ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

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C A P. XLI.

An Act to establish Regulations for preventing Contagious Diseases in *Ireland*.

[14th *June* 1819.]

WHEREAS it has become highly expedient to provide for and secure constant Attention to the Health and Comforts of the Inhabitants of *Ireland*, and for the Prevention of Contagious Disease, more especially in the Cities and great Towns thereof; and that for that Purpose Officers of Health should be annually appointed in all Cities and large Towns, and that such Officers should also be appointed in such Towns, Parishes, and Villages in the Country, as shall think it proper or necessary to adopt such a Measure; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within One Calendar Month next after the passing of this Act, and within One Calendar Month after the Twenty-fifth Day of *March* in the Year One thousand eight hundred and twenty, and in every subsequent Year, in every City and Town in *Ireland*, which shall contain One thousand Inhabitants,

Officers of Health shall annually be appointed at Vestries by Inhabitants

 or

of Parishes in Cities and large Towns.

or upwards; and in every City and large Town where the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, shall think fit to direct that this Act shall be carried into Effect, the Inhabitant Householders of each and every Parish in such City or Town, assembled in Vestry, shall and they are hereby required to elect and appoint any Number of Persons not less than Two, and not more than Five, to be Officers of Health for such Parish, for the Year ending on the Twenty-fifth Day of *March* next after such Election, and until new Officers of Health shall be in like manner appointed for such Parish for the Year ensuing.

Officers shall act without Salary. Sums requisite for Execution of this Act shall be raised by Parochial Rates.

II. And be it further enacted, That such Officers of Health, so to be elected and appointed, shall act in the Execution of this Act without any Salary, Fee, or Reward whatsoever; and that the Expences to be incurred by such Officers in the Execution of their Duties under this Act, not exceeding such Sums as shall be specified and determined on, and limited and directed at the Vestry to be assembled for the Choice of such Officers, or at any subsequent Vestry to be called by the said Officers, shall be raised and levied on the Inhabitants of such Parish, in such Manner and Form as other parochial Assessments are raised and levied, and shall by the said Officers of Health be applied to the Purposes of this Act; and the Expenditure thereof shall be accounted for by the said Officers in such Manner as other parochial Assessments are accounted for, and either at such Times as other Assessments are accounted for according to Law, or at such other Times and Periods of the Year, and as often from Time to Time as shall be directed at the Vestry to be assembled for the Appointment of such Officers, or at any other Vestry to be called by Two Inhabitants of such Parish; and that Copies of all such Accounts shall, once in every Year, before the Twenty-fifth Day of *April* in each Year, be transmitted by such Officers of Health to such Public Officer, or Office or Place in *Dublin*, as shall be from Time to Time directed by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, or his or their Chief Secretary.

Parishes in any Part of Ireland may appoint such Officers, if they think fit.

III. And be it further enacted, That it shall and may be lawful for the Inhabitant Householders of any Parish, Town, or Place whatever, in Vestry assembled, in any Part of *Ireland*, to appoint such Officers of Health for such Parish, in case they shall think fit and expedient so to do; and to raise such Sum and Sums of Money, to be levied and accounted as directed by this Act, in like Manner as by this Act is required to be done in Cities and large Towns as aforesaid.

No Person compellable to serve such Office longer than One Year, &c.

IV. Provided always, and be it enacted, That no Person shall be compelled or compellable to act or serve as such Officer of Health, in any Parish or Place, for any longer Term than One Year, nor to act or serve as such Officer for any Year commencing within

Three Years after the End of any Year for which he shall have served as aforesaid.

Churchwardens may be elected Officers of Health.

V. Provided also, and be it enacted, That it shall and may be lawful for the Inhabitant Householders of any Parish in any County, City, Town, or Place in *Ireland*, to elect the Churchwardens of such Parish for the Time being to be Officers of Health under this Act, in case they shall think fit so to do; and it shall be lawful for such Churchwardens, and they are hereby authorized and required, to act as such Officers of Health accordingly, under the present Provisions of this Act.

