is retained in the house (or room—describe it) which is a dwelling place or sleeping-place or work-room;

No. 45.

ORDER FOR REMOVAL OF DEAD BODY.—SECTION 69.

[1]_____

I,[2] _____ hereby, in terms of Section 69 of the Public Health (Scotland) Act, 1897, order the before-mentioned* dead body to be removed[3] to the mortuary at_____by or at the cost of the said Local Authority, and to be buried within _____

(Signature)_____

*The Medical Certificate, No. 44 *supra*, to be prefixed.

or, that the body of (name) has been retained in a house or room or ship (describe) in circumstances which may endanger the health of the inhabitants of that house or of a neighbouring house.

[4] *Or*, that the body ought to be buried immediately.

No. 46.

NOTICE TO THE OWNERS OF UNDERGROUND DWELLINGS.—SECTION 74.

NOTICE.

The Local Authority of_____hereby give notice to you_____,owner of the vaults, cellars, or underground rooms following, viz., _____

_____

that in terms of Section 74 of the Public Health (Scotland) Act, 1897, the letting or occupation of the foresaid premises as a dwelling-place or dwelling-places is prohibited from and after the date hereof, and that it shall not be lawful to let the same or suffer them to be occupied separately as a dwelling-house or dwelling-houses after the service of this Notice, under the penalties provided by Section 75 of the said Act.

This Notice given on the_____ day of _____

By Order of the Local Authority,

(Signature)_____

[1] Place and date.

[2] Sheriff, Magistrate, or Justice.

[3] Or the Sheriff, &c., may direct the body to be buried immediately.

No. 47.

NOTICE BY THE LOCAL AUTHORITY TO OWNER OR OCCUPIER OF COMMON LODGING-HOUSE TO PROVIDE SUFFICIENT WATER OR SUFFICIENT PRIVY OR WATER-CLOSET ACCOMMODATION.—SECTION 94.

NOTICE TO PROVIDE WATER TO A COMMON LODGING-HOUSE.

[1] Place and date.

[1] _____

The Local Authority of _____ hereby give Notice to you,[2] _____ of a common lodging-house at _____, within the District of said Local Authority, and hereby require you within _____ from the date of service hereof to obtain a proper supply of water for the use of the lodgers in said lodging-house[3] _____ and[4] _____ otherwise the Local Authority may remove the said lodging-house from the Register of Common Lodging-houses until this Notice be complied with; all in terms of Section 94 of the Public Health (Scotland) Act, 1897.

[2] State name and designation, and owner or keeper, as the case may be.

[3] Add here, if necessary, "and to execute all works necessary for that purpose."

[4] Add here, if necessary, "also to provide water-closets," etc.

By Order of the Local Authority,

(Signature) _____

No. 48.

NOTICE TO THE KEEPER OF A COMMON LODGING-HOUSE TO REPORT TO THE LOCAL AUTHORITY AS TO PERSONS RESORTING THERETO, &C.—SECTION 95.

[1] Place and date.

[1] _____.

The Local Authority of _____ hereby order and require you, _____, keeper of a common lodging-house at _____, to report to _____ daily[2] for the next _____ days, every person who resorted to the said house during the preceding day or night; and, for that purpose, daily[2] to fill up and transmit as aforesaid one of the schedules, of which _____ copies are herewith furnished to you; all in terms of Section 95 of the Public Health (Scotland) Act, 1897.

[2] If so required.

By Order of the Local Authority,

(Signature) _____

No. 49.

CERTIFICATE BY MEDICAL OFFICER OR LEGALLY QUALIFIED MEDICAL PRACTITIONER, AS TO REMOVAL OF INMATE SUFFERING FROM INFECTIOUS DISEASE FROM A COMMON LODGING-HOUSE.—SECTION 96.

[1] _____

I,[2] _____,
hereby certify that _____,
presently residing in the common lodging-house kept by _____
at _____
is ill of _____
and that his disease is infectious, and that the patient may be safely removed.

(Signature) _____

[1] Place and date.

[2] Medical Officer of the District of ——, or legally qualified medical practitioner.

No. 50.

APPLICATION FOR POWER TO ENTER LANDS OR PREMISES IN CONNECTION WITH THE MAKING OR REPAIRING OF SEWERS OR DRAINS.—SECTION 109.

