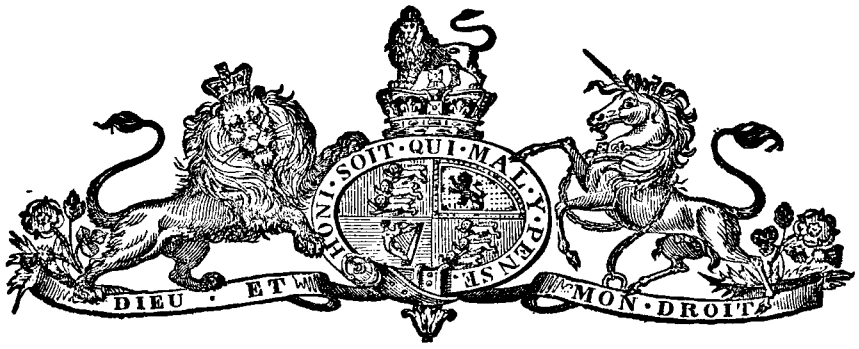


ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. LXVIII.

An Act to provide for the better Distribution, Support, and Management of Medical Charities in *Ireland*; and to amend an Act of the Eleventh Year of Her Majesty, to provide for the Execution of the Laws for the Relief of the Poor in *Ireland*. [7th *August* 1851.]

WHEREAS it is expedient to provide for the better Distribution, Support, and Management of certain of the Medical Charities in *Ireland*, and to amend for this Purpose the Provisions of an Act passed in the Eleventh Year of Her present Majesty, intituled *An Act to provide for the Execution of the Laws for Relief of the Poor in* Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 10 & 11 Vict. c. 90.

Appointment of Commissioners to act with Poor Law Commissioners.

I. That it shall and may be lawful for Her Majesty the Queen, by Warrant under Her Sign Manual, from Time to Time to appoint Two Persons (One of whom shall be a Physician or Surgeon of not less than Ten Years standing, and shall have the Title of Medical Commissioner,) who, together with the Commissioners appointed

under

under the Provisions of the aforesaid Act of the Eleventh Year of Her Majesty, shall, from the Time of the Publication herein-after directed to be made in the *Dublin Gazette*, be "the Commissioners for administering the Laws for Relief of the Poor in *Ireland*," within the Meaning of the aforesaid Act, pursuant to, and with the Powers and Authorities given by, the said Act, and the several Acts for the more effectual Relief of the destitute Poor, and also for executing this Act, and such Two Persons so appointed under this Act shall hold Office during the Pleasure of Her said Majesty; and immediately on the Publication aforesaid the Office of Assistant Commissioner created by the said first-mentioned Act shall cease and determine; and in the Absence of the Chief Commissioner for the Time being in the said Act mentioned the Powers, Duties, and Functions of the said Chief Commissioner under the said Act shall be exercised by such One of the other Commissioners as shall be appointed so to act by a Majority of the Commissioners, with the Approval of the Lord Lieutenant of *Ireland*.

Appointment of Commissioners to be published in Gazette.

II. Notice of the Appointment of such Two Persons by Her Majesty shall be published in the *Dublin Gazette*, and on the Day after the Publication of the first Appointment of such Persons all the Powers and Authorities given by this Act to the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* shall take effect, and shall be exercised by them, in like Manner as the Powers and Authorities given to the Commissioners appointed under the said Act of the Eleventh Year of Her present Majesty: Provided always, that any Order for the Formation or Alteration of any Dispensary District or Districts under this Act, as herein-after mentioned, or for framing or establishing any General Rules or Regulations relating thereto, or altering or revoking the same, shall be signed by not less than Two of the said Commissioners.

Powers given by this Act how to be exercised.

Appointment of Inspectors.

III. The said Commissioners may from Time to Time appoint so many fit Persons as the Commissioners of Her Majesty's Treasury shall sanction, being practising Physicians or Surgeons of not less than Seven 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.

Salaries of Commissioners and Inspectors to be paid from any Funds provided by Parliament for such Purpose.

