

such salary as the Lord High Treasurer or the Commissioners of the Treasury, or any three of them may direct, with a Superannuation Allowance of at least one-third of the said income, after not less than ten years' service.

XXXIII.—That Justices of the Peace for Boroughs and Towns shall have the right to act as ex-officio Guardians, in the same manner as Justices of the Peace acting for a county, riding, or division, are now entitled by 38 sec. of 4 and 5 Wm. 4., cap. 76.

XXXIV.—That where Medical Officers of Health have not been appointed, the District Medical Officers of the several Unions, Parishes, and Incorporations shall be the Medical Officers of Health for their respective districts, and have the like powers, and perform the same duties as they would have to perform had they been appointed by the Local Boards of Health, or other authority having the power to make such appointments; and they shall receive such remuneration for their services from the Consolidated Fund or the Poor Rates as the Board of Health, who are hereby empowered to make such order, shall direct.

XXXV.—That in case of sudden death, or death resulting from accident, or any kind of violence, or from the action of poison, where no qualified Medical Man has attended the deceased during his life-time, it shall be the duty of the Registrar of deaths for the district wherein the deceased is lying dead, to give an order to the District Medical Officer of the district in which the body is, to institute an inquiry; and should it appear to the said Medical Officer, after viewing the body externally, which by this Act he is authorized to do, and on inquiry, that the person died from natural causes, or if from violence that it was accidental, and blame did not appear to attach to any person, then he shall give a certificate to that effect to the Registrar of the district; but should he have reason to believe that the death was not from natural causes, or that blame did attach to some person or persons, then he shall immediately give notice of the same to the Coroner, who shall thereupon hold an inquest. The District Medical Officer shall be entitled for such service to charge the Registrar 7s. 6d., with 1s. per mile as travelling expenses, which he is hereby required to pay, and charge the same to the Board of Guardians, who are hereby authorized to pay the fee so charged, and debit the same to the common fund of the Union. Nothing in this Act, however, shall prevent a Coroner holding an inquest on any case that he may think demands an inquiry.

XXXVI.—That every duly qualified Medical Man shall receive 1s. for every Certificate of the cause of death which he furnishes to the Registrar of deaths, and the said Registrar is hereby empowered to pay the same, and charge it to the Board of Guardians who are to pay the fee so charged, and debit it to the account of the common fund of the Union.

#### VACCINATION.

XXXVII.—That from and after the 24th day of June next, it shall be the duty of every Registrar of births to deliver to the person registering the birth of a child a duplicate form of certificate that such child (whose name shall be recorded therein) has been successfully vaccinated or is insusceptible of vaccination, or from the ill state of the health of the said child that it is not in a fit state to be vaccinated, which it shall be the duty of the father or mother of the child, or in the event of death, illness, absence, or inability of the father or mother, then the person who shall have the care, nurture, or custody of the said child, to have filled up, by a qualified Medical Man, with his name, residence, qualifications, and the date of his inspection, on the eighth day or later, after vaccination, which certificate shall be delivered to the Registrar, who shall thereupon either append his name or give a certificate, and record in his books that the child has been

duly vaccinated or is insusceptible of vaccination, or is not in a fit state of health to be vaccinated, according as the vaccinator may declare by striking his pen through the form not intended to remain. A copy of this form, if lost, to be furnished, free of charge, to the parents of a child on demand being made for it of the Registrar.

XXXVIII.—That should the said child be vaccinated in some other Union than that in which it was born, the certificate of the successful vaccination, insusceptibility, or that it is not in a fit state to be vaccinated, shall be delivered to the Registrar of births of the district in which the child then resides, and it shall be the duty of the said Registrar immediately to forward by post a copy of the said certificate to the Registrar of its birth, and also either append his name to the certificate or give a fresh one that the child has been vaccinated or is insusceptible of vaccination, or is not in a fit state to be vaccinated, and shall record the same in a book, to be specially provided for such purpose.

XXXIX.—That a certificate of the postponement of vaccination shall only continue in force six months, and must at the end of that time be renewed if required.