In the Sheriff Court of the County of _____ at _____.

The District Committee of the _____ District of the County Council of the County of[1] _____, Local Authority of said District[1] under the Public Health (Scotland) Act, 1897, *Pursuer*,[2]

Against

A. B., owner of _____, and C. D., occupier of _____, *Defenders*.

The above-named Pursuer submits to the Court the Condescendence and Note of Plea in Law hereunto annexed, and prays the Court—

To grant warrant to the Pursuer and the Officer or Officers and others authorised by the Pursuer to enter the lands of _____ at _____ belonging to the Defender A. B., and occupied by the Defender C. D., and, if necessary, to lay open the said

[1] Or otherwise as the case may be.

[2] A committee or officer of the Local Authority or other person duly authorised in writing may be Pursuer. Section 14.

lands and to survey the same and ascertain the course of the sewers or drains,[3] all during the day time and at reasonable times; and in the event of opposition hereto to find the party opposing liable in expenses.

[3] *Or*, state the operations on the lands which are found necessary.

Condescendence.

1. The Pursuer is the Local Authority of_____ The Defender A. B. is the owner, and the Defender C. D. is the occupier of the lands of_____ _____within the Pursuer's district.

2. In the course of certain works which the Pursuer is performing for the purpose of effectually draining a portion of said District it has become necessary to enter the said lands and to survey the same, and ascertain the course of the sewers or drains therein. It is believed that it will be necessary to alter and enlarge the said sewers and drains therein.[4] The work will be done at the expense of the Pursuer, and the Pursuer will repair all damage done.

[4] Or as the case may be.

3. The Pursuer requested the Defenders to give access to the Pursuer's officers and servants to the said lands, but leave was refused or withheld, and the Defenders have also refused leave to the Pursuer to perform the said necessary operations. Written Notice to the Defenders that the present application would be made was given on the_____day _____. A copy of the said written Notice is produced herewith. Reference is made to the Public Health (Scotland) Act, 1897, and particularly to Section 109 thereof.

Plea in Law.

Power to enter said lands and perform the work mentioned in the Petition being necessary, and the Defenders having refused access and leave for said purposes, warrant to the Pursuer ought to be granted as craved.

In respect whereof, etc.,

On behalf of the Local Authority,

(Signature)_____

No. 51.

APPLICATION TO THE SHERIFF TO FIX TERMS ON WHICH OWNER OR OCCUPIER BEYOND DISTRICT MAY CONNECT DRAIN WITH SEWER OF LOCAL AUTHORITY.—SECTION 111.

In the Sheriff Court of the County of_____ at_____

A, B. (design),_____ *Pursuer*,

Against

The District Committee of the_____ District of the County Council of the County of[1]_____ Local Authority of said District[1] under the Public Health (Scotland) Act, 1897, *Defender*.

[1] Or otherwise as the case may be.

The above-named Pursuer submits to the Court the Condescendence and Note of Plea in Law hereunto annexed, and prays the Court—

To find that the Pursuer is entitled to cause the drain from his premises at_____ to communicate with the sewer of the Defender at _____ on the following terms and conditions, viz.:[2]_____, _____ or on such other terms and conditions as to the Court may seem fit, and in the event of opposition hereto to find the Defender liable in expenses.

[2] The conditions which the Pursuer thinks reasonable may be inserted here.

Condescendence.

1. The Defender is the Local Authority of the District of_____, and the Pursuer is owner of certain houses at_____, outside the District of the Defender. The Pursuer is not liable for Public Health General Assessment, or Special Sewer Assessment, in said District.

2. A sewer belonging to the Defender passes within _____yards or thereby of the Pursuer's said houses and in the natural line of drainage thereof. It is of sufficient capacity, and is well suited for containing and carrying off said drainage. Said sewage is not of a nature which would cause damage to said sewer of the Defender or by admixture with other sewage would cause a nuisance. The Pursuer

is entitled under the Public Health (Scotland) Act 1897, and particularly Section 111 thereof, to cause the drain from the said houses to communicate with the Defender's said sewer.

3. The Pursuer has offered to the Defender to cause the said drain to communicate with said sewer on the following terms and conditions, namely:[3]—_____. Said terms and conditions are reasonable, but the Defender refuses to agree thereto, and the present application is thus rendered necessary.