IV. There shall be paid to the said Two Commissioners to be appointed under the Provisions of this Act, and also to the said Inspectors, such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury, out of any Monies which may from Time to Time be provided by Parliament for that Purpose.

V. Neither

No Medical Commissioner or Inspector to practise as Physician or Surgeon.

V. 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.

Power to Guardians to divide Unions into Dispensary Districts.

VI. The Guardians of each Union in *Ireland* shall, when so required by the said Commissioners for administering the Laws for Relief of the Poor in *Ireland*, with all reasonable Despatch, divide such Union into so many Dispensary Districts, having regard to the Extent and Population of such Districts, as may to them appear necessary; and in case the said Commissioners shall approve of the Districts so formed by the said Guardians, they shall issue an Order under their Seal declaring the same; and in case they shall not approve of the Districts so formed by the said Guardians, the said Commissioners may and they are hereby empowered to issue an Order under their Seal declaring the Districts which to them may appear necessary; and it shall be lawful for the said Commissioners, and they are hereby empowered, when they may see Occasion, from Time to Time to require the Guardians to alter such Districts, subject to the Approval by Order under Seal of the said Commissioners, and in case of their Disapproval, or of the Neglect of the Guardians to make such Alteration when required, the said Commissioners 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 from and after a Day or Days to be named in any such Order the Cost of all Medical Relief afforded within any such Dispensary District to which such Order shall relate, together with all the Salaries and Charges incidental to the same, shall be charged on the Poor Rates of the Electoral Division or Divisions comprised therein, according to the net annual Value of each such Division under the Poor Law Valuation in force for the Time being; and the said Commissioners shall declare in such Order the Number and Qualifications of the Officers to be appointed for the Service of each such Dispensary District, and shall likewise declare in the said Order the Number of Persons who shall be Members of the Committee of Management of such Districts, as herein-after is provided.

Appointment of Dispensary Committee.

VII. Within One Month after the Receipt of the said Order the Guardians of the Union shall elect, if necessary, a sufficient Number of Ratepayers resident in each District, and liable to pay Poor Rates in respect of Property therein of the net annual Value of Thirty Pounds at the least, who, together with the *ex-officio* and elected Guardians of the Poor resident or being the Owners or Occupiers of Property therein, shall be a Committee for the Manage

ment

ment of the Dispensary of such District, so that the Number of the Members of the said Committee shall amount to the Number named in the Order of the said Commissioners, and shall from Time to Time fill up any Vacancies occurring after any General Election of such Committee; and the Committee so appointed shall hold Office until the Appointment of a new Committee after the next annual Election of Guardians in the said Union; and at the first Meeting of the Guardians after such annual Election, or as soon thereafter as conveniently may be, the Committee of Management for the said Dispensary District shall be appointed in like Manner for the ensuing Year, and so likewise in each succeeding Year.

Guardians to provide Offices for Meetings, &c., and also Medicines, &c.

VIII. The Guardians of the Union shall, as soon after Receipt of the said Order as conveniently may be, provide a House, Building, Room or Rooms, to be used as a Dispensary or Office for the Medical Officer 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 for the Medical Relief of the Poor in the said District, and the Committee of Management shall appoint, from Time to Time, subject to the Approval of the said Commissioners, One or more Medical Officers for the said District, with such Qualifications as the said Commissioners shall determine, and with such Salaries as the Guardians, subject to the Approval of the said Commissioners, shall determine; and the said Commissioners may, and they are hereby 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 Commissioners to remove any such Medical Officer on sufficient Grounds, and to direct the said Committee of Management to appoint another Medical Officer in his Stead; and, on Failure of the said Committee to appoint a Medical Officer of such Dispensary District for One Month after the Receipt of the Direction of the said Commissioners, it shall be lawful for the said Commissioners to appoint such Medical Officer by an Order under their Seal.

Committee of Management, with Approval of Commissioners, may appoint Officers, and with such Salaries as the Guardians, with the like Approval, may determine.