XL.—That it shall only be lawful for persons in the situation of life described in Sec. 1 of this Act to take their children for gratuitous vaccination to the public vaccinator, who shall be the District Medical Officer of the district in which the child resides, or the Medical Officer of a Workhouse, for the children who are therein. In order to prevent disputes, it shall be the duty of the Registrar, at the time of registration of the birth of a child, to inquire into the circumstances of the parents, and should he consider, from the statements made to him by the person registering the birth, that they have a claim to gratuitous vaccination, he shall write on the certificate "for gratuitous vaccination," and no question shall afterwards be raised as to the right of the Medical Officer to his fee.

That the fee for every vaccination, if successful, performed at the surgery of the vaccinator or at a Workhouse, and filling up the certificate, shall be 2s. 6d.

That the fee for every vaccination, if successful, performed at the residence of the patient, or at a station, if more than one mile from the vaccinator's house, shall be 3s. 6d.

That the fee for every vaccination, if successful, performed at the residence of the patient, or at a station, if beyond four miles from the vaccinator's residence, and filling up the necessary certificates, shall be 5s., with 1s. for each mile extra beyond that distance.

Which fee shall be paid the vaccinator at the end of each quarter by the Registrar of the district in which the vaccination has taken place, on delivery to him the duplicate half of the form furnished to the child by the Registrar on the registration of its birth.

XLI.—That all sums paid for vaccination by the Registrars shall be repaid them by the Boards of Guardians on their being furnished with an account thereof.

XLII.—That if the father, mother, or other person, having the care, nurture, or custody of a child, shall fail to deliver a certificate that the said child has been successfully vaccinated, or of its insusceptibility to vaccination, or that it is not in a fit state for vaccination, to the Registrar, of the district where the child is then residing, within twelve months after the birth of the said child, the said father or mother, or other person having the care, nurture, or custody of the said child shall forfeit the sum of Twenty Shillings, together with all expenses, or in default be committed to the common gaol or house of correction for any term not exceeding one month, nor less than one week, which penalty shall be incurred annually until the said certificate be furnished, or the child be 16 years of age.

XLIII.—That the father, mother, or other person having the custody of a child born since August 1, 1853, and above the age of twelve months, who is not already registered as vaccinated, or insusceptible of vaccination,

or not in a fit state to be vaccinated, shall be bound, within three months after notice has been given him by the Registrar of the district in which the child may be residing at the time, and which notice it shall be the duty of the Registrar to give as speedily as possible after the passing of this Act, to produce a certificate from a qualified Medical Man, who, if he has previously successfully vaccinated a child, and has not furnished a certificate, shall be bound, on demand, to do so gratuitously, that the child has been vaccinated, or is insusceptible of vaccination, or is not in a fit state to be vaccinated, or the parents, &c., shall produce evidence that the child has had the small-pox; failing which, the same penalty shall be incurred as for non-registration of the vaccination of a child under twelve months' of age, and be claimable each year so long as the child is under sixteen years of age.

XLIV.—That every child born since August 1, 1853, who dies of small-pox, at a later period than twelve months after passing this Act, and has not been registered as vaccinated, or insusceptible of vaccination, or of unfitness for vaccination, shall subject the father, mother, or other person having the custody of the said child, to a penalty of Five Pounds, and expenses, or in default of payment thereof, to three months' imprisonment, unless it shall be proved that the child had been vaccinated by a qualified Medical Man previous to the appearance of small-pox.

XLV.—That any person who shall, from and after the passing of this Act, produce, or attempt to produce in any person, by inoculation with variolous matter, or by wilful exposure to variolous matter, any matter, article, or thing impregnated with variolous matter, or wilfully by any other means whatever, produce the disease of small-pox in any person in England, Wales, or Ireland, shall be liable to be proceeded against summarily before any two or more Justices of the Peace in Petty Sessions assembled, and for every such offence shall, upon conviction, forfeit and pay the sum of Five Pounds, or in default be imprisoned in the common gaol or house of correction for any term not exceeding two months, nor less than one month, with hard labour.

XLVI.—That all penalties, by this Act imposed, shall be enforced by the Registrar of the district in which the child is residing, before two Justices of the Peace, for the county, city, borough, or place where the offence may have been committed; and the provisions of the Act of the twelfth year of her present Majesty, chapter fifty-three, shall be applicable for the recovery of the same.