[3] State the terms and conditions referred to.

Plea in Law.

The Pursuer being entitled in terms of Section 111 of the Public Health (Scotland) Act, 1897, to cause his said drain to communicate with the Defender's sewer on reasonable terms, and having offered such terms, decree ought to be given as craved.

In respect whereof, etc.,

Signed by Agent for Pursuer.

No. 52.

NOTICE BY THE LOCAL AUTHORITY TO THE OWNER OF PREMISES TO MAKE A DRAIN.—SECTION 120.

NOTICE.

[1] Place and date.

[1] _____,

The Local Authority of_____ hereby, in terms of Section 120 of the Public Health (Scotland) Act, 1897, give notice to you_____ owner of_____ and require you, within_____ from the date of service hereof, to make a sufficient drain from the said premises[2]_____ and if you fail to comply with this Notice within said period the Local Authority will, after the expiration thereof, proceed in terms of the said Act to do the required work, and to recover from you the expense incurred by them in so doing.

[2] State how the drain is to empty itself, in one of the modes mentioned in Section 120.

In name and by authority of Local Authority.

(Signed)_____

No. 53.

Requisition to form a Special Drainage District (Section 122), or Water Supply District (Section 131).

Unto the Local Authority of _____

The Requisition of the Undersigned,[1]

being not fewer than ten ratepayers of the District of the said Local Authority.

We, the undersigned ratepayers of the said District, hereby, in terms of[2] _____ of the Public Health (Scotland) Act, 1897, require you, the said Local Authority, to meet and consider the propriety of forming, and thereafter to form, the following part of your District into a special[3] _____ district, viz.: _____

_____

or according to such other description or boundaries as may seem fit.[4]

[5] _____

_____

_____

[1] *Or*, of the Parish Council of the Parish of ———.

[2] Section 122 if for drainage, Section 131 if for water.

[3] Drainage or water.

[4] Or for the other purposes mentioned in Section 122 and Section 131 respectively, as the case may be.

[5] Signatures mentioning place of residence.

No. 54.

Notice by the Local Authority to the Person by whom any Product produced in the Manufacture of Gas or other Substance is caused or permitted to flow into any Well, etc.—Sections 127, 128, 129.

The Local Authority of _____ hereby give notice to you, _____, that you have caused and suffered, and are now causing and suffering _____ or other deleterious substance produced in the manufacture of _____ to be brought or to flow into[1] _____

_____

or into a pipe or drain communicating therewith; [also that you have wilfully done an act connected with the said manufacture in which you are engaged, viz.[2] _____, _____

[1] Stream, well, etc., at ———, constructed for the supply of water for domestic purposes; *or*, which is used for the supply of water for domestic purposes, etc.

[2] State the act.

whereby the water in the said _____
is fouled; also, that you, the said _____,
have wilfully done, or permitted to be done, viz.[3] _____
_____
whereby the water in the said _____
is fouled];[4] and that you are liable in the penalty of a sum not exceeding £50, under Section 127 of the Public Health (Scotland) Act, 1897, and that you will further be liable, under Section 129 of the said Act, to forfeit a sum not exceeding £5 for each day during which such substance shall be brought or shall flow as aforesaid, [or during which the act by which water shall be fouled shall continue after the expiration of twenty-four hours from the time when this Notice shall have been served upon you].[4]

This Notice served[5] on the _____ day of _____
at _____ o'clock m.

(Signed) A. B.,
Clerk to said Local Authority.

[3] State the act.

[4] The words in [ ] to be added when required.

[5] For Certificate of Service, see No. 5 *supra*.

No. 55.

NOTICE AS TO PENALTY FOR POLLUTING WATER.—SECTIONS 127, 128, 129.

NOTICE BY THE LOCAL AUTHORITY OF

_____

TO

_____

AS TO WATER BELONGING TO HIM BEING FOULED, ETC.

The Local Authority of _____ hereby, in terms of Section 128 of the Public Health (Scotland) Act, 1897, give you _____
Notice that they intend to proceed against _____
_____
for the penalty provided by the said Act, Section 127, incurred by him for contravention of Section 127 of the said Act in regard to the[1] _____
_____
_____
_____

[1] Well, stream, etc.

belonging to you, unless you shall, within_____days after the serving of this Notice, proceed to recover the said penalty.

