

Handbook of Irish sanitary law : together with abstracts of the various statutes, orders and regulations affecting the administration of workhouse infirmaries and poor law dispensary districts; also appendix and a comprehensive index / by Charles L. Birmingham.

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HANDBOOK
OF
Irish Sanitary Law

C. L. BIRMINGHAM, M.D., D.P.H.

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HANDBOOK
OF
IRISH SANITARY LAW

TOGETHER WITH

*Abstracts of the Various Statutes, Orders and Regulations
affecting the Administration of Workhouse Infirmaries
and Poor Law Dispensary Districts*

ALSO

Appendix and a Comprehensive Index

BY

CHARLES L. BIRMINGHAM, M.D., D.P.H.

Medical Officer of Health, Westport

BROWNE AND NOLAN, LIMITED

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PREFACE.

THE writer's chief object in bringing out this Handbook is to place within the reach of every member of the community, in a collected form, the principal enactments, orders, and regulations in force in Ireland, for the safe-guarding of the Public Health.

In carrying out his task he has endeavoured to condense, as far as the sense of the text would allow, to the smallest admissible bulk, the many and various Sanitary Acts, Orders and Regulations, at the same time trying always to avoid sacrificing lucidity for the sake of brevity.

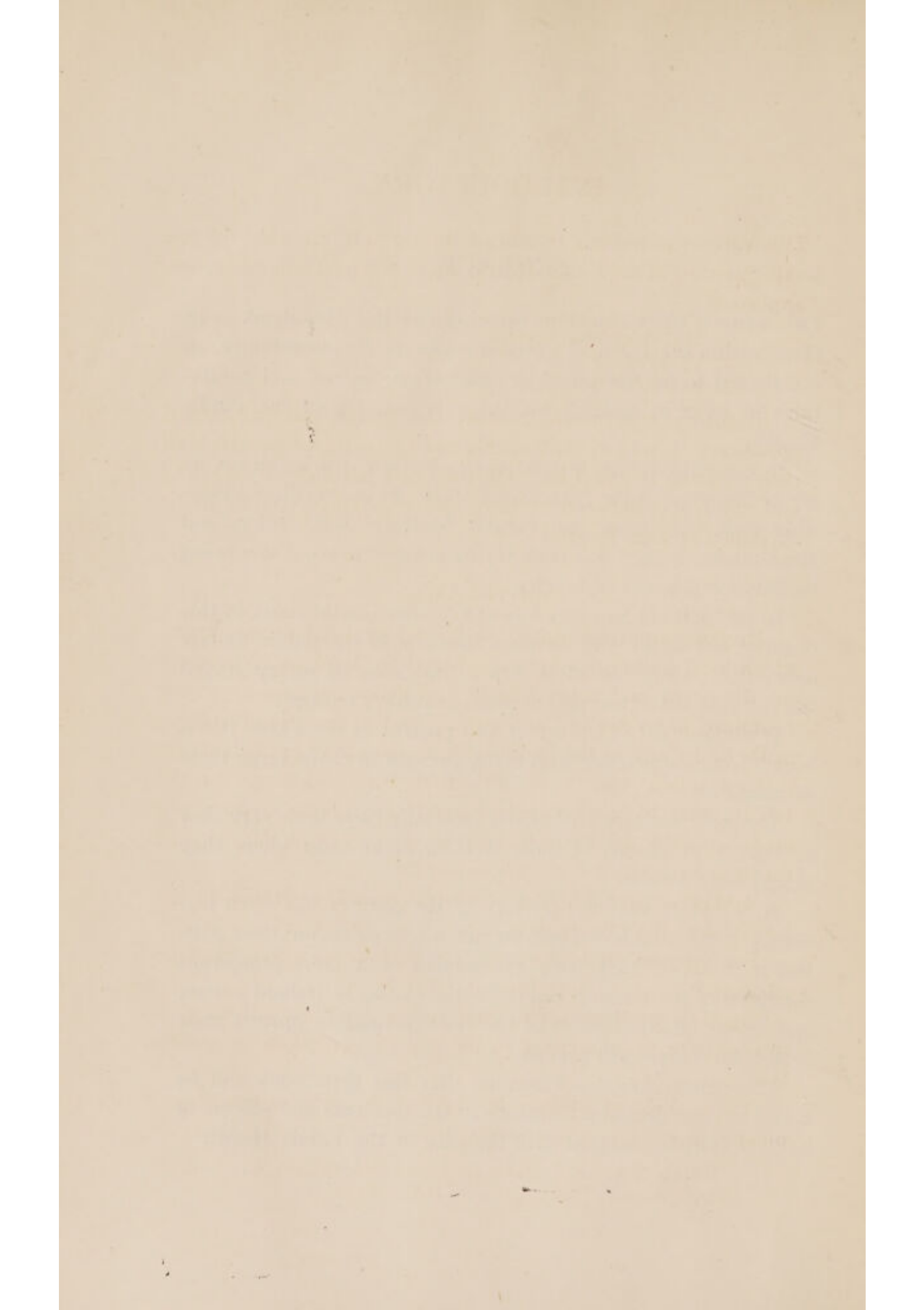
In the past the Sanitary Laws have been administered, in this country, not at all with as much firmness as the public welfare demanded. Only too often has a profession of mercy stayed the carrying out of just and necessary sanitary reforms.

While ignorant of the intent and portent of these laws it has been a common practice with many persons to characterise them as aggressive.

The local sanitary authorities especially have been very slow to enforce provisions of those Acts in many cases where they should have done so.

It is certain that the poverty of the country has often furnished a reasonable excuse for much remissness on their part. But it is hoped that with the advent of a more prosperous condition of the farming and industrial classes in Ireland a wiser and firmer administration of the laws devised to protect their lives from disease will prevail.

The writer cherishes the hope that this little book will be useful as a guide and a reference to the members and officers of local authorities charged with the care of the Public Health.



INTRODUCTORY.

THE various provisions contained in any Acts intended for the safe-guarding of the Public Health are in practical administration applied as :—

1. Statutory enactments,
2. Byelaws, or
3. Regulations.

Statutory enactments contain the literal and substantial provisions of Acts of Parliament, and no further explanation of their meaning is called for. On the other hand the meaning of and differences between byelaws and regulations require to be explained at some length.

BYELAWS.

Byelaws are rules suited to special or local requirements, which local authorities are empowered by Parliament to frame for the easier and more definite application of some provision contained in an Act of Parliament. And in the case of byelaws made under any of the Sanitary Acts, they shall not be valid or in force unless and until they have been sanctioned by the L.G.B., after having been advertised locally in a newspaper, and made available for inspection by all ratepayers at the office of the local authority for one whole month.

Byelaws duly made and promulgated and confirmed by the L.G.B. shall have the force of law.

For offences committed against byelaws penalties may be recovered.

Byelaws are intended to supplement but must not vary or supersede or be repugnant to the express provisions of statute law.

The making of byelaws by S.A.'s is in some instances permissive, and in others mandatory, thus :—

Every S.A. *shall* make byelaws with respect to common lodging-houses (Sect. 91, P.H.I.A., 1878).

While every S.A. *may* make byelaws with respect to the level, width, &c., of new streets (Sect. 41, P.H.I.A., 1878).

Every U.S.A. *shall* make byelaws with respect to the management of and charges for the use of slaughter-houses provided for them (Sect. 103, P.H.I.A., 1878).

A series of byelaws have been drawn up by the L.G.B. known as "Model Byelaws" and intended to help local authorities in framing byelaws to meet local requirements. The following are the subjects of the "Model Byelaws" already issued by the L.G.B. :—

1. Byelaws with respect to common Lodging-houses.
2. Byelaws for the regulation of Water supply.
3. Byelaws for the cleansing of Footways and Pavements ; for the Removal of House Refuse ; and for the Cleansing of Earth-closets, Privies, Ashpits, and Cesspools.
4. Byelaws dealing with Nuisances arising from Snow, Filth, Dust, Ashes, and Rubbish ; and for the Regulation of the Keeping of Animals on any Premises.

"Model Byelaws" dealing with other subjects are in course of preparation and will be issued in due course.

REGULATIONS.

Regulations made under any of the Public Health Acts by a S.A. do not, unless in a few exceptional cases where a special direction is given in the section of the Act concerned, require to be confirmed by the L.G.B. They may be framed and adopted by a simple resolution of the S.A. and directly put in force. At any time subsequently they may be rescinded by a resolution of the S.A.

Only in the few cases where Regulations have to be sanctioned by the L.G.B. (as under the Dairies, Cow-sheds and Milk-shops Orders) may penalties be attached.

The L.G.B. may also make and enforce Regulations for particular purposes as under Sect. 149, P.H.I.A., 1878.

Regulations made by the L.G.B. under the Public Health Acts are, as a rule, only promulgated in cases of great public urgency, and are often enforced under severe penalties.

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NOTE.—All the above are given in abstract, except Numbers 17, 20, 21, 23, 24, 28, 29, 30, 31, 32, and 33, all of which are given in the original text. Numbers 11 and 26 are also for the most part given verbatim.

Inverted commas are frequently used in other parts of this book to indicate unabbreviated quotations.

In dealing with the Public Health (Ireland) Act, 1878, there is placed immediately after the number of each section a second number in parenthesis.

The latter indicates the number of the section in the Public Health (England) Act, 1875, which most nearly corresponds to that particular section of the Irish Act.

ABBREVIATED FORMS USED.

L.A.	= Local Authority.
J.P.	= Justice of the Peace
L.G.B.	= Local Government Board.
L.G.I.A.	= Local Government (Ireland) Act.
M.O.	= Medical Officer.
M.O.H.	= Medical Officer of Health.
P.H.I.A. (1878)	= Public Health (Ireland) Act, 1878.
P.H.A.Am.A. (1890)	= Public Health Acts Amendment Act, 1890.
R.D. or R.S.D.	= Rural Sanitary District.
R.S.A. or R.A.	= Rural Sanitary Authority.
S.A.	= Sanitary Authority.
U.A. or U.S.A.	= Urban Sanitary Authority.
U.D. or U.S.D.	= Urban Sanitary District.

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Handbook of Irish Sanitary Law

PUBLIC HEALTH (IRELAND) ACT, 1878.

1. Short title of Act : as above.

2. (4). Definitions of terms used :—

“ *Borough* ” any place subject to “ Act for the regulation of municipal corporations in Ireland, 1840.”

“ *Person* ” includes body of persons corporate or unincorporate.

“ *S.A.* ” implies “ *U.S.A.* ” or “ *R.S.A.* ” as case may be.

“ *Lands* ” and “ *Premises* ” includes messuages, buildings, lands, easements, or hereditaments of any tenure.

“ *Owner.* ”—The person for the time being receiving the rackrent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee for any other person, or who would so receive the same if such lands or premises were let at a rackrent.

“ *Rackrent.* ”—Rent that is not less than two-thirds of the full net annual value of the property as determined by the Valuation of Rateable Property in Ireland Acts.

“ *Street.* ”—Any highway, public bridge, road, lane, footway, square, court, alley, or passage, whether thoroughfare or not.

“ *House* ” includes schools, factories, and other buildings in which persons are employed.

“ *Drain* ” means any drain of and used for the drainage of one building only or of premises within the same curtilage and made merely for the purpose of communicating therefrom with a cesspool or other like receptacle for drainage, or with a sewer into which the drainage of two or more buildings or premises occupied by different persons is conveyed (see also sect. 19, P.H.Am.A., 1890).

“ *Sewer* ” includes sewers and drains of every description except drain to which the word “ *drain* ” interpreted as aforesaid applies, and except drains vested in or under the control of any authority having the management of roads and not being a S.A. under this Act.

“ *Slaughter-house* ” includes the buildings and places commonly called slaughter-houses and knacker’s yards, and any

building or place used for slaughtering cattle, horses, or animals of any description for sale.

"*Common Lodging-house.*"—A house in which or in any part of which persons are harboured or lodged for hire for a single night, or for less than a week at a time.

"*Water Company.*"—Any person or body of persons corporate or unincorporate supplying or who may hereafter supply water for his or their own profit.

"*Waterworks*" includes streams, springs, wells, pumps, reservoirs, cisterns, tanks, aqueducts, cuts, sluices, mains, pipes, culverts, engines, and all machinery, lands, buildings, and things for supplying or used for supplying water, also the stock-in-trade of any water company.

"*Summary Jurisdiction Acts*" in Ireland generally the Petty Sessions (Ireland) Act, 1851, and amending Acts; in Dublin special Acts applicable to the Metropolis.

"*Court of Summary Jurisdiction.*"—One or more justices or magistrates, or officers to whom jurisdiction is given by the Summary Jurisdiction Acts and Acts amending the same.

"*Court of Quarter Sessions.*"—Any Quarter Sessions Court or Recorder's Court having jurisdiction over any part of district whence proceedings arise.

"*The Labouring Classes Lodging-houses Acts*" means the Act of 1866, and "*The Labouring Classes Dwellings Act,*" 1867.

"*The Artizans and Labourers Dwellings Act*" means the Act of 1868.

"*The Bakehouse Regulation Act*" means the Act of 1862.

"*The Diseases Prevention Act*" means the Act of 1853 subsequently amended.

"*The Baths and Washhouses Acts*" means the Acts of 1846.

"*Burial Grounds Acts*" means the Act of 1856 amended by the Act of 1860.

"*The Poor Law Acts*" means the Act of 1838 and Acts amending the same.

"*The Lands Clauses Acts*" means the Consolidation Act of 1845 amended by the Consolidation Act of 1860, and also Railway Acts of 1851, 1860, and 1864.

"*The Sanitary Acts*" consist of the several Public Health Acts, Diseases Prevention Acts, Nuisances Removal Acts, The Sanitary Acts (of 1866 and 1868), Common Lodging-Houses Acts, Artizans and Labourers Dwellings and Lodging-Houses Acts, Baths and Washhouses Acts, Bakehouse Regulation Acts, Sewage Utilisation Acts and also the Towns Improvement Act (of 1854) and the Local Government Acts (of 1871 and 1872) together with any Acts up to 1878 which amend any of the above.

"*Sanitary Purposes*" means any objects or purposes of the Sanitary Acts.

PART I.

3. (5.) All Ireland shall be divided into U.S.D.s and R.S.D.s the S.A.s of which shall be invested with such powers as this Act confers as U.S.A.s and R.S.A.s respectively.

4. (6.) U.S.D.s shall be governed by U.S.A.s (or U.A.s) and shall include :—

(a.) The City of Dublin and other towns corporate in which cases the Town Council shall act as the U.S.A.

(b.) Towns above 6,000 in population having Commissioners under an Act of 1828, or Municipal Commissioners under the Municipal Commissioners Act of 1840, or Town Commissioners under the Towns Improvement Act of 1854 when such Commissioners shall be the U.S.A. in each case.

(c.) Any towns or townships having Commissioners under Local Acts when such Commissioners shall be the U.S.A.

5. (7.) Any U.S.A. may delegate certain limited duties and responsibilities to a committee or committees (consisting of members of such U.S.A.) but such committee must not borrow money, enter into contracts, or strike rates.

6. (9.) The area of every poor law union shall be a sanitary district except any part of such which may be within an U.S.D.

7. (270.) The L.G.B. may, by provisional order (after local inquiry in cases where there is opposition) on receiving a petition to do so create any town or township within a R.S.D. a separate U.S.D. or amalgamate it with an existing U.S.D., and similarly they may add an existing U.S.D. to a R.S.D.

8. Every U.S.A. shall enjoy and exercise the full powers conferred on U.S.A.s by this Act, and in addition any powers heretofore belonging to another L.A. under the Bakehouse Regulation Act, 1863, and the Artizans and Labourers Dwellings Act, 1868, and Acts amending either of them.

Where the Baths and Washhouses Acts, 1846, or the Labouring Classes Lodging Houses Acts, 1866 and 1867 are in force within the district under some other L.A., their powers, &c., shall be transferred to the U.S.A. And where they are not in force the U.S.A. may adopt them. Any Local Act (other than one for the conservancy of rivers) in force within the district and which is a Sanitary Act shall be transferred to the U.S.A.

9. (11.) Every R.S.A. shall have and exercise all the powers conferred by this Act on R.S.D.s, and in addition shall have transferred to them any powers held by any other L.A. under the Bakehouse Regulation Act, 1863, and amending Acts.

10. (12.) Provided for the vesting in the S.A. at the time of the passing of this Act of all property previously vested in the

old S.A. under one of the Sanitary Acts. And at the same time were transferred all rights and liabilities attached to such property.

11. (191.) Every medical officer of a dispensary district shall be appointed M.O.H. for such district and shall receive such salary therefor as the L.G.B. may fix.

Every U.S.A. and every R.S.A. shall appoint such other sanitary officers (including a superintendent M.O.H., if so directed) as the L.G.B. shall order, and shall pay such reasonable salaries to such officers as the L.G.B. shall approve of.

The L.G.B. shall assign to each of the officers so appointed their respective duties and functions in connection with the suppression of nuisances, provision of a water supply, the draining of the district, and in the general administration of the sanitary laws in the district.

All new or increased salaries (made under this section) shall have to be approved of by the Treasury, and where recoupment is made to the S.A. the L.G.B. shall determine from what fund it is to come.

The L.G.B. shall have the same control over the qualification, appointment, duties, salary, and tenure of office, as they have in the case of a dispensary medical officer.

UNION OF DISTRICTS.

12. (279.) With the permission of the L.G.B. two or more S.A.s may combine to form a united district for the purpose of :—

- (1.) obtaining a common water-supply ; or
- (2.) constructing a common main sewer or sewage system ;
- or
- (3.) for any other purpose of this Act.

And after obtaining a provisional order from the L.G.B. may carry out such works jointly.

The costs of such order and all other costs incurred in uniting such districts shall be a first charge on them.

13. (280.) A united district shall be governed by a joint board, constituted as determined by the L.G.B.'s provisional order, which shall be a body corporate with perpetual succession and a common seal. The minutes of any meeting of such board signed by the presiding chairman shall be valid legal evidence in any proceedings in court.

14. (281.) The provisional order (mentioned in sect. 13) shall define the duties and obligations of such board, the procedures for electing members thereto, and of filling casual vacancies, and any other matters the L.G.B. shall think desirable to define.

The component districts shall transfer to the joint board any powers or duties that the joint board is authorised to perform or exercise. Though the joint board may delegate to any of such districts the exercise of any of its powers.

PART II.—SANITARY PROVISIONS.

SEWERAGE AND DRAINAGE.

15. (13.) All existing and future sewers together with all buildings, works, and materials belonging thereto shall be vested in and be under the control of the S.A., except :—

(1.) Sewers made for the profit of the maker.

(2.) Sewers made for draining or improving land under a special Act of Parliament or for irrigating land.

But any existing or future sewers within a sanitary district made by or transferred to some other S.A. or sewage board authority empowered by Parliament to construct sewers shall rest in and be controlled by such last-named authority or board.

16. (14.) Any S.A. may purchase or acquire from anyone any existing sewer, or right in or right of making any sewer with or without any buildings, works, &c., belonging thereto, and any person may sell any such to a S.A. But anyone with a right in any such, as user, shall not be deprived of such without his consent.

17. (15.) Every S.A. shall keep in repair all sewers belonging to them and make new ones when such are required.

18. (16.) Any S.A. after giving due written notice to all owners of property concerned may carry any sewer across or under any road, street, or lands within the district ; and without the district for the purpose of outfall or the distribution of sewage, subject to the provisions of sects. 35, 36, and 37 of this Act.

19. (17.) This Act gives no authority to any S.A. to make or use any drain, sewer, or outfall for the carrying of sewage into any natural stream or watercourse, or canal, pond, or lake, where such sewage is likely to contaminate or until such sewage is sufficiently purified as not to be injurious to the quality of such water.

20. (18.) Any S.A. may alter in any way any sewer vested in them so long as no nuisance is created by so doing, and no person's right of drainage is interfered with unduly.

21. (19.) Every S.A. shall cause their sewers to be constructed, covered, ventilated and kept so as not to be a nuisance, and also to be properly cleansed and emptied.

22. (20.) Every U.S.A. shall, and every R.S.A. may keep a correct map of their sewerage system which shall be available for public inspection.

23. (21.) Any owner or occupier may connect his drain with a sewer of the S.A. after having given due notice to the S.A., but he must do so in a manner to be approved of by the S.A.

Persons contravening this section shall be liable to a penalty of up to £20, and the S.A. may close the communication and recover from him all expenses incurred.

24. (22.) Any owner or occupier in a district may connect

his drain or sewer with the sewer of an adjacent sanitary district on terms to be agreed on, or settled by a court of summary jurisdiction, or by arbitration.

25. (23.) Where any house within a sanitary district is without sufficient drainage the S.A. may by written notice require within a reasonable time therein specified the owner or occupier to make a covered drain or drains to empty into a sewer belonging to the S.A., and which is not more than 100 feet from such house; but if no sewer be within 100 feet then he must drain into a covered cesspool or such other place (not being under any house) as the S.A. may direct. For every such cesspool or drain the S.A. may prescribe materials, size, level, and ventilation applicable to such as also the proper fall for any drain.

Where a house is more than 100 feet from any sewer the S.A. may require drainage into such sewer if they are of opinion that this would be less expensive than the making of a cesspool.

Where the above notice is not complied with within the required time the S.A. may do the work and recover expenses from the owner in a summary manner, or declare them to be private improvement expenses.

Where two or more houses are without any or have insufficient drains the S.A. may, if they think it would be less expensive to do so, construct a new sewer and require the houses to be drained into it, rather than into any existing sewer. For so doing the S.A. may recover all expenses incurred by them from the owner or owners of such houses fairly apportioning the costs between the several owners. Or they may recover expenses in a summary manner or declare them private improvement expense.

26. (24.) Where any house has a drain which though sufficient does not conform to the general sewerage system of the district or is otherwise objectionable, the S.A. may close such drain and replace it by an equally efficient drain and they may defray the expenses of so doing.

27. (25.) In any U.S.D. it shall not be lawful newly to erect any house or to rebuild any house pulled down to or below the first floor or to occupy any such house unless and until sect. 25 has been complied with.

Penalty for contravening this section, up to £20.

28. (150.) Any U.S.A. may by notice require any private (*i.e.*, not under the control of any L.A.) street, carriage way, or footway, or any part of such to be properly sewered (levelled, P.H.Am.A., 1890) metalled, paved, flagged, channelled, or lighted within a specified time at the expense of the owners or occupiers of the premises fronting, adjoining, or abutting on the defective parts of such street, &c.

Before serving notice the S.A. must have plans of the required

works prepared to scale, such plans to be available for inspection during the specified time.

The U.S.A. may do the work in cases where the owners or occupiers decline or fail to do such work in the time specified in the notices, and they may recover from them in a summary manner all moneys expended in so doing.

In all cases expenses may be apportioned by the Surveyor of the U.S.A. or by arbitration, or the expenses may be declared to be private improvement expenses.

29. (26.) If in an U.S.D. any person without the written consent of the U.S.A. :—

(1.) causes any building to be newly erected over any sewer of the U.S.A. ; or

(2.) under the carriage-way of any street causes any vault, arch, or cellar to be newly built,

he shall forfeit to the U.S.A. £5, as well as be liable to a daily penalty of up to £2 as long as the offence continues after receiving a written complaint from the U.S.A.

The U.S.A. may remove any such offensive structure and recover expenses incurred from the owner.

DISPOSAL OF SEWAGE.

30. (27.) Any S.A. may for the purpose of disposing of the sewage of their district, and provided they create no nuisance in so doing—

(1.) Construct any works within or (subject to sects. 35, 36, and 37) without their district.

(2.) Hire, lease, or purchase any land, buildings, materials, or apparatus either within or without their district.

(3.) Contract with any person for 25 years or less to take or to remove sewage, or for the provision of any works necessary for such removal within or without their district.

31. (28.) A S.A. (x) may, with the approval of the L.G.B. agree with a S.A. (y) to have the sewer of (x) district empty into the sewer of (y) district.

Disputes as to terms shall be settled by the L.G.B.

In such cases the S.A. (x) must as far as practicable make separate provision for the storm-waters of their district, and they must not allow the sewer of a third district empty into their sewer without the consent of the S.A. (y).

32. (29.) Any S.A. may directly work their sewage-farm and sell the produce in small lots or by contract, or they may lease the farm for 21 years or less to any person, provided due provision be made against any nuisance arising in consequence.

33. (30.) Where the S.A. under sect. 30 (3.) have made any contract they may bear part of the expenses or even take shares in a contracting company.

34. (31.) "The Improvement of Land Act, 1864," shall apply to sewage farms which shall be deemed "to improve land."

SEWAGE WORKS WITHOUT A DISTRICT.

35. (32.) Before commencing sewage-works without their district every S.A. must—

(a.) Three months prior to beginning such works publish a detailed notice of the intended works in a local newspaper as well as name a place and time where a plan of such works may be inspected by the public.

(b.) Serve a copy of the above notice on all owners, lessees, and occupiers likely to be affected as well as on the S.A. and the secretary of the custodians of the public roads of the district through which any such works are to be carried.

36. (33.) If any such person or authority so noticed lodges a written objection within the three months (35) (a.) the works must not be begun without the sanction of the L.G.B. who may hold an inquiry, unless the objection be withdrawn.

37. (34.) The L.G.B. may direct a local inquiry to be held into the nature of the proposed works and any objections raised thereto, and may order as they think fit.

REGULATION OF BUILDINGS.

38. (154.) Any U.S.A. may purchase any premises for the purpose of widening, opening, enlarging, improving, or (with the sanction of the L.G.B.) making new streets.

39. (155.) The U.S.A. may prescribe the line of frontage for all new buildings or re-buildings. In the case of re-buildings set back the U.S.A. may give compensation to owner.

40. (156.) The written consent of the U.S.A. shall be necessary before (erecting, P.H.A.M.A., 1890, or) bringing forward any building in front of the line of the front wall of the house on either side.

After having received a written warning anyone contravening shall be liable to a penalty of up to £2 for each day.

41. (157.) Every S.A. may make bye-laws with respect to:—

(1.) New streets: their level, width, sewerage, construction, and the preventing of the opening of such until all bye-laws have been complied with.

(2.) New buildings: their structure, and the description and quality of substances used to secure stability, safety from fire, and for purposes of health.

(3.) Sites and foundations: the formation and preparation of such so as to ensure the greatest securities to health.

"Foundation" shall mean the whole space directly beneath

footings of a wall. "Sites" shall mean the whole space between the plane of the bottom of the foundations and the plane of the base of the walls.

(4.) The internal and external ventilation of buildings.

(5.) The drainage of buildings; also as to water-closets, privies, ashpits, and cesspools in connection therewith, and as to the closing of houses unfit for human habitation, or any unoccupied parts thereof.

In such bye-laws there may be provisions with respect to the giving of notices, the depositing of plans and sections of new works with the S.A., the inspection by the S.A. and the power of the S.A. to undo any works begun in contravention of bye-laws.

Bye-laws under this section shall not be retrospective.

Sections 39, 40, or 41 shall not apply to Railway Companies.

42. (158.) The S.A. must within one month signify their opinion on any plan submitted to them in accordance with their bye-laws.

The S.A. may cause any work to be demolished which was begun without their approval or is being carried out contrary to their bye-laws, and may recover expenses of so doing from the owner or contractor at discretion.

Penalties under bye-laws may be recovered from and for any time after bye-laws have been broken till the expiry of one year from the time they were first violated.

43. (159.) Definitions of "the erection of a new building :"—

(a.) The re-erecting of any building or framework of a building pulled down to or below the ground floor.

(b.) The conversion into a dwelling of a house not previously so used.

(c.) The conversion of a single dwelling into two or more such; or,

(d.) The rebuilding of any building pulled down so as to occupy less than half its original entire bulk.

PRIVIES, WATERCLOSETS, &c.

44. (35.) Every new building must be provided with :—

(a.) A watercloset or equivalent accommodation, and

(b.) An ashpit with proper doors for covering.

Penalty for offence up to £20.

45. (36.) The S.A. shall enforce section 44 as follows :—

(a.) Serve a written notice on the owner or occupier requiring compliance within a specified time.

(b.) Failing such, the S.A. may do the work and recover expenses from the owner, or may by order declare same private improvement expenses.

(c.) The S.A. may allow sanitary accommodation be used in common for two or more houses.

46. (37.) If S.A. approves, an earthcloset may be erected instead of a watercloset, and the owner of such house may be relieved of obligation of paying for water for a watercloset. The S.A. may supply direct or by contract dry earth or other equivalent material for earthclosets.

"Earthcloset" is any place for the reception and deoderization of fæcal matter, approved of by S.A.

47. In districts where a system of disposing of fæcal matter other than by waterclosets is in vogue which causes no nuisance or offence against decency, the S.A. may petition the L.G.B. to dispense with the enactments relative to waterclosets in this Act.

The L.G.B. may at any time vary or revoke any such order.

48. (38.) The S.A. may serve notice on the owner or occupier of any factory where persons of both sexes are employed at the same time, requiring the separate provision for each sex of ash-pits and waterclosets, earthclosets, or privies.

Penalty for default of up to £20, with a daily penalty of up to £2.

49. (39.) Any U.S.A. may erect and maintain public sanitary conveniences.

50. (40.) Every S.A. shall make provision to secure the proper construction, trapping, ventilating, and covering of all drains, waterclosets, sinks, gullies, lavatories, earthclosets, privies, ash-pits, and cesspools in their districts.

51. (41.) Any sanitary officer may, after 24 hours' written notice, and in cases of emergency without notice to the occupier, inspect any premises concerning which he has received a written complaint from any person in which complaint it is alleged that a drain, watercloset, earthcloset, privy, ashpit, or cesspool is causing a nuisance.

If no nuisance exists the cost of such inspection (such as in opening drain, &c.) may be recovered from the complainant.

If nuisance does exist the S.A. shall serve notice requiring it to be abated within a specified time.

If the person notified fails to do such work he shall be liable to a daily penalty of up to 10 shillings, and the S.A. may carry out the work and recover all expenses from the owner, or declare them private improvement expenses.

52. (42.) Any S.A. may, and if ordered by the L.G.B. shall, undertake or contract for:—

(a.) The removal of house refuse from premises.

(b.) The cleansing of earthclosets, privies, ashpits, and cesspools.

(c.) The cleansing and watering of streets (for this purpose R.S.A.s must be invested with special powers to act).

Anyone who obstructs anyone authorised to remove any

matters authorised to be removed by this section or without permission removes any such matters, shall be liable to a penalty of up to £5.

Provided an occupier shall be allowed to dispose of his own house refuse so long as no nuisance is created thereby.

53. (43.) If the S.A. undertakes to remove matters mentioned in sects. 52 (a.) and 52 (b.) and fails to do so, any person aggrieved thereby may, after a seven days' notice in writing to the S.A. recover a daily penalty of up to 5 shillings from the S.A.

54. (44.) In cases where the S.A. do not undertake the works mentioned in sects. 52 (a.) and 52 (b.) they may make bye-laws imposing such works, and also the cleansing of footways and pavements adjoining premises on the occupiers of the adjoining premises.

Any U.S.A. may, and when ordered by the L.G.B. shall, make bye-laws for :—

(a.) The prevention of nuisances arising from snow, filth, dust, ashes, and rubbish.

(b.) The regulation of the keeping of animals on premises, or the prevention of such in the interests of health.

55. (45.) Any S.A. shall if necessary provide places for the temporary deposit of dust, ashes, and rubbish, and matters collected under sect. 52. Provided no nuisance shall be caused by their so doing.

56. (46.) Whenever the S.A. receives a certificate from :—

(a.) their M.O.H. ; or

(b.) any two medical practitioners,

certifying that any house or part of a house is in such a " filthy or unwholesome condition " as to be dangerous to health, or that to prevent the spread of infectious disease the limewashing, cleansing, or purifying of such house is necessary, they shall serve a notice on the owner or occupier requiring such house to be limewashed, cleansed, or purified within a specified time.

If within such time the person notified fails to carry out such order he shall be liable to a penalty for neglect of up to 10 shillings for each day.

In such case of default the S.A. may do the necessary work and recover all expenses from the defaulter.

57. (47.) There shall be liability to a penalty of up to £2 in addition to a daily penalty of 5s. against anyone who shall :—

(1.) Keep any swine or pigsty in any dwelling so as to be a nuisance to any person.

(2.) Suffer any waste or stagnant water in any cellar or dwelling longer than 24 hours after receiving written notice to remove the same.

(3.) Allows the contents of any watercloset, privy, or cesspool to overflow or soak therefrom.

The S.A. may abate any such nuisance and recover expenses of so doing from the occupier, or where weekly, monthly, or tenement tenancies, from the owner.

58. (48.) Where any ditch or watercourse in a district (x), or lying between districts (x) and (y) is foul and offensive and a nuisance to persons living in (y) the S.A. of (y) may apply to a J.P. having jurisdiction over the part of the district (x) where the nuisance exists who shall summon before a Petty Sessions Court the S.A. of (x). The Court may order them to do all necessary works to abate the nuisance, and also order the manner in which expenses shall be paid.

59. (49.) Any sanitary officer of an U.S.A. may serve notice on an occupier or owner requiring any dung, filth, manure soil, or offensive or noxious matter which is a nuisance, to be removed within 24 hours.

After 24 hours the S.A. may cause the same to be removed and sold and appropriate as much of the proceeds as will cover all necessary expenses incurred. Or they may recover any deficiency from the owner of the manure, &c., or the occupier or owner of the house.

60. (50.) Any U.S.A. may make, and publish locally when made, regulations requiring the periodical removal of manure or other refuse from mews, stables, or other premises.

Persons contravening shall be liable without further notice to a daily penalty of up to £1.

WATER SUPPLY.

61. (51.) Any S.A. may provide its district or part thereof with a proper supply of water, and for such object may :—

- (a.) construct and maintain waterworks or wells ;
- (b.) contract with any person to supply water ; or
- (c.) lease or hire or (only with the sanction of the L.G.B.) purchase waterworks or water-rights (from a company or otherwise) either within or without their district.

62. (52.) Before a S.A. commences the construction of waterworks notice must be served on every authorized water company in the district.

It shall be unlawful to proceed with waterworks so long as any water company in the district is able and willing to afford a proper water supply.

63. (53.) Before constructing any reservoir (above 100,000 galls. capacity) the S.A. must :—

Insert in a local newspaper notice of intended works two months before commencing such.

If any person affected objects the sanction of L.G.B. (with or without inquiry) must be obtained.

If the S.A. applies the L.G.B. may send an inspector to hold an inquiry, and will then be guided by his report

64. (54.) A S.A. shall have same powers and restrictions for carrying watermains within and without the district as are allowed by law in the case of sewers.

65. (55.) The S.A. shall keep a supply of pure and wholesome water in any waterworks under their control, which may be constantly laid on at such pressure as will carry water to the top story of the highest dwelling in the district.

66. (56.) A S.A. may charge a water rate assessed on the net annual value of any premises, or by agreement may supply water by contract, or other manner of regular payment, and may recover all moneys thus owing in a summary manner.

67. (57.) This section explains incorporation of certain clauses in "The Waterworks Clauses Acts," 1847 and 1863.

68. (58.) Any S.A. may agree with any person to supply water by measure, and also as to rents to be paid for meters.

The S.A. shall keep all water-meters under their control in proper order, and their officers shall at all reasonable times have access to such meters.

When any meter is out of order no water rent can be enforced.

69. (59.) The record of the water-meter shall be *prima facie* evidence of the quantity of water consumed.

In case of difference of opinion the matter shall be decided by a court of summary jurisdiction, such court giving costs at discretion. Its decisions shall be final and binding.

70. (60.) Penalty up to £2 for tampering with or injuring a water-meter.

71. (61.) With the sanction of the L.G.B. any S.A. may supply water to an adjoining S.D.—on terms to be agreed on or settled by arbitration.

72. (62.) If the sanitary officer reports to the S.A. that any house in the district is without a proper supply of water (which water the S.A. is able to supply) the S.A. shall require by notice that the owners of such house shall provide said house with a proper supply of water within a specified time. If the owner fails to obey such order the S.A. may do all necessary work and recover expenses from the owner.

73. (63.) Any water company may hire or lease their undertaking or contract to supply water to any S.A. In the case of companies registered under the Companies' Act, 1862, a special resolution of the directors will be sufficient authority, while in the case of all other companies the holders of at least three-fourths of the shares of such company must be consenting before any such transaction as above described be valid.

74. (64.) All existing public cisterns, pumps, works reservoirs, and conduits used for waterworks for gratuitous distribution of water within a district shall vest in the S.A. of such

district, and the S.A. may modify or simplify such system of supply if necessary.

75. (65.) Any S.A. may supply from their works water for the use of any public baths or washhouses, or for trading or manufacturing purposes on terms to be agreed on; and they may construct works for the gratuitous supply of water to public baths or wash-houses.

76. (66.) In every U.S.A. it shall be the duty of the S.A. to provide a sufficiency of fire-plugs (with legible notices to indicate where the same are) and also to provide a proper supply of water in cases of fire, except in such cases as where a water company undertakes to do such things.

77. (68.) Any gas-manufacturer who

(a.) allows gas-washings into any stream, watermain, or reservoir for water, or

(b.) Wilfully does any act in the manufacture of gas which fouls water in any stream, watermain, or reservoir. shall forfeit for every such offence £200, and after a 24 hours' notice pay a daily penalty of £20.

Such penalties are recoverable in the superior courts. They cannot be so recovered unless claimed within 6 months of the last offence.

78. (69.) Subject to approval of the Attorney General any S.A. may take proceedings by indictment bill in Chancery, or otherwise, to prevent the pollution of any watercourse either wholly or partially within their district by sewage matter.

79. (70.) On the representation of any person to any S.A. that any drinking-water supply in the district is dangerously polluted such S.A. may apply to a court of summary jurisdiction for an order to remedy the same.

The court shall summon to appear before them the owner or occupier of the premises on which the alleged polluted water supply is situated, or if a public supply the person alleged in the application to be interested.

The court has direction to close the well or other supply permanently or temporarily, or may order the water to be analysed at the expense of the S.A.

If the above-mentioned person fails to obey the court's order, the court may, on the application of the S.A. order the S.A. to do all necessary work and award them expenses.

80. (161.) Any S.A. may contract with any gas company to supply gas to the streets and public buildings in the district, and may provide lamps and all necessary materials for so doing. Or the S.A. may, if no public supply is available, themselves supply gas to any part of their district.

81. (162.) For the purpose of supplying gas within their district any U.S.A. may buy the undertaking of any gas company or manufacturer.

CELLAR DWELLINGS AND LODGING-HOUSES.

82. (71.) "It shall not be lawful to let or occupy or suffer to be occupied separately as a dwelling, any cellar or underground room built or rebuilt after the passing of this Act, or which is not lawfully so let or occupied at the time of the passing of this Act."

83. (72.) It shall not be lawful to let or occupy or suffer to be occupied separately as a dwelling, any cellar whatsoever unless the following requisitions are complied with :—

(a.) Cellar to be at least 7 feet high in every part, and at least 3 feet of its height above the street level.

(b.) Must be an open area along the entire front of the cellar, to be at least 2 feet 6 inches wide, the floor of which must be 6 or more inches below the cellar floor.

(c.) Cellar must have a drain, at least 1 foot below its floor.

(d.) A proper watercloset or substitute and ashpit must be available to the occupier.

(e.) Must be a fireplace and flue.

(f.) Must be a movable external window of a size approved of by the S.A. If steps are necessary they are not to obscure the said window.

84. (73.) Daily penalty up to 20s. for contravention of sections 82 or 83 after written notice from the S.A.

85. (74.) "Any cellar in which any person passes the night shall be deemed to be occupied as a dwelling within the meaning of this Act."

86. (75.) A court of summary jurisdiction may direct the closing of a cellar-dwelling or empower the S.A. to close such where there were two or more convictions within six months under any Act relating to cellar-dwellings.

COMMON LODGING-HOUSES.

87. (76.) Every S.A. shall keep a register of common lodging-houses in the district, which register shall :—

(a.) Give the names and addresses of the keepers of such.

(b.) The situation of such lodging-houses.

(c.) The number of lodgers allowed in each house.

(d.) And be available for inspection by ratepayers.

A copy of an entry in the register certified by the clerk of the S.A. may be obtained *gratis*, and shall be received as evidence in court.

88. (77.) All keepers in a district must register their common lodging-houses.

In case of the death of a keeper the widow is allowed four weeks before being required to register her name.

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HOUSES LET IN LODGINGS.

100. (90.) The L.G.B., by notice in *Dublin Gazette* and in some local newspaper, may empower any S.A. to make bye-laws for the whole or part of their district for :—

(a.) Regulating the number of lodgers allowed in each house and the proper separation of the sexes.

(b.) Registration of lodging-houses.

(c.) Inspection of lodging-houses.

(d.) Ensuring proper drainage and sanitary conveniences and promoting the cleanliness and ventilation of such houses.

(e.) Periodical cleansing and limewashing and paving of the yards of such houses.

101. (90—part of). Section 100 shall not apply to *common* lodging-houses.

CLOCKS.

102. (165.) Any U.S.A. may erect, light, and maintain clocks in public places.

MARKETS.

103. (166.) In any U.S.A. where the L.G.B. sanctions a resolution passed by a clear majority of a meeting of at least two-thirds of the members of the entire S.A., convened after 30 clear days' public notice of the object of such meeting, the S.A. is then empowered to :—

(a.) Provide a market-place and market-house.

(b.) Provide places for weighing carts.

(c.) Make convenient approaches to a market-place.

(d.) Provide the things necessary for the convenience of such market.

(e.) Acquire land and rights in markets or tolls for any of the foregoing purposes.

(f.) Receive stallages, rents, and tolls in respect of the use by any person of such market.

This section does not allow any private rights to be taken over without the consent of the owner.

Any U.S.A. may make bye-laws with respect to markets.

104. (168.) Any U.S.A. may purchase the undertaking of any public or private market company.

SLAUGHTER-HOUSES.

105. (169.) Any U.S.A. may provide public slaughter-houses and *shall* make bye-laws for the management of the same.

Any U.S.A. *may* make bye-laws for the decent and seemly conveyance of meat through public thoroughfares.

106. (170.) Penalty of up to £5 and a daily penalty of up to 10 shillings for neglecting to have on exterior of every licensed or registered slaughter-house the notice "Licensed slaughter-house," or "Registered slaughter-house."

NUISANCES.

107. (91.) Definition for the purpose of this Act:—

(1.) "Any premises in such a state as to be a nuisance or injurious to health:

(2.) "Any pool, ditch, gutter, watercourse, privy, urinal, cesspool, drain, or asphit so foul or in such a state as to be a nuisance or injurious to health:

(3.) "Any animal so kept as to be a nuisance or injurious to health:

(4.) "Any accumulation or deposit which is a nuisance or injurious to health:

(5.) "Any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates, whether or not members of the same family:

(6.) "Any factory, workshop, or workplace 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 carried on therein 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 those employed therein:

(7.) "Any fireplace or furnace which does not so far as practicable consume the smoke arising from the combustible used therein, and which is used for working engines by steam, or in any mill, factory, dyehouse, brewery, bakehouse, or gasworks, or in any manufactory or trade process whatsoever; and

(8.) "Any chimney (not being the chimney of a private dwelling) sending forth black smoke in such a quantity as to be a nuisance:

Shall be deemed to be nuisances liable to be dealt with summarily in manner provided by this Act." Provided—

First. That no penalty shall be imposed under section 107 (4) where the accumulation or deposit is necessary to a manufacturing process and is removed as soon as possible and does not create preventible nuisance.

Second. That no penalty shall be imposed under section 107 (7.) where the fireplace or furnace is constructed and attended to in a manner to secure that it consumes as far as practicable the smoke produced.

