



SUPPLEMENT

TO

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TUESDAY, JULY 24, 1832.

AT the Council-Chamber, *Whitehall*, the 23d day of July 1832,

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

WHEREAS by an Act, passed in the second year of the reign of His present Majesty, intituled "An Act for the prevention, as far as may be possible, of the disease, called the cholera, or spasmodic, or Indian cholera, in Scotland," it is, amongst other things, enacted, that it shall and may be lawful for the Lords and others of His Majesty's Most Honourable Privy Council, or any two or more of them (of whom the Lord President of the Council, or one of His Majesty's Principal Secretaries of State for the time being, shall always be one), by any Order or Orders to be by them from time to time made, to establish, and again, from time to time, by any such Order or Orders, to revoke, renew, alter, or vary all such rules and regulations, or to substitute any such new rules and regulations, as to them may appear necessary or expedient, for the prevention, as far as may be possible, of the spreading of the said disease, called the cholera, or spasmodic, or Indian cholera, in Scotland, or any part thereof, or for the relief of any persons suffering under, or likely to be affected by, the said disease:

And whereas by another Act, passed in the same

second year of His present Majesty's reign, intituled "An Act for altering and amending an Act passed in the present session of Parliament, for the prevention, as far as may be possible, of the disease called the cholera, or spasmodic, or Indian cholera, in Scotland," it is amongst other things, enacted, that all and every the expences which may be reasonably and properly incurred in carrying into effect any Order or Orders of His Majesty's Most Honourable Privy Council, so to be made as in the said before mentioned Act provided, or sanctioned after they are incurred by any such Order, shall, whenever the occasion of such expence has arisen within any city, burgh, or town, be levied and defrayed by a special assessment to be made from time to time for this purpose by authority of the magistrates of such city, burgh, or town, in the manner therein prescribed, and where the occasion of expence shall arise in any landward parish (or in the landward part of any parish containing any burgh, or part of a burgh), the same shall be levied by a special assessment, to be from time to time made by the heritors, or their special mandatories, of such parish, or landward part of a parish, upon the owners and occupants of the lands, houses, and other heritages within the said parish, or landward part of a parish, in the manner therein set forth:

And whereas the said disease hath extended to

many parts of Great Britain, and other parts thereof may be affected by the same:

And whereas by an Order, made on the tenth day of March last past, by the Lords of the Privy Council, it was, amongst other things, ordered and directed, that the burgh magistrates, and commissioners of police in all cities, burghs, and towns having local establishments of police, and the burgh magistrates, together with the members of the Kirk sessions and resident householders, occupying houses rated to the house duty at twelve pounds or upwards of yearly value in all other burghs, and the resident heritors and agents for non-resident heritors, together with the tenants paying fifty pounds or upwards of yearly rent, and the members of the Kirk session of every landward parish, or landward part of a parish, in Scotland, should be permitted and suffered where they thought fit so to do, to invest and instruct their respective Boards of Health, constituted by an Order of the Privy Council, for cities, towns, districts, or divisions of Scotland, with authority and powers to carry into effect the purposes of the Act before recited, and the measures of precaution in the said Order described:

And whereas for the prevention of the spread of the said disease, and for the relief of persons suffering under the same, and for the encouragement and promotion of the safe and speedy interment of persons dying of the said disease, the Lords and others of His Majesty's Privy Council (of whom the Lord President of the Council is one), do deem it expedient and necessary, that further powers should be granted to all Boards of Health properly constituted by an Order of the Lords in Council, and that certain nuisances and offensive and dangerous matters, having a tendency to promote infection, and which are likely to be prejudicial to the public health, should be abated and removed:

It is therefore ordered by the Lords and others of His Majesty's Privy Council (of whom the Lord President of the Council is one), in pursuance and exercise of the powers vested in them by the before recited Act, and of all other powers enabling them in that behalf, that every Board of Health which now is, or hereafter shall be, constituted, by virtue of any Order or Orders of His Majesty's Privy Council, certified under the hand of one of the Clerks in Ordinary of the Privy Council, shall and may, by their chairman or secretary, apply to the acting chief magistrate of any burgh, or the minister or any three of the resident heritors of any parish for which such Boards of Health are appointed, to

