



ANNO SECUNDO & TERTIO

GULIELMI IV. REGIS.

Cap. ciii.

An Act for uniting the Funds of the North and South Charitable Infirmaries of the City of *Cork*, and for establishing in lieu of such Infirmaries One General Hospital for the said City.

[4th July 1832.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for establishing an Infirmary in the City of Cork, and to vest the House called the Infirmary House, and the back Yard thereunto belonging, which is built at the East End of the Churchyard of Saint Mary Shandon otherwise Saint Ann's in the Liberties of the City of Cork, in certain Trustees for ever, and to give such Trustees such Powers as may be necessary to promote and execute the Purposes of an Infirmary in the City of Cork, and for uniting several small Parishes in the Suburbs of the said City, a certain House and Lot of Ground in such Act mentioned were vested in certain Persons therein named, who were thereby appointed a Body Corporate under the Name of "The Trustees for the Infirmary in the Parish of Saint Mary Shandon, otherwise Saint Ann in the City of Cork,"* and an Infirmary or Hospital called the North Infirmary of the said City was erected according to the Provisions of such Act upon such Ground: And whereas by another Act passed in the Eleventh and Twelfth Years

[Local.] 26 H of 25 G.2. (1.)

of the Reign of His late Majesty King *George* the Third, intituled
 11 & 12 G. 3. (1.) *An Act for establishing an Infirmary in the South Suburbs of the City of Cork, and to vest an House and front Lot of Ground in the South Suburbs of the said City (or any other House or Grounds that may be taken) in certain Trustees for ever, and to give such Trustees such Power as may be necessary to promote and execute the Purposes of an Infirmary in the South Suburbs of the City of Cork,* another Lot of Ground on which there had been erected another Infirmary or Hospital called the South Infirmary of the said City was vested in certain Persons in such Act named, who were thereby appointed a Body Corporate under the Name of “The Trustees for the South Charitable Infirmary of the City of *Cork*.” And whereas in and by an Act passed in the Parliament of *Ireland* in the Fifth Year of the Reign of His late Majesty King *George* the Third, intituled
 5 G. 3. (1.) *An Act for erecting and establishing Public Infirmaries or Hospitals in this Kingdom,* it was enacted, that the Grand Jury of each County should at every Summer Assizes present a Sum not exceeding One hundred Pounds nor less than Fifty Pounds to be raised upon each County at large, and paid to the Treasurer of each respective County Infirmary or Hospital, and applied by the Governors and Governesses of such respective Infirmaries or Hospitals as thereby directed: And whereas by the said last-mentioned Act it was also enacted, that the Grand Jury of the County of the City of *Cork*, at every Summer Assizes, should have Power to present a Sum not exceeding One hundred Pounds nor less than Fifty Pounds to be raised on the County of the said City; and paid to the Treasurers of the Infirmaries herein-before mentioned, (to wit,) a Sum not exceeding Fifty Pounds to the Treasurer of the said North Infirmary, and a Sum not exceeding Fifty Pounds to the Treasurer of the said South Infirmary, on their respective Drafts or Receipts, which Drafts or Receipts should be allowed as Vouchers to the Treasurer of the County of the said City in the passing of his Accounts: And whereas in and by an Act passed in the Forty-fifth Year of His late Majesty King *George* the Third, intituled
 45 G. 3. c. 111. *An Act to amend and render more effectual an Act made in the Parliament of Ireland in the Fifth Year of His present Majesty, entitled ‘An Act for erecting and establishing Public Infirmaries or Hospitals in this Kingdom,’* it was enacted, that it should be lawful for the Grand Jury of each and every County in *Ireland* to present, to be raised on the County at large, the Sum of Five hundred Pounds in the Year, over and above and exclusive of the Sum which they might be empowered to present by the said recited Act, to be paid to the Corporation therein called “The Governors and Governesses of the County Infirmary or Hospital,” and applied by the said Corporation towards the Support or Maintenance of such the County Infirmary or Hospital in such County: And whereas by an Act passed in the Forty-ninth Year of the Reign
 49 G. 3. c. 36. of His late Majesty King *George* the Third, intituled *An Act to amend an Act made in the Forty-fifth Year of His present Majesty, for amending and rendering more effectual an Act of the Parliament of Ireland for erecting and establishing Public Infirmaries or Hospitals,* it was enacted, by the said Act of the Forty-fifth Year of His said Majesty, and the several Provisions therein contained relating to presenting and raising any Sum not exceeding Five hundred Pounds