108. (92.) It shall be the duty of every S.A. to cause periodical inspections of the district to be carried out with the object

of discovering any existing nuisances and enforcing the provisions of section 107.

109. (93.) Any of the following may lodge complaints as to an alleged nuisance with the S.A. :—

- (a.) The person aggrieved.
- (b.) Any two inhabitant householders of the district.
- (c.) Any officer of the S.A.
- (d.) Any relieving officer, police constable, or police officer in the district.

110. (94.) The duty of the S.A. on receiving any such complaint shall be :—

- (a.) To make inquiry as to alleged nuisance.
- (b.) If satisfied such exists, to serve notice on the person by whose act, default, or sufferance the nuisance arises or continues.
- (c.) If such cannot be found, on the owner or occupier of the premises wherein nuisance arises.

The notice served must specifically state the manner, and time within which such nuisance must be abated.

Such notice should be served on the owner where there is no occupier, or where the nuisance arises from defective construction.

The S.A. may abate the nuisance in cases where such does not arise through any act, fault, or sufferance of either the owner or occupier, and also in cases where the person causing the nuisance cannot be found.

111. (95.) If an order contained in a notice served under section 110, is not carried out within specified time, or though nuisance abated it is likely to recur, the S.A. may, on complaint to a justice, obtain a summons against the person noticed.

112. (96.) The court, if satisfied, may order nuisance to be abated in a specified time, or if likely to recur that all necessary steps to prevent recurrence may be undertaken.

In addition, the court may impose a penalty of up to £5 with or without the costs incurred by the S.A.

113. (97.) Where, under section 112, the court considers a house unfit for human habitation, it may, by order, close the same permanently or temporarily, and it may subsequently revoke a closing order.

114. (98.) Where any person contravenes order of court under sections 112 or 113 such person becomes liable to a daily penalty of up to 10 shillings.

In such cases the S.A. may do all necessary work to abate a nuisance and recover expenses in a summary manner.

115. (99.) Where appeal made from a local court to Quarter Sessions, work must be suspended till such appeal determined.

116. (100.) The Court of Summary Jurisdiction may address its order for abatement of nuisance to the S.A. in cases where no liable individual can be found.

117. (101.) The S.A. may sell by auction any manure, &c., removed to abate nuisance, and retain as much of proceeds as will cover expenses, remitting the balance to the owner of the manure, &c.

118. (102.) Any officer of the S.A. shall be admitted between 9 a.m. and 6 p.m. to any premises for the purpose of inspection where a nuisance as described in sect. 107 is suspected, or at other hours if nuisance occurs during such hours. And the same regulation applies in cases where a nuisance is known to exist or an abatement order has been granted. Admission in such cases may be for the purpose of a sanitary officer himself causing nuisance to be abated. If admission to premises for any purpose of section 107 is refused any officer of the S.A., after having notified his intention of so doing to the person offending, may make complaint on oath to any justice. Such justice may issue an order to the person in charge of the premises to admit such sanitary officer.

Such an order continues in force till the nuisance complained of has been abated.

119. (103.) Penalty of up to £5 for disobeying such order.

120. (104.) All costs incurred under section 118 may be recovered from the person by whose act or default the nuisance arose, or from the owner of the premises. Costs can never be allowed to exceed one year's rackrent of the premises. Costs may be recovered in a summary manner in the Civil Bill Court.

Where owner liable, costs may be recovered from occupier, who may deduct amount from rent payable to owner.

121. (105.) Complaint in respect of any nuisance within a S.D. may be made by :—

- (a.) any person aggrieved thereby.
- (b.) any two inhabitants of such district ; or
- (c.) any owner of premises within the district.

Subsequent proceedings take the same form as if S.A. made complaint to a justice under sections 111, *et seq.*, with the following exceptions :—

(a.) Court may adjourn the case and examine the premises, or order a constable or other person to examine the premises and report thereon.

(b.) Court may invest a constable or other person with powers of a sanitary officer under the sections relating to nuisances to do all necessary acts under this section, and to recover expenses from an offender.

122. (106.) Where the L.G.B. consider the S.A. has neglected its duty under this Act, in relation to a nuisance they may empower any officer of police to institute proceedings for suppression of the nuisance and recover necessary expenses. In such case the officer of police shall have no authority to forcibly enter premises unless furnished with a justice's order.

123. (107.) Where it appears to the S.A. that summary proceedings would be inadequate to effectually suppress a nuisance such S.A. may take proceedings in any superior Court of Law, or Equity instead.

124. (108.) In cases where a nuisance arises in a district (x) due to some act or default which has been committed in a district (y) the S.A. of (x) district will follow the procedure to suppress the same as already described except that if it is necessary to institute summary proceedings such shall be taken in the district (y).

125. (109.) Where two convictions for overcrowding have been obtained in respect to any house within three months the S.A. may apply to the Court of Summary Jurisdiction, and obtain an order for the closing of such house.

126. (110.) Every ship lying in waters within a sanitary district shall be subject to the provisions in sections 107 to 124, as if it were a house within such district. If the ship is within no S.D. it shall be subject as regards the same sections to the nearest S.D. The master of such ship shall be deemed the occupier.

These sections do not apply to Government ships.

127. (111.) The nuisance provisions of this Act shall be deemed to be in *addition* to, and not affect, any proceedings under any other section of this Act, or of any other Act

OFFENSIVE TRADES.

128. (112.) Any person who establishes in any U.S.D. after the passing of this Act any of the following offensive trades :—

1. Blood-boiler,
2. Bone-boiler,
3. Soap-boiler,
4. Tallow-melter,
5. Fellmonger,
6. Tripe-boiler or gut manufacturer, or
7. Any other noxious or offensive trade, business or manufacture,

shall be liable to forfeit up to £50, with a daily penalty of £2 for so doing.

129. (113.) Every U.S.A. shall, with the consent of the L.G.B. make bye-laws with respect to any offensive trade permitted to be established within their district.

130. (114.) Where in any U.S.D. :—

- (1.) the M.O.H., or
- (2.) any two medical practitioners, or
- (3.) any ten inhabitants

certify that any offensive trade or process carried out in the district is producing effluvia which causes a nuisance to the

inhabitants, the S.A. of such district shall apply to a justice for a summons against the person liable for such offence.

The Court shall make inquiry and if it decides that the nuisance complained of exists and is remediable, it may enforce a penalty of from £2 to £5, or double these amounts, with each subsequent conviction till the amount reaches £200.

Or the Court may give the offender time if he undertakes to prevent the nuisance within a specified time.

The U.S.A. could, in the first instance, for better security, have taken proceedings in a Superior Court on the certificate received.

131. (115.) Provides for cases where nuisance in a district arises from an offensive trade carried on without the district. The proceeding is the same except that application is made to a justice having jurisdiction in the district wherein the nuisance originates.

UNSOUND MEAT.

132. (116.) Any sanitary officer in any S.D. may at all reasonable times inspect and examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, milk, or butter, exposed, or being conveyed for sale, or deposited in some place for sale, or in preparation for sale, and intended for the food of man, And if any such article appears to such officer, to be diseased or unsound, or unwholesome, or unfit for the food of man, he may carry away or cause to be carried away the same, in order to have the same dealt with by a justice. The sanitary officer may demand the name of the person in charge of such food and also the name of the owner. If such names be refused may give person into custody.

Penalty for giving a false name, up to £5.

133. (117.) The justice may order food to be destroyed or disposed of so as to prevent its being used as food for man.

The owner or possessor of such unsound food may be fined up to £20 for each diseased article seized, or the justice may imprison such person for not more than 3 months.

134. (118.) There is a penalty of up to £5 against anyone hindering or obstructing any sanitary officer carrying out his duties under sections 132 and 133.

135. (119.) Where any sanitary officer suspects there is unsound food he shall make complaint on oath to a justice, why shall issue to him a search-warrant with authority to carry away with him any unsound meat so discovered to be dealt with by a justice subsequently. Penalty for obstructing such officer acting under this section, up to £20.

136. Provides arrangement by which funds for carrying out provisions of "Sale of Food and Drugs Act, 1875," may be obtained from the county authority.

PROVISION AGAINST INFECTION BY INFECTIOUS DISEASES.

137. (120.) When any S.A. receives a certificate from :—

- (a.) any of their sanitary officers, or
- (b.) any medical practitioner,

that the spread of an infectious disease may be prevented by the cleansing and disinfection of any house or part thereof, and all disinfected articles therein it shall be the duty of such S.A. to require by notice in writing the owner or occupier of such house to carry out such cleansing and disinfection.

Daily penalty against person for disobedience of from 1 to 40 shillings.

In case of such default the S.A. may do all necessary work, and recover expenses from the defaulter. The S.A. may, at their own expense (with the person's consent) carry out such work in certain cases, such as, where poverty or physical infirmity prevents the owner or occupier from doing such work.

138. (121.) Any S.A. may destroy infected bedding, clothing, and other articles, and give compensation therefor.

139. (122.) Every S.A. may provide a disinfecting apparatus for gratuitous disinfection and also provide for conveyance of infected articles to such apparatus.

140. (123.) Every S.A. shall provide and maintain an ambulance for infectious cases.

141. (124.) Where an isolation hospital is available in any district and an infectious case occurs :—

- (a.) and the person is without proper lodging or accommodation ;
- (b.) or the infected person is in a room where are also lodged healthy persons ;
- (c.) or is on board any ship or vessel,

the following procedure may be adopted when necessary to secure the removal of such person to the isolation hospital :—
The consent of the governing body of such hospital is first obtained ; an officer of the S.A. then submits a certificate signed by any legally qualified medical practitioner to a justice ; such justice may then issue an order for the removal of the infected person to the isolation hospital ; such order may be addressed to a constable or officer of the S.A.

Penalty for obstructing such person up to £10.

142. (126.) Any person who :—

- (a.) suffering from any dangerous infectious disease exposes himself in any public place, or
- (b.) causes such a person to be exposed, or
- (c.) who gives to another or exposes any infected article, or
- (d.) exposes or conveys any infected corpse, or
- (e.) wakes or permits to be waked in any place any infected corpse,

shall be liable to a penalty of up to £5.

Any infected person entering any public conveyance may be ejected therefrom, and will be liable to a penalty of up to £5. The owner of such vehicle may recover compensation.

No proceedings may be taken against any person who exercises reasonable precautions against the spreading of infection.

143. (127.) Every owner or driver of a public conveyance shall be liable to a penalty of up to £5 if he fails to have vehicle disinfected after it has been exposed to infection in any way. No driver of a public vehicle can be compelled to convey an infected person or article

144. (128.) Any person knowingly letting for hire any room in which was infection must be able to produce a medical certificate of efficient disinfection of such room or shall be liable to a penalty of up to £21.

This section applies to schools and inns.

145. (129.) Penalty of up to £20 or imprisonment for up to one month against any person making false statement with regard to a house or apartment about to be let in which was an infectious case within 3 months previously.

The same penalties are applicable to persons taking a house or apartment if one of the future tenants has suffered from an infectious disease within the previous 3 months.

146. Penalty of up to £2 for sending any child to school without certified medical authority who suffered from within 3 months, or was exposed to within 6 weeks, any dangerous infectious disease.

147. Upon application a justice may issue an order to have any unvaccinated child of under 14 years vaccinated within a specific time.

Penalty for disobedience, up to £1.

148. (130.) The L.G.B. may promulgate by publication in the *Dublin Gazette* and enforce under a penalty not exceeding £50, special regulations for dealing with cholera or any other epidemic, endemic or infectious disease to be applicable to such areas as they define as well as the high seas within 3 miles of land.

149. (134.) The L.G.B. may make special regulations where any part of Ireland is threatened with any formidable epidemic as follows :—

- (1.) For the speedy interment of the dead.
- (2.) House to house visitation.
- (3.) To provide medical aid and hospital accommodation.
- (4.) For promoting, cleansing, ventilation, disinfection, and general measures to prevent the spread of disease.

Under this section ships shall be deemed houses as in section 126.

150. (136.) For the purposes of these regulations the Board of Guardians shall be the sanitary authority.

151. (137.) Any officer of a Board of Guardians shall under

such regulations have power of entering any premises, ship, or vessel.

152. (138.) The L.G.B. shall determine fee to be paid by owners of any ship for medical aid rendered by the M.O.H. under these regulations.

153. (139.) L.G.B. may for the purposes of these regulations combine two or more Boards of Guardians.

154. (140.) Penalty of up to £5 for violating any of such regulations or obstructing any authorised person administering the same.

155. (131.) Any S.A. may with sanction of L.G.B. provide hospitals or temporary places for the reception of the sick or convalescing.

156. (132.) Expenses of maintenance in such hospitals may be recovered from any person able to pay such, within 6 months after his discharge, or in case of death from his estate.

MORTUARIES, &c.

157. (141.) Any S.A. may, and if ordered by the L.G.B. shall, provide and maintain a mortuary, and also provide for the burying of the dead at fixed charges.

For such purposes they may make bye-laws.

158. (142.) A justice may on a medical certificate order the removal to a mortuary of the dead body of a person who has died of an infectious disease, and may order the same to be buried within a limited time.

It shall be the duty of the relieving officer to bury such body if no other person does so.

The certifying M.O. shall be entitled to a fee of one guinea from the S.A.

The S.A. may recover expenses from persons liable.

Penalty for obstructing justice's order up to £5.

Persons dying of fever in a hospital must be buried direct from such hospital.

Penalty of up to £5 against anyone contravening.

159. (143.) Any S.A. may provide and maintain a *post-mortem* examination room otherwise than at a workhouse or mortuary.

PART III.—BURIAL GROUNDS.

Special abbreviations used in this part :—

B.B.—BURIAL BOARD. B.G.—BURIAL GROUND.

B. of Gs.—BOARD OF GUARDIANS.

160. The S.A. shall be the B.B. in every district except in the case of a town or township having commissioners under a

local act, where the B. of Gs. of the union within which such is situated shall be the B.B.

161. Every B.G. hitherto vested in a B. of Gs. or in the Commissioners of Church Temporalities, and also those vested under the Burial Grounds Acts, with all the rights and properties appertaining thereto, or any future B.Gs., shall be vested as in sect. 160. The B.B. shall hold such vested properties in trust for the district concerned.

162. On representation duly made to them the L.G.B. may restrain by order the opening of new B.Gs. or may order the discontinuance of burials in an existing B.G. where it appears that the public health is endangered, or public decency likely to be offended.

163. In the cases mentioned in sect. 162 or otherwise when expedient, the L.G.B. may direct a local enquiry to be held of which they shall give notice in the *Dublin Gazette* and locally by posters 3 weeks before date of inquiry. Their inspector may hold such and report result for the guidance of the L.G.B. who may issue an order accordingly.

164. The L.G.B. may postpone or vary at any time any order issued for the discontinuance of burials.

165. Any such order shall not apply to Quaker B.Gs. unless it be expressly so stated.

166. And in like manner such orders do not apply to French Protestant B.Gs. in Merrion Row, and in Peter Street, Dublin, unless so stated.

167. Penalty of up to £10 may be recovered in a Court of Sum. Jur. against any one wilfully contravening an order issued under sects. 162 or 163, by burying a body in a closed B.G., or assisting in such burial.

168. Any order issued under sects. 162 or 163 shall not affect existing rights to bury in vaults.

The L.G.B. may give licences to persons to continue burials in closed B.Gs. under certain conditions where such persons had acquired or purchased rights of burial prior to the Burial Grounds (Ireland) Act, 1856.

169. No new B.Gs. shall be opened in any district contrary to an order of the L.G.B.

170. Where any grave, vault, or place of interment is in private use of any family no corpse of any person not related to such family shall be buried therein without the written consent of an immediate relative of the member of such family last interred therein.

For contravention of this section the Court of Summary Jurisdiction may order a penalty of up to £10, and may also order the exhumation and reinterment of any corpse so wrongfully buried.

171. No animal to be allowed to graze on any B.G. which has a sufficient fence.

Penalty of from 1 to 2 shillings for each animal so found.

172. In any district where no B.G. has been closed, any 10 ratepayers or any 2 members of the B.B. may requisition the B.B. through their clerk to provide a new B.G.

Said clerk shall summon a special meeting of the B.B. to consider the requisition.

If a majority present so decide a new B.G. shall be provided by the B.B.

173. Where any B.G. has been closed by order, the B.B. may provide a new B.G.

174. The B.B. may provide and assume, and continue the control of a B.G. without the district of the B.B.

But no new ground shall be used within 100 yards of any dwelling-house without the written consent of the owner, lessee, and occupier of such house.

175. A B.B. may contract for and purchase or take any lands to form a new or enlarge an old B.G., or they may purchase an existing B.G. from a company or other owners of a B.G. (subject to any existing rights in vaults and graves); or a B.B. may contract with a company or person for rights of interment in any cemetery.

176. Where any B.G. has been closed under this Act or the Burial Ground Acts, and a new B.G. has been provided in its place all liabilities of the old B.G. shall be transferred to the new B.G.

177. The general management of B.Gs. provided under the Burial Ground Acts or this Act, shall be vested in and exercised by the respective B.Bs. providing the same: Provided inscriptions on monuments shall be subject to approval by the proper minister of the religious body using any particular part of any B.G.; and also that such ministers shall have rights of performing their own special services at every burial where a special part of the B.G. is reserved for the special use of their congregation.

178. Any B.B. may sell, absolutely or for a term of years, exclusive rights in a part of their B.G. for simple burial, construction of a chapel or vault, or erection of any monument subject to sect. 177, and provided that not less than one half of the area of any B.G. shall be the limit which may be sold by any B.B.

179. Any B.B. or cemetery company may make regulations for facilitating the conveyance of bodies to the B.G., subject to the other provisions of this Act.

180. Any B.B. may provide proper places for the reception of the dead before interment, by purchase or otherwise, subject to the provisions of this Act and regulations under the same.

181. The L.G.B. may make regulations as to interments and B.G. mortuaries, and the B.B. and all other persons shall obey such.

Penalties for non-observance or breach of such, up to £10.

182. No funeral procession or any person or vehicle in such shall be liable to any toll or portage while going to or from any cemetery.

183. The B.B. may enclose, lay out, and embellish any B.G. in their district : Provided where a B.G. has been provided under this Act, the B.B. may, with the consent of the L.G.B. divide such B.G. among two or more religious denominations, each division to be consecrated by a minister of the denomination which shall exclusively use such.

184. Any B.B. may contract for and purchase lands and buildings for the purpose of extending any B.G. even though such B.G. may not have been acquired under this or any other Act of Parliament : except in case where the B.G. is part of grounds of a place of worship or in a private demesne. Where such additions are made the B.B. shall have similar powers under this Act with respect to the same as if it were a new B.G.

185. Where any B.G. (not being on grounds of a place of worship or in a private demesne) is improperly kept or fenced, the B.B. may serve notice on the owner requiring him to put the B.G. in proper condition within specified time (not less than six months). If he fails to do so the B.B. may carry out the necessary work at *their own* expense. The officers of the B.B. shall have right of entry to carry out such works but may pay compensation if necessary.

The L.G.B. shall decide any matters of dispute between the owner and B.B.

186. Where under sect. 185 notice cannot be served on the owner, the B.B. may advertise their intention of fencing or repairing the B.G. at a specified time, not less than six months after such notice, and at such specified time may do such works. And thenceforward the B.B. shall act as owners of such B.G. unless and until the first owner pays the B.B. all expenses incurred with 5% interest, and resumes ownership.

187. Any B.B. may accept management of any B.G. from any owner, and apply any and all such powers under this Act thereto. The B.B. may transfer such B.G. back to the owner on his paying all money expended thereon with 5% interest.

188. Subject to the approval of the L.G.B. any B.B. may fix and receive fees for interments in any B.G. they manage. A table showing such fees shall be affixed in such B.G.

189. The B.B. shall have entered in a book or books minutes of all their proceedings, receipts and disbursements under this Act, such books shall be open to inspection of all ratepayers in the district.

190. A B.B. may appoint and remove officers under this Act, and may hire an office wherein to transact B.B. business.

191. The B.B. shall provide a book wherein must be regis-

tered all burials in any B.G. provided by them. Such register shall indicate in which part of B.G. each body is interred. Copy from such shall be evidence in court.

When directed by the L.G.B. the B.B. clerk, or person in charge of B.G., shall submit a detailed return of burials to the Registrars of deaths of the places where the deaths occurred, and he shall be paid therefor by the S.A. 3*d*. for each such death.

192. The guardians of any union or council of any borough may under this Act, appropriate for the purposes of a B.G. any land their property, or vested in them.

193. Such provisions of the "Cemeteries Clauses Act, 1877," as deal with the protection of cemeteries shall be incorporated with this Act, and shall accordingly apply: when "the company" shall be taken to mean the "Burial Board."

194. The assessment for rates, &c., on lands purchased for use as a B.G. shall not at any time be greater than it would be at the time of purchase.

195. With the sanction of the L.G.B. the B.B. may let any unconsecrated and unused lands which they do not require, on condition of its reverting to them at any time afterwards on 6 months' notice.

196. The B.B. shall bear the expense of keeping in order all B.Gs. in the district, which are not vested in any other person.

197. Applies to the B.G. for 11 parishes in Waterford Union.

198. By this sect. the extra-urban Gortnemanagh B.G., Co. Limerick, is to be deemed under this Act as if it were within the borough of Limerick.

199. The provisions of Part III. shall not apply to any private and exclusive family mausoleum or burial place not being within a public B.G.

PART IV.—GENERAL PROVISIONS.

CONTRACTS.

200. (173.) Any S.A. may enter into any contracts necessary for carrying this Act into execution.

201. (174.) The following provisions shall apply to every S.A. making contracts:—

(1.) When amount exceeds £50 the contract shall be in writing and bear the seal of the S.A.

(2.) It shall specify the work, materials, matters, or things to be furnished, had, or done, also the price, and it shall fix a time limit and a money penalty for any non-performance.

(3.) Prior to sealing a contract the S.A. shall always obtain from a competent person a written estimate of the probable initial cost and annual expense for any work under this Act, as well as advice as to whether a contract for the work merely

or for the work and maintaining the same for a number of years, be the more advantageous.

(4.) Where work will cost £100 or more, tenders must be invited by advertisements published for at least 10 days before the time for giving the contract, and contractors must give sufficient security.

(5.) All contracts duly executed under this section shall be binding on the S.A. and their legal successors, as well as on the executors, administrators, successors, and assigns of the other party.

The S.A. may compound with a contractor for non-compliance on his forfeiting an approved sum.

202. (175.) Any S.A. for sanitary purposes may purchase, take, lease, sell, or exchange lands, and may purchase any water-mill, dam, weir, or any land covered with water, or right to water, either within or without their district. And they may subsequently sell any of the above which may be in excess of their requirements.

203. (176.) Purchases made under sect. 202 shall be subject to the following regulations :—

(1.) The "Lands Clauses Acts" shall be incorporated with this Act except sect. 127 of 8 and 9 Vict., c. 18, and provisions relating to access to the special Act.

(2.) The S.A. when about to acquire land compulsorily under the Lands Clauses Acts shall publish during 3 consecutive weeks in November, in a local newspaper, an advertisement describing shortly intended works, lands required, and where plans of the works may be inspected; and during December serve a notice on every owner, lessee and occupier stating the lands required, and requesting the person to state if he consents or dissents.

(3.) The S.A. may present a petition, not less than 14 days after such notices have been served, to the L.G.B. Such petition shall contain detailed information about lands, owners, occupiers, opposition, &c., and it shall seek the consent of the L.G.B. for the compulsorily acquirement of lands under the Lands Clauses Acts.

(4.) Having received the petition and also proof of advertisement and serving of notices the L.G.B. may direct a local inquiry or dismiss the petition.

(5.) After such local inquiry the L.G.B. may issue a provisional order to the S.A. to enable them to acquire lands compulsorily under the Lands Clauses Acts either absolutely or with such restrictions as they may deem advisable to add. Thereupon the S.A. shall serve a copy of such order on every person affected thereby.

Provided notices to be served under this sect. in November or December may be served in September and October, or in October

and November. In any case inquiry shall not be held sooner than one month after the last such month. It will be sufficient to serve notices on three persons of a number having a common right.

204. (177.) Any S.A. may let lands not required, with the consent of the L.G.B.

POWERS OF THE L.G.B. IN RELATION TO LOCAL ACTS, &c.

205. (303.) On the application of any S.A. the L.G.B. may issue a provisional order wholly or partially repealing, altering, or amending any local Act (except those for the conservancy of any river, and those serving private interests) which relate to the same subjects as this Act.

206. Repealed by L.G. (I.) Act, 1898.

207. On the application of any S.A. acting as a B.B. the L.G.B. may issue a provisional order transferring any B.G. to which this Act applies from any one B.B. to any other such.

208. (205.) Inspectors of the L.G.B. may attend any meeting of a S.A. or committee of a S.A. transacting any business under this Act.

209. (293.) The L.G.B. may direct inquiries to be held under this Act when and wherever they see fit.

210. (294.) The L.G.B. may by order determine the incidence, and persons liable for any costs of such an inquiry. Any person named may apply to a superior court to have such order made a rule of court.

211. (299.) Repealed by the P.H.(I.) Act, 1896.

The section stated the proceedings followed on complaint to the L.G.B. of default by a S.A.

212. (295.) All orders of the L.G.B. under this Act shall be binding and conclusive and shall be published as they may direct.

213. (296.) Inspectors of the L.G.B. shall have like powers as Poor Law Inspectors have under the Poor Law Acts in relation to witnesses, their examination, productions of paper, and accounts, and inspection of all places and matters requiring inspection.

PROVISIONAL ORDERS OF THE L.G.B.

214. (297.) Regulations applicable :—

(1.) Purport of proposed order to be advertised in a local newspaper for two consecutive weeks beforehand.

(2.) So that L.G.B. may be able to consider objections or to make a preliminary local inquiry.

(3.) L.G.B. may submit provisional order to Parliament for confirmation, and it shall have no force until so confirmed.

(4.) If a petition be presented during such confirmation

the Bill may be referred to a select committee when petitioner may appear as if it was a Private Bill.

(5.) Any confirming Act, or any Order in Council under these Acts may be repealed, altered or amended by a further confirming Act issued at the instance of the L.G.B.

(6.) The L.G.B. may revoke or amend any provisional order at any time before such order comes before Parliament.

(7.) When the L.G.B. make a provisional order it is *prima facie* evidence that all necessary preliminaries have been carried out.

(8.) Every confirming Act shall be deemed a public general Act.

215. (298.) The costs of any S.A. in respect of, or preliminary to any provisional order, shall be deemed costs under this Act, and if necessary with the sanction of the L.G.B. they may contract a loan to defray such.

ARBITRATION.

216. (179.) In disputes about compensation under this Act each party shall appoint an arbitrator unless both agree to have one arbitrator.

217. (180.) Regulations as to arbitration :—

(1.) Arbitrator to be appointed under the common seal of the S.A., or if by a party under his hand.

(2.) The delivery of such appointment to the arbitrators shall be deemed a submission to arbitration.

(3.) Any such appointment can only be revoked by mutual consent of both parties.

(4.) If a second party fail to appoint an arbitrator after 14 days notice of appointment by the other party such appointed arbitrator shall act for both.

(5.) If the arbitrator of one party dies, refuses, or ceases to act another must be appointed by such party within seven days on receiving notice to do so, or the arbitrator of the other party shall act for both.

(6.) If a single arbitrator dies or becomes incapable, or fails to make his award within twenty-one days after his appointment, all the arbitration proceedings must be begun again *de novo*.

(7.) Where two arbitrators, before they enter on the reference they shall appoint an umpire. If this umpire dies or becomes incapable to act (or refuses to act, P.H.I.A., 1896) they shall appoint another umpire : if they neglect to do so within seven days the L.G.B. may appoint such.

(8.) Unless the arbitrators make their award within twenty-one days of their appointment (unless extended time allowed them) the umpire shall determine all matters referred.

(9.) Limit of extended time allowed either arbitrators or umpires is two months from appointment.

(10.) Every arbitrator or umpire must sign declaration of fidelity before a justice before acting as such.

(11.) Declaration must be annexed to the award, wilful infidelity shall be deemed a misdemeanour.

(12.) All documents necessary must be produced, and parties and witnesses may be examined on oath.

(13.) Costs shall be apportioned by the arbitrator or umpire.

(14.) Their award shall be final and binding.

218. (181.) Any question specified as referable to arbitration under this Act, may when less than the amount of £20 be referred to a Court of Summary Jurisdiction who may call in, at the expense of the parties, an independent surveyor to advise them.

BYE-LAWS.

219. (182.) All bye-laws made under this Act shall be under the common seal of the S.A. Any such bye-law may be altered or repealed by a subsequent bye-law made under this Act. But no bye-law made by a S.A. shall be effective if repugnant to the laws of Ireland or to any provision of this Act.

220. (183.) Any S.A. may attach penalties for breach of bye-laws : which must not be more than £2 if as a daily penalty, or £5 if for a single offence.

221. (184.) Bye-laws not valid till confirmed by the L.G.B. who require as preliminaries :—

(a.) Notice of intention to apply to them inserted in a local newspaper at least one month before applying.

(b.) During the same time a copy of the proposed bye-laws must be available for inspection by the ratepayers at the office of the S.A.

(c.) The clerk must give to any ratepayer on demand a copy of the proposed bye-laws at the rate of 6d. per 100 words.

222. (185.) Printed copies of all bye-laws under these Acts shall be hung in the office of the S.A. and shall be on sale to ratepayers for not more than one shilling for each copy.

223. (186.) Any such copy certified by the clerk of the S.A. shall be admissible as evidence in court.

224. (187.) Bye-laws made under sect. 125 Municipal Corporations Ireland Act, 1890, by any borough Council shall be confirmed as if under this Act.

225. (188.) The provisions of sects. 219 to 225 shall not apply to regulations which a S.A. is by this Act authorised to make : though the S.A. may publish such regulations in such manner as they see fit.

PART V.—FINANCIAL.

EXPENSES OF URBAN AUTHORITY.

226. (207.) Expenses payable by an U.S.A. under this Act shall be defrayed as follows :—

(1.) Out of the borough fund or rate in the case of a borough.

(2.) In any other S.A. having commissioners out of any rate leviable by them as such.

Provided that arable, meadow, or pasture lands, woods, market gardens, and nurseries, also canal towpaths and railway lands, shall be assessed at only one-fourth their net annual value.

Also provided that where in an U.S.D. there is already a special rate for some sanitary purpose expenses under this Act shall be payable out of such, except the L.G.B. order otherwise.

227. (227.) Any statutable limit for rating shall not apply to expenses for sanitary purposes.

228. Assessments under sect. 60 Towns Improvement Ireland Act, 1854 (for water) may reach but not exceed two shillings in the pound.

PRIVATE IMPROVEMENT EXPENSES.

229. (213.) Where an U.S.A. are liable for any expenses which are or may be declared private improvement expenses under this Act, they may levy on the occupier of the premises concerned in addition to his other rates a rate called a "private improvement rate" calculated to cover such expenses (with 5% interest per annum) within 30 years.

Such rate shall be paid by the owner when a premises becomes unoccupied.

230. (214.) When the occupier pays a rent not less than the rackrent he may deduct $\frac{3}{4}$ ths of the amount of this special rate from his rent. If his rent is less than the rackrent he may deduct *pro rata*. And so if the landlord holds the premises from another landlord for a term of not less than twenty years.

Any such deduction may not ever exceed the whole rent.

231. (215.) An occupier or owner may at any time redeem the balance of private improvement rate, owing to an U.S.A. Any moneys thus received must be applied by the U.S.A. towards defraying such private improvenent expenses.

EXPENSES OF RURAL AUTHORITY.

232. (229.) They may be general or special.

(1.) General expenses shall be those for the establishment and officers of the R.S.A. and all other expenses not determined as special by this Act or the L.G.B.

(2.) Special expenses shall be those in connection with sewerage, water supply, or public lighting.

The R.S.A. may apportion expenses of water supply or sewerage between the benefiting contributing places as special expenses.

Ten or more ratepayers or those paying at least one-fifth of the rates in any such contributing place may petition the L.G.B. against such special rate, who may make any order they see fit thereon. General expenses are paid out of the common poor rate. Special expenses are special charges on some contributory place or places.

A contributory place may be :—

- (1.) A dispensary district.
- (2.) Electoral division.
- (3.) A townland, or
- (4.) A part of a townland fixed by the L.G.B.

The L.G.B. shall always have power to determine the area of charge.

233. (230.) Details the methods of raising contributions in R.S.Ds. The full text of this section should be consulted.

234. Explains manner of meeting expenses of Burial Boards. See full text of this and 14 following sections.

235. (283.) Deals with expenses of a joint board.

236. (284.) Payment of contributions to a joint board.

237. (233.) Powers of S.A. to borrow on the credit of rates.

238. (234.) Regulations as to the exercise of borrowing power.

239. (235.) Power to borrow on credit of sewerage land and plant.

240. (236.) Form of mortgage to be used.

241. (237.) Register of mortgages to be kept and all mortgages registered therein.

242. (238.) Manner of transferring mortgages.

243. (239.) Cases where a receiver may be appointed.

244. (240.) Rentcharge may be granted in respect of advances made for private improvements.

245. (241.) Rentcharges may be registered.

246. (243.) Conditions under which the Commissioners of Public Works may grant loan to a S.A. on the advice of the L.G.B.

247. (244.) Borrowing powers of joint boards and certain other authorities.

248. (245.) All accounts of the S.A. shall be audited by the L.G.B. auditors when and in such manner as the L.G.B. shall direct.

PART VI.—LEGAL PROCEEDINGS.

PROSECUTIONS AND RECOVERY OF PENALTIES.

249. (251.) Where under this Act it is directed, and also where the Act makes no such special provision, all prosecutions,

complaints, and applications, shall be taken before a Court of Summary Jurisdiction consisting of two J.P.s or one special Justice empowered to act.

250. (252.) Complaints or information shall be made or laid within six months of the cause of such.

251. (253.) Proceedings for recovery of penalties shall not (unless where this Act so directs it) be taken by anyone except by the person aggrieved or by the S.A. of the district wherein offence is alleged without the Attorney-General's written consent. Such consent is not required for such proceedings under sects. 124 and 131, q. v.

252. (254.) Where not otherwise provided for, half the penalty shall go to the informer and half to the S.A. But if the S.A. be the informer the whole shall go to the S.A.

253. (255.) Where two or more persons are accused of causing a nuisance the S.A. may select and prosecute one or the whole, and the court may order the one person to abate the nuisance, which may have been caused by several persons, and the court may also make any fair and reasonable order as to the distribution of the costs.

If one of a number prosecuted should die, proceedings shall be continued as if such person was not so included.

In prosecutions the words the "owner" or the "occupier" of any premises, shall be sufficient description without mentioning his name.

254. (256.) All rates payable to an U.S.A. must be paid within 14 days of demand, or may be recovered in a Court of Summary Jurisdiction.

255. (257.) Provisions for recovery of expenses or private improvement rates from owners.

256. (258.) A J.P. shall not be disqualified from adjudicating under this Act by reason of his being a member of the S.A., or of his being one of a number of persons liable to contribute to or benefit by any rate or fund from which expenses of the S.A. are paid.

257. (259.) The S.A. may appear in court or prosecute through their clerk, or any officer or member authorised generally, or in special cases, so authorised by resolution of the S.A.

258. Every officer of the S.A. when so directed by the S.A. shall attend and assist in any prosecution instituted by such S.A.

Provided that the M.O. shall be entitled to a fee for so doing from the S.A. (amount to be approved by the L.G.B.) unless he devotes his whole time to his office or unless such fee is included in his salary.

259. (260.) Under this Act it shall not be necessary for a plaintiff to prove the corporate name of the S.A. or the limits of their district.

260. (261.) The S.A. may recover their demands in a civil bill court.

261. (262.) "No rate, order, conviction, or thing made or done or relating to the execution of this Act shall be vacated, quashed, or set aside for want of form, or be removed or removable by *certiorari* or any other writ or process whatsoever, into any of the superior courts (unless where this Act provides otherwise.)"

"Provided that nothing in this section shall prevent the removal of any case stated for the opinion of a superior court, or of any rate, order, conviction, or thing to which such special case relates."

262. (263.) False evidence given under this Act shall be punishable as wilful and corrupt perjury.

263. (264.) One month's written notice (giving clearly the cause of action, name and address of plaintiff and of his attorney or agent) shall be given to every S.A., or member or officer of a S.A., or agent of any such, by any person suing him or them by writ or process.

Proceedings shall fail unless such notice be proved unless they commence within six months of the accruing of the cause of action: trial to take place in the county wherein cause of action occurred.

Defendant may tender amends at any time up to one month after notice, or pay a sum into court any time before trial, when if plaintiffs case fails defendant shall be entitled to full costs of suit.

264. (265.) Members of the S.A. and their officers shall be exempted from personal liability when acting as they think with *bona fides* under this Act.

Provided this section shall not prevent a member of the S.A. being surcharged for payments disallowed by the auditor.

265. Manner of publishing orders of the L.G.B. under this and the Poor Law Acts given here in detail. A printed copy of the *Dublin Gazette* containing copy of any order shall be conclusive evidence of publication of such order.

266. (266.) Any notice, order, or document under this Act may be in writing or printing or both, and may be authorised for the S.A. by their clerk or inspector of nuisances (or their executive sanitary officer by P.H.I.A., 1896).

267. (267.) Notices, orders, or documents under this Act shall be served by delivery to the person, or at his address, or if addressed to an owner or occupier, to some person on the premises, or by conspicuously affixing such on the premises, or by post (when proof of posting shall suffice). Notices, &c., may be addressed "the owner" or "the occupier" of named premises.

APPEAL.

268. (268.) Appeals against order for expenses made under sections providing for the summary recovery of expenses must be lodged with the L.G.B. within 21 days, and a copy sent to the S.A., when proceedings shall be stayed pending decision of the L.G.B. who may make such order as they consider equitable, and if right, order compensation to be paid by the S.A. The order of the L.G.B. shall be final and binding.

269. (269.) A person aggrieved by any rate, order, conviction, or judgment made under this Act may appeal subject to these conditions:—

(1.) To the Quarter Sessions for the place held next after 21 days following such demand or decision.

(2.) Notice of appeal to be given within 17 days after the cause of appeal has arisen.

(3.) Appellant must immediately after giving notice enter a recognisance before a J.P. with two sureties or such other security at the J.P. may allow.

(4.) The J.P. may release appellant on bail.

(5.) The chairman of such court shall make such order as shall seem equitable (see text of Act).

(6.) The court may adjourn the case or remit it to the lower court, or it may award costs.

(7.) The court's decision shall be final, unless it consents to a case being stated for a supreme court.

PART VII.

MISCELLANEOUS PROVISIONS.

270. Any payments made for acting as counsel, solicitor, or agent to any S.A. shall be illegal if the person paid be a member of such S.A. Any person accepting such payment or being concerned in any bargain or contract entered into by or for such S.A., or participating in any profit therefor shall *de facto* cease to be a member of such S.A.

271. (305.) Whenever any officer of the S.A. requires to enter, examine, or lay open any lands or premises for the purposes of of this Act, and the owner or occupier refuses to permit the same to be done, after having served written notice on such person the S.A. may apply for and obtain from the court an order requiring such person to give the necessary permission provided the court is satisfied of the necessity.

Such order empowers officers of the S.A. to do the necessary works between 9 a.m. and 6 p.m. Except in cases of emergency 24 hours' notice should be given to the occupier of the intention of acting on, and the nature of the works to be done, under the order of the court.

272. (306.) There shall be a liability for a penalty of up to £5 against anyone wilfully obstructing any member or officer of the S.A. acting under this Act, or anyone injuring any notice-board erected by the S.A.

Where an owner requires to carry out any provision under this Act he may obtain a written order from a J.P. requiring the occupier to permit him execute such works. Occupier must give such permission within 24 hours, or become liable to a daily penalty of up to £5.

Penalty of up to £5 against an occupier for wilfully concealing or wrongfully giving the name of the owner of his premises.

273. (307.) Penalty of up to £5 for wilful damage of any property or works belonging to the S.A. unless in cases where this Act provides a special penalty.

274. (308.) Any person who is not in default suffering damage through the operation of any part of this Act, shall be entitled to compensation. When the amount of such is disputed if it is less than £20, it may be settled in a Court of Summary Jurisdiction, otherwise by arbitration.

275. (309.) If in consequence of the working of this Act, or any provisional order made under this Act, any officer of the S.A. suffers loss of office or of income, he shall be entitled to such compensation (as an annuity or otherwise) as the L.G.B. shall direct, to be paid out of the rates.

276. The consent of the L.G.B. shall be obtained instead of that of the Lord Lieutenant, Chief Secretary, Privy Council, or Treasury hitherto necessary under local Acts for borrowing money, appointing sanitary officers, or giving effect to bye-laws.

The opinion of the L.G.B. as to what are "sanitary purposes" shall be conclusive.

277. (304.) All differences arising out of the transfer of properties or powers to a S.A. shall be settled by the L.G.B.

278. (316.) In the construction of any Act incorporated with this Act the term "the Special Act" includes this Act, and in the case of the Lands Clauses Acts any provisional order confirmed by Parliament authorising the compulsory purchase of lands: "the limits of the special Act" means the limits of the district; and the U.S.A. or R.S.A. shall be deemed "the promoters," "the commissioners," or "the undertakers," as the case may be.

279. (317.) Schedules to this Act shall be read and deemed part of this Act.

PART VIII.—SAVING CLAUSES.

280. (326.) All members, officers, and bye-laws of any U.S.A. or R.S.A., and all U.S.Ds. and R.S.Ds. existing at the passing of this Act shall continue as such (unless otherwise contrary to

any provision of this Act) and be deemed to be authorized under this Act as such.

281. (327.) Nothing in this Act shall empower any S.A. to interfere with :—

(1.) or use any sluices, sewers, groynes, sea-walls, or other works made by Crown Commissioners of Sewers, or for draining or improving land under any private or local Act, or for irrigating land ;

(2.) lands or properties vested in the Lord High Admiral or in the Secretary for War ;

(3.) any rights conferred by Parliament to use for navigation any river, canal, harbour, dock, basin, or towing-path of such ;

(4.) any watercourse so as to restrict the rightful supply of water to any river, canal, dock, harbour, or basin,

(5.) the legal rights of anyone to use or collect tolls on any bridges, across any river, canal, &c., they are entitled to navigate ;

(6.) any wharves, quays, docks, harbours, or basins, exclusively controlled in virtue of an Act of Parliament by any person or persons without previously obtaining the consent of the person or persons entitled and empowered to give such consent.

282. (328.) When the S.A. propose works not provided for in the last section which may be calculated to injure the class of property mentioned in that section, they shall give notice to the parties concerned who may refuse consent. In such cases disputes shall be settled by one or more arbitrators who shall determine :—

(1.) if any injury is likely, and

(2.) the amount of reasonable compensation sufficient.

283. (329.) The decision of the arbitrator shall be final, and

(1.) The S.A. may proceed with the works if it is decided that no injury will result.

(2.) If it is decided injury which may be covered by compensation-money will result, the S.A. may do the works only after paying such money.

(3.) The S.A. shall do no such work if the arbitrators find injury will result which cannot be compensated for by money.

284. (330.) No powers or privileges under this Act shall interfere with the legally vested rights of any individual to navigate or take tolls or dues for any river or canal.

285. (331.) Anyone having legally vested rights in any river, canal, dock, harbour, or basin may, when necessary, divert or alter sewers, drains, culverts, or pipes, the property of the S.A. when it is necessary to do so, provided they substitute equally effective ones.

286. (332.) Nothing in this Act shall authorize the S.A. to

interfere with or injure the water-rights, or anyone entitled to enjoy such rights in any reservoir, canal, river, or stream, or the feeders of such.

287. (333.) Disputes under sects. 285 and 286 shall be settled by arbitration.