convene a meeting of the different persons above enumerated, in such burghs or parishes as the case may be, which said meetings the proper officers shall accordingly summon and convene, after three days' full notice of the time and place of holding the same; and at such meetings respectively, every such Board of Health shall and may submit to such meeting, proposals for their permission and consent that such Board of Health should be invested with all or any of the powers following (to wit); that such Boards should be enabled to expend and lay out a certain sum of money, of a fixed and declared amount (of the intended application and disposal of which money, a plan and estimate shall be at the same time submitted or tendered to the said meeting), for the purposes of furnishing medicines and medical assistance, nurses, and other necessary attendants, to the sick poor at their own habitations, in all those cases where persons afflicted with the said disease cannot be conveniently removed to cholera hospitals; and further, of supplying medicines at different dispensary stations; together with the necessary incidental expences of every such Board of Health; also for the purpose of cleansing and whitewashing any house or habitation in which there exist dangerous impurities, and of removing, taking, and carrying away any corrupt, offensive, and dangerous matter within, or contiguous to, any house or habitation; also to effect the removal of any offal or filth from any slaughter-house in any city, town, or populous district; also to engage medical inspectors to visit and report upon the sanitary state of health of all lodging-houses kept for the reception of vagrants; also for the purposes of opening and scouring any such drains or watercourses, and of closing and covering any such open drains, ditches, and cess-pools, as, being likely to be prejudicial to the public health, such parishes may be willing and desirous of undertaking to cleanse or cover, themselves defraying the expences thereof out of the parish funds: also to purchase, inclose, and fence lands for burying grounds and cemeteries; also to pay the funeral expences of persons dying of the said disease: and if such meetings in burghs or parishes shall consent and agree, by a majority of the votes of the members or inhabitants then present, taken in the usual and ordinary manner of voting at such meetings, that it is salutary and expedient to confer all or any of such authority and powers upon the Board of Health appointed for such parish or place, that it shall and may be.

lawful for such Boards of Health, and they are hereby invested with authority and power, under and by virtue of this Order of the Lords of the Privy Council (of whom the Lord President of the Council is one), to execute every one of such respective powers as shall be so conferred upon them as aforesaid (to wit); upon receiving a certificate in writing, signed by two medical practitioners, of the existence of any offensive impurities, dangerous to the public health, within any house, or within twenty yards of any house or habitation, by themselves, their servants, or others of the King's subjects, to enter any dwelling-house, hut, or cabin in any street, lane, court, alley, gateway, passage, or place in any city, town, division, or district, and at some seasonable time (regard being always had to the convenience of the inmates thereof), to wash, scour, cleanse, whitewash, and fumigate the same, and to empty and clean out the cellars thereof, and to clear, cleanse, and purify all the sink-holes and drains thereof, and also to remove all swine out of any dwelling-house, hut, or cabin to any adjoining hog-stye, when and so soon as such sufficient styes shall have been provided for the reception of the same at the expence of the parish: and with power to enter upon the lands or grounds of any person or persons, bodies politic, corporate, or collegiate, and to remove, take and carry away all decayed fruits, vegetables, and garden-stuff, all putrid fish, and any other corrupt or offensive and dangerous matter or thing, placed, deposited, or kept within twenty yards of any house or habitation; also to give notice to the owner or occupier of any slaughter-house in any city, town, or populous district, to remove, take and carry away any refuse, offal, garbage, filth, or sweepings of such slaughter house, and to effectually wash and cleanse the same; and if such filth shall not be removed, or shall not be commenced or set about to be removed, within one hour after such notice, then with full power and authority to enter every such slaughter-house and to remove, take and carry away all such offal, and all other rubbish and filth whatsoever: also with authority to appoint one or more such medical inspectors as aforesaid, to visit all lodging-houses used and kept for the reception of tramps and vagrants, once daily, at some seasonable hour, and to inquire into and report upon the condition of the same, and the state of health of the persons congregated therein, and the number of persons who have died of the said disease; and all such medical inspectors, so appointed as aforesaid, are hereby authorised and empowered to enter every such house