This Notice[2] is given on the_____day of_____ _____o'clock .m.

[2] For Certificate of Service, see No. 5 *supra*.

(Signed) A.B.,

Clerk to said Local Authority.

No. 56.

REQUISITION BY LOCAL AUTHORITY ON THE OCCUPIER OF PREMISES FOR THE PAYMENT OF COSTS, ETC., DUE BY THE OWNER.—SECTION 150.

NOTICE AND REQUISITION.

The Local Authority of_____hereby, in terms of Section 150 of the Public Health (Scotland) Act, 1897, give Notice to and require you,_____, occupier of the following premises, viz._____

_____

_____

_____

to pay to the said Local Authority the sum of_____ with interest at_____per cent. from_____ till payment, due to them by_____, owner of the said premises[1]_____

_____

_____

_____

such payment by you not to exceed the amount of rent due or to become due by you; and that you are not to pay any rent to the said owner without first deducting the aforesaid amount and interest.

[1] State nature of claim; *as*, By decree at their instance against him by the Sheriff of _____, dated ____.

This Notice[2] given on the_____day of_____

(Signed) A. B.,

Clerk to said Local Authority.

[2] For Certificate of Service, see No. 5 *supra*.

No. 57.

GENERAL FORM.

SUMMARY COMPLAINT TO RECOVER PENALTY FOR CONTRAVENTIONS OF OR OFFENCES AGAINST PUBLIC HEALTH (SCOTLAND) ACT, 1897.[1]

UNDER THE PUBLIC HEALTH (SCOTLAND) ACT, 1897.
UNDER THE SUMMARY JURISDICTION ACTS (SCOTLAND), 1864 AND 1881.[2]

Unto the Honourable [3] _____

The Complaint of[4]

_____

_____

Humbly sheweth,—

That A. B. (design) _____ has contravened [5] the Public Health (Scotland) Act, 1897, Sections [6] _____, in so far as [7] _____, whereby the said A. B. is liable,[8] _____

_____

May it therefore please your [9] _____ to cite the said A. B. to appear before you to answer to this Complaint, and thereafter to convict him for the aforesaid contravention,[10] and to adjudge him to suffer the penalties provided by the said Acts.

(Signature of Complainer), _____

[5] *Or*, has been guilty of an offence within the meaning of.

[6] The Section or Sections should be given by number.

[9] Lordship or Honour.

[10] *Or* offence.

[1] This Form is applicable to the Sections of the Act which enact that acts or defaults therein referred to shall be offences against the Act, or that anyone committing them shall be liable to a fine, or a penalty, or to imprisonment.

[2] After these words may be inserted, "And the Criminal Procedure (Scotland) Act, 1887," but this is unnecessary. Certain Sections of that Act intended to ensure brevity of expression apply to all summary complaints, and are applicable whether the Act is referred to in the title or not.

[3] Sheriff, Magistrate having police jurisdiction (see Section 3), or Justice of Peace. Note that as applications under Sub-Sections 6, 8, 9, 10, 11, of

Section 16 must be to the Sheriff, complaints as to offences relating to these Sub-Sections should be brought before the Sheriff; also that the following complaints must be made before the Sheriff, viz. :—Complaint for breach of order made by Sheriff under Section 32 (4); complaint under Section 36 (1); complaint under Section 43 (2) and (8) and Sec. 52, where it is desired to have imprisonment inflicted without the option of a fine.

[4] Insert name of Local Authority, *e.g.*, The Suburban District Committee of the County Council of Midlothian, Local Authority of said District under the Public Health (Scotland) Act, 1897, *or*, name of person authorised to prosecute by the Local Authority.

[7] State shortly the facts constituting the contravention alleged—for example, see the Form *supra* under Section 18. If a bye-law made by the Local Authority under the powers of the Act is founded on, it is necessary to refer to the Section which authorises the making of the bye-law.

[8] State shortly the nature of the penalty and alternatives—*e.g.*, "Is liable in a penalty not exceeding £5 with the expenses of this prosecution, and in default of payment within the time to be specified by the Court, to imprisonment in terms of the 6th Section of the Summary Jurisdiction Act, 1881; the imprisonment to cease upon the payment of the amount of penalty and costs."

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