288. (334.) Nothing in this Act shall authorize the S.A. to interfere with or obstruct or injure any mining, smelting, calcining, or iron-rolling works.

289. (335.) The "Sewerage Utilization Acts" shall apply to corporate bodies and government departments required by any Act of Parliament to divert its sewers or drains from any river, or to construct new sewers, and the similar provisions in this Act applicable shall also apply.

290. (337.) Liability for payment for having a premises outside the district drained into a sewer of the S.A. shall continue after the passing of this Act as before.

291. (338.) Orders, rates, &c., legally done or made before this Act shall be valid after the passing of this Act.

292. (340.) Where a local Act is in force in a district proceedings may be taken under the same or under the corresponding sections of this Act, or under both, provided :—

(1.) A person may be punished only under one Act.

(2.) That no local Act can exempt the S.A. from duties obligatory under this Act.

293. (341.) All powers given by this Act shall be cumulative and in addition to powers under any other Act : notwithstanding persons may be liable to penalties under other Acts as if this Act had not passed : but no one for the same offence shall suffer a double penalty.

294. (343.) Repeals Acts in Schedule A (attached) under certain restrictions.

This repeal shall not affect :—

- (a.) anything duly done or suffered under such Acts,
- (b.) any accrued, incurred, or acquired right or liability, or
- (c.) any security given, or
- (d.) any penalty incurred under such Acts, or
- (e.) any inquiry proceedings, or remedy, applicable to (b.) (c.) or (d.) above which shall continue as if this Act had not been passed.

Schedule A gives a table of the Acts and parts of such repealed. Schedule B gives various forms to be used under this Act.

THE PUBLIC HEALTH (IRELAND) AMENDMENT ACT,

1879.

1. Short title : as above.

2. Repealed by L.G.I.A., 1898.

3. All orders made before 1878 under the Burial Grounds, Ireland, Act, 1856, and Acts amending the same for the discontinuance of burials in any place, or otherwise in relation to any churchyard or burial ground, shall be as effectual as if they were made by the L.G.B. under the P.H.I.A., 1878, and orders made prior to 1878 but coming under the scope of the provisions of Part III. of the P.H.I.A., 1878, shall apply as if they were made by the L.G.B. under the said Part III.

4. The guardians of any union, or their relieving officer (if it be urgent) shall have power to defray the burial expenses of any person dying, whose relatives cannot be found or who dies destitute, although such persons may not have been in receipt of outdoor relief at the time of death.

5. Where any U.S.A. have power under any Act to pave or flag the footways such Act shall for such purposes be deemed a Sanitary Act.

6. Refers to permissive bye-laws for the regulation of vehicular (other than animal-drawn) traffic such as traction engines, &c.

7. Burial returns required under sect. 191, P.H.I.A., 1878, shall be furnished either to the local Registrar or the Registrar-General, as and when the L.G.B. shall direct.

PUBLIC HEALTH (IRELAND) AMENDMENT ACT, 1884.

1. Short title : as above.

2. and 3. are repealed by L.G.I.A., 1898.

4. and 5. Neither of these two sections are of a sanitary character.

6. Is repealed by L.G.I.A., 1898.

PUBLIC HEALTH ACT, 1889.

1. Short title : as above.

This Act shall be construed as part of sect. 148, P.H.I.A., 1878.

2. Regulations made by the L.G.B. under sect. 148, P.H.I.A., 1878, or sect. 52 of the Sanitary Act, 1866, in relation to cholera and choleric diarrhoea may provide that such regulations may be enforced and executed by the officers of Customs as well as by other authorities and officers, and without prejudice to the generality of powers conferred by the said section, may provide for the detention of vessels and of persons on such and for the duties of pilots, masters, and other persons on board vessels, provided :—

(1.) Any such regulations applicable to officers of Customs must be sanctioned by the Commissioners of Customs.

(2.) And such officers acting under any such regulations may exercise any powers conferred on them by any other Act.

PUBLIC HEALTH ACTS AMENDMENT ACT, 1890.

PART I.

1. This Act is divided into five parts. Parts I. and III. only relate to sanitary matters.

2. Part I. only is in force in every district in Ireland. Part III. is adoptive (so also are the non-sanitary Parts II., IV., and V.).

3. Any U.S.A. may adopt Part III. (or Parts II., IV., or V.). Any R.S.A. may adopt the sections of Part III. which are applicable to Rural Districts (*viz.*, sections 16, 17, 18, 19, 21, 23 (1), 23 (2), 23 (3), 23 (4), 25, 26 (2), 28, 32, 33, 47, 48, and 49).

Method of adoption :—

(a.) One calendar month before meeting of S.A. special notice to be sent to each member.

(b.) Resolution to be passed adopting Part III. by the S.A.

(c.) Advertisement of passing such resolution in a local newspaper, and by notice affixed to doors of churches and chapels, and otherwise as desirable.

(d.) Resolution to come into operation not less than one calendar month after first advertisement.

A copy of the advertisement is evidence of adoption.

No objection may be made by anyone after 3 months from the first advertisement.

(e.) Copy of the resolution to be sent to the L.G.B. (where Part II. adopted also to Board of Trade, and where Part IV. also to the Chief Secretary).

4. All expenses shall be paid under this Act as under P.H.I.A., 1878.

5. Is not applicable to Ireland.

6. All legal proceedings are to be conducted as under P.H.I.A. 1878.

7. Any person may appeal, as provided by Summary Jurisdiction Acts, to a Court of Quarter Sessions (except in cases where the appeal is to the L.G.B. under sect. 268 of P.H.I.A., 1878), who is aggrieved by :—

(a.) Any order, judgment, determination, or requirement by the S.A. under this Act.

(b.) The withholding under this Act of any order, certificate, license, consent, or approval given by the S.A.

(c.) Any conviction or order of a court of Summary Jurisdiction under this Act.

8. Any information, warrant, complaint, or summons under this Act or the Public Health Acts may contain in the body thereof or in a schedule more than one sum.

9. All provisions as to bye-laws in sects. 219 (authentication

and alteration of bye-laws) and 223 (evidence of bye-laws) of the P.H.I.A., 1878, shall apply to those made under this Act.

10. (1.) All powers given to a S.A. under this Act shall be in addition to any other powers possessed by such S.A.

(2.) No person shall be exempted from any penalty, to which he is otherwise liable, on account of this Act. Provided no person shall be liable to pay two daily penalties for the same offence at the same time.

11. "Ashpit" (under this and any previous Acts) to include ashtub or other receptacle for the deposit of ashes, fæcal matter, or refuse.

"Paving" shall include ashphalte or other material used and layed, to the satisfaction of the S.A.

"L.A." means "U.S.A." or "R.S.A."

"U.A." means "U.S.A." and "R.A." means "R.S.A."

"Sanitary convenience" includes urinals, water-closets, earth-closets, privies, ashpits, and any similar conveniences.

"Daily Penalty" means a penalty for each day of continuance of offence after conviction.

"Surveyor," "lands," "premises," "owner," "street," "house," "drain," and "sewer," have each same meaning as under the P.H.I.A., 1878.

PART III.

16. Penalty of up to £10 and a daily penalty of up to £1 against anyone allowing into any sewer or drain anything which may injure it or obstruct it in any way.

17. (1.) Penalty up to £10 and a daily penalty of up to £5 against anyone allowing into any sewer or drain any chemical refuse or any waste steam condensing water or other fluid heated above 110° F.

(2.) Any officer of the S.A. may enter any premises to ascertain if section 17 (1.) is contravened. If such officer is refused permission to enter he shall notify in writing the person refusing of his intention of applying to a justice for an order. A justice may give such an order and it shall be in force until the offence ceases, or suitable precautions have been taken against its recurrence.

(3.) Persons are not liable to penalties under this section until after seven days from the serving of a notice on them by the S.A. of the provisions of this section. One notice shall suffice indefinitely for the same person.

18. The S.A. shall, if paid costs in advance, by any owner or occupier, connect the drain of such person with the sewer of the S.A. provided such person is entitled to drain into such sewer. The costs of such work will be determined by the surveyor of the S.A., or in case of dispute by a Court of Summary

Jurisdiction where the amount is under £50, but by arbitration under sections 216, and 217 P.H.I.A., 1878, where the amount is above £50.

Or the work may be done by an agreement between the owner and S.A.

19. Where two or more houses belonging to different owners are connected to a sewer of the S.A. by a single private drain, an application may be made under section 51, P.H.I.A., 1878 (dealing with examination of drains, &c., on complaint of nuisance) and the S.A. may recover any expenses incurred arising from such application from the different owners in proportion to be determined by the surveyor of the S.A., or (if disputed) by a Court of Summary Jurisdiction. In U.S.Ds. these expenses may be declared private improvement expenses and recovered accordingly under sections 229 to 231, P.H.I.A., 1878.

The expression "Drain" includes a drain used for the drainage of more than one building for the purposes of this section.

20. (1.) Where under sect. 49 of P.H.I.A., 1878, an U.S.A. provides and maintains any public sanitary convenience they may:—

(a.) make regulations for the management of the same;

(b.) make bye-laws for the decent conduct of users of the same;

(c.) may let the same on terms agreed on for not more than 3 years, and may

(d.) charge such fees as they desire for the use of the same.

(2.) In any U.S.D. where Part III. is adopted it shall be unlawful to erect any sanitary convenience in or accessible to any street without the written consent of the U.S.A. The U.S.A. may determine terms as to use of such, or order removal of such at any time.

(3.) There shall be a penalty of up to £5, and a daily penalty of up to £1 against anyone contravening sect. 20 (2.)

(4.) Railway companies shall be exempt under section 20.

21. Where any sanitary convenience is used by the occupiers of two or more separate dwelling-houses:—

(1.) There will be a penalty of up to 10 shillings for each time any one wilfully injures or fouls the same or anything used in connection therewith.

(2.) In any such cases of fouling or injuring if an officer of the S.A. certifies that a nuisance exists, or that it is a cause of serious annoyance to anyone, the users of the same who are responsible for such condition, or if they cannot be traced all the users of such shall be each liable to a penalty of up to 10 shillings and a daily penalty of up to 5 shillings.

22. (1.) Every factory, workshop, or similar premises wherein

persons are employed in any trade or business in existence before or after the adoption of Part III. shall be provided with proper sanitary conveniences, with separate provision for each sex where both sexes are employed.

(2.) In any case where the surveyor reports to an U.S.A. that this section is not complied with, the U.S.A. shall serve notice on the owner or occupier of the premises to provide the necessary accommodation within a specified time.

(3.) Penalty for default of up to £20, with a daily penalty of up to £2.

(4.) Amends (and where adopted repeals) sect. 48, P.H.I.A. 1878.

23. (1.) Extends sect. 41, P.H.I.A., 1878, and enables U.S.A.s to make bye-laws for:—

(a.) Providing a sufficiency of water for flushing water-closets.

(b.) The structure of floors, hearths, and staircases, and the height of dwelling-rooms.

(c.) The paving of yards and open spaces adjoining dwellings.

(d.) In laying out new streets the providing of secondary means of access for removing house refuse and other matters.

(2.) The bye-laws made under sect. 41 (5), P.H.I.A., 1878, and sect. 23 (a.) of this Act may be made to be retrospective.

(3.) The provisions of sect. 41, P.H.I.A., 1878 (as amended by this Act) with respect to bye-laws authorised by sub-sections (2.) (3.) and (4.) of sect. 41 of the P.H.I.A., 1878, and sub-sections (a.) and (b.) in this section (above) shall be so extended as to empower R.S.As. to make bye-laws for any of these purposes, as if such powers were conferred on such R.S.A. by an order of the L.G.B. on the day when the parts of Part III. of this Act applicable to R.S.Ds. were adopted. And sect. 42, P.H.I.A., 1878, shall apply to and be in force in every R.S.D. where Part III. has been adopted.

(4.) Every S.A. may make byelaws to prevent persons from altering buildings (erected with the sanction of the S.A.) in such a manner as to violate any provisions of the Public Health Acts.

24. In any district when Part III. has been adopted for one month or more, every person becomes liable, on the expiry of a seven days' notice from the S.A., to a penalty of up to £2 and a daily penalty of up to 10 shillings, who occupies as a dwelling or sleeping-place, or work-place, any room any part of which extends over any privy, cesspool, midden, or ashpit.

This section is retrospective in its working, but it does not apply to water-closets or earth-closets.

25. Building on any ground at present, or at any time filled

up with substances containing faecal, animal, or vegetable matter, shall be illegal unless such matter has been previously removed or rendered innocuous.

Penalty for offence up to £5, and a daily penalty of up to £2.

26. (1.) Any U.S.A. may make bye-laws for :—

(a.) Prescribing a time for the carriage through streets of the U.S.D. of faecal or other noxious matter of any kind.

(b.) Securing proper construction and covering of carts, vessels, &c., used in such carriage.

(c.) Compelling cleansing of any place in U.S.D. soiled from spilling from such carts, vessels, &c.

(2.) Where under P.H.I.A., 1878, the S.A. are responsible for the removal of house refuse the S.A. may make bye-laws imposing on occupiers duties calculated to facilitate such removal.

27. Where any court or back passage adjoining several separate buildings and which is not under the control of the U.S.A., is not regularly cleaned or swept, the U.S.A. may do such work and recover expenses from the adjacent occupiers; the proportion payable by each to be determined by the surveyor of the U.S.A., or by a Court of Summary Jurisdiction.

28. Sections 133 to 135, P.H.I.A., 1878, shall extend and apply to all articles intended for the food of man, being prepared for sale, awaiting sale or sold, anywhere within the S.D.

A justice may condemn any such article and order it to be destroyed or disposed of under sect. 133, P.H.I.A., 1878, if satisfied that it is diseased or dangerous although such has not been seized under sect. 132, P.H.I.A., 1878.

29. The U.S.A. shall determine duration of licences (not being for less than 12 months) granted for private slaughter-houses.

30. In an U.S.D. every person becoming occupier of a licensed or registered slaughter-house shall give written notice of such to the sanitary inspector within one month. **Penalty for default up to £5, to be endorsed on the licence.**

31. The court may revoke the licence of any licensed occupier of a slaughter-house who may be convicted under section 133, P.H.I.A., 1878 (for sale of meat unfit for food), or under sect. 135, P.H.I.A., 1878 (for having on premises unsound meat).

32. **Penalty of up to £2 and a daily penalty of up to 5 shillings** for any keeper of a common lodging-house who fails to give notice required by sect. 95, P.H.I.A., 1878 (in case of occurrence of fever).

33. **Penalty of up to £5, and daily penalty of up to £2, against any person (otherwise than a caretaker or his family) who wilfully uses as a dwelling any building not approved of for such use by the S.A. after inspection of deposited plans.**

34. Every person commencing any building operations on the front of any street shall :—

(a.) Erect on the street hoardings to protect the public from injury, unless the U.S.A. do not require such to be done.

(b.) In addition thereto, if required by the U.S.A., erect a covered platform and handrail.

(c.) Maintain such till all work completed.

(d.) Remove same when required by the U.S.A.

Penalty for non-compliance with any of above provisions up to £5, and a daily penalty of up to £2.

35. Owners or occupiers of premises are obliged to keep in good condition all vaults, cellars, or openings under a street, and all openings, lights, gratings, coverings, &c., of such. Where default after 24 hours' notice the U.S.A. may do all necessary work and recover expenses.

36. (1.) In any U.S.D. where Part III. is adopted every public resort must be constructed and supplied with means of ingress and egress, to the satisfaction of the U.S.A.

(2.) Such means of ingress and egress shall during the whole time such building is used be kept free.

(3.) U.S.A. may send their officer to report if such provisions are carried out.

(4.) Penalty for non-compliance with those provisions shall be up to £20, recoverable from occupier, manager, or owner.

(5.) Court may adjourn any case and give time for alterations to be made.

(6.) Definition of " Place of public resort "—

Means any building used, or intended to be used, as a place of public worship, or a theatre, or public hall, or any public room used for concerts, lectures, exhibitions, or dancing, or any room used or intended to be used as a place of public assembly by tickets or payment. Private dwellings used occasionally for such purposes are excepted.

This section does not apply to a place of public worship built prior to the adoption of Part III.

37. All platforms, balconies, and the like used on any public occasion must be of construction to satisfy the surveyor of the U.S.A.

Penalty for non-compliance up to £50.

38. Any U.S.A. may make bye-laws for the control of steam-driven whirligigs or swings, and also of firearms in shooting-galleries and ranges.

39. Any U.S.A. may make, alter, or remove at any time any raised platforms for foot-passengers in any public highway.

40. Any U.S.A. may make, alter, or remove at any time cabmen's shelters in or near any public highway.

And they may make bye-laws to regulate the terms and conditions, and fees for use of such as well as the proper conduct of users.

41. Relating to the adoption of private streets—is not applicable to Ireland.

42. Any U.S.A. may erect, or allow to be erected, statues in public streets, and may maintain or remove such. They may maintain statues erected prior to adoption of Part III.

43. Any U.S.A. may plant and maintain trees in streets.

44. Any U.S.A. may let or lend (for not more than twelve days in one year) any public park or grounds, to be used exclusively by the persons to whom such possession is given, and only for the objects permitted, such not to be closed on any public holiday or Sunday.

The U.S.A. may arrange to provide pleasure boats on any ponds, lakes, &c., in such grounds.

45. Any U.S.A. may take over and maintain any grounds given for public use by anyone, even if such grounds are without the district.

46. Amends sect. 102, P.H.I.A., 1878, to make it apply to public clocks not vested in the U.S.A.

47. Penalty of up to £2 against throwing into any river or water course cinders, ashes, bricks, stone, rubbish, dust, filth, or other such matters.

48. Amends sect. 272, P.H.I.A., 1878, and makes it apply to any notice put up by direction of the S.A.

49. Provides manner in which expenses of R.S.A. may be determined to be special expenses under sections 232 and 233, P.H.I.A., 1878.

Part II. relates to telegraph, &c., wires.

Part IV. deals with regulations as to places for dancing and music.

Part V. deals with the creation and issue of stock.

MEMORANDA AS TO PUBLIC HEALTH ACTS AMENDMENT ACT, 1890.

The Act consists of five parts, the first of which became on the passing of the Act applicable to all S.A.'s.

The second, third, fourth and fifth parts *only come into force* as they or any of them, are "adopted" by the U.S.A.

Part I. prescribes the manner in which any of the preceding parts may be adopted, and the procedure under the Act generally. It is to be noted that the U.S.A. can only adopt an entire part or parts and not particular sections of any part.

It also enacts two amendments of the P.H.I.A., 1878, by which the meaning of the expressions "ashpit" and "paving"

are extended to include "any receptacle for the deposit of ashes, faecal matter, or refuse," and "asphalte, wood-paving, tarpaving, artificial stone or improved paving of any kind if considered suitable for the locality by the local authority," respectively.

Part II. empowers an U.S.A. to make bye-laws for prevention of danger from telegraph wires, &c. Such bye-laws must be confirmed by the Board of Trade.

Part III. makes provision as already given in full abstract.

Part. IV. extends the powers of the licensing justices as to places used for public dancing or music in towns, which are U.S.D.'s, when the S.A. has adopted this part of the Act

Part V. enables U.S.A.'s, with the consent of the L.G.B., to borrow by the creation of stock in such manner as the L.G.B. from time to time prescribe.

It will be observed from the above summary that by the adoption of Part III. U.S.A.s obtain greatly increased powers, especially as to making bye-laws with respect to buildings, and making certain of such bye-laws as well as certain previously existing bye-laws retrospective; they also obtain powers for securing the safety of the public in theatres, &c., on platforms, in crossing streets, and from dangerous amusements and the use of firearms. The second, fourth, and fifth parts do not apply to R.S.A.s, who may, however, "adopt" so much of the provisions of the third part as is made applicable to R.A.s by section 50, but if they adopt at all they must adopt *all* the sections so made applicable.

Part III. contains the following provisions which take effect when adopted by a R.S.A. :—

Sec. 16.—For the protection of sewers from injurious matters being passed into them.

Sec. 17.—For preventing chemical refuse, steam, &c., from being turned into sewers; and giving power of entrance for examination.

Sec. 18.—As to the S.A. themselves making the communications with and altering, &c., house drains, and sewers.

Sec. 19.—Extending section 51 of the P.H.I.A., 1878—"Examination of drains, &c., on complaint of a nuisance"—to apply to a single private drain serving two or more houses belonging to different owners and for the apportionment of the expenses of remedial works.

Sec. 21.—As to sanitary conveniences used in common by the occupiers of two or more houses, or others

Sec. 23 (1.)—Extending the power of making bye-laws with respect to the following matters :—

(1.) The flushing of water-closets;

(2.) The structure of floors, hearths, and staircases;

(3.) The height of habitable rooms ;

(4.) The paving of yards and open spaces in connection with dwelling-houses ;

(5.) Secondary means of access for the removal of house refuse and other matters, when laying out new streets.

Sec. 23 (2).—That bye-laws made under section 41 of the P.H.I.A., 1878, and as above, may be made so as to affect buildings erected before the passing of that Act, *i.e.*, 8th August, 1878.

Sec. 23 (3).—Also dealing with the making of various bye-laws.

Sec. 23. (4.)—That bye-laws may be made so as to prevent buildings from being altered so as to contravene existing bye-laws.

Sec. 25.—For preventing the erection of buildings on ground filled up with offensive matter.

Sec. 26. (2.)—Requiring the inhabitants to assist in facilitating scavenging when such is undertaken or contracted for by the S.A.

Sec. 28.—Extending the powers of the S.A. in dealing with unsound meat, &c., to all articles intended for the food of man.

Sec. 32.—For penalty on keeper of common lodging-house not giving notice of cases of infectious diseases.

Sec. 33.—The plans of houses deposited with the S.A. shall be adhered to, &c.

Sec. 47.—For restriction on throwing into streams, &c., any cinders, ashes, &c., or any matter likely to cause annoyance.

Sec. 48.—For the protection of placards, notices, &c., put up by the S.A.

It will be seen that by the adoption of Part III. a R.S.A. obtains increased powers, especially as to making bye-laws with respect to buildings, and making certain of such bye-laws, as well as certain previously existing bye-laws, retrospective.

PUBLIC HEALTH (IRELAND) ACT, 1896.

1. The L.G.B. may invest any R.S.A. with the powers of an U.S.A. exercisable under the Public Health Acts on the application of such R.S.A. or of persons assessed for one-tenth of the total rates of the district of such R.S.A.

2. By consent any S.A. may carry out any sanitary works in an adjoining district.

3. The U.S.A. may divide an U.S.D. for any purpose of the Public Health Acts, and make separate assessments on any parts of the same.

4. Any private improvement rate leviable by a R.S.A. may be made and levied in the same manner and with the same authority as such may be made and levied by an U.S.A.

5. (1.) Where under the P.H.I.A., 1878, the S.A. supply water in any U.S.D. or contributory place they shall exercise the powers given them (by sect. 67) and charge water-rates or water-rents for the same if any ten ratepayers of the U.S.D. or five ratepayers in the contributory place petition them to do so.

(2.) Every S.A. may make bye-laws for the regulation of any water supply under their control.

6. Extends sect. 103, P.H.I.A., 1878, so as to enable any U.S.A. to improve and extend any existing market their property.

7. In granting superannuation to sanitary officers the S.A. may take into consideration any duties under this and all preceding Public Health Acts performed by the sanitary officers.

8. (1.) For compulsory acquiring lands under the Public Health Acts, 1878 to 1890, the provisions of the Lands Clauses Acts, and Schedule II. of the Housing of Working Classes Acts, 1890, shall apply.

(2.) "The local authority," "confirming Act," and the "confirming authority" shall mean as in the Housing of Working Classes Act, 1890.

9. The L.G.B. may by provisional order permanently constitute any sanitary district about a port "a port sanitary authority." Or they may combine two or more ports under a joint board to form "a port sanitary authority." Or they may so constitute any portion of any port.

The L.G.B. may by order assign to any such authority any powers, rights, duties, or liabilities, under the Public Health Acts, 1878 to 1898, and also direct the manner of meeting expenses. "A port" under this Act means a port established for the purposes of the laws relating to the Customs of the United Kingdom.

10. The constituting order of the L.G.B. shall give the port authority jurisdiction over all the waters within the limits of such port, and over such lands as shall be specified.

11. The L.G.B. may order the Infectious Diseases Prevention Act, 1890, to apply to any such constituted port.

12. A port sanitary authority may, with the sanction of the L.G.B. delegate any of its powers to the S.A. of an adjacent district.

13. Explains the manner in which a port sanitary authority acquire funds and defray expenses.

14. Explains proceedings for raising a sum for the payment of a debt within the district of a defaulting authority.

15. (1.) Where complaint is made to the L.G.B. that a S.A. has made default in providing their district with sufficient sewers, or in the maintenance of existing sewers, or

in providing their district with a supply of water, in cases where danger arises to the health of the inhabitants from the insufficiency or unwholesomeness of the existing supply of water, land a proper supply can be got at a reasonable cost, or that a local authority has made default in enforcing provisions of the P.H.I.A., 1878 to 1890, or this Act, which it is their duty to enforce,] the L.G.B., if satisfied, after due inquiry, that the authority has been guilty of alleged default, shall make an order limiting a time for the performance of their duty in the matter of such complaint. If such duty is not performed by the time limited in the order, such order may be enforced by writ of mandamus, or the L.G.B. may appoint some person to perform such duty, and shall by order direct that the expenses of performing the same, together with a reasonable remuneration to the person appointed for superintending such performance, and amounting to a sum specified in the order, together with the costs of the proceedings, shall be paid by the authority in default ; and any order made for the payment of such expenses and costs may be removed into the King's Bench Division of the High Court, and be enforced in the same manner as if the same were an order of such Division.

(2.) Any person appointed under this section to perform the duty of a defaulting S.A. shall, in the performance and for the purposes of such duty, be invested with all the powers of such authority other than the powers of levying rates ; and the L.G.B. may by order change any person so appointed.

(3.) Section two hundred and eleven of the principal Act is hereby repealed.

16. Provision with respect to mortgages or rates by town commissioners.

17. Audit of accounts and manner of defraying the expense of the audit.

18. Where the Infectious Disease (Notification) Act of 1889, or Prevention Act of 1890 have been adopted, "the medical officer of health of the district" shall mean the medical officer of the dispensary district, unless the L.G.B. shall order it to mean the medical superintendent officer of health of the district.

19. The L.G.B. may, after a local inquiry if necessary, permit by order that a burial ground attached to a place of worship shall be extended when sect. 184, P.H.I.A., 1878, shall apply accordingly.

20. Where a burial ground adjoining a Catholic church is not vested in any person or body it shall be lawful for the parish priest of the district to place such burial ground under the management of the burial board when the provisions of sect. 187, P.H.I.A., 1878, shall accordingly apply.

21. Deals with powers of towns commissioners as to fairs and markets.

22. The approving authority for bye-laws under the Baths and Washhouses (Ireland) Act, 1846, shall be the L.G.B.

23. Under the Conferences Act, 1885, the "clerk to the local authority" shall include the executive sanitary officer, borough surveyor, or other person duly appointed to attend.

24. If an umpire appointed under sect. 217 (7.) P.H.I.A., 1878, refuses to act the arbitrators shall appoint another person.

25. Amends sect. 266, P.H.I.A., 1878, and enables the executive sanitary officer to authenticate documents.

26. Insert "erect or" before "bring forwards" in sect. 40, P.H.I.A., 1878.

27. Insert "levelled" after "sewered" in sect. 28, P.H.I.A. 1878.

28. Applies the P.H.I. Acts, 1878 to 1890. to the Rivers Pollution Prevention Act, 1876, instead of the P.H.I.A., 1874.

29. Repeals the last sentence of sect. 247, P.H.I.A., 1878.

30. The schedule to this Act (Form of Notice requiring owner to sewer, &c., a private street) shall be read as part of the P.H.I.A., 1878.

31. "In force" in sect. 2, P.H.I.A., 1878, means in force for the time being.

32. All buildings vested in the Crown shall be exempted under this and the other P.H.I. Acts.

33. The P.H.I.A., 1878, shall take effect subject to all amendments of such in this Act.

EPIDEMIC AND OTHER DISEASES PREVENTION ACT, 1883.

1 Short title : as above

2. Wherever any part of Ireland appears to be threatened with or affected by, any formidable epidemic, endemic, or infectious disease, and the L.G.B. under the P.H.I.A. 1878 (section 149) make any regulations for

(1.) the speedy burial of the dead,

(2.) house to house visitation,

(3.) providing medical aid and hospital accommodation, or

(4.) For the promotion of cleansing, ventilation, and disinfection and for guarding against the spread of disease, the purposes named shall be deemed purposes for which a S.A. may borrow money, and the Board of Public Works may lend such money, as if such purposes were "works" for which money may be loaned under the P.H.I.A., 1878.

Where the L.G.B. give consent such loans may be made forthwith without preliminary public notice or inquiry.

3. Amends sect. 150, P.H.I.A., 1878, so as to enable for the sake of public expediency the L.G.B. to empower U.S.A.s to carry out regulations made under sect. 149, P.H.I.A., 1878

(above) either independently or jointly with the board of guardians within whose district the U.S.D. is situated.

The unamended section gave such power only to boards of guardians.

INFECTIOUS DISEASE (NOTIFICATION) ACT, 1889.

2. It is adoptable by any urban, rural, or port S.A.

3. Where this Act is in force the following persons are required, under a penalty for default of up to £2, to give notice to the M.O.H. of the district of every case of notifiable fever :—

(a.) The head of the family or nearest relative of such, or of the patient, or the person in attendance on or in charge of the patient, or the occupier of the house.

(b.) Every medical practitioner in attendance must immediately notify such case on a prescribed form (unless it has been previously so notified).

4. The S.A. shall provide the prescribed forms and shall pay for each such notification to every medical practitioner, two shillings and sixpence for private cases, and one shilling for cases in any public institution.

5. Method of adoption of this Act :—

(a.) Notice to be sent every member of the S.A. 14 clear days before the date of meeting.

(b.) A resolution to be passed at such meeting.

(c.) The resolution must be advertised in a local newspaper and by handbills, or otherwise.

(d.) Copy of the resolution to be sent to the L.G.B.

The Act shall come into force not less than one month after the first advertisement.

6. Notifiable diseases shall be any of the following :—

Smallpox, cholera, diphtheria, membranous croup, erysipelas, scarlet fever, typhus, typhoid, relapsing continuous or puerperal fever, or any other diseases which the S.A. may desire to make notifiable under sect. 7 of this Act.

7. The S.A. may make any disease other than those stated in sect. 6 notifiable indefinitely, or for a specified period, by following the procedure in sect. 5, subject to the following alterations :—

(a.) The sanction of the L.G.B. must be obtained before advertisement.

(b.) adopting or revoking shall not be valid till the L.G.B. give consent.

(c.) The resolution may become operative 7 days after the first advertisement.

(d.) In cases of emergency 3 days' notice to members of the S.A. shall suffice. Copies of the resolution and the advertisement may then be sent at the same time to the L.G.B.

Unless sanctioned by the L.G.B. such emergency resolution shall only remain in force for one month.

8. Notices required to be sent to the M.O.H. may be sent by post or by hand.

9. All expenses incurred shall be as expenses of the S.A. under the P.H.I.A., 1878.

10. Applies to London only.

11. Fees paid under this Act shall not disqualify recipient from serving on public boards. The M.O.H. may claim notification fees for private cases seen by him.

12. Applies to Woolwich only.

13. This Act shall apply to every ship, vessel, boat, van, shed, &c., as if it were a house. Application to ships and boats as in sect. 126, P.H.I.A., 1878.

14. This Act shall take precedence of any local Act.

15. This Act shall not apply to Crown servants housed in Crown premises.

16. "Occupier" means the person in charge of the whole or part of the building where the patient is, and where a whole house is let in lodgings or tenements, the person who receives the rent.

17. Fines may be recovered as under sect. 249, P.H.I.A., 1878.

INFECTIOUS DISEASE (PREVENTION) ACT, 1890.

2. "Dairy" includes farm, farmhouse, cowshed, milkstore, milkshop, or other place from which milk is supplied or kept for sale. "Dairyman" includes cowkeeper, purveyor of milk, or occupier of dairy.

3. The Act is obligatory in London, but elsewhere any S.A. may adopt the whole Act or any section or sections thereof. Method of adoption (same as in Notification Act):—

(a.) 14 clear days' notice of resolution to each member of S.A.

(b.) Resolution passed by a majority of members of S.A. present.

(c.) Advertisement of resolution in local newspaper, by handbills and otherwise.

(d.) Act operative not less than one month after first advertisement.

(e.) Copy of resolution to be sent to L.G.B.

4. Is concerned with cases where the M.O.H. connects a case of infectious disease with a dairy or milk supply.

The M.O.H. may, on the order of a justice of the district in which the dairy is, inspect such dairy (either with or without a veterinary surgeon to examine and report on condition of the cows therein). If M.O.H. considers milk blameable for the

disease he shall so report to the S.A. (enclosing the report, if any, of the V.S.). The S.A. may require the dairyman to appear before them within 24 hours to show cause why such dairy should not be closed, and may order such closing. The S.A. shall then notify the S.A. and Co. Council of the district where the dairy is, and also the L.G.B. Closure orders to be in force till M.O.H. or S.A. withdraw such.

Any contravention by a dairyman of this section shall be an offence under this Act.

No dairyman is to be liable for damages for breach of contract where, under this section, his dairy has been closed.

5. Repeals sect. 137, P.H.I.A., 1878, and substitutes :—

(a.) Where the M.O.H. or any medical officer certifies (in 1878 Act it is "where any S.A. are of opinion," &c.) that the cleansing and disinfection of any house, or part of house or articles likely to retain infection would tend to prevent, or check infectious disease, the clerk of the S.A. shall notice in writing the owner or occupier that such necessary work will be done by the S.A. unless he informs the S.A. within 24 hours that he will within a specified time do such work to the satisfaction of the M.O.H.

(b.) If the above-noticed person fails to carry out conditions of notice the S.A. shall do the work under the superintendence of the M.O.H., and may recover expenses of so doing.

(c.) In cases where, owing to likelihood of disinfection not being carried out in the most approved manner, the M.O.H. advises the S.A. to undertake the work, the S.A. may do so at their own cost, with the consent of the owner or occupier, and without preliminary written notice.

6. The S.A. or M.O.H. may, by written notice, require any infected bedding, clothes, &c., to be delivered to the S.A., who will remove, disinfect, and return the same free of charge (and pay compensation for any unnecessary damage). Penalty for refusal up to £10.

7. Amends sect. 145, P.H.I.A., 1878 (where time limit is 3 months).

Penalty of up to £10 against anyone who ceases to occupy any house, room, or part of house, in which was any infectious disease within 6 weeks previously without having same disinfected to the satisfaction of a medical practitioner.

Anyone giving false information to hirer about any house or part of a house infected within previous 6 weeks shall be liable to a similar penalty.

8. No body dead of infectious disease to be kept unburied for longer than 48 hours, except on the certificate of a M.O.H. or other medical practitioner, and then only in a public mortuary or room not used also for sleeping or working in.

9. Where a medical certificate has been issued advising a body dead of infectious disease in a hospital to be buried direct from such place, it shall be illegal to remove such body except to a mortuary, or for the purpose of immediate burial.

Penalty for contravention up to £10.

10. Where it appears to a medical practitioner (or the M.O.H.) that it is advisable that a body dead of infectious disease should be removed from where it is to the public mortuary and buried within a special time for the safety of the public health, such practitioner may obtain a justice's order to have such things done, either by the relieving officer, or the friends of the deceased where they undertake to do so.

11. It shall be an offence under this Act for anyone to hire or use for the carrying of a body dead of an infectious disease, any public conveyance (except a hearse) without previously making such fact known to the driver or owner. And a driver or owner who conveyed such body on such a vehicle and failed to have such a vehicle subsequently disinfected shall be guilty of an offence under this Act.

12. Any person may be detained in a hospital who is suffering from an infectious disease for as long a period as a justice may by order direct, with the object of preventing such disease spreading.

13. It shall be an offence under this Act to cast into any ashtub, ashpit, or refuse receptacle any infectious matter.

14. Occupiers of houses where infectious disease exists shall receive notice of provisions of sects. 7 and 13 from the S.A.

15. The S.A. to provide temporary shelter for persons while premises being disinfected.

16. Penalties (unless otherwise enacted) for offences against any provisions of this Act shall be for each offence up to £5, with or without a daily penalty of up to £2.

17. For carrying out sect. 5 any officer of the S.A. authorised in writing may enter any premises between 10 a.m. and 6 p.m.

18. Penalties to be recovered in Court of Summary Jurisdiction and paid to the S.A.

19. Provisions of this Act to take priority of any other like provisions in any Act.

20. All expenses of this Act to be paid as ordinary expenses of the S.A. under the Public Health Acts.

21. All or any sections of this Act may be rescinded by a similar procedure to that of adoption.

THE VACCINATION (IRELAND) ACTS.

HISTORICAL.

History records that from the earliest times nearly every country in the world has been visited, from time to time, by the desolating scourge of small-pox. In Western Europe small-pox epidemics appeared in most countries on an average about every three years. Sometimes the visitations were characterised by the mild character of the disease ; but, it often came in such a severe form as to practically decimate whole provinces. Even to-day, certain parts of Asia and South America are never completely free from the disease.

Very many centuries ago organised efforts were initiated in different parts of Central and Southern Asia, having for their object, the minimising of the severity of the disease, when it broke out in a particular community. It was not at all an attempt to stay the spread of the pest, but rather to lessen the severity of the attack for each individual. And thus in Asia many hundreds of years ago, when exactly we know not, began the practice of variolation or inoculation with the natural pox. This operation was common in Ireland in the time of our fathers ; and a recent traveller in China, Dr. Morrison, tells us that it is still continued in most parts of that slowly progressing country.

The operation consisted of an injection into a person, either on his arm or leg, of a small quantity of matter taken from another person suffering from a *mild* attack of small-pox. A person so treated was afterwards spoken of as having the "natural pox." About two per cent. of the persons thus variolated (given the natural pox) as a rule died, whereas, it was well known that from ten to thirty, or even sometimes up to sixty per cent. of persons attacked by the ordinary epidemic small-pox died.

Variolation was first introduced into England from Constantinople by Lady Mary Montagu about 1720. She was the wife of the English Ambassador in that city. While living there in 1717 she had her own daughter inoculated. Returning to London, she had her son inoculated in the latter city in 1721.

I should here state that a Dr. Kennedy, in his writings published in England in 1715, described the operation of variolation.

In 1722 inoculation was tried on several condemned criminals in Newgate prison. And shortly afterwards, two daughters of the Princess of Wales were inoculated. An hospital for inoculation of the poor was started in 1746 in London.

While inoculation might thus be deemed to serve the individual, it was disastrous to the community at large. For the inoculated,

or variolated person was given, and suffered from a milk attack of small-pox, and being small-pox at all it was as infectious as the accidentally acquired epidemic disease. Very soon thoughtful men began to realise that the practice tended to keep the disease always alive in the country, and that the state of the people was worse than before its introduction.

Now, we come to deal with the great discovery of vaccination as a preventive of small-pox by the famous Edward Jenner.

When Jenner was a young student, apprenticed to a surgeon in Berkley, Gloucestershire, a young girl came one day for treatment. He questioned her about her illness, and as a result, inclined to think that she suffered from small-pox. On this being suggested, she exclaimed—"I cannot take that disease, for I have had cow-pox." This was about 1770.

Several years went by, and Jenner having become a qualified doctor, settled down in Berkley. The exclamation, above quoted made a deep-rooted impression on him, and he began to investigate the possibility of its truth. After a period of some fifteen years, spent in studying the subject in all its phases, he decided on putting his theories to a practical test. I should have stated that in Gloucestershire, at this time, very many cows suffered from a disease of the udder, called cow-pox. Those who milked such cows not infrequently suffered from an eruption or rash on their hands or fingers, contracted from the diseased cows.

A dairy-maid, named Sarah Nelmes, living near Jenner, had thus become infected, and came for treatment to him. On examining her hand, he decided on removing some of the matter from it, and inoculating it into a person who had not had small-pox, the person so treated to be subsequently inoculated with the real small-pox.

Thus on the 14th May, 1796, he performed his first vaccination (with cow-pox) on a boy named James Phipps. On July 1st following, the same boy was inoculated with small-pox, and suffered no disease whatsoever, as he should have, had he not previously received the cow-pox inoculation.

And thus did Jenner complete his great discovery.

In 1798 Jenner published the discovery for the benefit of the whole world. Had he kept it secret he could have made fabulous wealth by it. But he was too large-hearted and humane to think of such a thing. In 1820 he was publicly thanked in Parliament, and was voted a large money grant by the House of Commons.

The practice of vaccination spread rapidly over the civilized world. And as often as it reached some new land did honours and acknowledgments come in abundance to the humble surgeon of Berkley.

In 1801 the first vaccination was performed in Ireland, and the Cow-Pox Institute was founded in Dublin in 1804.

It will be of practical value to give some statistics bearing on small-pox. Up to the year 1800, on an average, ten out of every hundred persons who died had died of small-pox. In bad years as many as twenty per cent. of the deaths were due to that disease. To-day not even one in a hundred deaths is owing to small-pox.

Small-pox broke out in Glasgow in 1901. The population then was 675,887. Of these practically no single person above five years of age had recently been re-vaccinated. By May 3rd, 1902, there had occurred no less than 1,858 cases of small-pox, and within the same dates 404,855 persons, that is practically everyone above five years old, had been re-vaccinated. *Not one single case occurred among those who had been re-vaccinated.* The 1,858 persons attacked were all persons who had either refused or neglected re-vaccination.

These statistics must bring conviction even to the most sceptical, of the complete protection afforded by re-vaccination.

Vaccination is nowadays generally performed with calf-lymph vaccine. This is obtained from heifer calves of not more than seven months old. The calves are kept under observation in special stalls, and fed on specially prepared (sterilised) food for about a month. When such a calf is about six months old, it is thoroughly shampooed, and a patch on its side, about the size of a sheet of notepaper, shaved clean. The whole of this patch is then vaccinated much as a child's arm is. The vaccination on the calf's side "takes" in about five days. The matter is then removed from it and carefully tested. The calf is then killed, and every scrap of its carcase carefully examined. If no disease has been found after the matter has been kept for one month, having been carefully examined from time to time, it is carefully put into little tubes called "capillary tubes." An average calf will give sufficient matter to vaccinate about 2,000 persons.

The statutes relating to vaccination at present operative in Ireland are :—

The Vaccination Acts of 1858, 1863, 1868, and 1879, which are collectively designated "The Vaccination Acts."

It will be of interest to refer to the earlier Acts which dealt with vaccination, viz. :—the Acts of 1840, 1841, and 1851. The two former and the portion of the last bearing on vaccination have been repealed.

AN ACT TO EXTEND THE PRACTICE OF VACCINATION.

Passed 23rd July, 1840. Repealed.

1 to 5. These sections refer to England and Wales.

6. Every board of guardians in Ireland shall as soon as

possible after this Act passed (with the approbation of the Poor Law Commissioners) divide their respective unions into districts of convenient extent for vaccination purposes, and shall enter into yearly contracts with competent medical practitioners for the vaccination of *all* persons who may come to such practitioners for that purpose.

7. Provides that section 3 shall apply to Ireland in the following manner:—

(a) Practitioners employed as vaccinators shall make periodical reports to their boards of guardians of the number of persons successfully vaccinated by them, and any further reports required by the Poor Law Commissioners.

(b) Boards of guardians, their officers, and the vaccinators appointed by such boards, shall conform to all orders and regulations made under this Act by the Poor Law Commissioners.