On Failure of Parish, Sessions shall appoint Officers of Health.

VI. Provided also, and be it enacted, That where any City or Town as aforesaid, containing One thousand Inhabitants, or where the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall direct this Act to be carried into Execution, in case the Inhabitant Householders in any Parish or Parishes in such City or Town shall neglect or refuse to elect and appoint such Officers of Health, within such Time as is required by this Act, or as shall be required by any Order of such Lord Lieutenant, or other Chief Governor or Governors, it shall and may be lawful for the Justices of the Peace assembled at the Quarter Sessions, or any Adjournment thereof, for the County, City, or Town within which such Parish shall be situate, and the said Justices are hereby authorized and required, to appoint such Officers of Health in and for such Parish, and also at the same Time to appoint and limit what Sum shall be raised by Assessment on such Parish for the Purposes of this Act, and such Sum shall and may be raised and levied accordingly, in like Manner as any other Parish Assessments, and as if the same had been authorized by the Vestries of such Parishes, and shall be applied and accounted for in Manner hereinbefore directed.

Powers of such Officers of Health.

VII. And be it further enacted, That it shall and may be lawful for any One or more of the Persons so to be appointed Officers of Health, and he and they is and are hereby authorized, empowered, and required, to cause and direct all Streets and Lanes, and all Yards and Courts adjoining thereto, and all Houses let in several Tenements to Room-keepers, and the Yards, Gardens, or Places belonging to such Houses, to be cleansed and purified, and all Nuisances prejudicial to Health to be removed therefrom; and all Public Sewers to be cleansed, and where necessary, to be covered over, and all Lodgments of standing Water to be filled up or drained off; and also to cause and direct all other Matters and Things to be done for the Ventilation, Fumigation, and cleansing of any House whatever, in which Fever or other Contagious Distemper shall have occurred, and for the washing and purifying the Persons and Clothes of the Inhabitants of every such House, as shall appear to any such Officer of Health to be indispensably necessary for the Preservation and Security of the Inhabitants of such

such Parish against the Danger of Contagion, unless due Precautions shall have previously been taken for such Purposes by the Inhabitants of such House; and it shall be lawful for all Constables and Peace Officers, and they are hereby authorized, empowered, and required, to be aiding and assisting to such Officers of Health in the doing all Matters and Things whatsoever in the Execution of this Act.

On Neglect of Scavengers, &c. to cleanse Streets, the Officers of Health may order them to be cleansed, and the Produce disposed of for the Purposes of this Act.

VIII. And be it further enacted, That in any Parish or Parishes in any City or Town where any such Officers of Health shall be appointed as aforesaid, and where no Power or Authority is or shall be vested in or given to Magistrates or Corporation of such City or Town, to regulate the sweeping and cleansing of the Streets therein, and the collecting and disposing of the Dirt, Dung, and Filth of the said Streets, and also in any City or Town whatever, where the Scavengers or other Persons who shall be entrusted with or contract for the cleansing and sweeping of the Streets, under the Direction of the Magistrates or Corporation or not, shall neglect or omit to cleanse and sweep the Streets and Lanes of such City or Town, twice at least in every Week, it shall and may be lawful for such Officers of Health to cause and direct such Streets to be swept and cleansed, and the Dirt, Dung, and Filth collected from the same to be sold and disposed of, and the Produce thereof to be applied for the Purposes of this Act, and in diminution of the Charge on the Parish for which such Officers shall be appointed: Provided always, that in all Cases where the Magistrates or Corporation of any City or Town have or shall have Power and Authority to regulate the sweeping or cleansing of the Streets, or where any Scavenger or other Person shall be appointed or shall have contracted for that Purpose, the said Officers of Health shall give Twenty-four Hours Notice to the Chief Magistrate of such City or Town, and to the Scavenger or other Person contracting for the cleansing of such Streets, of the Neglect or Omission to sweep and cleanse the same; and that at the Expiration of such Twenty-four Hours, in case the said Streets shall not be duly swept and cleansed, it shall be lawful for the said Officers of Health to cause the same to be swept and cleansed, and the Produce thereof to be disposed of as aforesaid, any Act, Charter, Law, Usage or Custom to the contrary notwithstanding.