Power to afford Dispensary Relief.

IX. Every Member of such Dispensary Committee, 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 Commissioners shall prescribe, addressed to the Medical Officer 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 Medical Officer to afford Medicine and Advice, or to attend such poor Person, as thereby

directed;

directed: Provided always, that if any Person who shall obtain a Ticket for Medical Attendance from any Relieving Officer or Warden, or from any Member of the Committee, shall, at the next or any subsequent Meeting of the Committee 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.

Other Provision made for Dispensary Relief to cease after Day named in Order of Commissioners.

X. From and after the Day to be named as aforesaid in the Order of the said Commissioners 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 where, under the Provisions of an Act of the Parliament of *Ireland* passed in the Fifth Year of His late Majesty King *George* the Third, intituled *An Act for erecting and establishing public Infirmaries and Hospitals in this Kingdom*, any Allowance or Stipend is now payable to any Officer of a County Infirmary or other Medical Institution, such respective Allowance or Stipend shall wholly cease to be payable to or to the Use of such Infirmary or Medical Institution under the Provisions of the said Act, when and as soon as the Person holding such Office at the Time of the passing of this Act shall wholly cease to hold the said Office in the said Infirmary or Medical Institution: Provided also, 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.

Proviso as to County Infirmaries, &c. under 5 G. 3. c. 20. (I.)

Members of Committee of Dispensary not to be concerned in supplying Articles for Use in Dispensary, under Penalty of 50*l.* and Costs.

XI. No Guardian or Member of the Committee of Management, 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 at *Dublin*.

Regulations as to Management of Dispensaries.

XII. The said Commissioners 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, the Committees of Management, and the several Officers to be appointed in connexion 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.

Regulations as to Vaccination.

XIII. The Medical Officer of every Dispensary District constituted under this Act shall and he is hereby required to vaccinate all Persons who may come to him for that Purpose, subject to such Regulations as may be issued by the Commissioners in that Behalf, and which Regulations the said Commissioners are hereby required to make and issue; and that from and after the Declaration of any such Dispensary District it shall not be obligatory on the Board of Guardians of the Poor Law Union containing such District or any Part thereof to make a Contract with a Medical Practitioner for the Vaccination of Persons resident in such District, under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to extend the Practice of Vaccination*; and after the Appointment of a Medical Officer for such Dispensary District all existing Contracts theretofore made with the Guardians under the Authority of the last-mentioned Act shall cease and determine, Payment being made to such Medical Practitioner of such proportional Sum for past Services as may then be due to him.

3 & 4 Vict. c. 29.

As to existing Medical Officers of Dispensaries.

XIV. When, on the Formation of any District under the Provisions of this Act, a Medical Practitioner shall be in possession of a Medical Office connected with any Dispensary subject to the Authority of the said Commissioners, and situate in the Locality included in such District, it shall be lawful for the Commissioners, if they shall think fit, to declare him to be, in the first instance, the Medical Officer or One of the Medical Officers of such new District; and so likewise when Two or more Medical Practitioners shall be circumstanced as aforesaid, in case the like Number of Medical Officers is required in such new District, it shall be lawful for the said Commissioners, if they shall think fit, to declare such

such Persons to be the Medical Officers of such new District; but in case a smaller Number of such Officers shall be required for such District, then it shall be lawful for the said Commissioners, if they shall see fit, to nominate such Persons, or any of them, as the Persons from whom a Selection shall be made for a Medical Officer or Officers under the Provisions of this Act, by the Parties entitled to appoint to such Office; and it shall not be necessary for the said Commissioners, unless they think fit, to reject any such Medical Practitioner so in possession of any such Office before the Formation of such District, by reason of the Want of such Qualifications as may be required by them in other Cases.

Salaried Medical Officers of Districts to attend at Examination of dangerous Lunatics, and to give Attendance at Bridewells within their Districts.