8. Anyone producing or attempting to produce inoculation with variolous matter, either directly or by wilful exposure to impregnation with variolous matter in any manner whatsoever which may be calculated to produce in any person the smallpox disease, shall be liable for each offence to be sentenced to one month in jail if brought before two J.P.'s sitting in Petty Sessions.

9. Interpretation of words in this Act as in the Irish Poor Relief Act, 1838.

AN ACT TO AMEND AN ACT TO EXTEND THE PRACTICE OF VACCINATION.

Passed 21st June, 1841. Repealed.

1. Enables boards of guardians to defray expenses incurred under the Act of 1840 out of the poor rate.

2. Vaccination shall not be considered *relief*, nor shall it affect any privilege or subject persons to any disqualification.

THE MEDICAL CHARITIES ACT, 1851. *Repealed.*

13. This is the only part of this Act dealing with vaccination. It enacts that the M.O. of every dispensary district shall and is hereby required to vaccinate all persons who may come to him for that purpose subject to the regulations made by the Poor Law Commissioners, and all contracts for vaccination shall be at once determined.

THE VACCINATION ACT, 1858.

1. The guardians of the union shall divide each dispensary district into vaccination districts, and shall require the M.O.H.

of the district to attend at some convenient place within each vaccination district at certain specified times to vaccinate all persons who may come to him for that purpose, and who are fit subjects for vaccination.

2. Repealed by the Act of 1863. (This section fixed the remuneration to be paid the dispensary M.O. at the rate of One Pound for each 20 cases of successful vaccination performed by him in each year.)

3. The M.O. is to make a report to the guardians from time to time of persons successfully vaccinated or re-vaccinated by him in each year, to be made in such form and contain such particulars as the L.G.B. may direct, and to be recorded by the board of guardians on their minutes.

4. Repealed. (Enacted that all vaccination charges should be electoral division charges.)

5. Repealed. (Enacted that prosecution expenses under section 8 of the Vaccination Act of 1840 shall be paid from the rates of the union at large.)

THE VACCINATION ACT, 1863.

1. Repealed. (It enacted that the legal custodian of every child was bound to take such child to the dispensary M.O. of the district in which the child was born to be by him vaccinated within 6 months of the child's birth, unless such child had already been duly certified to have been successfully vaccinated, and the M.O. is bound to vaccinate such child.)

Where a child is an inmate of a public institution the master, matron, or chief officer of such shall be deemed the responsible custodian.

2. Repealed. (Required the legal custodian of a child to take such on the eighth day after vaccination to the M.O. for inspection.)

3. Repealed. (Required every medical practitioner who had successfully vaccinated any child to issue two certificates stating such fact, one to be given to the legal custodian of the child and the other to be transmitted to the registrar of births of the district wherein the vaccination was performed unless the vaccination was performed by the registrar of births when registration of the vaccination took the place of the second certificate. Any such certificate as above was to be deemed valid as evidence in court.)

4. If a M.O. or practitioner is of opinion that any child is not in a fit and proper state to be successfully vaccinated, he may deliver a certificate to that effect, in a form prescribed, to the father or mother of the person having the care or custody of such child. This certificate is to remain in force for two

months, and fresh certificates to the same effect may be given if necessary.

5. Repealed. (This section itself repealed section 2 of the Act of 1858, and ordered remuneration to the M.O. to be *one* shilling for each case of successful vaccination.)

6. If any medical practitioner is of opinion that any child who has been vaccinated by him is insusceptible of the vaccine disease, he shall deliver to the father or mother or person having the care of such child a certificate to that effect in a prescribed form which certificate shall be a sufficient defence against any complaint in court.

7. The registrar of births and deaths shall register all successful vaccinations in a register, searches of which may be made (fee one shilling each search) and copies obtained (fee sixpence each copy) when demanded.

8. When registering the birth of any unvaccinated child of less than 6 months of age (section 3 of the Act of 1879 alters this limit to 3 months) the registrar shall deliver to the legal custodian of such child a notice of requirement of vaccination on a prescribed form whereon shall be given particulars of the arrangements for public vaccination in the district. The registrar must enter minute of his having done so in a special book.

Failure on the part of the legal custodian of a child to have the child vaccinated within the prescribed time, or to be brought for inspection on the eighth day following vaccination, renders such person liable to forfeit a sum not exceeding 10 shillings. (Section 7 of the Act of 1879 institutes a penalty of 20 shillings.)

9. A fee of threepence shall be paid to the registrar for each vaccination registered except in cases where he is also the vaccinator.

10. Every registrar who fails to register any case duly certified as vaccinated, or who registers any case not vaccinated, shall be liable to a penalty of up to 20 shillings for each offence.

11. The Registrar-General shall provide all necessary books and forms.

12. Penalties under this Act shall be recoverable in a summary manner at Petty Sessions before one or more justices and subject and according to "The Petty Sessions (Ireland) Act, 1851," and Acts amending the same.

13. Repealed. (Empowered boards of guardians to direct prosecutions for non-compliance with the provisions of this Act, and where the justices so certify the board of guardians might defray expenses incurred out of the poor rate. It further enacted that proceedings on account of neglect to have a child vaccinated could have been taken at any time during the continuance of the neglect.)

Note.—Only sections 1, 2, 3, 5, and 13 have been repealed.

The remaining sections 4, 6, 7, 8, 9, 10, 11, and 12, are still in force.

THE VACCINATION ACT, 1868.

1. Short title.
2. This Act to be construed as one with the Act of 1863.
3. Vaccination or the medical assistance incidental thereto is not to be considered as parochial relief or to cause any disability, disqualification, or surrender of right or privilege.
4. Producing or attempting to produce small-pox disease in any persons by means of variolous matter applied in any way shall be an offence punishable by imprisonment for not more than 6 months, by order of two or more justices sitting in Petty Sessions.

THE VACCINATION ACT, 1879.

1. Short title.
2. Act applies to Ireland only.
3. Re-enacts section 1 of the Act of 1863, making the compulsory vaccination age limit 3 months instead of 6 months. The provision is added that children born out of Ireland and who have not been vaccinated shall require to be vaccinated within 3 months of their landing in Ireland.
4. Re-enacts section 2 of the Act of 1863, and adds that the M.O. may, if he thinks fit, remove lymph from any child's arm for performing other vaccinations. It is also enacted by this section that the M.O. may again vaccinate children unsuccessfully vaccinated, and that the legal custodian of such child must again bring the child to the M.O. for further inspection.
5. Re-enacts section 3 of the Act of 1863, with the slight modification that one of the certificates issued must be sent to the registrar of births of the district where the child was *born* instead of the registrar of the district where the operation was performed.
6. Repeals section 5 of the Act of 1863, and enacts that "the board of guardians shall pay to every such M.O. for every person successfully vaccinated or every person re-vaccinated by him within his dispensary district the sum of two shillings," provided he shall have made the necessary reports to the guardians.
7. Legal proceedings:—
 - (a) "Every person who prevents any dispensary M.O. from taking from any child lymph" shall be liable to a penalty of up to 20 shillings.
 - (b) Under these Acts a defendant may appear by any authorised person or relative.

(c) Any legal custodian of any child who fails to produce such child when required to do so by any summons under these Acts shall be liable to a penalty of up to 20 shillings.

(d) Non-compliance with section 3 or section 4 of this Act renders the legal custodian of any child liable to a penalty up to 20 shillings.

8. Every M.O., parent, or guardian of a vaccinated child who fails to transmit to the registrar a certificate of successful vaccination shall be liable to a penalty of up to 20 shillings.

Every M.O. who shall refuse to give a duplicate of such certificate to the parent of a child when such is demanded shall be liable to a penalty of up to 20 shillings.

Wilfully signing a false certificate or duplicate shall be deemed a misdemeanour and punishable accordingly.

9. In prosecutions under these Acts it shall not be necessary to prove service of "notice requiring vaccination" (under Acts of 1863 and 1879).

A certificate of successful vaccination put in shall constitute a sufficient defence as shall also be a certificate of unfitness duly signed by a medical practitioner and issued not more than 2 months previous to the date of summons.

10. The board of guardians may direct proceedings to be taken whenever it is expedient to do so, and may summon their M.O. to act as a witness.

The court shall award him for so acting not more than one guinea per day in addition to his actual expenses: such fees to be paid by the guardians out of the rates.

Proceedings for neglect to have a child vaccinated may be taken at any time during the continuance of such neglect.

11. Every registrar of births and deaths (who is not the public vaccinator of the district) shall furnish the M.O. once every month with particulars of the births of all children registered, or of the death of children under the age of twelve months registered during such month.

The registrar may claim twopence for each name so sent.

12. The Acts of 1858, 1863, 1868, and 1879 shall be "the Vaccination Acts."

13. Sections 1, 2, 3, 5, and 13, of the Act of 1863 are hereby repealed.

INSTRUCTIONS FOR VACCINATORS.

Issued 1899.

(1.) Except so far as any immediate danger of small-pox may require, vaccinate only subjects who are in good health. As regards infants, ascertain that there is not any febrile state, nor any irritation of the bowels, nor any unhealthy

state of skin; especially no chafing or eczema behind the ears, or in the groin, or elsewhere in the folds of skin. Do not, except in case of necessity, vaccinate in cases where there has been recent exposure to the infection of measles or scarlatina, nor where erysipelas is prevailing in or about the place of residence.

(2.) The vaccinator must keep in good condition the lancets or other instruments which he uses for vaccinating, and he must not use them for any other purpose whatever. When he vaccinates he must cleanse and sterilize the instruments after one operation before proceeding to another.

(3.) When once he has unsealed a tube, either of vaccine or glycerinated calf lymph, he must never attempt to keep any part of its contents for the purpose of vaccination on a future occasion.

(4.) Under no circumstances should the mouth be applied directly to the tube in which the lymph is contained for the purpose of expelling the lymph. An artificial blower may be properly used for this purpose. The lymph may be blown out of the capillary tube on to a clean lancet or ivory point, from which a sufficient quantity may be taken on a lancet or other vaccinating instrument for each operation.

(5.) The vaccine on an ivory point having been slightly moistened with a small drop of sterilized water, the point should be laid flat on the surface of the arm which has been previously scratched by whatever instrument is used for vaccinating with, and the vaccine should be rubbed into the scratches firmly and slowly, looking occasionally at the surface of the point during the operation to see that all the vaccine is quite removed from it.

(6.) The child should be kept under strict observation until the spots are perfectly dry, and orders given that the vaccinated portion of the arm must not be washed, and should be kept free from all pressure, hurt, or irritation. On no account should any vaccination shield or protector be used for this purpose. All ivory points or tubes when once used should be destroyed.

(7.) Vaccination should at every stage be carried out with aseptic precautions. These should include, 1st—the cleansing of the surface of the skin before vaccination, by washing it well with plain soap and sterilized water, and then drying it with a sterilized towel. A germicide should not be used. 2nd—carefully washing the vesicles with sterilized water before opening them to obtain vaccine. 3rd—the use of sterilized instruments, and 4th—the protection of the vaccinated surface against extraneous infection both on the performance of the operation and on inspection of the results.

Advice as to the precautions to be taken in this respect until the crusts have fallen off and the arm has healed should always be given to the person having the custody of the child.

(8.) In all ordinary cases of primary vaccination the vaccinator must aim at producing four separate good-sized vesicles or groups of vesicles, not less than half an inch from one another. The total area of vesication resulting from the vaccination should not be less than half a square inch.

(9.) Never either use or furnish lymph which has in it any, even the slightest, admixture of blood. In storing lymph, be careful to keep separate the charges obtained from different subjects, and to affix to each set of charges the name, or the number in your register, of the subjects from whom the lymph was derived. Keep such note of all supplies of lymph which you use or furnish as will always enable you, in any case of complaint, to identify the origin of the lymph.

(10.) *Never take lymph from cases of re-vaccination.* Take lymph only from subjects who are in good health, and, as far as you can ascertain, of healthy parentage; preferring children whose families are known to you, and who have elder brothers or sisters of undoubted healthiness. Always carefully examine the subject as to any skin disease, and especially as to any signs of hereditary syphilis. Take lymph only from well-characterised, uninjured vesicles. Take it (as may be done in all regular cases on the day week after vaccination) at the stage when the vesicles are fully formed and plump, but when there is no perceptible commencement of areola. Open the vesicles with scrupulous care to avoid drawing blood. Take no lymph which, as it issues from the vesicles, is not perfectly clear and transparent, or is at all thin and watery. Do not, under ordinary circumstances, take more lymph from a vesicle than will suffice for the immediate vaccination of five subjects, or for the charging of seven ivory points, or for the filling of three capillary tubes; and from larger or smaller vesicles take only in like proportion to their size. Never squeeze or drain any vesicle. Be careful never to transfer blood from the subject you vaccinate to the subject from whom you take lymph.

(11.) Scrupulously observe in your inspections every sign which may test the efficiency and purity of your lymph. Note any case wherein the vaccine vesicle is unduly hastened or otherwise irregular in its development, or wherein any undue local irritation arises; and if similar results ensue in other cases vaccinated with the same lymph, desist at once from employing it.

(12.) Letters of application for lymph should be addressed as follows :—

To the Secretary,
Vaccine Department
(Local Government Board),
5, Upper Sackville Street, Dublin.

THE RIVERS POLLUTION PREVENTION ACT, 1876.

1. Short title : as above.

PART I.—SOLID MATTERS.

2. "Every person who puts or causes to be put or to fall, or knowingly permits to be put or to fall, or to be carried into any stream, so as either singly or in combination with other similar acts of the same or any other person, to interfere with its due flow, or to pollute its waters, the solid refuse of any manufactory, manufacturing process or quarry, or any rubbish or cinders, or any other waste or any putrid solid matter, shall be deemed to have committed an offence against this Act."

PART II.—SEWAGE POLLUTIONS.

3. "Every person who causes to fall or flow, or knowingly permits to fall or flow, or to be carried into any stream any solid or liquid sewage matter shall (subject as in this Act mentioned) be deemed to have committed an offence against this Act."

Drains, channels, and sewers so used, or constructed, or in course of construction at the time of the passing of this Act, shall be exempted under this section if it can be proved in Court that "the best practicable and available means" of rendering sewage harmless before entering any stream is used.

The L.G.B. after having made local inquiry in the case of a S.A., which at the passing of this Act is allowing sewage to be discharged into any stream, may issue an order deferring the operation of this section till such a time as the S.A. shall have full opportunity of adopting the "best practicable and available means" for rendering such sewage matter harmless.

The L.G.B. may further extend the time of any such order.

A person (other than the S.A.) shall not be held guilty under this section for allowing "sewage matter into a stream along a drain communicating with a sewer" belonging to the S.A., provided he has obtained the sanction of the S.A.

PART III.—MANUFACTURING AND MINING POLLUTIONS.

4. Similarly makes it an offence for permitting to enter any stream "any poisonous, noxious or polluting liquid" proceeding from any factory.

The same exemptions as in paragraph 2, sect. 3, also apply here.

5. Contains a like prohibition and exemption as in sects. 3 and 4, with respect to mines.

6. Proceedings under Part III. can only be taken by the S.A. with the consent of the L.G.B. Provided where the S.A. refuse to take proceedings an aggrieved individual may complain to the L.G.B., who if satisfied may order the S.A. to commence such proceedings. The L.G.B. shall withhold their consent unless they are convinced that there is "available and practicable" a remedy which will not do hurt to any local industry.

Any person accused under Part III. may demand to be heard by the S.A. (as well as his witnesses or agents) before proceedings are taken, provided he gives written notice to the S.A.

PART IV.—ADMINISTRATION OF LAW.

7. Every S.A. shall permit factory-waste to enter their sewers :—

Provided that it shall not injure or overtax such sewers, or prejudice the sale, application to land, or otherwise, of the sewage matter of the district, and also provided that by so doing no order of a competent court with respect to the sewage of the district shall be contravened.

8. Every S.A. shall, subject to the restrictions in this Act, have power to enforce this Act "in relation to any stream being within or passing through or by any part of their district," and for such purpose may take proceedings against any person or authority without or within their district.

All expenses incurred shall be as under the P.H.I.A., 1878.

Subject to the restrictions in this Act, proceedings may be instituted by an aggrieved person.

9. Does not apply to Ireland.

10. Proceedings shall be taken before the County Court having jurisdiction over the place where the offence was committed. The court may order such things as they approve of, to be done in a specified time, or may postpone the case and may obtain expert opinion as to the "best practicable and available means" as a remedy.

The Court may order a daily penalty of up to £50 to be payable to the complainant or otherwise, or they may direct some

third party to carry out the necessary work at the expense of the offender in cases where the offence has not been remedied within a prescribed time (not to exceed one month).

11. Either party may appeal to the Higher Courts subject to special conditions.

12. The certificate of an inspector of the L.G.B. as to the "best practicable and available means" shall be taken as conclusive evidence of fact. Any such certificate shall remain in force for 2 years and shall be renewable (at the expense of the applicant).

Any person aggrieved by the action of the inspector may appeal direct to the L.G.B. who may make such order as they think fit and also direct the parties liable for costs as to how much each shall pay.

13. Two months' written notice shall be given before taking any proceedings under this Act, such shall not be taken while other proceedings for the same offence are *sub judice*.

14. The L.G.B. may make an order stating and distributing any costs incurred by them under this Act in respect of inquiries. Every such order may be made a rule of the High Court.

15. L.G.B. inspectors shall under this Act have as full powers as under the P.H.I.A., 1878.

16. The powers conferred by this Act shall be cumulative and in addition to and not opposed to any such other powers.

17. This Act shall not affect the lawful exercise of any rights of impounding or diverting water.

18. Does not apply to Ireland.

19. This Act shall not affect any L.A. empowered by Act of Parliament to carry any sewage into the sea or into tidal waters.

20. Definitions :—

"Person" includes any body of persons corporate or unincorporate.

"Stream" includes the sea and tidal waters to such extent as the L.G.B. may in any case determine after local inquiry: also rivers, streams, canals, lakes, and watercourses except those watercourses used as sewers at the passing of this Act, and emptying direct into the sea and also excepting tidal waters, not considered streams by the L.G.B.).

"Solid matter" does not include particles of matter in suspension.

"Polluting" shall not include innocuous discoloration.

RIVERS POLLUTION PREVENTION ACT, 1893.

1. "Where any sewage matter falls or flows or is carried into any stream after passing through or along a channel which is vested in a S.A., the S.A. shall for the purposes of sect. 3 of

the Rivers Pollution Prevention Act, 1876, be deemed to knowingly permit the sewage matter so to fall, flow, or be carried."

2. This Act shall be construed with the Act of 1876 as one.

THE SHOP HOURS ACT, 1892.

3. (a.) No young person to be employed in or about a shop for longer than 74 hours during a week including meal times.

(b.) The number of hours employed in a factory or workshop is to be added to those spent in or about a shop in computing the 74 hours.

4. Notice embodying sect. 3 above to be hung in every shop where a young person is employed.

5. Penalty against employer up to £1 for each person.

6. If employer can prove that a third person is the real offender, such third person shall be fined under sect. 5.

7. Summary proceedings to be conducted as under Factory and Workshops Act, 1878 (sects. 88 to 92).

8. The council of any county, borough, or town commissioners may appoint an inspector who will have power as if under Factory and Workshops Act, 1878, a shop being then regarded as a workshop.

9. "Shops" are all shops, markets, stalls, warehouses, and refreshment houses of any kind where hired assistants are employed. "Young person" means under 18 years of age.

10. The Act does not apply to members of occupiers or manager's family, or domestic servants.

INFANT LIFE PROTECTION ACT, 1897.

2. Any person receiving more than one infant under 5 years of age for the purpose of nursing same for payment for longer than 48 hours apart from its parents, shall give notice within 48 hours to the L.A., and every such notice shall state the name, age, and sex of the infant and the names and addresses of both receiver and giver.

If such infant is removed from above receiver to the care of a third person the original receiver must notify the L.A. of the district of such person.

Any offence under this section may be punished by a fine of up to £5, or imprisonment up to 6 months.

3. Every L.A. shall periodically inquire if any person receives infants (for reward) within the district.

To carry out provisions of this Act any L.A. (two or more such may combine to do so) may appoint an inspector or other person to make inquiries and enforce provisions of the Act. For penalty for obstructing inspector see sect. 9.

Inspector may obtain warrant to enter any premises for purposes of this Act from any stipendiary or two ordinary justice.

4. The L.A. shall define number of infants may be received in any dwelling (under this Act).

5. Anyone receiving an infant under *two* years old for a lump sum of not more than £20 shall within 48 hours furnish notice as in sect. 2.

On failure to give notice a Court may order the money received to be forfeited and dispensed as it deems advisable. The Court may also allow the infant to be removed to the workhouse or other place of safety.

6. Every L.A. shall publish the provisions of this Act in the manner ordered by the Chief Secretary for Ireland.

7. An inspector may obtain an order from the L.A. to remove an infant to a workhouse or place of safety.

Wherever :—

(a.) it is housed in an overcrowded premises, or

(b.) the receiver is negligent or otherwise unfit to care an infant.

Anyone obstructing an inspector acting under this section shall be liable to the penalties for offences stated in sect. 9.

When necessary under this section an inspector may obtain from a justice an order for the removal of an infant.

Such order may be enforced by a police constable.

The master of any workhouse must receive and maintain any infant brought under any such order.

Anyone who has been previously convicted under this Act, or the Prevention of Cruelty to and Protection of Children Acts, shall be deemed unfit to receive an infant, and for so doing shall be liable to a penalty as in sect. 9.

8. Every receiver must give notice of death of an infant to the coroner within 24 hours, under a penalty (as in sect. 9). Unless the death has been certified the coroner must hold an inquest.

9. Every offence under this Act carries a penalty of a fine of up to £5, or 6 months, imprisonment, as ordered by a Court of Summary Jurisdiction.

10. All incidental expenses under this Act are to be paid out of the local rates.

11. All prosecutions to be carried out as under Summary Jurisdiction Acts.

12. All penalties under the Act to be paid towards the local rates.

13. All notices under the Act to be in writing and to be sent by the registered post to the L.A.

14. This Act is not to apply to relatives or legal guardians of infants, or infants received under any other Act, or to hospitals, or *bona fide* institutions for the care of infants.

15. "Relatives" include parents, grandparents, uncles, and aunts by consanguinity or affinity.

16. The "local authority" in Ireland means the board of guardians. "The local rate" means the poor rate.

FACTORY AND WORKSHOP ACT, 1901.

Official Abstract.

SANITATION.

1. The workshop must be kept in a cleanly state, and free from effluvia. When so required by written notice from the L.A. it must be limewashed, cleansed, and purified. Particulars of the limewashing, &c., must be entered in the General Register (Form 38.)

In bakehouses all inside walls of rooms, all ceilings, and tops of rooms, and all passages and staircases, must either :—

(a.) be limewashed *every six months*, or

(b.) be painted with oil, or varnished, with three coats, *every seven years* and washed with soap and hot water *every six months*.

Certain further conditions as to sanitation are imposed by sections 97 to 102 in respect of bakehouses.

2. The workshop must not be overcrowded. Subject to any order made by the Secretary of State, there must be in each room at least 250 cubic space of feet for each person employed during the fixed time of employment, and 400 cubic feet during overtime. The number of persons that may legally be employed in each room must be entered in the notice above.

3. In every room in the workshop sufficient means of ventilation must be provided and maintained for the admission of fresh air and removal of impure air. Any standard of ventilation fixed by order of the Secretary of State must be observed. In any case the ventilation must be such as to render harmless, as far as practicable, any gas, vapour, dust, or other impurities that may be generated in the course of the work ; and in cases where they are inhaled by the workers to an injurious extent, a fan or other means of a proper construction must be provided, maintained, and used, if so required, by H.M. Inspector.

4. Adequate measures, of such a kind as not to interfere with the purity of the air, must be taken to secure a reasonable temperature in each room in which any person is employed. Where so required by the order of Secretary of State thermometers must be provided and kept in working order.

5. Where wet processes are carried on adequate means for draining the floor must be provided.

6. Where lead, arsenic, or other poisonous substance is used suitable washing conveniences must be provided. Where such

poisonous substance is so used in any room as to give rise to dust or fumes, no person may remain in that room during meal times, and a suitable place for meals must be provided elsewhere in the workshop for the use of the person employed in such room.

7. Sufficient and suitable sanitary conveniences must be provided, with separate accommodation for each sex where persons of both sexes are employed. The standard of sufficiency and suitability fixed by order of the Secretary of State must be observed in every workshop in the districts to which the order applies.

ACCIDENTS.

8. Where there occurs in the workshop any accident which causes to a person employed in the workshop such injury as to prevent him, on any one of the three working days next after the accident, from being employed for five hours on his ordinary work, written notice must be sent forthwith to H.M. Inspector for the district (Form 43), and the accident must be entered in the General Register (Form 38).

9. If the accident is fatal, or is produced by a vat, pan, &c., containing hot liquid, or by explosion, or by escape of gas, steam, or metal, notice must *also* be sent to the certifying surgeon (Form 43).

10. Cases of anthrax, and of poisoning by lead, phosphorus, arsenic, or mercury, must be reported (Form 40) to H.M. Inspector for the district, and to the certifying surgeon, and must be entered in the General Register (Form 38).

11. Sufficient provision must be made for escape in case of fire, and maintained in good condition and free from obstruction.

12. The doors must not be so locked or fastened that they cannot be easily and immediately opened from the inside. In every workshop built after 1895 the doors (other than sliding doors) or every room in which more than ten persons are employed must open outwards.

EMPLOYMENT AND MEAL HOURS.

13. No woman, young person, or child, may be employed in the workshop except during the periods of employment, and with the intervals for meals, shown in the notice above; and these must be fixed within the limits prescribed by the Act, as below. They are not to be changed unless notice (Form 31) has been served on H.M. Inspector for the district, and affixed in the workshop, nor more often than once in three months (except for special cause, and with the written consent of H.M. Inspector).

No overtime may be worked save under special exception (*see par. 30 below*) allowed in certain places and processes.

14. The period of employment for women and young persons must be fixed as follows :—

For any day except Saturday, from 6 a.m. to 6 p.m., or from 7 a.m. to 7 p.m., or from 8 a.m. to 8 p.m. ; with at least $1\frac{1}{2}$ hours for meals, 1 hour being before 3 p.m.

For Saturday, from 6 a.m. to 2 p.m., or from 7 a.m. to 3 p.m., or from 8 a.m. to 4 p.m. ; with at least $\frac{1}{2}$ hour for a meal.

If, however, no young person or child is at any time employed in the workshop, and notice (Form 29) to that effect has been sent to H.M. Inspector for the district, the period of employment for women may be fixed *except on Saturday* for any specified period of twelve hours between 6 a.m. and 10 p.m., with at least $1\frac{1}{2}$ hours for meals ; and *on Saturday* for any specified period of eight hours between 6 a.m. and 4 p.m., with at least $\frac{1}{2}$ hour for meals.

15. Children may only be employed on the half-time system as below :—

(i.) *When employed on alternate days.*

Employment on alternate days is allowed only in a workshop in which not less than two hours are (except on Saturday) allowed for meals.

No child may be employed on two successive days, or on the same day in two successive weeks.

The period of employment must be fixed as follows :—

For any day except Saturday, from 6 a.m. to 6 p.m., or from 7 a.m. to 7 p.m., or from 8 a.m. to 8 p.m. ; with at least two hours for meals.

For Saturday, from 6 a.m. or 7 a.m. to 2 p.m., or from 8 a.m. to 4 p.m. ; with at least $\frac{1}{2}$ hour for a meal.

(ii.) *When employed in morning and afternoon sets.*

No child may be employed in two successive periods of seven days in a morning set, or in two successive periods of seven days in an afternoon set ; or on Saturday in the same set in which he has been employed on any other day of the week.

The period of employment must be fixed as follows :—

For the morning set, so as to *begin* each day at 6 a.m., 7 a.m., or 8 a.m., and *end* at 1 p.m., or at the beginning of the dinner time if before 1 p.m., or at noon if the dinner time does not begin before 2 p.m.

For the afternoon set, so as to *begin* at 1 p.m., or at the end of the dinner time if later than 12.30, or at noon if the dinner time does not begin before 2 p.m., and the morning set do not work after noon ; and *end* on Saturdays at 2 p.m. and on other days at 6 p.m., 7 p.m., or 8 p.m., according to the hour at which the morning set began.

16. Women, young persons, and children must have the same meal times, and may not during meal times, be employed in any manner in the workshop, or be allowed to remain in any room in which any manufacturing process or handicraft is being then carried on.

17. No woman, young person, or child may be employed continuously for more than five hours without an interval of at least half an hour. Employment is deemed to be continuous unless interrupted by an interval of at least $\frac{1}{2}$ hour.

18. No child employed in	{	may be employed <i>on the same day</i> in the business of the workshop, except during the period of employment shown in the Notice above.
the workshop ..		
No woman or young person employed in the workshop both before and after the dinner hour		

If a woman or young person is employed by the occupier on the same day, both in the workshop and in a shop

(a.) the whole of such employment must not exceed the number of hours permitted by the Act for employment in the workshop ; and

(b.) if employed in the shop before or after the period of employment specified in the notice above, the prescribed entry must be made in Part VII. of the General Register.

19. No woman, young person, or child, may be employed on Sunday.

20. No woman may be employed within four weeks after she has given birth to a child.

21. No young person or child may be employed until entered in the General Register (Form 38).

22. Children must not be employed under 12 years of age, nor above that age unless they comply with the Education Acts and bye-laws as to age and certificates.

They must attend school regularly ; once on each work day, if employed in sets ; and, if employed on alternate days, twice on each intervening school day. Certificates of such attendance must be obtained weekly from the teacher of the school by the occupier, on Mondays, and kept for two months ; and no child who has not made the requisite number of attendances in any week may be employed in the following week until the requisite number has been made up.

Persons between 13 and 14 years of age must not be employed for full time unless they obtain from the proper school authority certificates qualifying for full time employment.

HOLIDAYS.

23. Women, young persons, and children must be allowed the following holidays :—

IRELAND—(a.) Christmas Day ; (b.) any two of the following days fixed by the occupier by notice, namely—17th March (except when a Sunday), Good Friday, Easter Monday, Easter Tuesday ; (c.) three other holidays, or six half-holidays, fixed by the occupier by notice. (See par. 24 below.)

Each half-holiday must comprise at least half of the period of employment for women and young persons on some other day than Saturday.

24. All notices fixing holidays, or substituting one day for another, must be affixed in the workshop and sent to H.M. Inspector for the district in the first week in January (Form 34). The dates can afterwards be altered on a fortnight's notice given in the same way.

25. At least half of the holidays fixed by the occupier must be between 15th March and 1st October.

26. All women, young persons, and children employed in the workshop must have the same days for holidays.

OUTWORKERS.

27. When any persons are employed outside the workshop on the business of the workshop in certain classes of work (namely wearing apparel, lace, electroplate, files, cabinets and furniture, upholstery, or fur-pulling, or others that may be specified by order of the Secretary of State), lists of all such persons must be kept in the prescribed form (Form 44), open to the inspection of H.M. Inspectors and the officers of the L.A. Copies of such lists must be sent on or before the 1st of February and the 1st of August in each year to the L.A. of the district in which the workshop is situate. Copies or extracts must also be sent to H.M. Inspectors if so required.

Such work must not be given out to be done in any house which is declared by the L.A., by written notice to the occupier of the workshop, to be injurious or dangerous to the health of the persons employed therein. A similar prohibition applies in the case of outwork on wearing apparel, lace, upholstery and fur-pulling, where the L.A. declare a house to be infected. And apart from any such notice work on wearing apparel must not be given out to be done in any house in which there is a case of scarlet fever or small-pox.

PIECE-WORK.—PARTICULARS.

28. In certain workshops (namely, those in which is carried

on any textile manufacture, or wholesale tailoring, or the making of felt hats, or of locks, latches, or keys, or of handkerchiefs, aprons, pinafores, or blouses, or of pens, and such other classes of workshops as the Secretary of State may by order specify (from time to time) every person paid by the piece must have supplied to him with his work such particulars, to enable him to compute the amount of his wages, as are specified in the orders of the Secretary of State. If he discloses such particulars for the purpose of disclosing a trade secret he is liable to a penalty. This requirement extends to outworkers of the classes specified in par. 27, where the order so directs.



NOTICES, REGISTERS, RETURNS.

29. The occupier must send notice (Form 35) to H.M. Inspector for the district within one month after beginning to occupy a workshop, or changing his workshop from one place to another, or converting it into a factory by introducing power.

He must keep a general register in the prescribed form (Form 38) with all the requisite entries as directed therein.

He must forward to H.M. Chief Inspector of Factories, at such times and with such particulars as may be directed by the Secretary of State, a return of the persons employed in the workshop.

EXCEPTIONS.

30. In certain classes of workshops certain special exceptions to the above regulations are admitted: but before any exception can be acted on, a notice in the prescribed form must

- (1.) be sent to H.M. Inspector for the district;
- (2.) be kept affixed in the workshop; and
- (3.) be entered in the General Register (Form 38).

The forms of notice which may be obtained from the Government printers show the cases in which each exception is allowed, and the conditions to which it is subject. Any occupier acting on an exception without proper notice, or without observing the conditions, is liable to a penalty.

The Act does not extend to any young person, being a mechanic, artisan, or labourer, working only in repairing either the machinery in, or any part of, the workshop.

INSPECTION.

31. H.M. Inspectors have power to inspect every part of the workshop by day or by night. They may require the production of registers, certificates, and other papers. They may examine any person found in the workshop either alone or in the

presence of any other person as they think fit, and may require him to sign a declaration of the truth of the matters about which he is examined. They may also exercise such other powers as may be necessary for carrying the Acts into effect. Every person obstructing an Inspector or refusing to answer his questions is liable to a penalty.

The officers of the L.A. have similar powers so far as required for the purpose of their duties under this Act and under the Public Health Acts.

DEFINITIONS.

32. *Workshop* means (a) any hat work, rope works, bake-house, lace warehouse, shipbuilding yard, quarry, pit-bank of a metalliferous mine, or dry-cleaning carpet-beating or bottle-washing works, not being a factory ; and (b) any premises, room, or place (whether enclosed or in the open air), not being a factory, in which premises, room, or place any manual labour is exercised, by way of trade or for purposes of gain, in or incidental to the following purposes :—

the making of any article, or of part of any article ; or
the altering, repairing, ornamenting, or finishing of any article ; or

the adapting for sale of any article ;

and to which or over which premises, room, or place the employer of the persons working therein has the right of access or control. It includes a *tenement workshop*, that is a workplace in which two or more persons carry on work of the above description with the consent of the owner or occupier, though not employed by him. For *men's workshops*, in which no woman, young person, or child is at any time employed, a separate abstract is issued (Form 59).

A *private line or siding* used in connection with a workshop is subject to certain provisions of the Act, including paragraphs 8, 9, and 31 above.

Child means a person under 14 ; except that a child of 13, who has obtained from the proper school authority a certificate qualifying him for full time employment, is deemed a young person.

Young person means a person who has ceased to be a child (as defined above), but is under 18 years of age.

Woman means a female who is over 18.

NOTE AS TO THE TRUCK ACTS.

The Truck Acts require that wages shall be paid in money only. Payment in goods therefore or otherwise than in coin is illegal.

Any express or implied agreement as to the manner or place in which wages are to be spent (for the worker's private use) is illegal.

All fines or deductions or charges in respect of (a) bad work, or (b) damaged goods or (c) materials or articles to be used in relation to the work are illegal unless made in pursuance of a contract between the employer and the worker. The contract must be in writing and signed by each worker, or else contained in a notice affixed in the workshop ; and a copy must be given to each worker when the contract is made.

In the case of fines, the contract must specify clearly the matter in respect of which a fine may be imposed, and the amount of the fine.

In case of materials or articles used in relation to the work, the charge must in no case exceed the cost thereof to the employer.

No fine or deduction or charge (nor any contract respecting the same) is legal unless it is fair and reasonable.

Written particulars must be given to the worker on each occasion when a fine or deduction or charge is made.

A register of all fines imposed must be kept.

The contract and register must be produced on demand of H.M. Inspectors.

A copy of the contract must be given to any worker on demand.

A deduction or charge in respect of food cooked and eaten on the premises is illegal unless made in pursuance of a special contract in writing signed by each worker.

A breach of the Truck Acts not merely entitles the worker to recover the fine or deduction or the wages paid in goods, but is also punishable by penalty on summary conviction.

FACTORY AND WORKSHOPS ACT, 1901.

MEMORANDUM AS TO ANNUAL REPORTS OF MEDICAL OFFICERS OF HEALTH IN IRELAND.

Section 132 of the Factory and Workshop Act, 1901, which came into force on January 1st, 1902, requires that the M.O.H. of every district council shall report annually on the administration of the Act in workshops and workplaces, and that he shall send a copy of the report to the Secretary of State.

The report should be for the year ending the 31st of December, and be made as soon as practicable after the expiration of the year to which it relates. The copy should be addressed to the Secretary of State, Home Office, Whitehall.

The M.O.H. is required to report on the administration of the Factory and Workshop Act, 1901, only in so far as this administration is in the hands of the district council and is concerned with matters in his department. In reporting on the sanitary administration of workshops and workplaces, he should include an account of the action with respect to factories, workshops, and workplaces, taken under the Public Health Acts as well as under the Factory and Workshop Act.

The duties of district councils in regard to workshops and workplaces are fully set forth in the accompanying memorandum issued by the Home Office. In respect of these duties the chief points to be reported on by the M.O.H. may be thus classified :—

(1.) Sanitary condition of the workshops and workplaces, including—

- (a.) cleanliness ;
- (b.) air space ;
- (c.) ventilation ;
- (d.) drainage of floors on which wet processes are carried on ;
- (e.) provision of suitable and sufficient sanitary conveniences.

(2.) Special sanitary regulations for bakehouses.

(3.) Home work. Under this heading comes the prevention of home work being carried on in dwellings which are injurious or dangerous to the health of the workers through overcrowding, want of ventilation, or other sanitary defect, or in dwellings in which dangerous infectious disease exists.

(4.) The keeping of the lists of outworkers in certain branches of industry which are to be furnished by employers ; and the transmission of the name and place of employment of any such outworker who does not reside in the district to the council of the district in which he works.

(5.) The keeping of a register of workshops.

Local Government Board, Dublin, June, 1903.

SALE OF FOOD AND DRUGS ACT, 1875.

2. " Drug " may be for internal or external use.

DESCRIPTION OF OFFENCES.]

3. No person shall mix, colour, stain, or powder, or order or permit any person to do so, any article of food with any ingredient or material so as to render the article injurious to health, with intent that the same may be sold in that state, and no person shall sell any article so treated under a penalty of up to £50. Every offence after a first conviction shall be a misdemeanour punishable by not more than 6 months with hard labour.

4. Same as previous section 3, using the word " drug " instead of " article of food," and " so as to injuriously affect the quality of such drug " instead of " so as to render the article injurious to health." Such mixing, &c., is permitted for the purpose of compounding to the extent specified hereafter in sect. 6.

5. No person shall be convicted under sects. 3 or 4 if he can prove that he applied " reasonable diligence " and was unaware

that any mixing, &c., with deleterious material (as above) was taking place.

6. "No person shall sell to the prejudice of the purchaser, any article of food or any drug which is not of the nature, substance, and quality of the article demanded by such purchaser under a penalty of up to £20." Unless in the cases:—

(1.) Where a harmless ingredient has been added to a food or drug which is necessary to its preparation so as to preserve it fit for consumption and not for the purpose of concealing its quality or increasing its weight, bulk, or measure.

(2.) Where the drug or food is proprietary or patented and it is done to comply with the patent.

(3.) Where the food or drug is compounded as in this Act mentioned.

(4.) Where extraneous matter gets added accidentally during the process of collection or preparation.

7. "No person shall sell any compound article of food or compounded drug which is not composed of ingredients in accordance with the demand of the purchaser"—under a penalty of up to £20.

8. But it shall not be an offence under sect. 7 if the purchaser received with the article or drug a label or notice distinctly stating the true composition of such.

9. The same penalty as in sect. 7 applies where anyone abstracts from any article of food, anything which might injuriously affect its quality, substance, or nature without distinctly making clear such fact.

10. The S.A. of any county, city, or borough (or union—L.G.I.A., 1898) may appoint a person approved of by the L.G.B. as analyst.

Any interest whatsoever in any trade or business connected with the sale of food or drugs in such district, shall be a disqualification for such analyst.

11. An analyst may act for two or more districts, counties, &c.

12. In any district where an analyst has been appointed he shall, for a fee of 10s. 6d. analyse for any purchaser any article of food or drug submitted to him, and duly certify his opinion.

13. Any M.O.H., sanitary sub-officer, inspector of weights and measures, or police constable appointed under this Act by the L.A. may procure any sample of food or drugs, and if he suspects this Act to be contravened by the same, may have such sample analysed and certified by the district analyst, or if none such by some other analyst.

14. Any officer after purchasing any article for analysis shall notify to the seller his intention to have such analysed, and shall divide the article there and then into 3 parts, and seal or properly fasten up each part; and if the seller demands he shall deliver

him one of such 3 parts. He shall himself retain one part and send the third part for analysis.

15. This sect. is repealed by the Schedule of the Act of 1889.

16. He shall send samples to the analyst by hand, or if more than two miles by registered parcels post.

17. If any retailer refuses to sell sample of any food or drug exposed for sale in any shop or store to any officer as mentioned in sect. 13 when tendered the full price, he shall be liable to a penalty of up to £10.

18. The analyst's certificate must be in a prescribed form.

19. Every public analyst must send quarterly detailed reports to each authority for which he acts.

20. Any officer acting as in sect. 13 on obtaining from the analyst a certificate pointing to a contravention of this Act by the seller, may proceed to recover penalty in any Petty Sessions Court in the district where the sample was produced.

21. The analyst's certificate shall be *prima facie* evidence in court. But if seller demands it the analyst shall be called as a witness and the officer must produce the part of the sample, retained by him, in Court.

The seller or his wife shall be competent witnesses.

22. The justices may adjourn a case and direct a sample to be sent for further analysis to Somerset House. And they may direct who shall pay costs of such further analysis.

23. Anyone convicted under this Act by a Petty Sessions Court may appeal to Quarter Sessions or Recorder's Court.

24. If a defendant claims exemption under sect. 6 he must prove all necessary facts to that purpose.

25. Defendant shall not be convicted if he proves he bought the article with a warranty and sold it in the same state as he bought it. But he shall pay costs unless he gave notice of such fact to the officer when taking the sample.

26. Penalties recovered shall be paid through the prosecuting officer to the authority for whom he acts, to be applied to the expenses of this Act.

27. Anyone forging or knowingly uttering any forged certificate or warranty, to be used under this Act, shall be guilty of a misdemeanour, and liable to up to 2 years with hard labour.

Penalty for wilful misapplication of any certificate or warranty up to £20


Penalty for wilfully having false label on any food or drug up to £20.

28. Nothing in this Act shall affect contracts or the power of proceeding by indictment. Provided a person proving he sold an article in good faith as he received it, and believing it genuine may recover costs and damages from the person who sold the same to him.

29. Incidence of expenses under this Act (altered by the L.G.I.A., 1898).

30. All tea imported shall be inspected, and if necessary for the detection of impurities or admixture of "exhausted" leaves, analysed by the Customs Department.

They may seize and destroy, or otherwise dispose of tea unfit for human food.

31. "Exhausted" shall mean deprived of its proper quality, strength, or nature, by steeping, infusion, decoction, or other means. 

SALE OF FOOD AND DRUGS AMENDMENT ACT, 1879.

2. It shall not be a good defence to allege that if the article be deficient it can be to the prejudice of the purchaser if he bought the article only for the purpose of having it analysed.

To be defective in nature or in substance or in quality (not necessarily all three) shall be sufficient for conviction.

3. Any authorised officer of the S.A. or police constable may obtain for analysis at the place of delivery a sample of milk, and may proceed under the 1875 Act if he obtained it in a shop or dairy.