XLVII.—That the half of all penalties under this Act shall be awarded to the Registrar for his trouble, and the other half shall be applied in aid of the funds applicable to the relief of the poor in the union, parish, or place maintaining its own poor, where the offence may have been committed, and all expenses incurred in enforcing the penalties under this Act shall be a charge upon the union, parish, or place in which the child may at the time be residing.

XLVIII.—That should a Registrar fail to enforce the fines recoverable under this Act, he shall, on proof being afforded to the Poor Law Board of his culpable neglect, be dismissed from his office.

XLIX.—That no case of vaccination shall be deemed successful unless a decided vesicle be formed, from which lymph might be taken, if desired, on the eighth day, or later, to vaccinate other persons.

L.—That a Medical Man or other person giving a certificate that a child has been successfully vaccinated when it has not, shall be subject to a fine of Five Pounds, which fine shall be recovered by the Registrar in like manner as is described in Sec. 46, for fines under this Act.

#### SUPERANNUATION ALLOWANCE TO POOR LAW MEDICAL OFFICERS.

LI.—That it shall be lawful for the Poor Law Board, by an order

under their seal, to be published in the *London Gazette*, to declare that a Poor Law Medical Officers' Superannuation Fund shall be established, and the provisions of this Act shall thenceforth be in full force and effect.

LII.—That the Poor Law Board shall thereupon undertake the collection, management, and distribution of such fund, and make such rules and regulations for the same, as they may from time to time see fit.

LIII.—That there shall be an annual deduction after the rate of five pounds per cent. per annum, made in quarterly proportions from the salaries or payments of the several Medical Officers, whose salaries shall not be less than £40 per annum (any Medical Officer, however, having a less salary, may order £2 to be deducted from it annually, in order to enable him to have a Superannuation Allowance); which sums shall be deducted, collected, and received, in such manner as the said Board shall by an order under their seal direct, and shall from time to time be paid to the account of the said Board, and shall be invested as the said Board shall from time to time direct; and the fund so created, as well as the dividends and interests accruing thereon, shall be applicable to the purposes of this Act as the said Board shall deem proper.

LIV.—That from and after the making of such order by the said Board for the establishment of such Superannuation Fund, the said fund shall be applied according to the regulations of the said Board; first, in the management of the said fund, or in any way incident thereto; and, secondly, in payment of such Superannuation Allowance to the Officers as the said fund will, on calculation from time to time, admit.

LV.—That the Superannuation Allowance to be granted to any Officer shall be computed upon the average annual payments made by him to the said fund, together with his share of such sums as may have been forfeited by Officers who may have resigned their appointments prior to being entitled to any Superannuation Allowance. That no Medical Officer shall be required to contribute to the said fund longer than fifteen years, at the end of which time all money found to be due to him shall be considered as sunk, and a life annuity granted him, of double its value, which extra sum shall be made up from the Consolidated Fund, in consideration of the low salaries paid the Medical Officers, but should any Medical Officer desire it, he may still continue to contribute to the said fund until he express a wish to the contrary, when a calculation shall be made in like manner as previously described, and an annuity for life shall be granted in proportion to its then value.

LVI.—That the Allowances shall only be payable in respect of complete quarters of a year, and shall commence at some one of the customary quarter-days in the year, and shall end at the last quarter-day which shall occur previous to the decease of the Officer who shall have been in the receipt thereof; and where the payment due at the decease of such Officer shall be under the sum of twenty pounds, or where the Officer entitled to the allowance shall be, through mental or bodily infirmity, incapable of giving a receipt or discharge for the same, the Poor Law Board shall determine to what person the payment shall be made, and the receipt of such person shall be a sufficient discharge for every payment so made.

LVII.—That if any Officer shall resign his office, and shall afterwards be appointed to the same or a similar office, the aggregate number of years of payment rendered in all such cases shall be computed and taken into consideration in ascertaining the claim for a Superannuation Allowance.

LVIII.—That nothing herein contained shall be construed so as to prevent the removal of any Medical Officer, and every such Officer who shall be removed by the said Poor Law Board, or shall resign upon any charge of misconduct or neglect of duty made against him, shall thereupon forfeit all claim upon the said Superannuation Fund, unless the Poor Law Board shall make an order to the contrary.