XV. It shall be the Duty of any salaried Medical Officer of a Dispensary District under this Act, or (if more than One) then the nearest of such Medical Officers, save in the Case of his Sickness or necessary Absence, and then the other nearest of such Medical Officers, 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 Committee of such respective District, who shall make Provision for the Payment thereof; and it shall be lawful for the said Commissioners, 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 Medical Officers of such Districts.

Power of Commissioners and Inspectors to inquire on Oath, or require a Declaration.

XVI. The Commissioners or any One of them, and also any such Inspector acting in execution of this Act, by Summons under the Seal of the Commissioners, or under the separate Hand and Seal of any Commissioner or 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 connected with the Execution of this Act, relating to any Dispensary subject under this Act to the Authority of the said Commissioners, 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,

Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, and Copies thereof respectively, in anywise relating to any such Matter as aforesaid; or when the Commissioners, or any One of the Commissioners, or any Inspector, shall think fit, instead of requiring such Oath as aforesaid, they or he may require any such Person to make and subscribe a Declaration of the Truth of the Matter respecting which he shall have been or shall be so examined: Provided always, that no Person shall be required, in obedience to any such Summons of any of the said Commissioners, 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 Commissioners 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 Commissioners by this Act: Provided also, that nothing herein contained shall authorize the said Commissioners 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.

Provisions as to the summoning of Witnesses, &c. by Commissioners and Inspectors.

Penalty for giving false Evidence.

Penalty for refusing to attend to Summonses or to give Evidence.

XVII. 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 Misdemeanor; and every Person who shall refuse or wilfully neglect to attend in obedience to any such Summons as aforesaid of the Commissioners, or any One of the Commissioners, 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.

Inspectors to visit Dispensaries and attend Meetings of Guardians, &c.

XVIII. 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 or Dispensary Committee,

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 Commissioners, 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.

Commissioners and Inspectors to inspect and report upon Hospitals, &c. supported by public Funds, Rates, &c.

XIX. The said Commissioners shall be the Commissioners for executing in *Ireland* the Powers and Purposes of "The Nuisances Removal and Diseases Prevention Act, 1848," and an Act of the following Session of Parliament amending the same; and all Committees, Inspectors, Medical Officers, and other Persons appointed or employed under the Powers of this Act shall and they are hereby required, within their respective Districts, to aid the Guardians of the Poor, and such Officers or Persons as they shall appoint or employ, in the Superintendence and Execution of any Directions and Regulations which may at any Time be issued by the said Commissioners for the Time being under the Authority and by virtue of the said Nuisances Removal and Diseases Prevention Act and the said Act, amending the same, or under or by virtue of the Provisions hereof in relation thereto; and all Expenses which shall be incurred on account or in execution of the said last-mentioned Act or Acts, and chargeable upon the Poor Rates, shall hereafter be charged on the Poor Rates of the respective Electoral Division situate within such District, in like Manner, and be ascertained, paid, and audited, in all respects as directed for the Expenditure under the Provisions and for the Purposes of this Act.

Commissioners to execute in Ireland the Nuisances Removal and Diseases Prevention Act, 1848, (11 & 12 Vict. c. 123.) and the amending Act (12 & 13 Vict. c. 111.)

XX. The said Commissioners shall once at least in every Year submit to the Lord Lieutenant a General Report of their Proceedings under the Provisions of this Act, including the total Expenses incurred in *Ireland* and in each Union in carrying this Act into execution in each Year, together with a List of all Districts and Dispensaries under this Act, and the total annual Expense of each; and every such General Report shall be laid before both Houses of Parliament on or before the Thirty-first Day of *March* in each Year, if Parliament be then sitting, or if Parliament be not then sitting, within Six Weeks after the next Meeting of Parliament.

Annual Reports to be made to Lord Lieutenant, and laid before Parliament.

XXI. In the Interpretation of this Act the Words "Lord Lieutenant" shall extend to and include the Chief Governor or Governors of *Ireland* for the Time being, and 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.

Interpretation of Terms.

Commencement of Act.

XXII. This Act shall commence and take effect from and after the First Day of *October* One thousand eight hundred and fifty-one.

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