in all Counties in *Ireland*; should extend to all Counties of Cities and Counties of Towns in *Ireland*, for the erecting, establishing, supporting, and maintaining of any Public Infirmaries or Hospitals wherein any special Provisions had been made by any Act or Acts in force in *Ireland*, and that a Sum not exceeding the Sum of Five hundred Pounds should be accordingly presented and raised in such Counties of Cities and Counties of Towns under the said recited Act of the Forty-fifth Year and of that Act; and it was by the said last-mentioned Act provided, that whenever it should happen that in any such County of a City or County of a Town in *Ireland* there should be Two or more Infirmaries or Hospitals entitled to the Benefits of the said recited Act, all and every such Sum of Money, not exceeding in the whole the Sum of Five hundred Pounds, as should be so presented and raised under and by virtue of the said recited Act of the Forty-fifth Year and that Act, should be equally divided between and applied among such several Infirmaries or Hospitals in such County of a City or County of a Town, and should be paid over by the Treasurer of such County of a City or County of a Town to the several and respective Treasurers of the said respective Infirmaries or Hospitals in equal Shares and Proportions: And whereas the Trustees of the said Infirmaries so established in the City of *Cork* have found that the Support thereof as separate Establishments has occasioned considerable Expence, and that it will be beneficial to unite the Funds thereof, and apply the same towards the Erection, Maintenance, and Support of a General Hospital for the said City of *Cork* and the County of the City of *Cork*: And whereas a large Sum has been subscribed by the *Sampayo* Family and other benevolent Individuals for the Establishment of such General Hospital: May it therefore please Your Majesty that it may be enacted; and be it 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 for the Purpose of erecting, providing, or procuring and establishing such General Infirmary or Hospital, and of obtaining Subscriptions and additional Donations for the same, the several Persons who from Time to Time, until the said Two present Infirmaries shall under the Provisions of this Act cease to be separate Establishments, shall be Trustees of the said Two present Infirmaries or either of them shall be and they are hereby nominated, appointed, and constituted Governors of the General Infirmary or Hospital for the County of the City of *Cork*, and they are hereby authorized and empowered, as Governors of such General Infirmary or Hospital, either to purchase, take, or hire, for such Sum or Sums of Money, or for such yearly Rent or Rents, and for such Estate or Estates, Term or Terms, as to them shall appear fit and reasonable, any Lands, Tenements, Grounds, and Premises within the City or County of the City of *Cork*, not exceeding Ten Acres, for the Purpose of erecting thereupon an Infirmary or Hospital for the said City and County of the said City, and Offices and other Buildings necessary and proper to be attached thereto, or for the Purpose of being used as a Yard or Yards to such Infirmary or Hospital, or for making convenient Ways and Passages thereto, and to

For appointing Governors, who may purchase or take at rent Ground for an Hospital, and erect thereon Buildings.

to cause to be erected or provided, upon such Ground, or upon such Part thereof as the said Governors shall appoint for such Purpose, an Infirmary or Hospital for the said City and County of the said City, with Offices, and such other Buildings, Erections, and Conveniences, of such Size, Form, Materials, and Quality, as to the said Governors shall seem fit and proper, and from Time to Time to alter or otherwise enlarge the said Infirmary or Hospital, and all Erections and Buildings belonging thereto, as to the said Governors shall seem fit and proper, and to apply, in execution of the Powers hereby given, the said Sum already subscribed as aforesaid, and such other Sum and Sums as may hereafter be given, granted, or subscribed for the Establishment of such General Hospital, or such Portion or Portions thereof respectively as to the said Governors shall seem fit and proper: Provided always, that no Agreement for the Purchase or taking at Rent of any Lands, Tenements, Ground, or Premises, for the Purposes of this Act, shall be valid unless the same shall be ratified and confirmed at a Meeting called for that Purpose of the Persons who shall at the Time be respectively Donors for the Support of One of the said Infirmaries, or for the Support of the said General Hospital or Infirmary, of Sums not less than Ten Guineas, and such Persons as shall have been Subscribers of the Sum of One Guinea each at the least for the Support of One of the said Infirmaries, or of the said General Infirmary or Hospital, for the Year immediately previous to the Time of the last Election of Trustees for such Hospitals respectively or Governors for such General Hospital, and whose Subscription for the current Year shall also have been paid.

Agreements for Purchase or Rent not to be valid until confirmed at a General Meeting.

On Establishment of General Hospital the recited Acts of 25 G. 2. and 12 G. 3. to be repealed.

Trustees of present Infirmarys to act until General Hospital established.