for the purposes aforesaid, at the time and in the manner hereinbefore mentioned: and with further powers for the said Boards of Health to open, cleanse, and scour any such drains, ditches, water-courses, soughs, gutters, and cesspools, and to close and cover any such open drains, ditches, and cesspools, as a majority of the said meetings in burghs and vestries shall agree to be offensive and dangerous, and to require such cleansing or covering respectively, and to have the consent of such meeting, or of a majority thereof, to the undertaking and engaging to cleanse and cover the same at the parish expence; the entire expence of the opening and cleansing, or of the closing and covering, of any such drain, ditch, or pool respectively, in no case exceeding fifty pounds for the complete accomplishment of the same; provided always, that nothing in this Order contained shall be taken or held to extend to any drains, ditches, watercourses, soughs, gutters, and cesspools, being within the jurisdiction of the Commissioners of sewers; or of trustees, or others having authority over the making or management of sewers; provided also, that the owner of the soil shall in every such case agree and consent to the scouring and cleansing, or closing and covering of the same: and with full permission and authority for every such Board of Health to purchase, inclose, and fence suitable lands for burial-grounds and cemeteries, to be used by all parishes in any city or town which shall agree to contribute a rateable proportion to the providing of such burying-grounds for cholera patients; provided always, that no lands used for any such interment shall be afterwards applied to any profane use, for the space of ten-years then next ensuing: and when and so soon as any such Boards of Health, so authorised and empowered as aforesaid, shall have procured any such burying-grounds, without the walls, limits, or bounds of any city or town; but within a reasonable and convenient distance of the same, and shall have made all the necessary provisions and arrangements for the interment of bodies therein, then in every such case the Lords of His Majesty's Most Honourable Privy Council (of whom the Lord President of the Council is one), do hereby strictly forbid, prohibit, and interdict the interment of any person whomsoever, certified by a medical practitioner, to have died of the said disease of spasmodic, or Indian cholera, within the said city, in any church, church-yard, chapel, chapel-yard, cemetery, vault, burying-ground, or other place whatever used for the reception of dead bodies within the walls, limits, and

bounds thereof, unless for any good and sufficient reasons which shall be made to appear to the satisfaction of the said Board of Health, such Board shall determine that the regulation can be safely dispensed with in any particular excepted case, when it is further directed that the express grounds of such particular exception shall be truly and at length stated and entered in the minutes of the proceedings of such Board of Health, and a copy of such entry shall forthwith be transmitted to the Clerk in Ordinary of the Privy Council, for the information of their Lordships; and the Lords of the Privy Council do further command and order that the interment of all persons certified by any medical practitioner to have died of the said disease of spasmodic, or Indian cholera, shall take place within the space of twenty-four hours from the time of the death of every such person, and all the relations and nearest friends of every person so dying, and all other His Majesty's subjects having controul over the disposal of the respective bodies, are hereby strongly enjoined, ordered, and directed to enforce the performance of this provision, under the pain of incurring the penalties denounced in the before recited Act, against all persons guilty of disobedience to the Orders of their Lordships in Council: and every such Board of Health is hereby empowered and allowed to discharge the funeral expences of all persons dying of the said disease within the jurisdiction of the said Board, whose relations or friends shall procure the interment of the body within the before limited time of twenty-four hours after the decease of such persons, and according to the directions of the said Board of Health; also with full power and authority for every such Board of Health to burn and destroy, or cause to be burnt and destroyed, such clothes, bedding, or any other articles belonging to, or used by the deceased, in his or her lifetime as the said Board shall deem necessary to be destroyed, paying the value thereof to their legal representatives, to be charged upon the poors' rate of the parish in which such person died: but if such meetings in burghs or parish shall not agree and determine by a majority of the votes of the members then present, taken in the usual and ordinary manner of voting at such meetings, that it is

salutary and expedient to confer all or any of such powers upon the Boards of Health appointed for such parishes or places respectively, or if such owners of the soil as aforesaid shall not consent to the opening and scouring, or the closing and covering of drains and ditches, and pools, at the expence of the parish as aforesaid, then it is ordered and enjoined that no such authority or powers, and no part of such powers as shall be refused or withheld by such vestries, shall be claimed or exercised by any Board of Health in any parish or place, except when such, or any other authority and powers shall, upon due consideration of the premises, be conferred and given to any such Boards of Health by any Order or Orders to be made by the Lords and others of His Majesty's Most Honourable Privy Council, certified under the hand of one of the Clerks in Ordinary of the Privy Council:

And for defraying all and every the expences which may be necessarily incurred in carrying into effect this Order of the Lords of the Privy Council, it shall be lawful for all such Boards of Health, so constituted and empowered as aforesaid, and they are hereby authorised and directed, to make application, by their chairman or secretary, to the magistrates of the burgh, or any four of the principal heritors of the parish, to contribute and advance such sum as may be necessary, either out of the assessments by the said last-mentioned Act authorised and directed, or in the event of such assessments not then being realized, on the credit of such assessments; and all police and peace officers, all constables and headboroughs, and all others His Majesty's subjects, are hereby required to be aiding and assisting in the execution of this Order:

And the Lords and others of His Majesty's Privy Council of whom the Lord President of the Council is one) do hereby declare, that for all acts, deeds, matters, and things, which may be necessarily and properly done by any such burgh magistrates and commissioners of police, Boards of Health, members of Kirk sessions, heritors, inspectors, peace officers, constables, headboroughs, and others of His Majesty's subjects, in execution and furtherance of this present Order, this Order shall be their full and sufficient warrant.

C. C. Greyille.