Justices, Churchwardens, and Officers of Health, empowered to remove Beggars, &c.

IX. And for the preventing the Danger of Contagion and other Evils, from the unrestrained Intercourse of strolling Beggars, Vagabonds, and idle poor Persons seeking Relief; be it enacted, That from and after the passing of this Act, it shall and may be lawful for any one Justice of Peace within his Jurisdiction, or for any Churchwarden of any Parish in any City, Town, or Place in *Ireland*, or for any Officer of Health appointed in any Parish in pursuance of this Act, and they are hereby respectively empowered and required, to apprehend all idle poor Persons, Men, Women, or Children, and all Persons who may be found begging or seeking Relief, or strolling or

wandering as Vagabonds within any Parish or Place, and to direct and cause all such idle Persons, Beggars, and Vagabonds to be removed and conveyed out of and from such Parish and Place, in such Manner and to such Place as the Nature of the Case may require; and it shall and may be lawful for any such Justice of the Peace, upon his own View, or upon the Complaint of any Churchwarden or Officer of Health, to commit any such strolling Beggar or Vagabond, or idle poor Person, to any Bridewell or House of Correction, or other public Place of Confinement, for any Time not exceeding Twenty-four Hours previous to their Removal or Departure out of such Parish; and it shall and may be lawful for any Churchwarden or Officer of Health in such Parish, during such Period of Twenty-four Hours, to cause the Persons and Clothes of such idle poor Persons, Beggars, or Vagabonds so committed, to be washed and cleansed; and it shall be lawful for the Justices of any County, City, or Town assembled at any Quarter Sessions or Adjournment thereof, to constitute and appoint any suitable unoccupied Building to be a Bridewell or Place of Confinement for such idle Persons, Beggars, and Vagabonds, with the Consent and Approbation of the Owner of such House or Building, and to apply to and agree with such Owner for such Purpose accordingly; and every Beadle, Constable, and Peace Officer within their respective Districts or Jurisdictions, shall be and are hereby required to be assistant to the said Justices of Peace, Churchwardens, and Officers of Health, in such Apprehension, and Confinement, and Treatment of such idle poor Persons, Beggars, and Vagabonds, pursuant to the Provisions of this Act.

Penalty on Persons resisting Orders of Justices, or Officers of Health.

X. And be it further enacted, That if any Person or Persons shall resist or oppose any Justice of Peace, Churchwarden, or Officer of Health, in the Execution of the Powers of this Act, or in the doing or performing of any Matter or Thing in the Execution of this Act, every such Person or Persons so guilty of resisting or opposing shall, on Conviction thereof before any Two Justices of Peace or Magistrates within their Jurisdiction, on the Oath or Affirmation of any one or more credible Witness, or on the Confession of the Party so offending, incur such Penalty, not less than Ten Shillings nor more than Five Pounds, as such Justices of Peace or Magistrates shall in their Discretion think proper to adjudge and inflict; or in Failure of making Payment of such Fine, such Offenders shall and may be committed to the Common Gaol or House of Correction for any Time not exceeding Three Calendar Months; and no such Conviction shall be quashed for Informality, nor shall be removed or removable by *Certiorari* or otherwise, nor subject to any Appeal whatever.

General Issue.

XI. And be it further enacted, That if any Action shall be brought against any Person or Persons for any Thing done in the Execution of any of the Powers or Duties by this Act given or required, the Defendant or Defendants may in every such Suit plead the General

Issue, and give this Act and the Special Matter in Evidence; and in every Case where the Plaintiff or Plaintiffs in such Suit shall fail, the Court in which such Suit shall be carried on shall award Costs to the Defendant or Defendants.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1819.

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