4. Penalty for refusing any such officer or constable sample of milk for analysis up to £10.

5. Sect. 17 of the 1875 Act applies to any street or place of public resort.

6. Allows minimum strength of brandy, whiskey, and rum to be 25° under proof and gin 35°. ("Proof-spirit" contains 49·24 % of alcohol).

SALE OF FOOD AND DRUGS ACT, 1899.

1. (1.) Anyone who imports into the United Kingdom any of the following articles shall be liable, on summary conviction, to be fined up to £20, and for a second offence up to £50, and for a subsequent offence up to £100.

(a.) "Margarine" or "Margarine-cheese" which is not conspicuously labelled with such name ;

(b.) Adulterated or impoverished butter, milk, or cream, which is not conspicuously labelled so as to indicate that it is so adulterated or impoverished ;

(c.) Condensed, separated, or skimmed milk except in vessels having legible labels with "machine-skimmed milk" or "skimmed milk" printed thereon ;

(d.) Any adulterated or impoverished article of food to which this section shall be applied by an order in council, unless the same be conspicuously labelled so as to indicate its exact nature.

(2.) "Importer" includes anyone in possession of, or entitled to the custody or control of the article.

(3.) The Commissioners of Customs shall prosecute under this section and may take samples from imported articles.

(4.) Samples are collected as under sect. 14 of the Act, 1875, one part being sent to Somerset House for analysis.

(5.) The certificate of the chief Government Chemist shall be sufficient evidence if put in Court.

(6.) The Board of Agriculture shall be informed if there is reason to believe an offence has been committed against this section.

(7.) A food shall be considered "adulterated or impoverished" if anything has been added to it or abstracted from it which injuriously affects its quality, substance, or nature. The addition of so much preservative or colouring matter as will not be injurious to health is permitted.

2. (1.) The L.G.B. (or in matters specially of agricultural concern the Board of Agriculture) may direct an officer of the Board to collect samples of food for analysis. Such officer shall have same powers as if acting under sect. 13 of the 1875 Act, particularly, and under the Act generally, except:

(a.) He shall divide the sample into 4 parts, sending one part to the Board and disposing of the other three parts as in sect. 14 of the 1875 Act;

(b.) the L.A. of place where sample collected shall pay costs of analysis.

(2.) The Board shall report result to the L.A. who thereupon may prosecute.

3. (1.) If the Board consider a L.A. have neglected to enforce or execute provisions of these Acts they may by order appoint an officer to do such things.

(2.) The expenses therefrom arising shall be paid to the Board by the L.A. on demand.

(3.) Under this section the Board's action shall be final and conclusive.

(4.) Public analysts appointed under these Acts must furnish Board with proofs of competency.

4. The Board of Agriculture may fix standards of purity for milks, cream, butter, and cheese.

5. Extends "Margarine Act, 1887," as amended by this Act to margarine-cheese.

6. The words "margarine" or "margarine-cheese" shall be on every packet or wrapper containing such, in black capitals at least half an inch high—no other matter to be printed on such.

7. (1.) Every occupier of a margarine or margarine-cheese factory and every wholesale dealer in such articles shall keep a register, open to inspection by any officer of the Board of Agri-

culture, which will show the quantity and destination of every consignment of such articles.

(2.) Every such officer shall have power to enter, inspect, and remove samples from any such factory.

(3.) Penalty for first offence up to £10, and afterwards up to £50 against occupier or dealer who :—

- (a.) keeps no such register ;
- (b.) refuses to submit register to an officer for inspection ;
- (c.) does not keep register posted up to date ;
- (d.) makes false entry in register, or
- (e.) fraudulently omits to enter any particulars required.

(4.) Extends sect. 9, Margarine Act, 1887, to premises of wholesale dealer of margarine or margarine-cheese.

(5.) Registration of such a factory to be notified by the L.A. to the Board of Agriculture.

8. It shall be an offence under the Margarine Act, 1887, to make, sell, expose, or import margarine containing more than 10 % butter-fat.

9. Penalty of up to £2 for not having name of the owner on a cart or vessel from which milk or cream is sold in any highway or public place.

10. When a sample is taken of milk, or margarine, or margarine-cheese, in course of delivery or transit, portion of the same shall be properly forwarded to the consignor.

11. Penalty of up to £10 for selling condensed, separated, or skimmed milk in vessels which do not bear a clearly-printed label with such words thereon printed in large type as indicate the true nature of the contents.

12. The labels on mixtures (under sect. 8 of the 1875 Act) must be clearly printed and no other matter must obscure the label.

13. Repeals certain sections in 1875 Act already treated accordingly.

14. Sects. 3 and 4 of the 1875 Act shall apply to every other article of food, provided no sample shall be taken where consignee or purchaser is an unwilling agent.

15. In sect. 16 of the 1875 Act for "registered parcel" read "registered letter."

16. Penalties for first, second, and subsequent offences of £20, £50, and £100 respectively against anyone wilfully obstructing, impeding, bribing, or tempting any officer acting under the Sale of Food and Drugs Acts.

17. (1.) Extends Act of 1875 so that wherever a penalty of up to £20 may be imposed, for a second offence up to £50, and for subsequent offences up to £100 may be imposed.

(2.) The court may order imprisonment with hard labour up to 3 months, in cases of personal culpability punishable otherwise by a fine exceeding £50.

18. Where articles are sold in compressed tins or packets vendors shall not be required to otherwise sell such articles.

19. (1.) No prosecution can be instituted under these Acts after 28 days from the time of purchase of a test sample.

(2.) Every summons under these Acts must state offence alleged, give name of prosecutor, must be accompanied by copy of analyst's certificate, and shall not be returnable in less than 14 days from service.

20. (1.) When a defence relies on a warranty or invoice, copy of such must be served on prosecutor within 7 days from summons, and notice of such defence must be sent to issuer of such.

(2.) Issuer of warranty or invoice shall be a competent witness.

(3.) Where there is an acquittal on the defence that a warranty was given, which afterwards proved to be false, the issuer of the latter may be sued where the sample was taken or where the warranty was issued.

(4.) Anyone knowingly issuing a false warranty shall be liable to penalties of £20, £50, and £100 for first, second, and subsequent offences respectively.

21. As in sect. 22 of the 1875 Act.

22. As in sect. 18 of the 1875 Act.

25. "Cheese" must contain no fat derived otherwise than from milk.

"Margarine-cheese," a substance prepared in imitation of cheese which contains fat not derived from milk.

26. "Food" shall include every article used for food or drink by man, other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of food; and shall also include flavouring matters and condiments.

MARGARINE ACT, 1887.

1. Short title : as above.

2. Commencement of Act, 1st January, 1888.

3. "Butter" shall mean "the substance usually known as butter, made exclusively from milk or cream, or both, with or without salt or other preservative, and with or without the addition of colouring matter."

"Margarine" shall mean "all substances, whether compounds or otherwise, prepared in imitation of butter, and whether mixed with butter or not, and no such substance shall be lawfully sold except under the conditions set forth in this Act."

4. Every wholesale or retail dealer in margarine or manufacturer, importer, consignor, consignee, or agent, dealing in such, when found guilty under this Act shall be liable to penalties of :—for a first offence up to £20, for a second offence up to £50, and for any subsequent offence up to £100.

5. Where an employer is charged under this Act, though the commission of the offence may be proved, he shall be exempted from any penalty if he can establish that a third party was the actual offender, and that he himself had exercised due diligence to comply with the requirements of this Act. In such cases such third party shall be liable to any penalty imposed.

6. Every dealer in margarine shall observe the following regulations :—

Every open or closed package containing margarine shall be branded or durably marked "Margarine" on the top, bottom, and sides, in printed capital letters not less than $\frac{3}{4}$ inch square. And if such margarine be exposed for sale by retail, there shall be attached to each such parcel, so as to be clearly visible to the purchaser, a label marked in printed capital letters not less than $1\frac{1}{2}$ inches square the word "Margarine."

Every person selling margarine by retail, save as in a package as aforesaid, shall deliver the same to the purchaser in or with a paper wrapper, on which shall be printed "Margarine" in capital letters of not less than $\frac{1}{4}$ inch square.

7. Every person dealing with, selling, or exposing, or offering for sale, or possessing for the purpose of sale, margarine, contrary to the provisions of this Act, shall be guilty of an offence under this Act, unless :—

(a.) That he can prove he purchased the article as butter with a written warranty or invoice ;

(b.) And that he had no reason to think it was other than butter when he sold it ;

(c.) And that he sold it in the same state as when he purchased it.

But he shall be liable to costs unless he had given due notice of such defence.

8. All imported or manufactured margarine forwarded by any public conveyance anywhere in Ireland shall be duly consigned as margarine

Any officer of customs or inland revenue or any officer authorised under sect. 13, Sale of Food and Drugs Act, 1875, may take samples from any suspected package and have the same analysed so as to determine if any section of this Act be contravened.

9. Every margarine factory shall be registered by the owner or occupier, with the L.A. from time to time, and in such manner as the L.G.B. shall direct.

Anyone failing to do so shall be guilty of an offence under this Act.

10. Any person authorised under the sale of Food and Drugs Act, 1875, may, without going through the form of purchase prescribed by that Act, but otherwise conforming to the provisions of that Act as to dealing with samples, take for analysis samples

of any butter or article purporting to be butter which is exposed for sale and not marked "Margarine" as required by this Act,

Any substance not so marked shall be presumed to be exposed for sale as butter.

11. The Court may award as recompense any part of penalties recovered under this Act to the person taking proceedings

12. All proceedings, save as expressly varied by this Act, shall be as under sects. 12 to 28 of Sale of Food and Drugs Act, 1875, and all officers empowered under that Act shall be empowered and required to carry out this Act.

13. The L.A. shall mean any L.A. empowered to appoint a public analyst under the 1875 Act.

REGULATIONS MADE UNDER THE MARGARINE ACT, 1887, FOR THE REGISTRATION OF MANUFACTORIES.

ARTICLE 1. Every owner or occupier of a¹ manufactory of margarine in Ireland who shall make application to the proper L.A. for a certificate of registration under the said Margarine Act, 1887, 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 ;

(c.) The name and address, or names and addresses, of the owner or owners, or occupier or occupiers, carrying on the manufacture.

Every such application shall be signed by the person making the same, or by some one acting on his behalf.

ARTICLE 2. If the application is in due form, the L.A. shall cause the manufactory 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 L.A. to the person applying for the same.

ARTICLE 3. Where any change occurs in the persons carrying on the manufacture, written notice thereof shall be given by the owner or occupier of the manufactory to the L.A., and the register shall thereupon be amended by making therein the requisite alteration, and an endorsement shall be made by the L.A. 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 First day of January, One Thousand Eight Hundred and Eighty-eight, and shall remain in force until We shall otherwise direct.

SALE OF HORSEFLESH, &c., REGULATION ACT, 1889.

1. No person shall sell, offer, expose, or keep for sale any horseflesh for human food, elsewhere than in a shop, stall, or

place over or upon which there shall be at all times painted, posted, or placed in legible characters of not less than four inches in length, and in a conspicuous position, and so as to be visible throughout the whole time, whether by night or day, during which such horseflesh is being offered or exposed for sale, words indicating that horseflesh is sold there.

2. No person shall supply horseflesh for human food to any purchaser who has asked to be supplied with some meat other than horseflesh, or with some compound article of food which is not ordinarily made of horseflesh.

3. Any M.O.H. or inspector of nuisances or other officer of a L.A. acting on the instructions of such authority or appointed by such authority for the purposes of this Act, may at all reasonable times inspect and examine any meat which he has reason to believe to be horseflesh, exposed for sale or deposited for the purpose of sale, or of preparation for sale, and intended for human food, in any place other than such shop, stall, or place as aforesaid, and if such meat appears to him to be horseflesh he may seize and carry away or cause to be seized and carried away the same, in order to have the same dealt with by a justice as hereinafter provided.

4. On complaint made on oath by a M.O.H. or inspector of nuisances or other officer of a L.A., any justice may grant a warrant to any such officer to enter any building or part of a building other than such shop, stall, or place as aforesaid, in which such officer has reason for believing that there is kept or concealed any horseflesh which is intended for sale, or for preparation for sale for human food, contrary to the provision of this Act; and to search for, seize, and carry away, or cause to be seized and carried away, any meat that appears to such officer to be such horseflesh, in order to have the same dealt with by a justice as hereinafter provided.

Any person who shall obstruct any such officer in the performance of his duty under this Act shall be deemed to have committed an offence under this Act.

5. If it appears to any justice that any meat seized under the foregoing provisions of this Act is such horseflesh as aforesaid, he may make such order with regard to the disposal thereof as he may think desirable; and the person in whose possession or on whose premises the meat was found shall be deemed to have committed an offence under this Act, unless he proves that such meat was not intended for human food contrary to the provisions of this Act.

6. Any person offending against any of the provisions of this Act, for every such offence shall be liable to a penalty not exceeding £20, to be recovered in a summary manner; and if any horseflesh is proved to have been exposed for sale to the public in any shop, stall, or eating-house other than such shop,

stall, or place as in the first section mentioned, without anything to show that it was not intended for sale for human food, the onus of proving that it was not so intended shall rest upon the person exposing it for sale.

7. For the purposes of this Act "horseflesh" shall include the flesh of asses and mules, and shall mean horseflesh, cooked, or uncooked, alone or accompanied by or mixed with any other substance.

8. For the purpose of this Act the L.As. shall be, in Ireland, the urban and rural sanitary authorities under the P.H.I.A. 1878.

HOUSING OF THE WORKING CLASSES ACT, 1890.

PART I.—UNHEALTHY AREAS.

3. This part does not apply to R.S.Ds.

4. Where an U.S.A. has received an "official representation" that any street, houses, courts or alleys within the district are unfit for human habitation or that they are dangerous or injurious to the health of the inhabitants residing therein or thereabouts by reason of the want of air, light, or proper conveniences, or from some other sanitary defect, and that such condition cannot be remedied except by the rearrangement or reconstruction of the whole or part of the said street, houses, courts, or alleys it shall be the duty of the U.S.A. to make due inquiry.

If the U.S.A. are satisfied after inquiry that such representation is well grounded, and that it is within their power and means to remedy the defects represented, they shall then by resolution declare such an area to be an "unhealthy area," and that an improvement scheme ought to be made in respect to the same, and forthwith they shall proceed to prepare a scheme.

5. An official representation may be made by:—

(a.) the M.O.H. of the district on his own initiative, or

(b.) the M.O.H. on complaint from 2 or more justices of the district, or

(c.) the M.O.H. on complaint from 12 or more ratepayers.

The M.O.H. shall inspect the alleged unhealthy area and may declare in his official representation to the U.S.A. that such area is unhealthy or that it is not, in either case he must give his reasons for his conclusion.

6. An improvement scheme shall in all cases be accompanied by maps, particulars, and estimates, and:—

(a.) may extend or reduce the area represented;

(b.) may provide for widening approaches;

(c.) shall provide dwelling-places for displaced working-classes;

(d.) shall provide for proper sanitary arrangements;

(e.) shall distinguish lands to be compulsorily acquired.

(f.) may allow the "person entitled to the first estate of freehold" of all or part of the area to carry out the whole or part of the improvements.

7. Steps towards confirmation of a scheme :—

(a.) The U.S.A. shall publish in a local newspaper for 3 consecutive weeks during Sept., Oct., or Nov., the fact of the adoption of a scheme, the limits of the area to which it applies, and the name of the place within the district where a copy of the scheme may be inspected.

(b.) During the month following the advertising month the U.S.A. shall serve notices on all owners and occupiers of all lands to be taken compulsorily.

(c.) Such notice may be served personally, or on an agent, or by leaving it at the address of or sending it by post to an owner, occupier, or agent, or by leaving at a house addressed to the owner or occupier of a named house without naming the person.

8. (1.) The U.S.A. shall next send a petition to the L.G.B. asking that a provisional order be issued.

(2.) The petition shall be accompanied by a copy of the scheme and a list of the names of objecting owners of lands to be acquired, and it shall be supported by such evidence as the L.G.B. may require.

(3.) The L.G.B. may direct a local inquiry to be held.

(4.) After receiving a report of such inquiry the L.G.B. may issue a provisional order, defining the area of the scheme and authorising work to be commenced.

(5.) This order may be of absolute or conditional character, in the latter case copies of the order must be served on all persons affected by the added conditions.

(6.) The order shall not be valid unless and until it be confirmed by Act of Parliament (the "Confirming Act"), which Act may modify the original provisional order.

(7.) "The Confirming Authority" (the L.G.B.) may allow expenses to persons who opposed compulsory acquisition of their lands.

(8.) The L.G.B. shall direct manner of paying such expenses, and the L.A. shall also have to pay the expenses of the L.G.B. in relation to the provisional order.

(9.) Orders made by the L.G.B. under this section may be enforced through a superior court.

9. When a confirming bill is opposed and referred to a Parliamentary Committee such Committee shall determine by whom costs shall be paid.

Any decision of a majority of such Committee present shall be binding. Costs under this section may be taxed and recovered as under 28 and 29 Vict., c. 27.

10. Where after considering an official representation the

L.A. refuse to make a scheme they shall at once send to the L.G.B. a copy of the representation together with their reasons for not acting on it. Whereupon the L.G.B. may direct a local inquiry to be held.

11. The L.G.B. may require the L.A. to provide sufficient accommodation for the working classes, likely to be displaced in carrying out a scheme, in such situation as they may direct.

12. (1.) The L.A. must proceed to execute the scheme as soon as the Confirming Act has been passed.

(2.) The L.A. may sell or let any part of the area included on condition of the contracting party carrying out all conditions required by the Confirming Act, and they may insert in their contract a provision entitling them to re-possession in case of any non-compliance.

(3.) The L.A. may also contract with trustees or a society of persons to carry out the whole or part of the scheme.

Without the consent of the L.G.B. the L.A. shall not rebuild houses or execute any part of the scheme though they may take down houses or clear all or part of the area, and lay out, pave, and sewer the same for new streets which shall then be public streets.

(4.) The L.A. must insure that in any part of the scheme carried out by others, all buildings shall be of approved elevation, size, design, accommodation and sanitary arrangement generally.

(5.) All dwellings erected by the L.A. must be disposed of by them within 10 years unless otherwise ordered by the L.G.B.

(6.) The L.A. may in the first instance contract with the "person entitled to the first estate of freehold" in any land comprised in the scheme for the carrying out of the scheme on such land.

13. If within 5 years after the removal of buildings from acquired lands the L.A. have failed or neglected to let or sell such for building under the scheme, the L.G.B. may order the said lands to be disposed of at a reserved price and subject to the acquirer carrying out the conditions of the scheme, with such other conditions and reservations as the L.G.B. may impose.

14. Where the L.A. are about to take 15 or more houses they shall for 13 weeks previously advertise their intention by placards, handbills, and other general notices, and they must obtain from a justice a certificate that they have done so.

15. (1.) The L.G.B. shall have power to permit the L.A. to modify certain details of their scheme in a limited manner.

(2.) A statement of such modifications must forthwith be laid before both Houses of Parliament by the L.G.B.

A new Confirming Act shall be necessary where these modifications involve radical changes in the scheme (such as the compulsory acquisition of additional lands, &c.).

16. Where under sect. 5, 12 or more ratepayers have made complaint to the M.O.H. that any area within the district is unhealthy, and the M.O.H. has either failed to inspect and report on such area or has reported such area not to be unhealthy the said ratepayers may appeal direct to the L.G.B.

Whereupon the L.G.B. may send a qualified medical man to inspect and report on the said area.

If the L.G.B. pronounce the said area to be unhealthy, and so inform the L.A., the L.A. must then proceed with a scheme as if they had received an official representation from their M.O.H.

Where the ratepayers petition fails the L.G.B. may order them to pay costs, and they may enforce any order under this section through a superior court.

17. The L.G.B. shall send an officer to hold a local inquiry, and investigate the correctness of the official representation, the sufficiency of the scheme, and any objections offered thereto.

18. Such officer shall give due notice of the inquiry to all persons interested.

19. He shall have power to administer an oath and he shall furnish to the L.G.B. a full report of such inquiry.

20. Defines the application of the Lands Clauses Acts for the acquisition of lands.

21. The basis of compensation for lands compulsorily acquired shall be—

(a.) The fair market value obtainable at the time of the announcement of the scheme, for such lands, due allowance being made for buildings thereon, with no extra money to be allowed because of compulsory acquisition.

(b.) Where buildings have been let for illegal purposes, or were overcrowded and thus produced enhanced profits, the compensation shall be such as if the buildings had not been so let or overcrowded.

(c.) Buildings which may be so defective as to be a nuisance shall be valued at their full value less the cost of abating all nuisance conditions.

(d.) Buildings unfit for habitation shall be valued according to the amount of building materials they would yield.

22. By purchasing lands under this part of this Act the L.A. shall acquire all rights in such lands, such as right of way, drainage rights, and the like, but they shall pay reasonable compensation to all persons thereby injuriously affected by their taking over such rights.

23. The L.A. may use any of their lands to accommodate displaced working-classes, or if necessary purchase lands.

24. The receipts of the L.A. under this part shall go towards a "Dwelling-House Improvement Fund" to be established.

The moneys required to start such or at subsequent times shall be obtained direct from the rates or borrowed on the

security of the rates. This money as well as any balance of profits from the working of the scheme must ultimately be paid back to the local rate.

25. The U.S.A. shall have the same power of borrowing money under this part as under the Public Health Acts.

The Commissioner of Public Works may lend money to an U.S.A. for this part of this Act on the advice of the L.G.B., and for not longer than 50 years.

26. Where the M.O.H. may be unavoidably absent the L.A., with the approval of the L.G.B., may appoint a substitute for 6 months or less.

27. The L.G.B. may submit to the L.A. forms of advertisement and notices under Part I., which the L.A. may adopt at their discretion.

28. The L.G.B. may give the L.A. power of dispensing with notices in certain cases, provided they are assured such action will cause no injury to any person.

PART II.—UNHEALTHY DWELLING-HOUSES.

Preliminary.

29. "*Street*" includes any court, alley, street, square, or row of houses.

"*Dwelling-house*" means any inhabited buildings and includes any yard, garden, outhouses, and appurtenances belonging thereto or usually enjoyed therewith, and also includes the site of the dwelling-house as so defined.

"*Owner*" in addition to the definition given by the Land Clauses Acts, includes all houses or mortgagees except such entitled to rents from premises for a term of less than 21 years.

"*Closing Order*" is an order made under schedule III. (refers to sects. 107, 110, 111, and 113, P.H.I.A., 1878) of this Act prohibiting the use of premises for habitation.

30. It shall be the duty of every M.O.H. to inform the L.A. of any houses unfit for human habitation on account of being dangerous or injurious to health.

31. (a.) If in any district 4 or more householders make complaint in writing to the M.O.H. that any dwelling-house in or near the street where they reside is so dangerous or injurious to health as to be unfit for human habitation, the M.O.H. must forthwith inspect the same and transmit a report thereon, together with the said complaint to the L.A.

(b.) The M.O.H. may send in report without previous complaint.

(c.) If the L.A. fail to take action on such report within three

months the householders may complain direct to the L.G.B. and ask for an inquiry to be held.

The L.G.B. may order an inquiry to be hold, and as a result they may order the L.A. to proceed under Part I. of this Act.

CLOSING ORDER AND DEMOLITION.

32. (1.) Every L.A. must cause periodical inspections of the district to be made, with a view of discovering any houses unfit for human habitation.

Where the M.O.H. or any sanitary officer or anyone complains that any house is in such a state, they shall make inquiries, and if they consider the complaint to be sustained they shall proceed as under sects. 107 to 113, P.H.I.A., 1878.

(2.) The Court of Summary Jurisdiction may impose a penalty of up to £20 under this section, and may order premises whether occupied or not to be closed.

(3.) Where a closing order has thus been made the L.A. shall notify the fact to every occupying tenant thereby affected.

The Court may allow occupiers cost for removal which shall be recoverable by them from the owners.

There shall be a daily penalty of up to £1 for disobeying a closing order.

33. (1.) Where a closing order has been made and the defects have not subsequently been made good to the satisfaction of the L.A., they shall pass a resolution that it is expedient to order the demolition of the building.

(2.) Notice of this resolution to be served on the owner requiring him to state his objections before the L.A., on a date not less than one month after such notice.

(3.) If the owner fails to show legitimate objections the L.A. shall order the immediate demolition of the building unless he undertakes to do all necessary works forthwith.

34. (1.) Where a demolition order has been made out and the owner has not complied with the same within 3 months, the L.A. may demolish the building and sell the materials, and retain as much of the profits therefrom as will cover their expenses.

(2.) The L.A. may demolish any building erected on the site of a demolished building which is dangerous or injurious to health.

35. Any person aggrieved by an order under Part II. may appeal to Quarter Sessions direct, as if order made by a lower Court. Until the appeal shall be determined no further action shall be taken by the L.A.

Notice of appeal must be given within one month of order.

If either party request it the Court shall state a case.

36. (1.) When any owner has completed to the certified satisfaction of the L.A. any works he was ordered to execute he may apply to them for a "charging order," which they shall issue as

his authority to claim an annuity on the dwelling-house to cover all expenses incurred by him.

(2.) The annuity shall be payable from the date of such order at the rate of 6 % for a term of 30 years.

(3.) Owner may recover the annuity as if it were a rent-charge.

(4.) Special forms in Schedule V. for charging-orders.

37. Explains the incidence and precedence of the charge.

OBSTRUCTIVE BUILDINGS.

38. "An obstructive building" is one which though itself not unfit for human habitation, either by reason of its stopping the ventilation or preventing measures for remedying a nuisance in another building, renders the latter unfit for human habitation or otherwise dangerous or injurious to health.

(1.) The M.O.H. must report the case of any obstructive building he finds in his district to the L.A., and advise that such should be removed.

(2.) Any 4 or more householders may similarly send a representation *re* an obstructive building to the L.A.

(3.) Whereupon the L.A. shall obtain a report as to the necessity for demolition, and the total cost therefor and for the acquisition of the site.

Copies of the representation and the report shall be served on the owner, who shall be afforded an opportunity to appear before the L.A. if he desires to object.

If the L.A. decide against the owner they shall issue a demolition order. The owner may at this stage appear in like manner, as under sect. 35 of this Act.

(4.) If no appeal entered or the appeal fails, the L.A. may purchase the lands on which stand the obstructive building at any time within one year.

(5.) If within one month of notice of purchase the owner declares his wish to retain the site, and either himself remedy the nuisance or allow the L.A. to do so, in such cases he may retain the site and will be entitled to compensation from the L.A. for the pulling down of the obstructive building.

(6.) In cases of dispute the amount of compensation shall be settled in a special manner by arbitration.

(7.) The owner of a house or manufactory, only part of which is "obstructive," cannot insist on the L.A. taking the whole of his premises, though he may be awarded special compensation.

(8.) Refers to case where demolition of one building adds to the value of adjoining buildings.

(9.) In cases of dispute over compensation of not more than £50, appeal may be from the arbitrator to two justices as under Lands Clauses Acts.

(10.) Where the owner retains the site he shall not do anything in contravention of this section. In case of offence the L.A. may order him to remove any objectionable erection, or if he fails to do so, the L.A. may cause same to be removed.

(11.) Where the L.A. purchase a site they shall demolish all obstructive buildings and keep the whole site or part thereof as an open space: or may, with the approval of the L.G.B., sell part of such site.

(12.) The L.A. may dedicate as a highway or public place any part of such site.

SCHEME FOR RECONSTRUCTION.

39. (1.) (a.) Where after having made a demolition order the L.A. consider that it would be beneficial to deal with the cleared area by using it as a highway or open space, or by using, letting, or selling, the same or some other more suitable land exchanged for the same, for the erection of workmen's dwellings thereon, or

(b.) Where the L.A. consider the closeness, narrowness, bad arrangement, or bad condition, or the want of light, air, ventilation, or any other unsanitary condition of any buildings render such dangerous or prejudicial to the health of the occupiers, or of persons dwelling near, and that demolition or reconstruction and rearrangement of all or some of such buildings is necessary to remedy such evils, and that the area is too small to be dealt with under Part I. :—

They shall pass a resolution to the above effect and prepare an improvement scheme.

(2.) Notices shall be served as in Part I. respecting lands to be compulsorily acquired,

(3.) After which the L.A. shall petition L.G.B. for sanction of the scheme. The L.G.B. may hold local inquiry. If satisfied, the L.G.B. may issue order sanctioning the scheme with or without modifications.

(4.) Whereupon the L.A. may by agreement purchase the lands approved of. If owners refuse, the L.A. shall cause notices to be published in the *Dublin Gazette*, and also serve notices on owners.

(5.) Any owner may petition the L.G.B. against the order any time for 2 months after publication. If such petition not withdrawn, the above order becomes provisional, and would require Parliamentary confirmation.

(6.) If no such objection as in (5) offered, the L.G.B. may confirm the above order any time after two months from publication.

(7.) The confirming order may incorporate the provisions of the Lands Clauses Acts in which case the land must be acquired within 3 years.

(8.) Sections 9, 12, 13, and 22 of Part I. shall here apply with the necessary modifications.

(9.) The L.G.B. may permit a scheme to be modified by the L.A. after confirmation under limited conditions. Modifications must be confirmed by Parliament. Any considerable change in the original scheme must be dealt with as if it were a new scheme.

40. In all cases the L.G.B. shall require scheme to make due provision for housing displaced working-classes.

SETTLEMENT OF COMPENSATION.

41. Provisions as to arbitration.

(1.) The arbitrator to be appointed by and removable by the L.G.B. shall fix all compensations.

(2.) Fair market (or "auction") value to be given for all houses with no compensation for the compulsion, and deduction may be made where other buildings of the same owner are improved by the scheme.

(3.) Insanitary, ill-kept, or immorally used houses to be valued without respect to the profits produced therefrom.

(4.) Every owner tendered awarded compensation must at once transfer any title he possesses to the L.A.

(5.) Sects. 32, 33, 35, and 36, Lands Clauses Consolidation Acts, 1845, here apply.

(6.) The arbitrator may make one general award, or if the L.A. desire it make awards from time to time as required.

(7.) The L.G.B. may create or fill any vacancy for an arbitrator.

(8.) The arbitrator may certify, on demand, costs payable on demand from the L.A. due to any party.

(9.) He may refuse to certify costs in certain special cases.

(10.) If the L.A. refuse to pay costs on arbitrator's certificate within 7 days, the party may recover it as a debt, with 5% interest from the L.A.

(11.) Arbitrator's award shall be final and binding.

EXPENSES AND BORROWING.

42. All expenses under Part II. to be from the local rate, which may be made sufficient to meet such. But expenses of a R.S.A. shall be "special" with a local incidence except such as are for a closing order.

43. The L.A. may borrow under Part II. as under the Public Health Acts, from the Commissioners of Public Works or otherwise.

44. An annual account must be presented in a prescribed form to the L.G.B. of all works, &c., under Part II.

POWERS OF COUNTY COUNCILS.

45. (1.) Where the M.O.H. or any householder represents or complains to any district authority, or to the medical officer of such, that any dwelling is so dangerous or injurious to health as to be unfit for human habitation ; or respecting any obstructive building or dwelling-house ordered to be closed, the R.S.A. shall furnish such information with all necessary details to the Co. Council.

(2.) Where the Co. Council consider a remediable grievance exists or where they find that after one month's notice the R.S.A. have failed to remedy the evil, they may pass a resolution to that effect whereupon the necessary powers under this Act shall be transferred to the Co. Council (otherwise than in respect of a scheme).

(3.) The council may claim any expenses incurred from the R.S.A. as expenses under this Part II.

(4.) The Co. Council and their officers shall have, for the purposes of this section, the rights of the L.A. and their officers, in respect to Public Health enactments.

SUPPLEMENTAL.

47. (1.) Where an owner of any dwelling does not receive rents and profits thereof, he may inform L.A. name of the benefiting owner with whom the L.A. shall then treat.

(2.) The Court of Summary Jurisdiction may empower the benefiting owner to assume possession of premises and carry out necessary works ordered under Part II. where the nominal owner had failed to carry out such works ordered.

(3.) The Court may, in such cases, give an extension of time to the nominal owner.

(9.) The Court must notice the L.A. before giving an order under this section.

48. Secures that the rights and remedies of any such owner for the breach of contracts of any tenant or lessee shall not be prejudiced by an order under section 47, or by his taking possession subsequently to such breach of contract.

49. (1.) The clerk of the L.A. shall serve notice under Part II. on the owner of any dwelling having a dwelling or business address within the district, either by giving it to him, or leaving it with some resident at his address or place of business, or by sending it to him by registered post at any such address.

(2.) Where address of such owner cannot be found the clerk may address notice to the owner, and leave it with some occupier of such dwelling, or post it up conspicuously on such dwelling.

(3.) Or notice may be served on the owner's agent.

50. It will be sufficient under Part II., without giving name, to refer to the owner as the "owner."

51. In cases where any owner or occupier obstructs any officer of the S.A. acting under Part II. after due notice had been given, any Court of Summary Jurisdiction may issue an authority to such officer.

After ten days from issue of such order by Court any owner or occupier who continues to obstruct shall be liable to a daily penalty of up to £20. But an owner shall not be liable for obstruction by the occupier.

52. The M.O.H. of a county may make representation under Part II. to the Co. Council who may forward it to the L.S.A., and it shall have the like effect as if it emanated from the M.O.H. of the L.S.A.

PART III.—WORKING CLASS LODGING HOUSES.

Adoption.

53. (1.) "Lodging houses for the working classes" shall include separate houses or cottages for the working classes whether containing one or several tenements, and the purposes of Part III. shall include the provision of such houses or cottages.

(2.) "Cottage" may include a garden of not more than half an acre, which must not be of greater annual value than £3.

54. Part III. may be adopted by the U.S.A. of any U.S.D. (The manner of adoption of Part III. by small towns is given in sect. 99, Part VI.)

55. Is not applicable to Ireland.

EXECUTION OF PART III. BY THE L.A.

56. After adoption of Part III. the L.A. shall have as full powers for carrying it into effect whether with respect to contracts or otherwise as the S.As. have under the P.H. Acts.

57. (1.) Land shall be acquired by the L.A. for the purposes of Part III. as under sects. 202, 203, and 204 of the P.H.I.A., 1878.

(2.) The L.A. may contract for the lease or purchase of suitable working class lodging houses already or about to be built.

(3.) The L.A., with the sanction of the Treasury (and if a R.S.A. with the consent of the Co. Council), may appropriate such houses leased or purchased and any land vested therewith.

58. The trustees of private working class lodging houses may sell or lease the same to the L.A.

59. The L.A. may erect suitable lodging houses for the working classes on land acquired by them, or for the same object may adapt any building acquired by them, and may fully equip the same in any way necessary.

60. The R.S.A., with the consent of the Co. Council, or any other L.A. with the consent of the Treasury, may sell any of their vested lands and buy with the proceeds more suitable lands for any purpose of Part III. Similarly they may arrange an exchange of their vested lands for more suitable lands.

MANAGEMENT OF LODGING HOUSES.

61. (1.) The general management and control of such houses acquired by the L.A. shall be vested in and exercised by them.

(2.) The L.A. may frame regulations for the charges to be paid by lodgers using such.

62. (1.) The L.A. may make bye-laws for the management, use, and regulation of such houses, and they must, except in the case of a lodging house occupied as a separate dwelling, by such bye-laws provide :—

(a.) That the lodging house shall be entirely managed by the servants or officers of the L.A.

(b.) For the separation of men and boys above 8 years from women and girls.

(c.) For preventing damage, disturbance, or indecency therein.

(d.) For determining the duties of their officers and servants.

(2.) A printed copy of sufficient abstract of bye-laws relating to the management, use, and regulation of such houses must be at all times in every room therein

63. The receipt of ordinary parochial relief disqualifies any person, or the husband or wife of such, from being permitted to lodge in such houses.

64. Where after 7 years the L.A. find it too expensive to continue to keep up any such house they may, with the consent of the Treasury (and if a R.S.A. with the Co. Council's consent), sell the same to the best advantage.

EXPENSES AND BORROWING.

65. All expenses of the L.A. under Part III. to be defrayed :—

(a.) If an U.S.A. as part of their general expenses under the P.H. Acts.

(b.) If a R.S.A. as special expenses under the P.H. Acts, within a general district except the Co. Council order otherwise.

66. Not applicable to Ireland.

67. (1.) The Public Works Commissioners may give loans to railway, dock, or harbour companies or philanthropic societies and in certain cases to private individuals towards providing working class lodging houses.

(2.) Special conditions. Loans (under the Public Works Loans Act, 1875).

(a.) Mortgage or security not absolutely necessary.

(b.) Capital to be repaid within 40 years.

(c.) If a mortgage, it shall be for a fee-simple estate, or one for an absolute term of years of which not less than 50 must be unexpired.

(d.) The Board of Public Works shall determine amount to be advanced on any mortgage.

68. Trading companies and philanthropic societies shall have authority to provide working class lodging houses on their own lands, or lands acquired for that purpose.

69. Any water or gas companies or commissioners may supply water or gas free, or at reduced rate to houses erected under Part III.

70. Every house erected under Part III. shall at all times be open to inspection by the authorised officers of the L.A.

71. Fines for breach of bye-laws shall go to the funds out of which the expenses of Part III. are defrayed.

PART IV.—SUPPLEMENTAL.

75. (Sections 72, 73, and 74 do not apply to Ireland.) Every contract made for letting of houses to the working classes, of less value than £4, must expressly state that such house is in all respects reasonably fit for human habitation.

76. Applies to London only.

77. Empowers any authorised officer of the L.A. to enter at all reasonable times after 24 hours' notice, for the purposes of surveying and valuing any premises about to be compulsorily acquired under Part I. or Part II.

78. The L.A. may pay expenses of removal to tenants (whose tenancy is for less than one year), when such have to leave dwellings owing to a scheme under Parts I. or II.

79. (1.) Under Parts I. and II. any duties of the M.O.H. may be done by anyone properly delegated to act for him.

(2.) Every representation under Parts I. and II. by an M.O.H. must be in writing.

80. (1.) Separate accounts must be kept under each part of this Act by the L.A. and its officers.

(21.) Such accounts shall be audited same as the other accounts of the L.A.

81. The L.A. may delegate any duties under this Act to a committee of their number. Such committee shall not borrow, make contracts, or make rates, and shall be subject to the L.A.

82. Proceeds of sale of any land bought under this Act may be applied to any purpose approved of by L.G.B.

83. Money borrowed from the Board of Public Works shall

bear interest of not less than $3\frac{1}{8}$ % per annum, the exact rate to be fixed by the Treasury.

84. As where bye-laws are made by the S.A. under the P.H.I.A., 1878, such provisions as apply to the making of such shall apply to bye-laws made under this Act.

85. (1.) The L.A. shall pay all reasonable cost of any necessary injury done anyone under this Act as ordered by the L.G.B.

(2.) Sects. 209, 210, 212, 213, and 215, P.H.I.A., 1878, shall apply under this Act.

86. (1.) All written orders of the L.A. under this Act shall bear their seal and their clerk's signature.

(2.) Any notice, demand, or other written document proceeding from the L.A. under this Act shall be signed by the clerk.

87. Any legal notice, summons, or writ to be served on the L.A. may be served on the clerk, or some one employed in the office of the L.A.

88. Any person beneficially interested in any property to be acquired under Parts I. or II. may not vote as a member of the L.A. or Co. Council on any resolution or question affecting the same, under a penalty of up to £50. But the vote of such person is in other respects valid.

89. Penalty of up to £20 against anyone convicted of obstructing any authorised officer of the L.A. or L.G.B. acting under this Act.

90. Legal proceedings as under the Summary Jurisdiction Acts.

91. All powers of this Act to be in addition to any other statutory powers or legally recognised customs.

92. "Land" includes any right over land.

PART V.—EXPLAINS APPLICATION OF THIS ACT TO SCOTLAND.

PART VI.—APPLICATION TO IRELAND.

98. (7.) M.O.H. includes medical superintendent officer of health appointed under P.H.I.A., 1878.

(9.) Every charging order under Part II. must be registered in the office for the Registration of Deeds.

(10.) An order in writing under this Act made by a L.A. who have no seal shall be authenticated by the signature of 2 or more members of the L.A. and also the clerk.

99. (1.) Part III. may be adopted in towns (not being U.S.As.) which are managed by towns commissioners as follows—

(2.) From 28 to 42 days' public notice of a special meeting of the commissioners to be given.

(3.) If a memorial presented at the meeting from ratepayers representing at least $\frac{1}{10}$ of the valuation of rateable property in the township, asks for the adoption of Part III. to be postponed for one year, such shall be done.

(4.) If Part III. adopted the commissioners may impose the rate necessary for its execution provided the Treasury do not object.

(5.) The net profits from any such undertaking under Part III. shall go to the relief of the townships rates.

100. Sects. 56 to 64, and 99 to 103 of the Commissioners Clauses Act, 1847, shall be incorporated with Part III. The term "commissioners" may then apply to a company.

101. Any company or society establishing lodging houses under Part III. shall have same power as the L.A. to make bye-laws, which shall be valid when sanctioned by the L.G.B.

Penalties may be recovered in Court under such bye-laws. One half the penalty shall go to the informer and the other half shall be applied towards the expenses of the lodging houses.

PART VII.—REPEAL AND TEMPORARY PROVISIONS.

This part of the Act repeals the whole of the Artizans' and Labourers' Dwellings Improvement Acts, 1875 to 1885, the Artizans' Dwellings Acts, 1868 to 1885, and the Labouring Classes Lodging Houses Acts, 1851 to 1885, with the necessary saving and temporary provisions.

SEVEN SCHEDULES.

MEMORANDUM ON THE HOUSING OF THE WORKING CLASSES ACT, 1890.

(53 & 54 Vict., c. 70).

Issued by the Local Government Board, 1891.

This Act which has consolidated and amended the Acts relating to artizans' and labourers' dwellings and the housing of the working classes, is divided into seven parts and seven schedules.

PART I.—UNHEALTHY AREAS.

Part I. deals with unhealthy areas and the schemes to be carried out by L.As. for their improvement. Its provisions are for the most part taken from the Artizans' and Labourers' Dwellings Improvements Acts, 1875 to 1885, commonly known as Cross's Acts. They have, however, amended these Acts in certain respects.

Under sect. 3 of the Artizans' and Labourers' Dwellings Improvement Act, 1875, where the houses, courts, and alleys in an unhealthy area were not absolutely unfit for human habitation, it was necessary that the official representation of the M.O.H., or medical superintendent officer of health (if any), on which

the improvement scheme was to be based, and of the truth of which the L.A. were required to be satisfied before making the scheme, should be to the effect that diseases indicating a generally low condition of health had been from time to time prevalent within the unhealthy area, and that such prevalence might reasonably be attributed to sanitary defects. Under the present Act (section 4) it will not be necessary that the representation should allege the actual prevalence of disease. Instead of this, it must state that the sanitary defects in the area are dangerous or injurious to the health of the inhabitants either of the buildings in the area or of the neighbouring buildings.

The law relating to the assessment of compensation payable under an improvement scheme in respect of any house or premises situate in an unhealthy area has been amended by section 21 (2), which provides that in such cases evidence shall be receivable by the arbitrator to prove :—

(1stly.) That the rental of the house or premises was enhanced by reason of the same being used for illegal purposes, or being so overcrowded as to be dangerous or injurious to the health of the inmates ; or

(2ndly.) That they are in such a condition as to be a nuisance within the meaning of the Acts relating to nuisances (which are defined by section 2 as meaning as respects any U.S.D. in Ireland, the Public Health (Ireland) Act, 1878, and as including any local Act which contains any provisions with respect to nuisances in that place), or are in a state of defective sanitation, or are not in reasonably good repair ; or

(3rdly.) That they are unfit, and not reasonably capable of being made fit for human habitation ;

and that if the arbitrator is satisfied by such evidence, then the compensation—

(a.) shall in the first case, so far as it is based on rental, be based on the rental which would have been obtainable if the house or premises were occupied for legal purposes, and only by the number of persons whom they were under all the circumstances of the case fitted to accommodate without such overcrowding as is dangerous or injurious to the health of the inmates ; and

(b.) shall in the second case be the amount estimated as the value of the house and premises if the nuisance had been abated, or if they had been put into a sanitary condition, or into reasonably good repair, after deducting the estimated expense of abating the nuisance or putting them into such condition or repair, as the case may be ; and

(c.) shall in the third case be the value of the land, and of the materials of the buildings thereon.

Further amendments are made in the Artizans' and Labourers' Dwellings Improvement Acts by Part IV. and the second

schedule to the present Act. These amendments will be explained below.

Section 27 of the new statute, which re-enacts two similar provision in section 26 of the Artizans' and Labourers' Dwellings Improvement Act, 1875, empowers the L.G.B. by order to prescribe the forms of advertisements and notices to be used under Part I. of the Act. The Board have accordingly issued an order prescribing the requisite forms. It is not obligatory on any persons to adopt the forms; but when adopted they are to be deemed sufficient for all the purposes of this Part of the Act.

PART II.—UNHEALTHY DWELLINGS.

Under Part II. S.As. have important powers and duties in relation to the closing and demolition of dwelling-houses unfit for human habitation, the pulling down and the acquisition of the sites of obstructive buildings, and the making and carrying out of schemes for the improvement of areas which are too small to be dealt with under Part I. of the Act.

HOUSES UNFIT FOR HUMAN HABITATION.

Section 30 makes it the duty of the M.O.H.* of every district to represent to the S.A. any dwelling-house which appears to him to be in a state so dangerous or injurious to health as to be unfit for human habitation. This officer shall keep himself informed of the conditions injurious to health existing in the district and consequently, as a general rule, he should in the performance of his ordinary duties have no difficulty in obtaining the information necessary to enable him to make these representations on his own motion. An additional duty is imposed upon him by section 31 to forthwith inspect any dwelling-house in respect of which four or more householders living in or near the street in which such house is situate complain that it is in a condition so dangerous or injurious to health as to be unfit for human habitation. In these cases he is to transmit to the S.A. the complaint and his opinion thereon; and if he is of opinion that the dwelling-house is in the condition alleged, he is required by the Act to represent the same to the S.A. The absence of any such complaint will not, however, excuse him from inspecting any dwelling-house and making a representation thereon to the S.A.

Section 32 expressly declares that it shall be the duty of every S.A. to cause to be made from time to time inspection of their district with a view to ascertain whether any dwelling-house therein is in a state so dangerous or injurious to health as to be unfit for human habitation, and if on the representation of their

* The term medical officer of health includes the medical superintendent officer of health, if the sanitary authority have appointed such an officer.

M.O.H. or any of their officers, or information given to them, any dwelling-house appears to be in such a state, to forthwith take proceedings against the owner or occupier for closing it under sections 107, 110, 111, and 113 of the P.H.I.A., 1878

Having regard to the above enactments, it may not unreasonably be hoped that the attention of the S.A. will be drawn by their officers or otherwise to every dwelling-house in their district which is unfit for human habitation. When this has been done, the Act, as has already been explained, makes it the duty of the authority to forthwith take the necessary steps for causing the dwelling house to be closed.

Under the sections of the Public Health Act above referred to, it has hitherto been necessary that the proceedings should be taken with a view to the abatement of a nuisance, and that the works requisite to abate the nuisance complained of should be specified. This, however, will no longer be the case. Section 32 (2) authorises summary proceedings to be taken for the express purpose of causing the dwelling-house to be closed, and appropriate forms are contained in the fourth schedule to the Act, which may be used for this purpose.

The closing order will prohibit the using of the premises for the purpose of human habitation, until, in the judgment of the court, they are rendered fit for that purpose. In making it the court may impose a penalty not exceeding £20, and may authorise a reasonable allowance to be paid by the S.A. to every occupying tenant on account of his expenses in removing from the dwelling house. The amount of this allowance will be a civil debt due from the owner of the dwelling-house to the S.A., and will be recoverable summarily.

Where a closing order has been made in respect for any dwelling-house, and has not been determined by a subsequent order, the S.A., if of opinion that the house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all diligence to render it so fit, and that the continuance of any building being or being part of the dwelling-house is dangerous or injurious to the health of the public, or of the inhabitants of the neighbouring dwelling-houses, are required by section 33 to pass a resolution that it is expedient to order the demolition of the building.

A notice of this resolution must be served on the owner specifying the time (not less than one month from the service of the notice) and the place appointed by the S.A. for the further consideration of the resolution; and any owner will be at liberty to attend and to state his objections to the demolition.

If upon the consideration of the resolution and the objections the S.A. decide that it is expedient so to do, then unless an owner undertakes to execute forthwith the works necessary to render the dwelling-house fit for human habitation, and executes the

same within a limited period, the authority are required by the Act to order the demolition of the building.

Where such an order has been made, any person aggrieved by it may appeal against it to the next court of quarter sessions, but subject to this appeal, and to the power given by section 47 of the Act to a court of summary jurisdiction to enlarge the time allowed for the demolition of the building, the owner must within three months after service of the order proceed to take down and remove the building, and on his default the S.A. are required themselves to proceed to do this, and to sell the materials, and after deducting the expenses incident to the taking down and the removal of the building, to pay over the balance of money, if any, to the owner.

Where a building has been taken down and removed under the above provisions, no house or other building or erection may be erected on all or any part of the site of the building which is dangerous or injurious to health. Full power is given to the S.A. to enforce compliance with this requirement.

OBSTRUCTIVE BUILDINGS.

Under section 38, if a M.O.H. finds that any building in his district, although not itself unfit for human habitation, is so situate that by reason of its proximity to or contact with any other buildings, it stops ventilation, or otherwise makes or conduces to make such other buildings to be in a condition unfit for human habitation or dangerous or injurious to health, or prevents proper measures being carried into effect for remedying any nuisance injurious to health or other evils complained of in respect of such other buildings, he is required to represent to the S.A. the particulars relating to the building, at the same time stating that in his opinion it is expedient that it should be pulled down. Any four or more inhabitant householders of the district may make a similar representation to the S.A.

On receiving such representation, the S.A. are required to cause a report to be made to them respecting the circumstances of the building and the cost of pulling it down and acquiring the land, and to take the representation and report into consideration. If they desire to proceed, they must cause a copy both of the representation and the report to be sent to the owner of the land on which the obstructive buildings stand, with notice of the time and place appointed by them for the consideration thereof, and the owner will be at liberty to attend and state his objections, after hearing which the S.A. must make an order, either allowing the objections or directing that the obstructive building shall be pulled down. This order will be subject to an appeal to the Court of Quarter Sessions in like manner as an

order of the S.A. for the demolition of a dwelling-house unfit for human habitation.

Where no appeal is made against the order of the S.A. for pulling down an obstructive building, or an appeal is made, and either fails or is abandoned, the lands on which the obstructive building is erected may be purchased by the S.A., unless the owner, within a month after notice has been served on him, declares that he desires to retain the site of the obstructive building, and undertakes either to pull down the building or to permit the S.A. to pull it down, in which case he will retain the site and will receive compensation from the S.A. for the pulling down of the building.

For the purpose of the purchase of the site, the provisions of the Lands Clauses Acts, with respect to the purchase and taking of lands otherwise than by agreement, are, with certain modifications, incorporated with this part of the Act, the period within which such powers may be exercised being limited to one year after the date of the order for the pulling down of the building, or if such order was appealed against, after the date of its confirmation. It will not, however, be competent for the owner to insist on his entire holding being taken, where part only is proposed to be taken as obstructive, and such part, can, in the opinion of the arbitrator to whom the question of the disputed compensation is submitted, be severed from the remainder of the house or manufactory without material detriment thereto. But compensation may be awarded in respect of the severance of the part proposed to be taken in addition to the value of that part.

Where in the opinion of the arbitrator the demolition of an obstructive building adds to the value of other buildings for the benefit of the inhabitants of which it has been pulled down, he is required to apportion so much of the compensation to be paid for the demolition as may be equal to the increase of value of the other buildings among such buildings, and the amount so apportioned to each is to be deemed private improvement expense incurred in respect to it, and the provisions of the P.H.I.A., 1878, with respect to such expenses and to private improvement rates are made applicable.

Where the owner retains the site or any part thereof, the necessary powers are given to the S.A. to prevent any house or other building or erection which would be dangerous or injurious to health or an obstructive building from being erected thereon. Where the lands are purchased the authority are required to pull down the obstructive building or such part thereof as may be obstructive and to keep an open space the whole site or so much of it as may be required to be kept open for the purpose of remedying the nuisance or other evils caused by the obstructive building. They may, moreover, dedicate any of the land thus

acquired as a highway or other public place, and with the assent of the Board they may sell such portion of the site as is not required for any of the above purposes.

SCHEMES FOR RE-CONSTRUCTION.

The provisions of the Act relating to schemes for the improvement of insanitary areas in R.S.Ds. are contained in section 39, which requires the S.A. to cause schemes to be prepared for this purpose in any of the following cases, that is to say—

(a.) Where an order for the demolition of a building has been made in pursuance of the enactments above referred to, and it appears to the authority that it would be beneficial to the inhabitants of the neighbouring dwelling-houses if the site were used for all or any of the following purposes, that is to say, either—

- (1.) Dedicated as a highway or open space, or
- (2.) Appropriated, sold, or let for the erection of dwellings for the working classes, or
- (3.) Exchanged with other neighbouring land which is more suitable for the erection of such dwellings, and on exchange will be appropriated, sold, or let for such erection ; or

(b.) Where it appears to the S.A. that the closeness, narrowness, and bad arrangement or bad condition of any buildings, or the want of light, air, ventilation, or proper conveniences, or any other sanitary defect in such buildings is dangerous or prejudicial to the health of the inhabitants either of those buildings or of any neighbouring buildings, and that the demolition or the reconstruction and re-arrangement of the buildings or of some of them is necessary to remove these evils and that the area comprising the buildings, and the yards, outhouses, and appurtenances thereof, and the site, is too small to be dealt with as an unhealthy area under Part I. of the Act.

When a scheme has been prepared in any of the above cases, it will be necessary before any further proceedings are taken in relation to it that notice should be served in manner provided by the Act on the owners or reputed owners, lessees or reputed lessees, and occupiers of any part of the area comprised therein. After this has been done it is requisite that the L.A. should petition the Board for an order sanctioning the scheme ; and the Board after local inquiry, may make an order sanctioning the scheme, either with or without conditions or modifications. When this order has been made, the S.A. may purchase by agreement the area comprised in the scheme as sanctioned ; and if they agree for the purchase of the whole area, the order save so

far as it provides for the taking of land otherwise than by agreement, will take effect without confirmation.

The provisions of the Act relating to the preparation, confirmation, and carrying into effect of these schemes are less elaborate than those relating to schemes under Part I.

No preliminary official representations and advertisements are required with respect to them. Notice of them may at any time after their preparation be served on owners, lessees, or occupiers, and when they have been sanctioned by the Board they will require no confirmation if the S.A. are able to agree for the purchase of the whole area comprised in any scheme.

Where no such agreement can be made, notice of the order must be published in the *Dublin Gazette*, and be served on the owners of every part of the area, any one of whom within two months after such publication may petition the Board against the order; and it is only in cases where a petition is presented and not withdrawn that the order will require the confirmation of Parliament. In other cases, when the two months have expired, the Board are required to confirm the order, and it will come into operation and have effect as if it were enacted in the Act.

Where the Bill for confirming the order is opposed in Parliament of either House to whom the Bill is referred are required to take into consideration the circumstances under which the opposition is made, and whether or not it is justified, and to award costs accordingly.

The order may incorporate the provisions of the Lands Clauses Acts; the period within which the land must be acquired being 3 years after the date of the confirmation of the order, but the compensation payable in respect of the lands purchased must in case of difference be settled by arbitration in manner provided by this part of the Act.

SETTLEMENT OF COMPENSATION.

Section 41 provides that in all cases in which the amount of any compensation is, in pursuance of this part of the Act, to be settled by arbitration, either in connection with the pulling down of an obstructive building and the acquisition of its site or in the carrying out of an improvement scheme, the amount of such compensation shall be settled by an arbitrator to be appointed and removable by the Board, whose award will be final and binding on all parties.

In settling the amount the estimate is to be based on the fair market value, as estimated at the time of the valuation being made of the buildings and land, and the several interests therein, due regard being had to the nature and then condition of the property, and the probable duration of the buildings in their

existing state, and to the state of their repair, and without any additional allowance in respect of compulsory purchase; and the arbitrator is to have regard to and make an allowance in respect of any increased value which in his opinion will be given to other dwelling-houses of the same owner by the alteration or demolition by the S.A. of any buildings.

Evidence will be receivable by the arbitrator to prove that the rental of the dwelling-house was enhanced by reason of the same being used for illegal purposes, or being so overcrowded as to be dangerous or injurious to the health of the inmates, or that the dwelling-house is in a state of defective sanitation, or is not in reasonably good repair, or that it is unfit and not reasonably capable of being made fit for human habitation; and if the arbitrator is satisfied by such evidence, the compensation is to be estimated on the same principles as those which regulate the assessment in similar cases of compensation payable in respect of property acquired for the purposes of improvement schemes under Part I. of the Act.

The arbitrator may, by one award, settle the compensation payable in respect of all or any of the dwelling-houses included in one or more orders made by the S.A., but he may, and if the S.A. request him to do so must, from time to time, make an award respecting a portion only of the disputed cases brought before him. It will therefore be competent for the authority, if they think it desirable, to obtain an award on one or more test cases.

The arbitrator may, where he thinks fit, on the request of any party by whom any claim has been made before him, certify the amount of the costs properly incurred by such party in relation to the arbitration, and the amount of the costs so certified must be paid by the S.A.; but he must not give this certificate where he has awarded the same or a less sum than has been offered by the S.A. in respect of such claim before his appointment, and he need not give the certificate to any party where he considers that such party neglected, after due notice, to deliver to the authority a statement in writing within such time and containing such particulars as would have enabled the authority to make a proper offer of compensation before the appointment of the arbitrator.⁷

PART III.—WORKING CLASS LODGING HOUSES.

Part III. consolidates the Labouring Classes Lodging Houses Acts, 1851 to 1885, commonly known as Shaftesbury's Acts. This part of the Act may be adopted by any U.S.A. for their district. When it has been adopted it empowers the U.S.A. to provide "lodging houses for the working classes," which expression includes separate houses or cottages for the working

classes, whether containing one or several tenements. For this purpose it empowers the authority to purchase or rent land, or, with the consent of the Treasury, to appropriate any land for the time being vested in them or at their disposal, and on such land to erect any buildings suitable for lodging houses for the working classes, and to convert any buildings suitable for lodging houses for those classes, and to alter, enlarge, repair, and improve the buildings, and to fit up, furnish, and supply them with the requisite furniture, fittings, and conveniences. It also enables the U.S.A. to contract for the purchase or lease of any lodging houses for the working classes already or hereafter to be built and provided, and, with the consent of the Treasury, to appropriate the same for the purposes of this part of the Act, and to sell, with the consent of the Treasury, any land vested in them for these purposes, and to apply the proceeds in or towards the purchase of other more suitable lands.

PART IV.—SUPPLEMENTAL.

Part IV. contains various provisions supplemental to those in Parts I. to III. The attention of the R.S.A. may be especially drawn to the following of these provisions.

Section 77 enables any person authorised by the S.A., at all reasonable times of the day, on giving 24 hours' notice in writing to the occupier of his intention so to do, to enter any dwelling house, premises, or building which the S.A. are authorised to purchase compulsorily under Part II. of this Act, for the purpose of surveying and valuing the same.

Section 78 provides that where a building or any part of a building purchased by the S.A. in pursuance of a scheme under Part II. of the Act is not closed by a closing order, and is occupied by any tenant whose contract of tenancy is for less than a year, the S.A., if they require him to give up possession of such building to part for the purpose of pulling down the building, may make to him a reasonable allowance on account of his expenses in removing.

Section 80 requires separate accounts to be kept by the S.A. and their officers of their receipts and expenditure under each part of the Act, and requires such accounts to be audited in the like manner and with the like power to the officer auditing the same, and with the like incidents and consequences as the accounts of the S.A. are for the time being required to be audited by law.

Section 81 empowers the S.A. to appoint committees for the purposes of the Act.

Section 82 requires them, where they sell any land acquired by them for any of the purposes of the Act, to apply the proceeds of the sale for any purpose, including repayment of borrowed

money, for which capital money may be applied and which is approved by the Board.

Section 83 provides for the advance of moneys to L.A.s by the Commissioners of Public Works in Ireland acting with the consent of the Treasury at such rate of interest, not less than £3 2s. 6d. % as the Treasury may from time to time authorise as being in their opinion sufficient to enable such loans to be made without loss to the Exchequer.

Section 88 renders any member of the S.A. on summary conviction liable to a penalty not exceeding £50 if he votes upon any resolution or question which is proposed or arises in pursuance of Part II. of the Act relating to any dwelling-house, building, or land in which he is beneficially interested.

PART V.

This Part of the Act relates to its application to Scotland.

PART VI.

Contains the provisions which shall have effect in the application of the Act to Ireland.

PART VII.—REPEAL AND TEMPORARY PROVISIONS.

This Part of the Act repeals the whole of the Artizans' and Labourers' Dwellings Improvement Acts, 1875 to 1885, the Artizans' Dwellings Acts, 1868 to 1885, and the Labouring Classes Lodging Houses Acts, 1851 to 1885, with the necessary savings and temporary provisions.

SCHEDULES.

THE FIRST SCHEDULE TO THE ACT.

This schedule contains a tabular statement of the several districts and L.A.s for the purposes of the Act, and the local rates out of which the expenses of these authorities under the Act are to be defrayed. These rates in U.S.D.s are the rates out of which the general expenses of the execution of the P.H.I.A., 1878, are defrayed.

THE SECOND SCHEDULE.

This schedule contains provisions with respect to the purchase and taking of lands otherwise than by agreement for the purposes of Part I. of the Act, and otherwise amending the Lands Clauses Acts in their application to such lands. They are for the most part the same as the corresponding provisions in the Artizans' and Labourers' Dwellings Improvement Acts, 1875 to 1885.

They contain, however, some amendments, *e.g.*, provisions similar to those to which reference has been made with respect to the settlement of compensation under Part II. of the Act, enabling the arbitrator, and requiring him, if the S.A. request him so to do, to from time to time make an award respecting a portion only of the disputed cases brought before him ; and providing that he shall not be required to certify the amount of costs incurred by any party in relation to the arbitration in any case where he considers that such party neglected, after due notice, to deliver to the S.A. a statement in writing within such time and containing such particulars as would have enabled them to make a proper offer of compensation before the appointment of the arbitrator.

THE THIRD SCHEDULE.

This schedule sets out the enactments applied by the Act for the purpose of proceedings for closing premises. In U.S.D.s. these enactments consist of parts of sections 107 and 110 and the whole of the sections 111 and 113 of the P.H.I.A., 1878.

THE FOURTH AND FIFTH SCHEDULES.

These schedules contain forms which may be used for the purposes of the Act.

THE SIXTH SCHEDULE.

This schedule sets out the purposes for which bye-laws must be made under Part III. of the Act, where a L.A. have established or acquired lodging houses for the working classes.

THE SEVENTH SCHEDULE.

This schedule contains a list of the enactments repealed by the Act.

Definition of Working Class.

The Housing of the Working Classes Act, which was passed in August, 1903, defines the "working class" as follows :—

The expression "working class" includes mechanics, artisans, labourers, and others working for wages ; hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants whose income in any case does not exceed an average of 30s. a week, and the families of any such persons who may be residing with them.

THE DAIRIES, COW-SHEDS, AND MILK-SHOPS (IRELAND) ORDER OF AUGUST, 1879.

Preliminary.

1. This Order may be cited as "The Dairies, Cow-sheds, and Milk-shops (Ireland) Order of August, 1879."
2. This Order extends to Ireland only.
3. In this Order words have the same meaning as in the Contagious Diseases (Animals) Act, 1878.

REVOCATION OF FORMER ORDERS.

4. The Dairies, Cow-sheds, and Milk-shops (Ireland) Order of 1879, and the Dairies, Cow-sheds, and Milk-shops Amendment (Ireland) Order of 1879 are hereby from the making of this Order revoked ; but nothing herein shall invalidate or make unlawful anything done under those Orders, or either of them, before the making 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, those Orders, or either of them.

CONSTRUCTION AND WATER-SUPPLY OF NEW DAIRIES AND COW-SHEDS.

5. (1.) It shall not be lawful for any person following the trade of cow-keeping or dairyman to begin to occupy as a dairy or cow-shed any building not so occupied at the making of this Order, unless and until he first makes provision, to the reasonable satisfaction of the L.A., 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 L.A. of his intention so to do.

SANITARY STATE OF ALL DAIRIES AND COW-SHEDS.

6. 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 making 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 and contamination.

CLEANSING OF DAIRIES, COW-SHEDS, MILK-STORES, MILK-SHOPS, AND MILK-VESSELS.

7. A L.A. may, from time to time, make regulations for prescribing and regulating the cleansing of dairies and cow-sheds, in the occupation or persons following the trade of cow-keepers or dairymen, and the cleansing of milk-stores, milk-shops, and milk-vessels, used for containing milk for sale by such persons.

CONTAMINATION OF MILK.

8. 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.

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—

(1.) 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, as far as regards the production, distribution, or storage of milk ; or

(2.) 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 take part in the conduct of his trade and 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, to use a milk-store or milk-shop in his occupation, or permit the same to be used 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.

KEEPING OF SWINE.

11. 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.

REGISTRATION OF DAIRYMEN AND OTHERS.

12. (1.) Every L.A. shall keep a register of persons from time to time carrying on in the district of the L.A. the trade of cow-keepers, dairymen, or purveyors of milk, and shall from time to time revise and correct the register.

(2.) The L.A. 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.

(3.) It shall not be lawful for any person to carry on in the district of any L.A. the trade of cow-keeper, dairyman, or purveyor of milk unless he is registered as such therein.

(4.) 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 purpose of registration, be deemed to be a person carrying on the trade of cow-keeper or dairyman, and need not be registered.

(5.) 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.

ACTS OF LOCAL AUTHORITIES.

13. (1.) All orders and regulations made by a L.A. under The Dairies, Cow-sheds, and Milk-shops (Ireland) Order of 1879, 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 L.A.

(2.) Forms of registers and other forms which have been before the making of this Order prepared for use by a L.A. under the Dairies, Cow-sheds, and Milk-shops (Ireland) Order of 1879, may be used, as far as they are suitable, for the purposes of this Order.

THE DAIRIES, COW-SHEDS, AND MILK-SHOPS (IRELAND)
ORDER OF JULY. 1886.

1. A L.A. may, from time to time, make regulations for the registration with the L.A. of all persons carrying on the trade

of cow-keepers, dairymen, or purveyors of milk, and for the inspection of cattle in dairy-yards and cow-sheds, and for prescribing and regulating the lighting, ventilation, drainage, and water-supply of dairies and cow-sheds in the occupation of persons following the trade of cow-keepers or dairymen, and for prescribing precautions to be taken for protecting milk against infection or contamination.

2. This Order may be cited as "The Dairies, Cow-sheds, and Milk-shops (Ireland) Order of July, 1886."

GENERAL ORDER RESPECTING DAIRIES, COW-SHEDS, AND MILK-SHOPS, IN PURSUANCE OF THE CONTAGIOUS DISEASES (ANIMALS) ACTS, 1878 AND 1886, MADE 25TH OCTOBER, 1894.

1. Every regulation made under the said Article 7 of the Order of 1879, and under our General Order, dated the 7th day of July, 1886, shall be published by advertisement in a newspaper circulating in the district of the L.A.

2. The L.A. shall send to us a copy of every such regulation and of every order of the nature of a regulation made by them pursuant to Article 12 of the Order of 1879, not less than one month before the date named in such regulation or order for the same to come into force.

3. If at any time we are satisfied on inquiry with respect to any such regulation or order of the nature of a 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.

4. Any question arising as to what are orders of the nature of regulations within the meaning of the foregoing articles, numbered 2 and 3, shall be determined by us, and such determination shall be conclusive.

5. If any person is guilty of an offence against the Order of 1879, he shall for every such offence be liable to a penalty of £5, and in the case of a continuing offence to a further penalty of Forty Shillings for each day after written notice of the offence from the L.A.

Provided, nevertheless, that the justices or 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 imposed by this Order.

6. In this Order the expression "L.A." means an urban or rural sanitary authority within the meaning of the P.H.I.A., 1878.

7. This Order may be cited as "The Dairies, Cow-sheds, and Milk-shops Amending Order of 1894."

THE DAIRIES, COW-SHEDS, AND MILK-SHOPS
ORDER OF 1899. DATED JULY 19, 1899.

Article 1. This Order may be cited as "The Dairies, Cow-sheds, and Milk-shops Order of 1899."

Article 2. Article 8 of the Order of 1879 shall be altered so that, for the purposes of the provisions of paragraphs (a) and (b) thereof, the expressions in that 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 of 1879 and the said General Orders under our Seal shall apply and be constructed with the modifications necessary to give effect to this Article.

MEDICAL CHARITIES ACT, 1851.

3. The L.G.B. may from time to time appoint so many fit persons as the Treasury shall sanction, being practising physicians or surgeons of not less than 7 years' standing, to be inspectors to assist in carrying out the provisions of this Act, and may remove all or any of the said inspectors and appoint others in their place.

5. Neither the medical commissioner nor any such inspector as aforesaid shall, while he continues in such respective office, practise as a physician or surgeon or in any other professional capacity.

6. It shall be lawful for the L.G.B., and they are hereby empowered, when they may see occasion, from time to time to require the guardians to alter districts, subject to the approval by Order under seal of the said L.G.B. and in case of their disapproval, or of the neglect of the guardians to make such alteration when required, the said L.G.B. may alter such districts by such an Order: provided always, that in no case shall an Electoral division formed under the Acts for the more effectual relief of the destitute poor be divided, and the said L.G.B. shall declare in such Order the number and qualifications of the officers to be appointed for the service of each such dispensary district.

8. The guardians of the union shall provide a house, building, room or rooms, to be used as a dispensary or office for the M.O. of each such district, and for the meetings of the committee of management, and shall provide such medicines and medical appliances as may be necessary. And the guardians shall appoint, from time to time, subject to the approval of the said L.G.B., one or more M.Os. for the said district, with such qualifications as the said L.G.B. shall determine, and with such salaries as the guardians, subject to the approval of the said

L.G.B. shall determine ; and the said L.G.B. may, and they are herein empowered when they may see occasion, from time to time to regulate the amount of salaries or allowances payable to such officers respectively, and the time and mode of payment thereof ; and it shall be lawful for the said L.G.B. to remove any such M.O. on sufficient grounds, and to direct the said guardians to appoint another M.O. in his stead ; and, on failure of the said committee to apponit a M.O. of such dispensary district for one month after the receipt of the direction of the said L.G.B., it shall be lawful for the said L.G.B. to appoint such M.O. by an Order under their seal.

9. Every member of such board of guardians, and every relieving officer and warden acting for an electoral division included in such dispensary district, shall have power to afford medical relief by the issue of a ticket for medicine and advice, or a ticket, in such form as the said L.G.B. shall prescribe, addressed to the M.O. of the district, directing him to afford medicine and advice, to or attend any poor person resident therein ; and it shall be the duty of the M.O. to afford medicine and advice, or to attend such poor person, as thereby directed : provided always, that if any person who shall obtain a ticket for medical attendance shall, at a meeting of the guardians after the issue of the ticket, be declared by a majority of the members then present not to be a fit object for dispensary relief, the ticket shall be cancelled, and the holder thereof disentitled to further relief.

10. From and after the day to be named as aforesaid in the Order of the said L.G.B. declaring any dispensary district, all provision now made by law for affording dispensary relief from poor rate, or by means of presentment from the county cess, shall, except for the purpose of defraying expenses incurred before such date, cease as to the baronies or portions of baronies or places included in such dispensary districts, and all funds and property derived or arising for the support of such institutions from bequests shall be applied to the support thereof according to the trusts on which such bequests were granted : provided always that nothing herein contained shall be construed to deprive of the benefit of aid from any Parliamentary grant any infirmary or hospital in the City or County of *Dublin* now receiving such aid, so long as such aid shall continue to be granted by Parliament.

11. No guardian, paid officer, or other person concerned in the providing, ordering, management, control, or direction of the medical relief of the poor in any dispensary district, shall, either in his own name or in the name of any other person, provide, furnish, or supply for his own profit any medicines, instruments, furniture, or goods for the use of any dispensary in any district for which he shall act in any such capacity as

aforesaid, during the time for which he shall retain such office, nor shall during such time be interested, directly or indirectly, in any contract relating thereto, under pain of forfeiting the sum of fifty pounds, with the full costs of suit, to any person who shall sue for the same by action of debt or on the case in any of Her Majesty's Courts of Record in *Dublin*.

12. The said L.G.B. shall and may, and they are hereby directed, with all reasonable despatch after the first appointment of Commissioners under the provisions of this Act, to frame general rules and regulations for the government of each dispensary district, and for the guidance and control of the guardians, and the several officers to be appointed in connection therewith respectively, and shall be empowered to alter or revoke such rules and regulations, and make such new rules and regulations, from time to time, as they may think fit.

15. It shall be the duty of any salaried M.O. of a dispensary district under this Act, or (if more than one), then the nearest of such M.Os., save in the case of his sickness or necessary absence, and then the other nearest of such M.Os., without any further fee or reward, to examine and certify under the statute in that behalf as to the case of any dangerous lunatic brought before a justice of the peace, within his respective district, when summoned by such justice so to do, and also to give his medical attendance and care, so far as shall be necessary, to the prisoners or inmates in any bridewell or house of correction situate within such respective district, and to supply to such prisoners and inmates the necessary medicines, the account of which medicines shall be submitted to the next meeting of the guardians of such respective district, who shall make provision for the payment thereof; and it shall be lawful for the said L.G.B., if they shall think fit, to take into account the probable extent of such extraordinary duties with respect to any such bridewell or house of correction in fixing the amount of the salaries of the M.Os. of such districts.

16. The L.G.B. or any one of them, and also any such inspector acting in execution of this Act, by summons under the seal of the L.G.B., or of any inspector respectively as the case may be, may require the attendance of all such persons as they or he shall think fit to call before them or any of them respectively upon any matter in connection with the execution of this Act, relating to any dispensary subject under this Act to the authority of the said L.G.B., at such time and place as shall be set forth in the summons, and may make inquiry and require returns, and may administer oaths, and examine all such persons upon oath, and may require and enforce the production upon oath of books, contracts, agreements, accounts, maps, plans, surveys, valuations, and writings, and copies thereof respectively, in anywise relating to any such matter as aforesaid.

Provided always that no person shall be required in obedience to go more than thirty statute miles from the place of his abode, or, in obedience to any such summons of an inspector, to go more than five miles from the place of his abode. Provided also, that nothing herein contained shall empower the L.G.B. or any commissioner or inspector to require the production of the title, or of any papers or deeds relating to the title of any lands, tenements or hereditaments, not being property under the authority of or vested in the said L.G.B. by this Act: Provided also, that nothing herein contained shall authorize the said L.G.B. or any of them, or any such inspector, to exercise such powers of summons, inquiry, examination, or other such last-mentioned powers as aforesaid, in the case of any hospital, infirmary or medical institution supported by private endowments, bequests, property, or subscriptions.

17. Every person who upon any such examination as aforesaid under the authority of this Act shall wilfully give false evidence, or wilfully make or subscribe a false declaration, shall be deemed guilty of a misdemeanour; and every person who shall refuse or wilfully neglect to attend in obedience to any such summons as aforesaid of the L.G.B. or any one of the L.G.B., or any inspector, or to give evidence as aforesaid, or shall wilfully alter, suppress, conceal, destroy, or refuse to produce any books, contracts, agreements, accounts, maps, plans, surveys, valuations, or writings, or copies of the same which may be required as aforesaid to be produced for the purposes of this Act, to any person authorized by this Act to require the production thereof, shall be liable to forfeit a sum not exceeding five pounds, to be recovered before any justice or justices at Petty Sessions under his or their warrant, by distress and sale of the goods of the party so offending, returning to such party the overplus.

18. Every inspector acting in execution of this Act shall be entitled to enter at all times into and to inspect every dispensary or building used for the purposes of this Act, and to attend the meetings of every board of guardians on all business arising in the execution of this Act, and to take part in the proceedings, but not to vote at such meeting; and the said L.G.B., or an inspector by their Order in writing, shall be empowered (when they shall deem it expedient) to enter, inspect, and report upon any infirmary, hospital, or medical institution supported in the whole or in part by any public funds, rates, or assessments.

21. In the interpretation of this Act, the word "medical" shall be construed to extend to and include the word "surgical," unless there be something in the subject repugnant to such construction.

Note.—All the sections in this Act except those here given have been repealed.

SANITARY ORDERS.

On the 3rd May, 1900, five General Sanitary Orders were issued by the L.G.B. and on the same date the General Orders dated 8th August, 1879, were revoked.

Order I. applies to rural districts, and is under sects. 22, 33, and 85, L.G.I.A., 1898.

Order II. applies to urban districts, and is under sects. 22 and 32, L.G.I.A., 1898.

Order III. applies to the county boroughs of Cork, Limerick, Londonderry, and Waterford, and is under sects. 21 (1), 22, and 32, L.G.I.A., 1898.

Order IV. applies to the county boroughs of Dublin and Belfast, and is under sects. 21 (1), 22, and 32, L.G.I.A., 1898.

Order V. applies to port sanitary authorities constituted by Provisional Orders confirmed by Parliament, and under sect. 9, P.H.I.A., 1896.

SANITARY ORDER No. 1.

To the Councils of the several R.Ds. for the time being in Ireland, and to all whom it may concern.

SANITARY OFFICERS.

Appointment and Qualification.

1. The S.A. may, and when directed by Us shall, appoint one medical superintendent officer of health, and for this office every registered medical practitioner who possesses a diploma in sanitary science, public health, or state medicine which has been entered on the Medical Register in pursuance of section 21 of the Act 49 and 50 Vic., cap. 48, shall be eligible.

(a.) Provided that all existing medical superintendent officers of health, and consulting sanitary officers, shall be deemed to be qualified to fill that position, and continue in office, and also,

(b.) Provided that any R.D.C. may with Our consent appoint a medical superintendent officer of health in their district a person appointed as medical superintendent officer of health in any neighbouring rural or urban district or districts, or in any county borough.

2. The S.A. shall appoint an executive sanitary officer, for which office any person approved by Us shall be eligible.

3. The S.A. after consultation with Us shall appoint so many sanitary sub-officers as We may determine, and no person shall be appointed to this office until We are satisfied that his qualifi-

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officer, or in his duties or salary, may be deemed necessary, and he shall decline to acquiesce therein, the S.A. may, with Our consent, but not otherwise, and after six months' notice in writing given to such officer, determine his tenure of the office.

11. All Our consents, approvals, disapprovals, assents, directions, and requisitions touching the appointment and tenure of office of sanitary officers shall be signified by Us to the S.A. by letter.

SALARY.

12. The S.A. shall pay to all officers appointed under this Order or under section 11 of the P.H.I.A., 1878, such salaries as We may from time to time approve or direct.

Provided always that the S.A. may, with Our approval, pay to any officer a reasonable compensation on account of exceptional services connected with his duties or the necessities of the district or districts for which he is appointed.

13. The salary of every officer shall be payable up to the day on which he ceases to hold office and no longer, and in case he shall die whilst holding such office, the proportion of salary (if any) remaining unpaid at his death shall be paid to his personal representatives.

Provided that an officer who may be suspended, and who may, without the previous removal of such suspension, resign or be removed under Article 8 of this Order, shall not be entitled to any salary from the date of such suspension.

DUTIES.

Medical Superintendent Officer of Health.

14. The following shall be the duties of a medical superintendent officer of health in respect of the district for which he acts or for which he is appointed :—

(1.) He shall inform himself respecting all influences affecting or threatening to affect injuriously the public health within the district.

(2.) He shall inquire into and ascertain by such means as are at his disposal, the causes, origin, and distribution of diseases within the district, and ascertain to what extent the same have depended on conditions capable of removal or mitigation.

(3.) He shall, by inspection of the district, both systematically at certain periods and at intervals as occasion may require, keep himself informed of the conditions injurious to health existing therein, and regularly report the same to the S.A.

(4.) He shall advise the S.A. on all matters affecting the

health of the district, and on all sanitary points involved in the action of the S.A., and in cases requiring it he shall certify for the guidance of the S.A. or of the justices as to any matter in respect of which the certificate of a M.O.H. or a medical practitioner is required as the basis of or in aid of sanitary action.

(5.) He shall report in writing, monthly, or more frequently if required, to the S.A. his proceedings and the measures which may require to be adopted for the improvement or protection of the public health in the district. He shall in like manner report with respect to the sickness and mortality within the district so far as he has been enabled to ascertain the same, and on the discharge of their duties by the M.O.H. and sanitary sub-officers of the district.

(6.) He shall advise the S.A. 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, and as to the desirability of the S.A. adopting any of the provisions of the Public Health Acts or any other Act applicable to the R.S.D. which it may be optional with the S.A. to put in force in the district.

(7.) On receiving information of the outbreak of any infectious or epidemic disease of a dangerous character within the district, he 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 take or direct to be taken such measures for the prevention of the spread of the disease as he is legally authorised to take or direct to be taken.

(8.) He shall report to Us, when required, as to the qualifications of any person elected as sanitary sub-officer in his district.

(9.) Subject to the instructions of the S.A., he shall direct or superintend the work of the sanitary sub-officer or officers, and on receiving information from such officer or officers that his intervention is required in consequence of the existence of any nuisance or other conditions injurious to health, or of any overcrowding in a house, he shall as early as practicable visit the place and take or direct to be taken such steps as he is legally authorised to take or direct to be taken, and as the circumstances of the case may justify and require.

(10.) He shall attend all such meetings of the S.A. as they may direct, and advise them as regards the action to be taken in matters relating to sanitation.

(11.) In any case in which it may appear to him to be

necessary or advisable, or in which he shall be so directed by the S.A., he shall himself inspect and examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk, or any other article to which the provisions of the Public Health Acts in this behalf apply, exposed for sale or deposited for the purpose of sale or of preparation for sale, and intended for the food of man, which is deemed to be diseased, or unsound, or unwholesome, or unfit for the food of man ; and if he finds that such animal or article is diseased or unsound, or unwholesome, or unfit for the food of man, he shall give such directions as may be necessary for causing the same to be dealt with by a justice according to the provisions of the Statutes applicable to the case.

(12.) He shall also make an annual report to the S.A. up to the end of December in each year, comprising a summary of the action taken, or which he has advised the S.A. to take during the year, for preventing the spread of disease, and an account of the sanitary state of his district generally at the end of the year. The report shall also contain an account of the inquiries which he has made as to conditions injurious to health existing in the district and of the proceedings in which he has taken part or advised under any Statute, so far as such proceedings relate to those conditions, and also an account of the supervision exercised by him, or on his advice, for sanitary purposes over places and houses that the S.A. have power to regulate, with the nature and results of any proceedings which may have been so required and taken in respect of the same during the year. The report shall also record the action taken by him or on his advice during the year, in regard to dairies, cowsheds, and milk-shops, and to factories and work-shops.

(13.) He shall give immediate information to Us of any outbreak of dangerous epidemic disease within the district, and shall transmit to us a copy of each annual report and of any special report.

(14.) He shall receive and take the necessary action upon the notices given under the Infectious Disease (Notification) Act, 1889, and in all action taken by the S.A. under the Infectious Disease (Notification) Act, 1889, and the Infectious Disease (Prevention) Act, 1890, he shall be substituted for the medical officer of the dispensary district, in accordance with the provisions of Section 18 of the P.H.I.A., 1896.

(15.) When a certificate has been received from a medical practitioner in terms of section 3 (1) (b) of the Infectious Disease (Notification) Act, 1889, the medical superintendent officer of health shall instruct the sanitary sub-officer to make the necessary inquiries, and to take such measures as are necessary for preventing the spread of the disease.

(16.) It shall be the duty of the medical superintendent officer of health to enter or cause to be entered both the certificates and the notices in a book to be provided by the S.A., and to be called the *Register of Notifications*, which shall be kept in the office of the S.A. for that purpose.

(17.) The medical superintendent officer of health shall also keep any other books or forms in connection with the Infectious Disease (Notification) Act, 1889, which We or the S.A. may from time to time consider necessary.

(18.) Whenever We shall make regulations for all or any of the purposes specified in section 149 of the P.H.I.A., 1878, and shall declare the regulations so made to be in force within any area comprising the whole or any part of the district, he shall observe such regulations so far as the same relate to or concern his office.

(19.) He shall furnish to Us such returns of sickness and disease as shall from time to time be required from him.

(20.) In matters not specifically provided for in this Order he shall observe and execute all the lawful orders and directions of the S.A., and all the orders, directions, and instructions that We may hereafter make, issue, or give applicable to his office.

Medical Officer of Health.

15. The following shall be the duties of the M.O.H. in respect of the dispensary district or portions of districts for which he acts or for which he is appointed :—

(1.) He shall inform himself respecting all influences affecting or threatening to affect injuriously the public health within his district.

(2.) He 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 depended on conditions capable of removal or mitigation.

(3.) He shall by inspection of his district both systematically at certain periods, and at intervals as occasion may require, keep himself informed of the conditions injurious to health existing therein, and regularly report the same to the S.A.

(4.) He shall advise the S.A. on all matters affecting the health of his district, and on all sanitary points involved in the action of the S.A., and in cases requiring it he shall certify for the guidance of the S.A. or of the justices, as to any matter in respect of which the certificate of a M.O.H. or a medical practitioner is required as the basis of or in aid of sanitary action.

(5.) Where a medical superintendent officer of health is not appointed he shall advise the S.A. 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, and as to the desirability of the S.A. adopting any of the provisions of the Public Health Acts, or any other Act applicable to the R.S.D. which it may be optional with the S.A. to put in force in the district.

(6.) On receiving information of the occurrence of any case of infectious or epidemic disease of a dangerous character within his district, he shall visit the place without delay, and inquire into the causes and circumstances of such outbreak and report the same to the medical superintendent officer of health, and where no such officer is appointed he shall report to the executive sanitary officer. In case he is not satisfied that all due precautions are being taken he shall immediately report the fact to the S.A., and at the same time take or direct to be taken such measures to prevent the spread of the disease as he is legally authorised to take or direct to be taken. He shall also forward to Us without delay a report giving particulars as to (1) name, age, and address of patient, (2) nature of disease, (3) probable source of infection, and (4) action taken to prevent the spread of the disease; provided always that in the event of an infectious disease becoming epidemic it shall not be necessary for him to furnish a report to Us respecting each case as it arises if he has already informed Us of the prevalence of the disease.

(7.) Where a medical superintendent officer of health is not appointed, it shall be the duty of the M.O.H. to report to Us, when required, as to the qualifications of any person elected as sanitary sub-officer in his district.

(8.) Subject to the instructions of the S.A., where a medical superintendent officer of health is not appointed, he shall direct or superintend the work of the Sanitary sub-officer or officers, and on receiving information from such officer or officers that his intervention is required in consequence of the existence of any nuisance or other conditions injurious to health, or of any overcrowding in a house, he shall, as early as practicable, visit the place, and if, after due inspection, he finds such matter to involve danger to public health, he shall report thereon to the S.A. in the Form A in the Schedule to this Order annexed, showing the source from which he received the information, and the date thereof, and the date of his visit of inspection; he shall also give a sufficient description of the nature of the case, and the remedy which he recommends to be adopted, and shall preserve a duplicate of every such report.

(9.) He shall attend all such meetings of the S.A. as they may direct, and shall assist in all proceedings in which his services may be required.

(10.) He shall from time to time report in writing to the S.A. his proceedings and the measures which may require to be adopted for the improvement or protection of the public health in his district.

(11.) In any case in which it may appear to him to be necessary or advisable, or in which he shall be so directed by the S.A., he shall himself inspect and examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk, and any other article to which the provisions of the Public Health Acts in this behalf apply, exposed for sale or deposited for the purpose of sale or of preparation for sale, and intended for the food of man, which is deemed to be diseased or unsound, or unwholesome, or unfit for the food of man; and if he finds that such animal or article is diseased or unsound, or unwholesome, or unfit for the food of man, he shall give such directions as may be necessary for causing the same to be dealt with by a justice according to the provisions of the Statutes applicable to the case.

(12.) He shall keep a book or books, to be provided by the S.A., 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 do so by the S.A.

(13.) In all cases where a medical superintendent officer of health has not been appointed, the M.O.H. shall perform the duties prescribed in Articles 14, 15, 16, and 17 of this Order, relating to the duties of medical superintendent officer of health.

(14.) Whenever We shall make regulations for all or any of the purposes specified in section 149 of the P.H.I.A., 1878, and shall declare the regulations so made to be in force within any area comprising the whole or any part of the district, he shall observe such regulations so far as the same relate to or concern his office.

(15.) He shall furnish to Us such returns of sickness and disease as shall from time to time be required from him.

(16.) In matters not specifically provided for in this Order, he shall observe and execute all the lawful orders and directions of the S.A., and all the Orders, Directions, and Instructions that We may hereafter make, issue, or give applicable to his office.

Executive Sanitary Officer.

16. The following shall be the duties of an executive sanitary officer in respect of the district for which he is appointed, or if he shall be appointed for more than one district, then in respect of each of such districts :—

(1.) He shall attend all meetings of the S.A., and shall take their directions from time to time on the sanitary business of the district, and on the reports of the sanitary officers, and all proceedings arising thereon, and shall so far as may be requisite give instructions for the prompt and correct execution of all such orders and directions, and report on such execution, or any neglect or failure therein which may come to his knowledge.

(2.) He shall report to the S.A. at each meeting any failure on the part of the sanitary sub-officers to comply with the provisions of Article 17 (9) of this Order, and any neglect by a sanitary officer to carry out the duties of his office as herein prescribed that may come to his knowledge.

(3.) He shall keep a record of the proceedings of the S.A. at their several meetings and transmit a copy of such record to Us as soon after each meeting as practicable.

(4.) He shall forthwith report to the M.O.H. the action taken by any S.A. on the reports submitted to them by that officer.

(5.) In matters not specifically provided for in this Order he shall observe and execute all the lawful orders and directions of the S.A., and all the Orders, Directions, and Instructions that We may hereafter make, issue, or give applicable to his office.

Sanitary Sub-Officer.

17. The following shall be the duties of a sanitary sub-officer in respect of the district for which he is appointed, or if he shall be appointed for more than one district then in respect of each of such districts :—

(1.) He shall submit reports at each meeting of the S.A. and attend their meetings when so required.

(2.) He shall, by inspection of his district, both systematically at certain periods, and at intervals as occasion may require, keep himself informed in respect of the nuisances existing therein that require abatement.

(3.) On receiving notice of the existence of any nuisance within his district, or of the breach of any bye-laws or regulations made by the S.A. for the suppression of nuisances, he shall, as early as practicable, visit the place and inquire into such alleged nuisance or breach of bye-laws or regulations.

(4.) When he finds any matter demanding in his opinion attention from the M.O.H. of the district in which the same occurs, he shall notify it forthwith to the M.O.H. in writing, specifying the nature of the case, the situation of the premises, and the name of the occupier or owner, in the Form (B) in the Schedule to this Order annexed, and shall preserve a copy in duplicate.

(5.) He shall report to the S.A. any damage done to public pumps or any works of water supply or other works belonging to them, and also any fouling by gas, filth, or otherwise of water used for drinking and domestic purposes.

(6.) The sanitary sub-officer shall personally visit and inquire as to the condition of each common lodging house within his district, at least once every *calendar month*, or oftener if required by the S.A., and enter in his journal a report of the result; he shall also report in writing to the S.A. all unregistered common lodging houses.

(7.) Whenever it shall come to the knowledge of the sanitary sub-officer, whether by written complaint or otherwise, that a nuisance within the meaning of the Public Health Acts, from whatever cause arising, exists, or that any violation of the bye-laws respecting common lodging houses has occurred, he shall intimate the same within twenty-four hours thereafter to the person by whose act, default, or sufferance, the nuisance arises or continues, or to the keeper of the common lodging house, as the case may be, and on the expiry of the time allowed in the aforesaid intimation he shall ascertain and report the result in writing to the S.A., and act in accordance with such instructions as he may receive.

(8.) In every case in which it shall be reported or otherwise become known to him that any person in a common lodging house is suffering from any infectious disease, the sanitary sub-officer shall forthwith report the same to the M.O.H., and act under his instructions.

(9.) He shall give immediate notice to the M.O.H. of the occurrence within his district of any case of infectious or epidemic disease.

(10.) The sanitary sub-officer shall, by the instructions of the M.O.H., 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, when so instructed, as soon as possible examine the sanitary arrangements of any house in which infectious disease has occurred.

(11.) He shall, subject to the directions of the S.A., attend to the instructions of the medical superintendent

officer of health, or in the event of no such officer being appointed, then of the M.O.H., with respect to any measures which can lawfully be taken by a sanitary sub-officer under the Public Health Acts, or under any Statute or Statutes for preventing the spread of any infectious or epidemic disease.

(12.) Where no inspector of dairies has been appointed, the sanitary sub-officer shall, from time to time, and once at least in every three months, visit all dairies, cow-sheds, and milk-shops within his district, and report the result without delay to the S.A. He shall also forthwith inform the S.A. of any infringement of the orders or regulations applicable to such premises.

(13.) He shall enter from day to day, in a book to be provided by the S.A., 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 S.A., 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 Acts or any other Statute or Statutes, and shall submit for examination at each meeting of the S.A. a record of the work performed since the previous meeting, and shall keep any other systematic records that the S.A. may require.

(14.) He shall at all reasonable times when applied to by the M.O.H. 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 a sanitary sub-officer relate.

(15.) He shall, if directed by the S.A. to do so, superintend and see to the due execution of all works which may be undertaken under their direction for the suppression or removal of nuisances within his district.

(16.) He shall perform, either under the special directions of the S.A., or under the directions of the medical superintendent officer of health or the M.O.H., as the case may be, or in cases where no such directions are required, without such directions, all the duties specially imposed upon a sanitary sub-officer by Our Orders for the time being in force as far as the same apply to his office.

(17.) In matters not specifically provided for in this Order he shall observe and execute all the lawful orders and directions of the S.A. and all the Orders, Directions, and Instructions that We may hereafter make, issue, or give applicable to his office.

In this Order the expression "S.A." shall be taken to mean the district council of a rural district.

SANITARY ORDER No. 2.

To the Councils of the several Urban Districts for the time being in Ireland other than the Councils of County Boroughs, and to all whom it may concern.

This Order is almost identical with Order No. 1, except that the sections are arranged in a different order, and that where the words "Rural District" occur the words "Urban District" must be substituted.

The only additions are sects. 14 (11), 14 (12), 15 (10), 15 (11), 17 (5), 17 (10), and 17 (11).

Sect. 14 (7) in Order 2 reads "He shall attend all meetings of the S.A. or the Public Health Committee, &c.," whereas sect. 14 (10) in Order 1, which otherwise corresponds to it, omits the words "Public Health Committee."

ADDITIONAL SECTIONS IN ORDER 2.

MEDICAL SUPERINTENDENT OFFICER OF HEALTH.

14. (11.) He shall perform all the duties imposed upon him by any of the bye-laws and regulations of the S.A., duly confirmed where confirmation is legally required in respect of any matter affecting the public health, and touching which they are authorized to frame bye-laws and regulations.

14. (12.) He shall inquire into any offensive process or trade carried on within the district, and report on the appropriate means for the prevention of any nuisance or injury to health therefrom.

MEDICAL OFFICER OF HEALTH.

15. (10.) He shall perform all the duties imposed upon him by any bye-laws and regulations of the S.A. duly confirmed where confirmation is legally required, in respect to any matter affecting the public health and touching which they are authorised to frame bye-laws and regulations.

15. (11.) He shall inquire into any offensive process or trade carried on within the district, and report on the appropriate means for the prevention of any nuisance or injury to health therefrom.

SANITARY SUB-OFFICER.

17. (5.) He shall report to the S.A. any noxious or offensive business, trades, or manufactories established within his district, and the breach or non-observance of any bye-laws or regulations made in respect of the same.

17. (10.) He shall from time to time and forthwith upon complaint visit and inspect the shops and places kept or used for the

preparation or sale of butcher's meat, poultry, fish, fruit, vegetables, corn, bread, flour, milk, or any other article to which the provisions of the Public Health Acts in this behalf apply, and examine any animal, carcase, meat, poultry, game, fish, fruit, vegetables, corn, bread, flour, milk, or other article as aforesaid which may be therein; and in case any such article appears to him to be intended for the food of man, and to be unfit for such food, he shall cause the same to be seized, and take such other proceedings as may be necessary in order to have the same dealt with by a justice. Provided that in any case of doubt arising under the clause he shall report the matter to the M.O.H., with the view of obtaining his advice thereon.

17. (11.) He shall give immediate notice to the M.O.H. of the occurrence within the district of any case of infectious or epidemic disease, and whenever it appears to him that the intervention of such officer is necessary, in consequence of the existence of any nuisance or other conditions injurious to health, or of any overcrowding in a house, he shall forthwith inform the M.O.H. thereof. (For Key to Sections see Appendix.)

SANITARY ORDER No. 3.

RELATING TO THE COUNTY BOROUGHS OF CORK, LIMERICK, LONDONDERRY, AND WATERFORD.

This Order in the main corresponds with Order No. 2, if the words "County Borough" be substituted for "Urban District."

In sect. 14 (7), Order 2, the words Sanitary Authority or Public Health Committee" should read "the Public Health Committee."

In sect. 15 (12), Order 2, read "Public Health Committee" for "Sanitary Authority," and similarly in sects. 16 (1), 16 (2), and 16 (3).

In sect. 17 (4), Order 2, notification is to be sent to the Sanitary Authority and not to the Medical Officer of Health, as in Orders 1 and 2.

In sect. 17 (13), Order 2, for "Medical Officer of Health" put "Medical Officer of Health or Executive Sanitary Officer."

In sect. 17 (14), Order 2, put "Public Health Committee" for "Sanitary Authority."

In sect. 17 (15), Order 2, for "Medical Officer of Health" put "Superintendent Medical Officer of Health or Executive Sanitary Officer."

SANITARY ORDER No. 4.

RELATING TO THE COUNTY BOROUGHS OF DUBLIN AND BELFAST.

This Order corresponds to Order No. 3 with the under-mentioned modifications.

In sect. 14 (9), Order 3, omit the words "subject to the instructions of the sanitary authority." (For Key to Sections see Appendix.)

SANITARY ORDER No. 5.

To the Port Sanitary Authorities for the time being in Ireland,
and to all whom it may concern.

Now, therefore, We, the Local Government Board for Ireland, in exercise of the power vested in us, do hereby order and direct as follows with respect to any Port Sanitary Authority now or hereafter constituted by Provisional Order :—

MEDICAL OFFICER OF HEALTH.

Qualifications.

1. The Port S.A. shall appoint a M.O.H., and for this office every duly qualified medical practitioner who possesses the qualifications prescribed by the office of medical officer of a dispensary district shall be eligible.

Appointment.

2. An appointment of a M.O.H. shall not be made unless an advertisement specifying the amount of salary proposed to be assigned subject to Our approval, the day fixed for the appointment, and, if it is to be for a limited period, the period for which it is to be made, shall have appeared in some public newspaper circulating in the locality at least seven days before the day fixed for the appointment.

3. A M.O.H. shall not be appointed or re-appointed, unless he agree to give one month's notice previous to resigning the office, or to forfeit such sum as may be agreed upon as liquidated damages: Provided that the Port S.A. may, on making the appointment, require longer notice, not exceeding three months, to be given as aforesaid.

4. Every appointment or re-appointment shall, within seven days after it is made, be reported to Us by the clerk to the Port S.A., and shall be subject to our approval.

5. As regards any vacancy in the office of M.O.H., the following regulations shall apply :—

(1.) If the vacancy arise from notice given by an officer of his intended resignation to take effect on a future day, the Port S.A. may elect a successor to such officer, in conformity with the above regulations, at any time subsequent to such notice.

(2.) If the Port S.A. deem it advisable that a vacancy

should not be filled up forthwith, they may appoint a person to act temporarily, subject to Our approval.

(3.) In any case where a Port S.A. permanently constituted appoint an officer for a limited period, they may re-appoint him, or appoint his successor, within three calendar months next before the expiration of such period.

6. If a Port S.A. desire to renew the appointment of an officer for a further period or otherwise, in conformity with the provisions of this Order, it shall not be necessary for that purpose that Article 2 of this Order shall be complied with ; but it shall be sufficient if the Port S.A., at a meeting held after notice given at one of their two ordinary meetings next preceding such meeting pass a resolution renewing the appointment accordingly on the expiration of the period for which it was made, and we sanction such resolution.

7. If, from exceptional causes, extra assistance is temporarily required, or if any officer be at any time prevented by sickness or accident, or other sufficient reason, from performing his duties, the Port S.A., subject to Our approval, may appoint a properly qualified person to give such assistance or to act as temporary substitute, and may pay to such person a reasonable compensation for his services ; and it shall not be necessary in any such case that Article 2 of this Order shall be complied with, but Article 4 of this Order shall apply in every such case.

Tenure of Office.

8. Every M.O.H. shall continue to hold office for such period as the port S.A. may, with Our approval, determine, or until he die, or resign, or be dismissed by such authority with Our assent, or be removed by Us.

Salary.

9. The Port S.A. shall pay to every M.O.H. such salary as may be approved by Us.

Provided that the Port S.A., with Our approval, may pay to any such officer a reasonable compensation on account of extraordinary services, or other unforeseen or special circumstances connected with his duties or the necessities of the district for which he is appointed.

10. The salary of every such officer shall be payable up to the day on which he ceases to hold office, and no longer, subject to any deduction which the Port S.A. may be entitled to make in respect of Article 3 of this Order ; and in case he shall die whilst holding such office, the proportion of salary (if any) remaining unpaid at his death shall be paid to his personal representatives.

Duties.

II. The following shall be the duties of the M.O.H. in respect of the Port S.D. for which he is appointed :—

(1.) He shall inform himself as far as practicable respecting all influences affecting or threatening to affect injuriously the health of crews and other persons on ship-board within the district.

(2.) He shall inquire into and ascertain by such means as are at his disposal the causes, origin, and distribution of diseases in the ships and other vessels within the district, and ascertain to what extent the same have depended on conditions capable of removal or mitigation.

(3.) He shall by inspection of the shipping in the district keep himself informed of the conditions injurious to health existing therein.

(4.) He shall be prepared to advise the Port S.A. on all matters affecting the health of the crews and other persons on ship-board in the district, and on all sanitary points involved in the action of the Port S.A. ; and in cases requiring it he shall certify, for the guidance of the Port S.A. or of any Court of Summary Jurisdiction or of any justice or justices, as to any matter in respect of which the certificate of a M.O.H. or a medical practitioner is required as the basis or in aid of sanitary action.

(5.) He shall advise the Port S.A. 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.

(6.) On receiving information of the arrival within the district of any ship or other vessel having any infectious or epidemic disease of a dangerous character on board, or of the outbreak of any such disease on board any ship or other vessel within the district, he shall visit the vessel without delay and inquire into the causes and circumstances of such outbreak, and 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, so far as he may be lawfully authorised, assist in the execution of the same.

(7.) On receiving information that his intervention is required in consequence of the existence of any nuisance injurious to health, or of any overcrowding in a ship or other vessel, he shall, as early as practicable, visit the place, or ship, or vessel, and take, or direct to be taken, such steps as he is legally authorised to take, or direct to be taken, and as the circumstances of the case may justify and require.

(8.) He shall perform all the duties imposed upon him by any bye-laws and regulations of the Port S.A., duly confirmed, in respect of any matter affecting the public health, and touching which they are authorised to frame bye-laws and regulations.

(9.) He shall attend at the office of the Port S.A., or at some other appointed place, at such stated times as they may direct.

(10.) He shall from time to time report in writing to the Port S.A. his proceedings, and the measures which may require to be adopted for the improvement or protection of the health of crews or other persons on ship-board in the district. He shall in like manner report with respect to the sickness and mortality of persons on ship-board within the district, so far as he has been enabled to ascertain the same.

(11.) He shall keep a book or books, to be provided by the Port S.A., 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 every action taken on previous reports; and shall produce such book or books, whenever required, to the Port S.A.

(12.) He shall also prepare an annual report, to be made to the end of December in each year, comprising tabular statements (so far as he shall have been able to obtain the necessary information) of the sickness and mortality of persons on ship-board within the district, classified according to diseases, ages, and vessels; and a summary of the action taken during the year for preventing the spread of disease. The report shall also contain an account of the proceedings in which he has taken part under and Statute, so far as such proceedings relate to conditions dangerous or injurious to health, and also an account of the supervision exercised by him or on his advice for sanitary purposes, over places and vessels that the Port S.As. have power to regulate, with the nature and results of any proceedings which may have been so required and taken in respect of the same during the year.

(13.) He shall give immediate information to Us of any outbreak of infection or epidemic diseases of a dangerous character on ship-board within the district, and shall transmit to Us a copy of each annual and of any special report.

(14.) Where any vessel within his district has had dangerous infectious disease on board, he shall give notice thereof to the M.O.H. of any port within the United Kingdom whither such vessel is about to sail.

(15.) In matters not specifically provided for in this Order, he shall observe and execute all the lawful orders and direc-

tions of the port S.A., and all the orders, directions, and instructions that We may hereafter make, issue, or give applicable to his office.

OTHER SANITARY OFFICERS.

12. The Port S.A. may, with Our approval, and when directed by Us shall, appoint an assistant M.O.H., or assistant M.O.H.'s, and a sanitary sub-officer or sanitary sub-officers, and other sanitary officers or clerks, and assign to them respectively such salary, duties, and functions as We may from time to time approve or direct.

Provided that no person shall be appointed as assistant M.O.H. or sanitary sub-officer, under the Port S.A., unless We are satisfied that he is duly qualified for the office.

WORKHOUSE RULES, 1849.

The General Order regulating the management of Workhouses and the duties of Workhouse Officers was issued by the L.G.B., 5th February, 1849.

Article 9 of this Order classifies paupers as follows for the purposes of discipline :—

1. Males over 15 years.
2. Males between 2 and 15 years.
3. Females over 15 years.
4. Females between 2 and 15 years.
5. Children under 2 years.

Article 13 classifies paupers for the purpose of dieting as follows :—

1. Able-bodied working males.
2. " " females.
3. The aged and infirm and all adults above 15 unable to work.
4. Children between 9 and 15 years.
5. " " 5 and 9 years.
6. " " 2 and 5 years.
7. " under 2 years.

For the dieting of the sick there are 5 classes. Class 1 then corresponding to Classes 1, 2, and 3 (Art. 13), and Classes 2, 3, 4, and 5, to 4, 5, 6, and 7, respectively.

Article 68 defines :—

Duties of the Workhouse Medical Officer.

- (1.) To attend daily at the Workhouse not later than 12

noon, and also when sent for by the master, matron, or porter, in cases of sudden illness, accident, or other emergency, and at such other times as the state of the sick or insane in the Workhouse requires.

(2.) To examine the state of the paupers on their admission into the Workhouse, the patients in the sick wards and also any sick or insane patients in other wards.

(3.) To give all necessary directions as to the diet, classification, and treatment of the sick and insane paupers, and to report to the Board of Guardians any insane pauper whom he may deem to be dangerous.

(4.) To enter in the sick dietary book directions regarding the dieting of sick and insane paupers, and to submit the same at the weekly meeting of the guardians.

(5.) To report in writing to the guardians any defect in the dieting, drainage, ventilation, warmth, or other arrangements of the Workhouse, or any overcrowding within the same.

(6.) To direct the dieting of children, and to vaccinate such as require it.

(7.) To submit at the weekly meeting of the guardians the "Weekly Medical Return Book," duly filled up.

(8.) To enter in the same the ascertained cause of the death of every pauper dying in the Workhouse.

(9.) Whenever required to give to the guardians any reasonable information respecting the case of any pauper under his care ; and when required by them or by the L.G.B. to make a report relative to sickness among the paupers, and to attend meetings of the guardians when required to do so.

GENERAL ORDER AMENDING THE GENERAL ORDER OF THE 5TH OF FEBRUARY, 1849, PRESCRIBING RULES AND REGULATIONS FOR THE MANAGEMENT OF WORKHOUSES IN IRELAND.

Dated 22nd October, 1890.

Now therefore, in exercise of the powers vested in Us, We, the Local Government Board for Ireland, do hereby repeal the regulations contained in Article 20 of the said General Order, and, in lieu of the regulations contained in that Article, We do hereby order as follows :—

No pauper shall have or consume any tobacco, or any spirituous or fermented liquor, except where it is ordered in writing by the medical officer for any individual pauper of the sick, infirm, or lunatic classes, or for any pauper engaged at work of an offensive nature which may render

tobacco, or a stimulant necessary for the preservation of his health. The medical officer shall set forth briefly in each case the reason for making such order, and his report on the subject shall be laid before the Board of Guardians at their next meeting.

ORDER AMENDING GENERAL REGULATIONS.

Dated 5th July, 1901.

NURSING OF THE SICK, &c.

ARTICLE 1. (a.) Notwithstanding anything contained in any of the Orders above referred to no pauper inmate of the Workhouse shall be employed to perform any of the duties of the nurse of the Workhouse, as specified in the Amending Order, in the Further Amending Order, and in this Order, or be otherwise employed in nursing any pauper in the Workhouse who requires nursing.

(b.) No pauper inmate of the Workhouse shall be employed as an attendant or wardsmaid in the sick, lying-in, or infant wards of the Workhouse, unless the employment of such inmate be approved of by the Medical Officer, and, unless such inmate shall act under the supervision of a paid officer employed in any such ward.

ARTICLE 2. (a.) In this Order the term "Trained Nurse" shall mean any person who has resided for not less than two years in a general clinical or other hospital recognised by Us, and who, after examination, has obtained from such hospital a certificate of proficiency in nursing.

(b.) The term "Qualified Nurse" shall mean any person who, after examination, has obtained a certificate of proficiency in nursing from any

- (1) Public general hospital ; or
- (2) Workhouse infirmary and fever hospital ; or
- (3) Nursing institution ;

that may be recognised by Us as an efficient school for medical and surgical nurses.

(c.) The qualifications of a "Wardsmaid" or "Attendant" in a Workhouse infirmary or fever hospital, shall be that such person shall be of at least 21 years of age, unless in any special case a less age be approved of by us, and shall be of good health and character.

(d.) Other expressions in this Order shall have the same meaning as the like expressions have in the Principal Order.

ARTICLE 3. For the purposes of section 58, sub-section 2, a. ii. of the L.G.I.A., 1898, a trained nurse shall have the qualifications set forth in Article 2 (a.) hereof.

ARTICLE 4. (*a.*) The B. of Gs. shall, as soon as may be requisite, and from time to time hereafter upon the occurrence of any vacancy, appoint, subject to Our approval, fit persons to perform respectively the duties specified by Our rules and regulations in force at the time to be the duties of the following officers—

1. Clerk to the guardians.
2. Medical officer of the Workhouse.
3. Master of the Workhouse.
4. Nurse of the Workhouse.
5. Matron of the Workhouse.
6. Schoolmaster of the Workhouse.
7. Schoolmistress of the Workhouse.
8. Porter of the Workhouse.

Provided that where exceptional circumstances render such a course expedient, the B. of Gs. may, with approval of the L.G.B., appoint the same person to perform the duties of more than one of the following offices, namely:—the clerk to the guardians, and the master, nurse, matron, schoolmaster, schoolmistress, and porter of the Workhouse.

(*b.*) The B. of Gs. shall, as soon as may be requisite, and from time to time hereafter, upon the occurrence of a vacancy, appoint, subject to Our approval, a banking company to perform the duties of Treasurer of the union, as specified by Our rules and regulations in force at the time.

And banking companies appointed heretofore as treasurers of any unions, shall, subject to the provisions of Article 6 of this Order, continue to hold office until they respectively resign or be removed by Us; Provided that the B. of Gs. may, at any time in the case of any banking company hereafter appointed under the provisions of this Order, remove, subject to Our approval, any such banking company from the office of treasurer.

(*c.*) The following shall be the duties of the nurse of the Workhouse:—

1. To bring under the special notice of the medical officer every patient as soon as possible after admission into the sick wards.
2. To be responsible for the good nursing of the sick and for the satisfactory discharge of the duties of the nursing staff, and for the carrying out of the directions of the medical officer with respect to all medicines and medical appliances.
3. To inform the medical officer without any avoidable delay of any defects that may be observed in connection with the arrangements for the care and the nursing of the sick, including their clothing and diet.
4. To send a notification in writing to the master of the Workhouse whenever the condition of any patient demands

that the medical officer, the chaplain, or the relatives of such patient should be sent for or communicated with.

5. To see that everything connected with the patients and the wards is kept clean and in proper condition ; and also to take care that all wards are duly ventilated, warmed, and lighted.

6. To see that the food is properly distributed to the patients, and to arrange that each patient receives the special treatment ordered by the medical officer, and generally to carry out all reasonable directions of the medical officer, to whom and to the B. of Gs. only (notwithstanding anything contained in any other General Order) she shall be subordinate, save as regards the general disciplinary control of the master of the Workhouse.

7. In the absence of the medical officer, to exercise general supervision and control over the nurses, wardsmaids, and attendants, and to maintain proper order and discipline in the sick wards in her charge.

(d.) The B. of Gs. shall, subject to Our approval in each case, appoint such and so many "qualified nurses" to assist the "nurse of the Workhouse" in the performance of her duties as above mentioned, and generally in the nursing and care of the sick in the Workhouse, and also such and so many "wardsmaids" and "attendants" for the discharge of menial duties in the infirmary or hospital, as We shall from time to time think necessary.

(e.) In any case in which under Article 4 (d.) the appointment of a nurse, wardsmaid, or attendant is required temporarily, owing to an increase in the number of patients or for any other reason, the Board of Guardians shall, subject to our approval, stipulate (notwithstanding the provisions of Article 5 hereof as to continuance in office) that any persons whose services are so required temporarily shall hold office for such term and at such remuneration as shall be directed or approved of by us.

(f.) If in any emergency it appears to the medical officer that the employment of one or more temporary nurses or wardsmaids or attendants is requisite for the proper treatment of any patient or patients in the union infirmary or fever hospital, and if he informs the master of the Workhouse in writing accordingly, it shall be the duty of the master to engage a fit person or persons to act as such until the next meeting of the guardians, and the guardians shall pay to any person so engaged such remuneration and expenses as We may approve or direct. When communicating with the master, the medical officer shall at the same time report fully in writing the facts of the case to the guardians and also to us.

(g.) The Board of Guardians shall appoint such and so many assistants as they, with Our consent and approval, shall deem necessary for the efficient performance of the duties of the said several officers other than the nurse of the Workhouse, as herein before provided for.

(h.) The Board of Guardians shall also appoint such and so many relieving officers as We shall from time to time require or approve; and shall assign to such relieving officers such electoral division or divisions, or such parts thereof, as We may direct or approve.

ARTICLE 5. The officers mentioned in Article 4 (a.) and Article 4 (h.) and also any "trained nurse" or "qualified nurse," or "wardsmaid," or "attendant" appointed heretofore or hereunder, shall, subject to the provisions of the said Article 4, of Article 40 of the Principle Order, and Article 6 of this Order, continue to hold their offices respectively until they respectively die or resign, or be removed by Us; and every assistant and paid attendant other than those employed in the Workhouse infirmary and hospital, may be dismissed by the Board of Guardians without Our consent, and every such death, resignation, or dismissal, and the reason of such dismissal, shall be reported to Us.

ARTICLE 6. The Board of Guardians may, subject to Our approval, declare any office to be abolished, within the meaning of section 2 (a.) of the Union Officers (Ireland) Act, 1886.

ARTICLE 7. In the case of the appointment of any person in pursuance of Article 4 (d.) and Article 4 (e.) of this Order, We may dispense with the provisions of Article 28 of the Principal Order, and the said provisions shall thereupon not apply to such appointment.

ARTICLE 8. This Order shall be construed as one with the Principal Order as amended by the Amending Order and the Further Amending Order.

GENERAL RULES FOR THE GOVERNMENT OF DISPENSARY DISTRICTS.

Issued 24th February, 1899.

ARTICLE 1. Immediately after each election of guardians in the union, the guardians may appoint a sufficient number of wardens for the electoral divisions of each dispensary district, who, in addition to the guardians of the union and the relieving officers, shall be empowered to issue relief medical tickets. Persons empowered to issue tickets for medical relief shall not delegate that power to others; and such tickets shall not be signed in blank and left to be filled up by other persons.

ARTICLE 2. The clerk of the union shall thereupon make a

return in the Form A, No. 1, annexed to this Order, to Us the said L.G.B., of the names and addresses of the guardians, relieving officers, and wardens authorised to issue medical relief tickets in each dispensary district; and in like manner, on any appointment by the Board of Guardians of a warden to fill any vacancy, the clerk shall make a return to Us, in the Form A, No. 2, annexed to this Order, and shall, on their election, send to each guardian a notice in the annexed Form B, No. 1, and shall, on their appointment, send to each warden a notice in the annexed Form B, No. 2.

ARTICLE 3. Immediately upon the completion of the list of guardians, wardens, and relieving officers as aforesaid, the clerk of the union shall furnish each medical officer with a copy thereof, according to the annexed Form C, giving the names and residences of all persons entitled to give tickets for medical relief in his district, that is to say, of the guardians of the union, and of every relieving officer and warden acting as such for any electoral division included in such district. And the clerk shall in like manner notify, from time to time, any changes, from death or otherwise, of guardians, relieving officers, or wardens, in any districts, to the respective medical officers thereof.

ARTICLE 4. The clerk of the union shall also prepare a notice specifying the persons and their residences to whom application may be made for tickets for medical relief, the situation of the dispensary or dispensary stations in the district, the days and hours of attendance at each, the name and residence of the medical officer, and the compounder of medicine, and the midwife, the days and hours when the medical officer will attend at each of the places within such dispensary district appointed by the guardians for the purpose of vaccination, and such other particulars of the dispensary arrangements as may be necessary to afford due facility for obtaining medical relief and vaccination where requisite. Such notice shall be in the Form N, annexed to this Order; and a copy shall be posted at each dispensary in the district, and at such other places in the district as may be necessary for the due notification of the dispensary arrangements. The clerk shall also cause a notice board, in the Form O, to be kept conspicuously painted and affixed on the exterior of each dispensary in the district, showing the days and hours of attendance of the medical officer, his name and place of residence, and the names and addresses of the compounder of medicine and the midwife.

ARTICLE 5. Whenever any person ceases to be a guardian, or a warden, or a relieving officer, the clerk of the union shall transmit to him a notice in the Form D hereto annexed, apprising him of the cessation of his power to issue tickets for medical relief and requiring him to return to the Board of Guardians any forms of the tickets for medical relief, which had been issued

to him in the medical relief ticket check books (Forms E 1, E 2, and E 3 hereinafter mentioned) and which may not have been used.

ARTICLE 6. The guardians may, from time to time, fill up any vacancies which may occur amongst the wardens of a dispensary district, and may also from time to time, when found necessary, with the consent of the L.G.B., add to the number of wardens in any dispensary district.

ARTICLE 7. Any guardian, warden, or relieving officer who has issued a ticket for medical relief shall, on being furnished with additional trustworthy information showing that the sick person for whom the ticket was issued is not a "poor person" within the meaning of the Medical Charities Act, be at liberty, and is hereby empowered to withdraw such ticket, provided always that immediate notification of such withdrawal is given by him in writing to the medical officer, the Board of Guardians, and the person on whose behalf the ticket was issued.

In order to enable guardians, wardens, and relieving officers to be in a better position to judge whether an applicant for medical relief is a "poor person," the Board of Guardians may invite each of their medical officers to furnish in writing a scale of charges for attendance upon persons whose circumstances would not admit of their paying the doctor's usual fees, and a copy of every such scale of fees, if furnished to the Board of Guardians, shall be supplied by the clerk of the union to each guardian of the union, and to each of the wardens and relieving officers connected with the medical officer's district. Any such scale of fees shall be regarded as operative until withdrawn by the medical officer.

ARTICLE 8. Every question under the Medical Charities Act at any meeting of the guardians shall be determined by a majority of the votes of the members present thereat and voting on the question; and when there shall be an equal number of votes on any question, such question shall be deemed to have been lost. The presiding chairman shall be entitled to give one vote upon each question that may be submitted to the guardians; but he shall not under any circumstances be entitled to give an additional or casting vote.

ARTICLE 9. The Board of Guardians shall examine and consider any reports made and entered by the medical officer in his report book (Form I), since the last meeting of the guardians, and give the necessary directions thereon and record the same on their minutes. The Board of Guardians shall, from time to time, as occasion shall arise, receive and consider the medical officer's estimate of the medicines and medical appliances required, and of the quantities thereof remaining on hand; and shall forward the same, or a copy thereof, to the contractor, with a requisition for the articles

required, such estimate and requisition may be in the annexed Form M ; and shall cause a duplicate copy of the invoice received from the contractor on each occasion to be forwarded to the medical officer to be by him filed and preserved for reference at the dispensary.

ARTICLE 10. At the first ordinary meeting of the guardians in each month, or as soon thereafter as conveniently may be (or more frequently if the guardians so arrange) the following business shall be conducted :—

1. The Board of Guardians, or a committee of the guardians delegated for the purpose, shall examine the register of persons to whom medical relief shall have been afforded since the last examination of the book ; such register to be in the Form F, annexed to this Order, and to be duly entered up by the medical officer of the dispensary district and produced for the inspection of the guardians.

2. They may give directions regarding all persons so relieved as aforesaid, in pursuance of their powers under the 9th section of the said Act of the Fifteenth year of Her Majesty ; and such directions shall be recorded and authenticated in the several columns of the register, in the manner pointed out in the Form F, hereunto annexed.

3. They shall examine the vaccination registers.

4. They shall examine the copy of the medical officer's return (Form L) laid before them quarterly in pursuance of the direction hereinafter contained.

5. They shall examine at least once in each quarter the accounts of expenses incurred for the several dispensaries, and shall consider especially the expenditure for medicines—having regard to the number of patients under treatment.

6. They shall make due and adequate arrangements for the speedy conveyance to and from the Workhouse of the medical officer's books and records, and shall provide the necessary waterproof boxes or wrappers for the safe transit of such documents.

7. They shall, on receiving from the medical officer a report in the Form H, cause same to lie on the table of the board-room for a period of twenty-eight days for inspection.

ARTICLE 11. The Board of Guardians shall from time to time appoint such officers as may be directed by sealed order of the L.G.B. for the service of each dispensary district ; and shall upon the occurrence of any vacancy, cause the same to be reported to the L.G.B., and proceed to a new appointment.

ARTICLE 12. No appointment of any dispensary officer directed to be appointed in pursuance of any order issued under

the seal of the L.G.B., shall be made unless notice that such appointment will be made shall have been given and entered on the guardians' minutes at a meeting one fortnight at least preceding the meeting at which the appointment is to be made, and unless an advertisement giving notice of such appointment shall, by the direction of the guardians, entered on their minutes, be published in some public newspaper circulating in the district at least ten days before the day on which such appointment is to be made.

ARTICLE 13. Every officer to be appointed for a dispensary district in pursuance of any order under the seal of the L.G.B. shall be appointed by a majority of the guardians present, and voting, at any meeting, in the manner directed in Article 8; and every such appointment shall as soon as the same shall have been made, be reported to the L.G.B. by the clerk of the union, who shall, without delay, forward the prescribed query form, duly filled up and signed. A supply of query forms shall be kept in stock by the clerk to enable him to report the appointments of the several dispensary officers.

MEDICAL OFFICER.

ARTICLE 14. The qualification of every medical officer, to be appointed by the guardians for the service of any dispensary district shall be as follows; that is to say:—

1. He shall have obtained a degree in medicine, or a diploma or licence to practice medicine, from some college or other body that may be authorised to grant a diploma or licence to practice medicine in Great Britain or Ireland, or he shall be a licentiate of the Apothecaries' Hall, Dublin, or of the Society of Apothecaries, London; and he shall have obtained a diploma in surgery or a license to practice surgery from some college or other body that may be authorised to grant a diploma or licence to practise surgery in Great Britain or Ireland, and also a certificate from some board or court of examiners, or other body duly authorised to grant the same, of his possessing a competent knowledge of midwifery.

2. Provided also that the above qualification shall not be necessary in the case of any person holding the office of medical officer of a dispensary district at the date hereof, either in respect of his present appointment or any such future appointment, or in the case of any person who shall at any time previously to his appointment as medical officer of a dispensary district have held office in any union in Ireland, either as medical officer of a dispensary, or medical officer of a Workhouse, having been duly qualified for such office at such previous time.

3. He shall be registered under the Medical Act. If a medical practitioner has been duly registered since the Medical Act of 1886 took effect (*i.e.*, 30th June, 1887), the L.G.B. are prepared to accept such registration as evidence of sufficient professional qualification for the post of medical officer of a dispensary district.

4. He shall have reached the age of twenty-one years.

5. A woman possessing the requisite professional qualification is eligible for appointment and may hold office as medical officer of a dispensary district provided she is of the prescribed age.

ARTICLE 15. The duties of every medical officer of a dispensary district shall be as follows ; that is to say :—

1. He shall attend at the dispensary or dispensaries of the district or division of a district under his charge, on such days and at such hours as the L.G.B. may approve or direct, for the purpose of affording medical relief to any poor person applying for the same and presenting a ticket as hereinafter provided, and for the vaccination of all persons who may come to him for the purpose, and shall continue in attendance thereat during the fixed hours and, when necessary, for such further time as may be sufficient to permit of his discharging properly and carefully the duties devolving upon him as medical officer.

2. He shall duly and punctually attend, either at the dispensary or at the home of the party on whose behalf application is made or elsewhere, as the case may require, and shall give his advice and assistance and supply all necessary medicines including the use of surgical appliances to every poor person in the district, or portion thereof, under his charge, whom—by a ticket, signed by a guardian of the union, or by a relieving officer or warden, acting for any electoral division included in such district—he shall be directed to attend as medical officer ; and he shall continue his attendance until such attendance is no longer required, or until the ticket be withdrawn or cancelled. Such tickets shall be in the Form E 1, annexed to this Order, when medical relief is directed to be given at the dispensary only, and in the Form E 2 annexed to this order, when medical relief is directed to be given at the home of the patient or elsewhere ; and all such tickets received by the medical officer shall be filed by him at the dispensary—the number of the case in the register (Form F, annexed to this Order), being marked by him on the face of each ticket, before filing it—and shall be preserved for a period of at least two years. A ticket for medical relief continues in force (*a*) until it is

withdrawn by the issuer or cancelled by the Board of Guardians in pursuance of section 9 of the Medical Charities Act, or (b) until the patient ceases to present himself at the dispensary in the case of a ticket in the form E 1, or (c) until the termination of the case, if the ticket be a visiting ticket in the Form E 2, in which case the medical officer is bound to continue his attendance so long as it is requisite. If any patient in the opinion of the medical officer, be an unfit object for medical relief he shall forthwith report the circumstances of the case to the issuer of the ticket, and also to the guardians at their next ordinary meeting for their directions; and in respect of cases of cessation of attendance by a patient at the dispensary, the guardians may prescribe a period (of at least a month) for the guidance of the medical officer, during which if a patient ceases to attend, he should be considered as no longer under treatment.

3. In every case in which application shall be made to him for medical relief, other than vaccination, he shall require to be furnished with a ticket signed by some person authorized to grant it, and shall not afford medicine or medical appliances, except in urgent cases, before the ticket has been presented; when such cases occur, the medical officer may act at once on his own responsibility, but he should require the applicants in such instances to procure tickets and present them as soon afterwards as possible.

4. He shall give a written certificate under his hand to the B. of Gs., or the relieving officer, when called upon to do so, of the state of health of any dispensary patient attended by him, and of such patient's fitness or unfitness to be removed to any union hospital, as the case may be.

5. He shall keep and duly enter up the medical relief register according to the Form F, hereunto annexed, and all other registers and records which may from time to time be prescribed by the L.G.B., and submit the same to the guardians at their first ordinary meeting in each month, or at such other times as the guardians may appoint.

6. He shall, from time to time, as may be necessary, but not less frequently than once in three months, deliver or forward to the clerk of the union an estimate (in the annexed Form M), of any medicine and medical appliances required.

7. He shall carefully compare the medicines delivered at the dispensary, with the invoice relating thereto, and he shall preserve a copy of the invoice and submit same to the guardians and to the inspectors of the L.G.B. whenever required. This duty, however, is to be assigned to the compounder of medicine where one is employed.

8. He shall send periodically to the clerk of the union samples of drugs for transmission to the analyst.

9. He shall vaccinate, in the prescribed manner, all persons who may come to him for that purpose at the dispensary or dispensaries, and shall do and perform all such other acts and things as may be necessary for the purposes of causing such vaccination to be successfully terminated; and shall attend at such convenient places within each vaccination district formed by the guardians, at the times fixed and approved by them, for the purpose of vaccinating all persons who may come to him or whom he may be requested to vaccinate, being fit subjects for vaccination; and he shall keep and duly enter up a register, in the annexed form G, of all cases of successful vaccination performed by him as medical officer of the dispensary district; and submit the same to the guardians at their first ordinary meeting in each month or as soon thereafter as conveniently may be. Provided, however, that in any case where the medical officer of the dispensary district, is also the registrar of births and deaths for the district, it shall not be necessary for him to insert in the said vaccination register Form G, any cases which he may have duly entered in the register of vaccination which he is required to keep in pursuance of the 7th section of the Act 26 & 27 Vic., cap. 52, intituled "An Act to further extend, and make compulsory the practice of vaccination in Ireland."

10. He shall inspect every person vaccinated by him on the eighth day after the operation of vaccination has been performed, and also on such other days as may be necessary. The report which is required by the said Act of the twenty-first and twenty-second years of her Majesty, to make of all persons successfully vaccinated by him, shall be made by him not less frequently than once in each half-year in the Form H, hereunto annexed, and the register (Form G), referred to therein, shall be open at all seasonable times to inspection by any member of the Board of Guardians.

11. He shall forward to the Board of Guardians on the 31st day of March, 30th day of June, 30th day of September, and 31st day of December in each year, a report in the Form P, hereunto annexed, containing a complete list of the names of all children registered as born in the district, who are over three months of age and who do not appear to have been vaccinated.

12. The re-vaccination of persons applying for the purpose shall be limited by the following conditions:—

1st. That the marks of the primary vaccination are not, in the opinion of the medical officer, sufficiently

numerous, distinct, and typical to afford the necessary protection against small-pox.

2nd. That the person, although well vaccinated primarily, has attained the age of 10 years, or, if there be an immediate danger of small-pox, the age of 7 years.

3rd. That the person has not before been successfully re-vaccinated.

4th. That there are no circumstances present which would render the operation undesirable.

13. He shall submit to the guardians at their first ordinary meeting in each month, or at such other times as the guardians may appoint or as circumstances may render necessary, his report-book (Form I), in which he shall enter the time of his arrival at and departure from the dispensary or dispensaries of the district, on each of the days appointed for his attendance thereat, and also any matter which he may deem it necessary to bring under the notice of the guardians, who will take into their consideration any entry which shall have been made therein since the previous examination of the book.

14. If there be within his district a bridewell or house of correction which he is required by the 15th section of the said recited Act of the fifteenth year of the reign of Her Majesty to attend, he shall submit to the guardians not less frequently than once in each quarter, in the Form K, hereunto annexed, an account of any medicines supplied to prisoners and inmates in such bridewell and house of correction.

15. He shall forward a return, in the annexed Form L, to the L.G.B., for each of the quarters ending respectively the 31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December, or for and at such other periods as may from time to time be directed by the L.G.B.; such returns shall be forwarded immediately (or at latest within twenty-one days) after the close of each quarter, or other period for which they are directed to be made, and a copy thereof shall be laid before the guardians at their next ordinary meeting.

16. In the event of the occurrence of cases of any infectious disease in the district under his charge, he shall address a report of the facts to the L.G.B., so as to enable them to call upon the S.A. without delay, to make such special provision as may be necessary to prevent or mitigate the evil.

17. He shall make such returns appertaining to the duties of the office as may be from time to time required by the L.G.B., or by the Board of Guardians. He shall preserve the instruments and appliances placed in his custody in good order, and shall also keep a complete list of all instruments

provided for dispensary use, and submit the list periodically to the clerk of the union for examination. In the event of his resigning or ceasing to hold office, the instruments specified on such list shall be handed over to the clerk of the union.

18. He shall report to the Board of Guardians or to the L.G.B., any neglect or failure on the part of the compounder of medicine or the midwife to discharge punctually and properly the duties appertaining to their offices.

19. He shall reside in a central and convenient place within the dispensary district, unless the L.G.B., on any exceptional and sufficient grounds, dispense with this condition.

20. He shall, if so required, discharge the duties of certifying surgeon under section 71 of the Factory and Workshop Act, 1878, and also perform any other duties imposed on him by Act of Parliament or assigned to him by the L.G.B.

21. He shall transact the duties and business of his dispensary district with due regard not only to efficiency but also to economy.

22. He shall occupy the dispensary residence (if any) provided for the dispensary district under the Act 42 and 43 Vic., cap. 25, and shall pay such reasonable rent in respect thereof as the Board of Guardians, with the approval of the L.G.B., may determine.

COMPOUNDER OF MEDICINE.

ARTICLE 16. The qualification of every compounder of medicine to be appointed by the guardians for the service of any dispensary district shall be as follows ; that is to say :—

1. He shall have obtained the licence of the Apothecaries' Hall, Dublin, or from the Society of Apothecaries, London, or a certificate of competency to compound medical prescriptions from the Pharmaceutical Society of Great Britain or of Ireland.

2. He shall have reached the age of twenty-one years.

ARTICLE 17. The duties of every compounder of medicine of a dispensary district shall be as follows ; that is to say :—

1. He shall attend at the dispensary or dispensaries of the district on such days and at such fixed hours as the L.G.B. may approve or direct, and shall continue in attendance thereat for such time as may be sufficient to permit of his compounding the prescriptions of all the patients attended by the medical officer or medical officers.

2. He shall further attend at the dispensary at any time and compound the medicines prescribed by the medical officer for any urgent case.

3. He shall take charge of and keep carefully and safely as far as lies in his power, all drugs, medicines, and stores provided by the guardians for use in the dispensary.

4. He shall prepare and dispense skilfully and cautiously all prescriptions drawn up and ordered by the medical officer or medical officers, and shall punctually supply the medicine when prepared, to the persons authorised to receive them, and shall, when so required by the prescriptions, express in writing, or by printed labels, the proper directions to accompany the medicines.

5. He shall make such pharmaceutical preparations for use in dispensing medicines as he may be required to make from time to time by the medical officer, or medical officers.

6. He shall keep a record of all prescriptions so compounded and of all medical and surgical appliances issued by him out of stock to dispensary patients, and a suitable book for the purpose shall be provided by the clerk of the union.

7. He shall prepare, after consultation with the medical officer, and submit for his signature the necessary estimates and requisitions for medicines.

8. He shall record in a book, to be kept for that purpose at each dispensary, the time of his arrival and departure, and shall submit such book at least once in each month to the medical officer, to be transmitted through him to the guardians for examination.

9. He shall discharge the duty assigned to the medical officer under Article 15, par. 7 of this Order, and such other duties as, from time to time, may be assigned to him by the guardians with the consent of the L.G.B.

MIDWIFE.

ARTICLE 18. The qualification of every midwife to be appointed by the guardians for the service of any dispensary district shall be as follows ; that is to say :—

1. She shall have obtained from some recognized lying-in hospital a certificate as to her proficiency in midwifery.

2. Provided also that the above qualification shall not be necessary in the case of any person holding the office of midwife of a dispensary district or workhouse at the date hereof, either in respect of her present appointment, or any such future appointment, or in the case of any person who shall at any time previously to her appointment as midwife of a

dispensary district have held office in any union, either as midwife of a dispensary or midwife of a workhouse, having been qualified for such office at such previous time.

3. She shall have reached the age of twenty-five years.

ARTICLE 19. The duties of every midwife of a dispensary district shall be as follows ; that is to say :—

1. She shall reside in a convenient place in the district, within easy access of the medical officer.

2. She shall observe and execute all lawful orders and directions of the medical officer applicable to her office.

3. She shall duly and punctually attend all cases of midwifery in the dispensary district in which medical relief tickets are issued, and shall continue in attendance on each patient until her services are no longer necessary.

4. On the termination of those cases in which the assistance of the medical officer has not been called for, the midwife shall report the result to the medical officer.

5. She shall keep a register of all cases attended by her either on the order of the medical officer or on ticket Form E 3, and a suitable book for the purpose shall be provided by the clerk of the union. This register shall be submitted monthly through the medical officer to the guardians for examination.

6. The midwife is prohibited, under penalty of dismissal, from accepting a fee for her services from any patient in the dispensary district who has obtained a medical relief visiting ticket, or who is entitled to medical relief under the Act 14 & 15 Vic., cap. 68.

ARTICLE 20. A visiting ticket issued in the Form E 2 in a case of midwifery shall cast on the medical officer receiving it a full and undivided responsibility, notwithstanding the fact that a midwife is officially employed in the district. The services of the midwife shall not relieve the medical officer from his responsibility, but are placed at his disposal for the purpose of enabling him to relieve himself from the necessity of attendance in cases of natural labour in which no difficulty exists.

The following course shall be adopted in all cases in which dispensary relief is required by ticket for women in labour.

The ticket may be addressed either to the medical officer or to the midwife, at the option of the patient.

The ticket, if in the Form E 2, shall be presented to the medical officer, who shall register it, and ascertain by visiting the patient that the case is one of natural labour.

If it should appear on such visit that the case is likely to be attended with any difficulty or danger, the medical officer shall take charge of the case himself, and may also requisition the ser-

vices of the midwife ; but if he is satisfied that the case is one of natural labour, it will only be necessary for him to place the midwife in attendance, directing her that should anything out of the course of nature, or dangerous, arise, she is immediately to call for his assistance.

The ticket if in the Form E 3, shall be presented to the midwife, who shall duly and punctually attend thereon.

If in any case attended upon a ticket (Form E 2 or Form E 3) the midwife finds it necessary to call for the assistance of the medical officer, and should intimate the same to him, he must immediately take charge of the case. Cases of abortion and miscarriage are to be regarded as midwifery cases.

ARTICLE 21. Whenever, in the course of his attendance upon dispensary patients, a case arises which in the opinion of the medical officer necessitates his obtaining the assistance of another medical practitioner, the medical officer may, on his own authority, summon the requisite extra professional assistance, and shall report fully the circumstances to the B. of Gs. at their next following meeting. If the guardians are not satisfied that the extra assistance was necessary they may, pending the reference of the matter to the L.G.B., decline to repay the medical officer the consultant's fee, if the fee has been paid by him, or deduct the amount from the medical officer's salary, if the fee has been paid otherwise. The matter shall be forthwith referred to the L.G.B., whose decision shall be final and binding on all parties. Payments made by the guardians for extra services under this article shall be subject to review by the auditor of the L.G.B.

ARTICLE 22. If the medical officer be temporarily incapacitated, by illness or other cause, from performing his duties, he shall immediately communicate with the relieving officer of the district, and shall, if possible, recommend a medical practitioner qualified as provided in Article 14 of this Order, to perform his duties during such temporary incapacity ; and the relieving officer shall thereupon make the necessary arrangements for the discharge of the duties of medical officer pending the meeting of the Board of Guardians to whom he shall report the circumstances of the case and the name of the temporary substitute employed ; and if the necessity still exists the Board of Guardians shall either continue such employment or make such other arrangements as they shall deem fit for the discharge of the medical officer's duties during his temporary incapacity ; and for the time during which such temporary substitute shall act as medical officer, he shall perform all the duties of the medical officer, and shall duly enter up the books of the dispensary for such time before any remuneration that may be agreed upon and sanctioned by the L.G.B. be paid to him. The services of a medical practitioner, who would

reside in the dispensary district while acting as temporary medical officer should be secured whenever practicable.

ARTICLE 23. The B. of Gs. shall pay to the medical practitioner employed temporarily to discharge the duties of the medical officer, as aforesaid, such reasonable remuneration for his services as the L.G.B. shall approve or direct. The guardians shall, with the approval of the L.G.B., adopt a scale of fees to be allowed for extra professional assistance rendered in the day time and at night, and a copy of such scale shall be furnished to each medical officer of the union.

ARTICLE 24. The Board of Guardians shall not make any deduction from the salary of the medical officer in respect of any payment made by them under Article 23 of this Order, unless with the L.G.B.'s approval had and obtained.

ARTICLE 25. In case of the death or resignation of a medical officer, provision shall, in like manner as provided in Article 22, be made by the relieving officer and the guardians for the performance of the duties of medical officer by a person duly qualified in accordance with Article 14, until the appointment of a medical officer shall have been duly made, in accordance with Articles 12 and 13 of this Order.

ARTICLE 26. Sick leave granted by the Board of Guardians with the approval of the L.G.B., to a medical officer, shall be subject to the following general conditions :—

1. Continuous sick leave on full salary shall not be granted for any longer period than six months. At the expiration of such six months, if the officer is still unfit for duty, he may be allowed salary at not more than half the ordinary rate, and that for a further period not exceeding six months. After twelve months continuous sick leave no officer shall be paid any salary, but he may, in special circumstances, with the consent of the L.G.B., be permitted to retain his position without salary for a further period not exceeding six months, upon the expiration of which time, if unable to resume duty, he shall submit his resignation to the guardians.

2. Cases of repeated, but not continuous, sick leave amounting in the aggregate to upwards of twelve months during any period of eighteen months shall be reported specially to the L.G.B., who shall decide what, if any, payment should be made in respect of salary during sick leave.

3. Prolonged sick leave, allowed under the conditions specified in paragraphs 1 and 2 above, shall only be granted in a case where a reasonable hope is entertained of the officer's being unable to resume the discharge of his duties.

BOARD OF GUARDIANS.

ARTICLE 27. The Board of Guardians shall pay to each paid

officer, or temporary medical officer, duly authorized and appointed for the service of a dispensary district, such salary or remuneration as the L.G.B. may from time to time approve or direct. The sum due to each medical officer for vaccination or re-vaccination shall be payable by the Board of Guardians on the expiration of twenty-eight days from the receipt by them of the report of the numbers vaccinated.

ARTICLE 28. The salary of each paid officer duly appointed for the service of a dispensary district shall be payable by the Board of Guardians quarterly (that is to say, to the 31st March, 30th June, 30th September, and 31st December, respectively, in each year), and proportionately for any part of a quarter for which he may have acted; and his salary shall be payable up to the day on which he ceases to hold his office or employment, and no longer, but no officer having been suspended by the Board of Guardians in pursuance of Article 34, and who shall, without the previous removal of such suspension, be dismissed by the L.G.B., shall be entitled to any salary from the date of such suspension. Each medical officer shall be allowed an annual vacation, not exceeding four weeks, and the guardians shall pay to the medical practitioner employed temporarily to discharge the duties of the medical officer for that period, such reasonable remuneration for his services as the L.G.B. shall approve and direct. The medical officer shall not relinquish the discharge of his duties until he submits an application to the guardians nominating a duly qualified practitioner who undertakes to perform the duties of temporary medical officer at a rate of remuneration to be stated, and until the L.G.B. express their approval of the arrangement made.

ARTICLE 29. Every officer appointed to or holding any office under the Act 14 & 15 Vic., cap. 68, shall, subject to the provisions of Article 34 of this Order, continue to hold the same until he die, or resign, or be removed by the L.G.B., or be proved to be insane by evidence which the L.G.B. shall deem sufficient.

ARTICLE 30. The Board of Guardians shall take care that the premises provided by them in pursuance of the 8th section of the said recited Act of the fifteenth year of Her Majesty shall be maintained in good order and condition, and that full and adequate provision is made for having fires regularly maintained in them during such periods of the year, and on such days of the week as the medical officer may consider necessary for the proper preservation of the medicines and the comfort of the patients.

ARTICLE 31. The Board of Guardians shall from time to time as may be necessary, cause to be provided a sufficient supply of books, stationery, and forms prescribed by this or any other Order under the seal of the L.G.B., and all other requisites, for the use of each medical officer: and shall also cause a

sufficient number of check-books of medical relief tickets, according to the annexed Forms E 1, E 2, and E 3, to be provided, and cause a sufficient supply of such check-books to be furnished to each guardian of the union, and to each relieving officer and warden therein.

ARTICLE 32. The poisonous medicines shall be kept under lock and key, separate from the other medicines, and the medical officer, or the compounder (if employed), shall retain and be responsible for the possession of the key of the poison press.

ARTICLE 33. Immediately after the completion of each half-year, the Board of Guardians shall cause their clerk to furnish to the medical officer of each dispensary district a statement of all items of expenses incurred for the district which shall have been included in the half-year's accounts; and such statement shall be made in such Form as may be directed or approved by the L.G.B. and shall be filed for reference at the dispensary.

ARTICLE 34. The Board of Guardians may, at their discretion, on sufficient grounds, suspend, from duty any officer appointed to or holding any office under the Act 14 & 15 Vic., cap. 68, and shall forthwith report such suspension, together with the cause thereof, to the L.G.B.; and if the L.G.B. shall remove the suspension, such officer shall remain and discharge the duties appertaining to the office; but if the L.G.B., after due inquiry, decide not to remove the suspension, the L.G.B. may dismiss such officer.

DRUGS.

ARTICLE 35. In making contracts for the supply of drugs, medicines, and medical and surgical appliances for the use of a dispensary in any union in Ireland, the Board of Guardians of such union shall adopt and make use only of the form of contract hereinafter set forth.

ARTICLE 36. (1.) The L.G.B. may publish, at the commencement of each year, lists of authorized drugs and also lists of medical and surgical appliances and requisites.

2. The L.G.B. will prescribe a price for each of the articles upon their lists; tenders shall be at the prices prescribed, and persons tendering shall be required to state the percentage of abatement which they will be prepared to give on the gross cost of the articles purchased during the year.

3. Recoupment from the Local Taxation (Ireland) Account will only be allowed upon drugs and other articles contained in the L.G.B.'s prescribed lists.

4. Recoupment will not be sanctioned until the Guardians obtain a certificate from the county or other analyst recognised by the L.G.B. that he has examined samples of

drugs from the workhouse and the dispensaries of the union. When there has been any departure from the required standard, special attention must be called to the fact in the certificate.

5. In the event of the Guardians, after warning by the L.G.B., retaining the services of a contractor who has been shown to have supplied drugs or other articles not of the required standard, or medical or surgical appliances not of good quality, the L.G.B. may refuse to recoup any portion of the expenditures incurred for medicines or medical or surgical appliances supplied by such contractor.

6. Where the L.G.B., after due inquiry, are of opinion that the expenditure for medicines or medical or surgical appliances in any workhouse or dispensary is excessive, having regard to the nature of the cases and the number of persons treated, they may refuse recoupment upon any portion of the expenditure which has been declared by them to be excessive.

7. Contracts for medicines and medical and surgical appliances shall be entered into annually, from 1st of April in each year to the 31st of March in the following year, and a copy of the accepted tender shall be furnished without delay (or at latest within fourteen days) by the clerk of the union to each medical officer for his information and guidance in ordering supplies.

The estimates and requisitions for medicines are to be made out in duplicate, one copy for transmission to the guardians, and one to be retained at the dispensary for comparison with the supply afterwards received, the invoice of which the L.G.B. have directed the clerk of the union to forward to the medical officer, to be retained and filed at the dispensary in all cases.

In the event of a medical officer requiring to be supplied with *any medicine or medical or surgical appliance not comprised in the lists published by the L.G.B.*, a distinct requisition for such article should be made by the medical officer, stating fully the circumstances which are considered to render the requisition necessary, but the cost of all such articles, if procured by the guardians, will be defrayed entirely from the rates.

Articles such as water jugs, wine glasses, basins, towels, lamps, candles, lamp oil, soap, and methylated spirits, provided by the guardians for use in dispensaries, shall be obtained from the ordinary contractors, and not from the medicine contractors.

MEDICAL RELIEF TICKETS.

Three varieties :—

Form E 1, printed black, for attendance at the dispensary
Form E 2, printed red, for attendance at the patients' home.

Form E 3, printed purple, issued to the midwife for her attendance at the patient's home.

On the back of the ticket, Form E 1, the following memorandum is to be printed :—" A guardian, warden, or relieving officer, before issuing a ticket, shall exercise due diligence in ascertaining whether the applicant is a ' poor person ' and entitled to gratuitous medical relief."

On the back of the ticket, Form E 2, the following memorandum is to be printed :—" This ticket may be presented to the medical officer at the dispensary, within the hours of his attendance there ; or may be presented to him, or left for him, at his residence ; or may be presented to him personally anywhere. The ticket should be presented as soon after it has been obtained as practicable, with such information as can be given regarding the nature of the case. A guardian, warden, or relieving officer, before issuing a ticket shall exercise due diligence in ascertaining whether the applicant is a ' poor person ' and entitled to gratuitous medical relief."

On the back of the ticket, Form E 3, the following memorandum is to be printed :—" The result of the case is to be recorded by the midwife hereon and the ticket given by her to the medical officer for registration."

DIRECTIONS FOR FILLING UP MEDICAL RELIEF TICKETS.

(To be printed on the first leaf of each check book.)

The ticket and counterpart are both to be filled up by the person authorised to issue the ticket ; one part to be retained by the person issuing the ticket and the other to be detached from the book and given to the applicant, for presentation to the medical officer, or midwife, as the case may be.

Care should be taken in the issue of the tickets accordingly ; and tickets should be issued to the medical officer in the Form E 2, for visiting at the residence of the applicant, *in cases of necessity only*, and with all available information as to the nature of the case.

The ticket is to be issued for the dispensary district *in which the applicant is resident at the time* ; and care should be taken to fill up the ticket and apprise the applicant accordingly, as the medical officer of each dispensary district is only bound to attend " any poor person *resident therein*," and similarly the midwife.

The christian name and surname of the applicant should be inserted in the ticket in full ; and such description of his place of abode (as, name of townland, and where necessary the parish also ; or in the case of cities and towns, the street, place, or row, &c., and number of house), should be given as will be sufficient for identification and for registration ; and with this view the

age and occupation of the applicant should also be stated wherever practicable. Any further observation which the grantor of the ticket may desire to make should be written on the front of the ticket.

A guardian, warden, or relieving officer, before issuing a ticket shall exercise due diligence in ascertaining whether the applicant is a poor person, and entitled to gratuitous medical relief.

INSTRUCTIONAL MEMORANDUM.

LUNATICS.

1. The duty of examining dangerous lunatics is cast upon dispensary medical officers by the Acts 14 & 15 Vic., c. 68 (Medical Charities Act); 30 & 31 Vic., c. 118; and 38 & 39 Vic., c. 67.

Under the provisions of the 10th section of 30 & 31 Vic., c. 118, the two justices of the peace before whom any person is brought under circumstances denoting a derangement of mind, may call to their assistance :—

(a.) The medical officer of the dispensary district in which the justices shall be at the time when the lunatic is brought before them; or

(b.) If there be more than one such medical officer, the nearest available medical officer of such district; or

(c.) If there be no such medical officer available, then the nearest available medical officer of any neighbouring dispensary district—

to examine such person with a view to certifying whether he is a dangerous lunatic or dangerous idiot.

By section 14 of 38 & 39 Vic., c. 67, the two justices are authorized, if they think fit so to do, to make an order upon the guardians of the union, to which the person examined belongs, for payment of the expenses of such examination, including reasonable remuneration, to the medical officer—such sum not to exceed in the whole £2.

2. It is the duty of a dispensary medical officer when called to the assistance of the justices to examine any person who may be brought before them under circumstances denoting derangement of mind, before certifying that the person is a dangerous lunatic or a dangerous idiot, to be fully satisfied of the fact after special personal inquiry into the case; and it is important that a copy of the following forms of certificate and statement of particulars should be filled up by the examining medical officer in every appropriate case after such inquiry as above referred to.

BOARDING-OUT OF PAUPER CHILDREN.

REGULATIONS IN PURSUANCE OF THE PAUPER CHILDREN (IRELAND) ACT, 1898, 61 & 62 VIC., CH. 30, MADE BY THE L.G.B.

BOARDING-OUT REGULATIONS, 1899 AND 1902.

Limit of Age and Conditions.

1. The limit of age up to which orphan and deserted children may be boarded out of the Workhouse shall be fifteen years, unless and until we shall otherwise order, and such children within this limit of age may be boarded out either within or without the limits of any union.

2. Every person with whom any such child shall be placed out at nurse, or boarded out, under the said Act, shall be of the same religion as that in which the child is registered and shall be called the foster-parent, and shall, before receiving custody of the child, sign a contract with the Board of Guardians in the form prescribed in the schedule to this Order, binding himself or herself, as the case may be, to observe all the conditions herein contained so long as the said child shall continue at nurse or be boarded out with such foster-parent.

3. The child shall be properly and sufficiently nursed or boarded, and shall be suitably lodged and clothed, and kept clean in its person by being washed once at least every day, and at all times when necessary, and the clothes provided shall not be of such shape or colour as may denote connection with the Workhouse, or with any institution; and no child shall be nursed or boarded out in any house unless there is a woman living there who is of full age and with experience in the management of children.

4. If the child shall at any time be suffering from illness or accident, medical relief shall be obtained for it in the manner provided by law at or from a dispensary of the dispensary district in which the foster-parent resides, and if the medical officer of such district shall advise its removal to hospital, the foster-parent shall allow it to be so removed.

5. Before the signing of the said contract, the proposed foster-parent shall produce a recommendation signed by some clergyman, magistrate, guardian of a union, or medical officer residing in his or her neighbourhood, who may be willing to answer for his or her good conduct and respectability.

6. Before the signing of such contract, the Board of Guardians shall have satisfied themselves that the dwelling of the proposed foster-parent is in a healthy situation, that the house contains more than one room and admits of the sexes being completely separated, and that the family have the means, at all times, of supplying themselves with pure and wholesome drinking

water, and with good food and milk, and that there is a National School, or other public school, situate at a convenient distance from the dwelling.

7. There shall be inserted in the form of contract the precise terms of monthly payment to the foster-parent, excluding the cost of new clothing or repairs of clothing, and of school fees, if any, for the child's education, which shall be separately provided by the guardians, and the contract shall be sealed with the common seal of the guardians.

8. The number of children who may be boarded out with one and the same foster-parent shall, unless and until we otherwise direct, not exceed two, unless all the children so boarded out are children of the same parents; and no child shall be boarded out with any person with whom children are boarded out by any person other than the guardians, or who shall keep any pig, cow, donkey, or other such animal within the dwelling-house, or who shall keep any manure-pit or accumulation of filth in dangerous proximity to the dwelling.

9. No child shall be placed out at nurse, boarded out, or placed out at service with any person occupying or residing in a house or premises which are licensed for the sale of intoxicating liquor by retail.

10. No child shall be boarded out in any town or village without our consent.

11. The child shall be presented for inspection and examination at all reasonable times when required by the relieving officer, or by any person having authority from us, or from the Board of Guardians to examine and inspect it.

12. The child shall be restored to the custody of the Board of Guardians and its officers at any time when the foster-parent shall be required by the guardians so to restore it.

Charging Expenses.

13. The name of the child, together with the other particulars required by the Workhouse rules, shall, on its discharge from the Workhouse, be placed on the out-door relief register, and on the out-door relief list; and the sums expended in the relief of all such cases shall be entered, like other sums expended in out-door relief, in the relieving officer's weekly relief and expenditure book, and the expenses of relieving such child, of conveying it to and from the home to the Workhouse, or from one home to another, and of its burial in case of death, shall be charged under the head of outdoor relief, and entered in the union accounts accordingly; and in the case of burial service having been performed, the expense thereof shall be charged and brought to account in like manner.

Divine Worship and School.

14. The child shall, when of sufficient age to attend school, attend the nearest National School, or other public school ap-

proved by the guardians and by the Workhouse chaplain of the persuasion in which the child is registered, and a certificate of such attendance, signed by the teacher, and showing the days of absence (if any), shall be given to the relieving officer each month ; provided that, if the school be not a National School, the child shall be examined annually by an inspector of the Commissioners of National Education at a convenient time and place, and the result of the examination reported to the Board of Guardians.

The child shall, when of sufficient age, attend Divine worship at the place of worship frequented by the foster-parent and his or her family.

Supervision and Inspection.

15. The Board of Guardians shall provide for the supervision of all children placed at nurse or boarded out by them by assigning that duty in each case to the relieving officer, who shall discharge the same in accordance with the following regulations :—

(a.) He shall see the child safely given over in charge to the person whom the guardians shall have selected for the purpose.

(b.) He shall pay, by advance or otherwise, as the guardians shall direct, but not less often than by monthly payments, the sums granted from time to time by the guardians for the maintenance of the child from the funds placed at his disposal by them for that purpose.

(c.) He shall cause such child, if not already successfully vaccinated, to be vaccinated by the medical officer of the dispensary district in which the foster-parent resides.

(d.) He shall visit such child once at least in every month, and also when any special occasion shall arise for so visiting it, and he shall report in writing immediately thereafter to the Board of Guardians on its health, cleanliness, and treatment, together with such other particulars as the guardians shall at any time require.

(e.) He shall, in the event of the death of such child, take steps for its interment according to the directions of the Board of Guardians applicable generally to such cases, and shall report the circumstances of the death to the guardians without delay.

16. The guardians may, if they think fit, with the consent of the L.G.B., defray any expenses actually and properly incurred by the relieving officer in discharging the duties of supervision.

17. A visiting committee of ladies shall be annually appointed, not necessarily composed of lady guardians ; and such committee, or any member thereof, shall have full authority to visit any house in which a child, subject to the authority of the

guardians, is placed out at nurse, boarded out, or placed out at service, and shall report to the guardians upon each visit.

18. No child shall, while under twelve years of age, be placed out at service, and every child placed out at service shall, so long as he or she is subject to the authority of the guardians, be visited by the relieving officer at such times as the guardians shall appoint, and the relieving officer shall report after each visit as to the condition of the child and as to the wages which he or she receives.

Application of Regulations.

19. These regulations shall be deemed to apply to children put out to nurse or boarded out before the passing of the said Act, under the provisions previously in force in Ireland for putting out to nurse or boarding out orphans and deserted children, or before the issuing of this Order; and, in the event of any such children returning to the Workhouse and being again boarded out with the same or other foster-parents, the foster-parent shall in each such case contract as is provided in these regulations; and in regard to children not coming back to the Workhouse, but remaining boarded out, the Board of Guardians shall require each foster-parent to observe the conditions contained in these regulations, and in every case of their not consenting to do so, or making default therein, the child shall be restored to the custody of the guardians.

RULES FOR REGULATION OF BURIAL GROUNDS.

Provided under the Public Health (Ireland) Act, 1878. Issued by the L.G.B.

1. Every B.G. shall be kept sufficiently fenced, and if necessary underdrained to such a depth as will prevent water remaining in any grave or vault.

2. The area to be used for graves shall be divided into grave spaces, to be designated by convenient marks, so that the position of each grave space may be readily ascertained. A corresponding map or maps of the B.G. shall be constantly kept in some convenient place at or near the B.G., and shall be open to the inspection of all persons. On such map or maps every grave-space shall be shown with its distinctive marks inscribed thereon.

3. The grave-spaces for the burial of persons above twelve years of age shall be at least nine feet long by four feet wide: and those for the burial of children under twelve years of age shall be at least six feet long by three feet wide.

4. Each grave when opened for the first interment therein, shall be sunk to the perpendicular depth of eight feet at the least; and every person interring a body in a grave not sunk to such depth shall be liable to a penalty of Two Pounds sterling.

5. No interment shall be permitted in any B.G., nor shall any

dead body be admitted into any place of reception of bodies previous to interment, unless the body be enclosed in a coffin of wood or other sufficiently strong material. Any person presenting a body for interment in violation of this rule shall be liable to a penalty of Two Pounds sterling.

6. One body only shall be buried in a grave at one time, unless the bodies be those of members of the same family; and every person interring any body in violation of this rule shall be liable to a penalty of Two Pounds sterling.

7. No unwallled grave shall be re-opened within fourteen years after the burial of a person above twelve years of age, or within eight years after the burial of a child under twelve years of age, unless to bury another member of the same family, in which case a layer of earth not less than one foot in depth shall be left undisturbed above the previously buried coffin; but if on re-opening any grave the soil be found to be offensive, such soil shall not be disturbed. In no case shall human remains be removed from the grave. Every person acting in violation of this rule shall be liable to a penalty of Two Pounds sterling.

8. No coffin shall be buried in any unwallled grave unless the lid or upper surface thereof shall be sunk to a depth of at least four feet below the ordinary level of the ground; and every person acting in violation of this rule shall be liable to a penalty of Two Pounds sterling.

9. Any person unlawfully preventing, or attempting to prevent, the interment of any person in a B.G., or unlawfully preventing or disturbing the celebration of funeral rites over any person, shall be liable to a penalty of Five Pounds sterling.

10. No grave in which any body has been interred shall be opened, save for the purpose of interment or the erection of a tombstone or headstone, without the written order of a coroner or justice of the peace of the county, to be previously produced to and left with the registrar. Any person violating this rule shall be liable to a penalty of Ten Pounds sterling.

11. No body, nor the remains of any body, shall be removed from one place of burial to another, or exhumed (except under the conditions set forth in rule 10) without a licence from the L.G.B., and with such precautions as such board may prescribe as the condition of such licence; and any person who shall remove or assist in removing any such body or remains contrary to this rule, or who shall neglect to observe the precautions prescribed as the condition of the licence for removal, shall be liable to a penalty of Ten Pounds sterling.

12. A proper registry book (hereinafter referred to as the registry book), made of parchment or vellum, with strong binding and suitable printed pagings, and ruled in columns, with proper printed headings, shall be constantly kept in some convenient place at or near the B.G., and shall be open for inspection at all

reasonable times ; but no person except the person having the care and management of the B.G., and in these rules called the registrar, shall be permitted to write in the registry book save as hereinafter mentioned.

A printed copy of these rules shall be kept constantly affixed to the registry book.

Any registrar refusing to give inspection of the registry book, as required by this rule, shall be liable to a penalty of Five Pounds sterling ; and any person whatever unlawfully writing in, defacing, altering, or mutilating the registry book, shall be liable to a penalty of Five Pounds sterling.

13. Before the interment of any person in a B.G., or before admission into such place of reception as aforesaid, the registrar shall, after due inquiry as to the facts from some relative of the deceased, or from the person having the direction and management of the interment, cause an entry to be made in the registry book, in plain and legible characters, under its proper headings, and in numerical order, of the christian and surname, time of death, sex, age, religious persuasion, and occupation or rank in life, of the deceased, together with his or her last place of residence, and condition, as to whether "married" or "single," "widower" or "widow," or the "child of A.B., of , " &c. After the interment due entry shall be made under its proper heading of the distinctive mark of the grave ; and the signature of the person having the management of the interment shall be affixed in the last column but one, in token of the accuracy of the foregoing statements ; and such signature shall be attested by the signature of the registrar in the last column. Any such person wilfully refusing to give to the registrar information as to the matters aforesaid, or to affix his signature as aforesaid, shall be liable to a penalty of Five Pounds sterling.

AND WE, the L.G.B. for Ireland, in further pursuance of the powers vested in us under and by virtue of the said Act, do hereby enjoin and require all B.Bs., and all registrars, clerks, and other persons having the care of such B.Gs. and places for the reception of dead bodies, strictly to conform to and obey these our rules and regulations, of which all persons concerned are directed to take notice, and which are to take effect from the day of the date hereof. (Dated 6th July, 1888).

THE CLOSING OF SCHOOLS.

The attention of the L.G.B. has recently been drawn to the diversity of practice which exists in different parts of Ireland in regard to the closing of schools with a view to prevent the spread of infectious disease ; and the Board, therefore, think it desirable to address the S.A. on the subject.

The provisions of the Public Health Acts bearing on the

subject are sections 144 and 146 of the P.H.I.A., 1878. While the Board do not desire to interfere with the discretion of the officer responsible for the health of the district in the measures which he thinks it desirable to adopt with the view of preventing the spread of infectious disease, they wish to point out that neither the M.O.H. nor the S.A. have any power to *order* the closing of schools, and they desire to suggest that, before a M.O.H. recommends such a course, he should, in view of the important educational interests of the children not affected by the disease, carefully consider whether less drastic measures may not be equally efficacious in limiting the spread of disease.—(Circular Letter dated 20th February, 1900.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES.

A system of registration of births and deaths was established in England in 1837, in Scotland in 1855, and in Ireland on 1st January, 1864. On the same date the "Registration of Marriage (Ireland) Act, 1863," came into force.

"The Births and Deaths Registration Act (Ireland), 1880," came into operation on 1st January, 1881.

1. Registration districts correspond geographically with dispensary districts.

2. Every dispensary medical officer gets the option of being appointed registrar. If he declines, and in all other cases, the guardians of the union may make the appointment.

REGISTRATION OF BIRTHS.

1. All births to be registered within 42 days after birth, under a penalty of £2 for default.

2. Persons required to register births are :—

- (a.) The father or mother, or in default of these
- (b.) Occupier of house where child born ; or
- (c.) Each person present at birth ; or
- (d.) The custodian or guardian of the child.

3. If birth not registered within 42 days the registrar may serve notice requiring such to be done. Penalty for default, £2.

4. Registration to be gratuitous under 1 and 3.

5. Births may be registered after three months (from birth) and before twelve months only on a "Statutory Declaration." Fee paid by informant to registrar, 2s. 6d.

6. Births may be registered after twelve months only "on the authority of the Registrar-General," and here also it must be on a "Statutory Declaration." Fee paid to registrar by informant, 5s.

REGISTRATION OF DEATHS.

1. Births or deaths of still-born children must *not* be registered.

2. Within *five* days after death personal information of such must be given to the registrar by a qualified informant, or by letter accompanied by a medical certificate of cause of death.

In either case register must be signed within fourteen days by a qualified informant.

3. Penalty for default after written notice, £2.

4. At discretion registrar may register any time up to twelve months.

5. After twelve months "the authority of the Registrar-General" and also a "Statutory Declaration" are necessary. Fee to registrar, 5s.

6. Coroner bound to forward his certificate to registrar within five days after inquest.

7. On request the medical attendant is bound to furnish "informant" free of charge with a certificate of cause of death. Penalty for refusing, £2.

8. "Qualified informants" are :—

- (a.) Nearest relatives present at or before death ; or
- (b.) Every other relative of deceased ; or
- (c.) Persons present at death ; or
- (d.) The occupier of the house where person died ; or
- (e.) Any inmate of the house where person died ; or the
- (f.) Person who caused body to be buried, or found, or was in charge of such.

9. Information of births or deaths at sea to be sent to the Registrar-General of Shipping and Seamen, London.

10. Fees payable to registrar: 1s. per each birth and death registered, to be paid through the Board of Guardians.

REGISTRATION OF MARRIAGES.

1. Within three days after marriage the husband is bound to deliver or send by post to the registrar of the district where the marriage was solemnised a duly filled certificate, signed by the officiating clergyman.

2. Penalty against husband for neglect, up to £10.

3. It is the practice for blank forms of certificates of marriage to be kept at all churches.

APPENDIX.

Though it may seem outside the special scope of this Handbook, the author considers it will add so much to its value as a reference book for members and officers of local authorities that he here gives a variety of miscellaneous tables bearing on the practical administration of the Public Health Acts.

I.—*Water Analysis.* The following table gives the greatest amounts of injurious ingredients in a potable water (after Kenwood):—

1. Free ammonia may reach '005 parts per 100,000
2. Albuminoid ammonia may reach ... '005 " " "
or even twice that amount when free ammonia is not more than
'0025 parts per 100,000.
3. Oxidisable organic matter (examined for 2 hours at 80° F. by
Tidy's process may reach 0·1 in ordinary or 0·2 in peaty waters
per 100,000 parts.
4. Oxidised nitrogen as nitrates and nitrites should not exceed 0·2
parts per 100,000.
5. Chlorine must not exceed 1 part per 100,000 parts of water.
6. The total solids must not exceed 50 parts per 100,000 parts of water.
7. The total hardness must not exceed 30 parts per 100,000 parts
of water.
8. The permanent hardness must not exceed 10 parts per 100,000
parts of water.
9. Sulphates must not exceed 10 parts of 80 per 100,000 parts of
water.
10. Phosphates must not exceed 0·05 parts of P_2O_5 per 100,000 parts
of water.
11. Lead must not exceed 1-20 grains per 100,000 parts of water.
12. Copper must not exceed 1-10 grains per 100,000 parts of water.
13. Iron or zinc must not exceed $\frac{1}{4}$ grain per 100,000 parts of water.
14. Arsenic: even a trace of this condemns a water.

II. *Milk Analysis:*—

1. The specific gravity of milk at 60° F. should be 1032.
2. In 12 hours milk should show in the cream tube 10 per cent. of
cream.
3. An average milk contains 3·7 per cent. of total solids fat: they
should never be less than 3 per cent. by weight.
4. The non-fat solids in milk should average 8·2 per cent., but should
not be less than 8 per cent.
5. Average amount of water in milk, 87·4 per cent.
6. " " " ash " " '72 " "

III. *Butter Analysis:*—

AVERAGE COMPOSITION.

1. Fats	...	...	...	...	...	83·5 per cent.
2. Salt	...	...	...	...	...	1·5 " "
3. Sugar	...	...	...	...	...	1·0 " "
4. Card	...	...	...	...	...	1·0 " "
5. Water	...	...	...	...	...	13·0 " "

The standard minimum for fat in butter is 80 per cent.

" " maximum " water " 16 "

IV. *Composition of the Air* (by weight):—

Oxygen	...	...	...	...	20.91 per cent.
Nitrogen	...	...	...	...	76.95 „ „
Argon	...	...	...	...	1.0 „ „
Carbon dioxide	...	...	...	...	.04 „ „
Aqueous vapour—variable.					

V. *Minimum amounts of air-space allowed per head in:*—

Common lodging-houses (sleeping-rooms), per head	...	300 cubic feet.
Registered „ occupied by day and night	...	400 „ „
„ „ „ night only	...	300 „ „
Non-textile workrooms	...	250 „ „
„ „ during overtime	...	400 „ „
Seamen's cabins	...	72 „ „
Army barracks	...	600 „ „
Ordinary Hospitals	...	1200 to 1500 „ „
Fever and Lying-in Hospitals	...	1500 to 3000 „ „
Dwelling-rooms generally	...	1000 „ „
In schools allow 8 to 10 square feet floor-space per head.		
In ordinary Hospitals allow 100 square feet floor-space per head.		
In Fever or Lying-in Hospitals allow 200 square feet floor-space per head.		

VI. *Duration of incubation period in various fevers:*—

	Average.	Extremes.
Diphtheria ...	2 days	Up to 7 days
Scarlet fever	1 to 3 days	1 to 7 „
Measles	10 days	4 to 14 „
Mumps	21 „	14 to 25 „
Rotheln	18 „	5 to 21 „
Influenza	3 „	Up to 5 „
Whooping-cough	—	7 to 21 „
Variola (small-pox)	12 „	9 to 15 „
Varicella (chicken-pox)	14 „	7 to 19 „
Enteric fever	12 or more days	8 to 23 „
Typhus fever	7 days	7 „
Cholera	1 to 2 days	1 hour to 10 days

KEY TO SECTION NUMBERS OF SANITARY ORDERS Nos. I., II., III. AND IV.

The numbering of the Sections in the four Orders varies frequently for Sections otherwise identical. In each line of the table below are shown the numbers of Sections which correspond. A blank indicates that a Section is omitted in a particular Order.

Order I.	Order II.	Order III.	Order IV.	Order I.	Order II.	Order III.	Order IV.
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„ (6)	„ (5)	„ (5)	„ (5)	15 (12)	„ (14)	„ (10)	„ (10)
„ (7)	„ (6)	„ (6)	„ (6)	„ (13)	„ (15)	—	—
„ (8)	„ (8)	—	—	„ (14)	„ (16)	15 (11)	15 (11)
„ (10)	„ (7)	14 (7)	14 (7)	„ (15)	„ (17)	„ (12)	„ (12)
„ (11)	„ (10)	„ (10)	„ (9)	„ (16)	„ (18)	„ (13)	„ (13)
—	„ (11)	„ (11)	„ (10)	17 (4)	17 (4)	17 (4)	—
—	„ (12)	„ (12)	„ (11)	—	„ (5)	„ (5)	17 (4)
14 (12)	„ (14)	„ (14)	„ (13)	17 (5)	„ (6)	„ (6)	„ (5)
„ (13)	„ (15)	„ (15)	„ (14)	„ (6)	„ (7)	„ (7)	„ (6)
„ (14)	„ (16)	„ (16)	„ (15)	„ (7)	„ (8)	„ (8)	„ (7)
„ (15)	„ (17)	„ (17)	„ (16)	„ (8)	„ (9)	„ (9)	„ (8)
„ (16)	„ (18)	„ (18)	„ (17)	—	„ (10)	„ (10)	„ (9)
„ (17)	„ (19)	„ (19)	„ (18)	17 (9)	„ (11)	„ (11)	„ (10)
„ (18)	„ (20)	„ (20)	„ (19)	„ (10)	„ (12)	„ (12)	„ (11)
„ (19)	„ (21)	„ (21)	„ (20)	„ (11)	„ (13)	„ (13)	„ (12)
„ (20)	„ (22)	„ (22)	„ (21)	„ (12)	„ (14)	—	—
15 (5)	15 (5)	—	—	„ (13)	„ (15)	17 (14)	17 (13)
„ (6)	„ (6)	15 (5)	15 (5)	„ (14)	„ (16)	„ (15)	„ (14)
„ (7)	„ (7)	—	—	„ (15)	„ (17)	„ (16)	„ (15)
„ (8)	„ (8)	—	—	„ (16)	„ (18)	„ (17)	„ (16)
„ (9)	„ (12)	15 (8)	15 (8)	„ (17)	„ (19)	„ (18)	„ (17)
„ (10)	„ (13)	„ (9)	„ (9)				
„ (11)	„ (9)	17 (10)	17 (10)				

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