II. And be it further enacted, That when and as soon as a Building or Buildings approved of by the said Governors shall be erected or provided; and shall by them, or the Majority of them present at a Meeting called specially for the Purpose, be declared ready for the Reception of Patients, the same shall become and be the Infirmary or Hospital of the County of the City of *Cork*; and thereupon the said recited Act passed in the Twenty-fifth Year of His late Majesty King *George* the Second, and the said recited Act passed in the Eleventh and Twelfth Years of His late Majesty King *George* the Third, so far as the same respectively relate to and require the Maintenance of Two separate Infirmaries in the City of *Cork* or the Suburbs thereof, and so far as the same respectively determine or limit the Site for an Infirmary or Hospital to any particular Place or District, and also so far as they relate to the Appointment of separate Trustees for the said Infirmaries, shall be and the same are hereby repealed: Provided always, that the Trustees of the Two present Infirmaries respectively shall retain the entire and separate Controul over the Property and Management of their respective Establishments as heretofore until the said General Infirmary or Hospital shall be completed as herein mentioned, and may and they are hereby authorized and empowered, if they shall think proper so to do, appropriate for or towards the Purchase of the Site for the said General Infirmary or Hospital, or for or towards the Erection of the Buildings thereon, or for such other Purposes connected with the Completion of such intended Establishment, such Portion of the Funds

Funds of either of the said respective present Infirmaries or Hospitals as the respective Trustees thereof shall see fit, and shall from Time to Time order to be applied to such Purposes.

III. And be it further enacted, That all Bonds, Conveyances, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the said respective Trustees for executing the said recited Acts, according to the Directions and Provisions thereof, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed; and all Conveyances, Bargains, Contracts, Agreements, or Notices made, entered into, or given by the said Trustees respectively shall remain in full Force and Effect, and shall be observed and kept by the Governors under this Act according to the Terms and Stipulations thereof respectively.

Bonds, Agreements, &c. under former Act to remain good under this Act.

IV. And be it further enacted, That the Mayor, Recorder, and Sheriffs of the said City for the Time being shall from thenceforth be Governors of the said General Infirmary or Hospital; and that the several other Persons who at the Time of the opening for the Reception of Patients of the said General Hospital shall be Trustees of the said Two Infirmaries or Hospitals, or either of them, by virtue of any public Dignity, Station, or Office, shall during their respective Lives be Governors of the said General Infirmary or Hospital; and that the several Persons who shall at such Time be Trustees of the said Two Infirmaries or Hospitals or either of them, by Donation, Subscription, or Election, shall be additional Governors of such General Infirmary or Hospital, until the First *Monday* in the Month of *September* then next coming, and until the Election in manner herein-after mentioned of Twenty-one Persons from among the Donors and Subscribers to be additional Governors; and that upon the Election of such Twenty-one additional Governors the Persons who shall previously have been Governors, by Donation, Subscription, or Election, of the said Infirmaries or Hospitals respectively, shall cease to be Governors for such General Infirmary or Hospitals.

Future Governors.

V. And be it further enacted, That on the First *Monday* in the Month of *September* next after the Establishment of such General Infirmary or Hospital, and on the First *Monday* in the Month of *September* in every succeeding Year, or as soon after as conveniently may be (not exceeding Ten Days from such Day), the Persons who shall at the Time be respectively Donors for the Support of either of the said Infirmaries, or for the Support of the said General Hospital or Infirmary, of Sums not less than Ten Guineas, and such Persons as shall have been Subscribers of the Sum of One Guinea each at the least for the Support of One of the said Infirmaries, or of the said General Infirmary or Hospital, for the Year immediately previous to the Time of the last Election of Trustees for such Hospitals respectively or for such General Hospital, and whose Subscriptions for the current Year shall also have been paid, shall elect Twenty-one Persons from amongst those who shall be Donors of Ten Guineas at the least, or annual Subscribers, for the Support of the said Infirmary or Hospital, in Sums not less than One Guinea each, and

Election of additional Governors.

[*Local.*]

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whose

whose Subscriptions shall have been duly paid, to be additional Governors of the said Infirmary or Hospital until the First *Monday* in the Month of *September* then next following, and until the Election of Twenty-one Persons from among the said Donors and Subscribers to be such additional Governors for the ensuing Year.

Governors to
be a Corpo-
ration.

VI. And be it further enacted, That the Governors hereby appointed and to be hereafter appointed shall be One Body Politic and Corporate in Law to all Intents and Purposes, and shall have perpetual Succession, and shall be called "The Governors of the General Infirmary or Hospital of the County of the City of *Cork*;" and shall be enabled to plead, sue, and to be impleaded and sued by that Name; and shall and may appoint a Common Seal or Seals for the Use of the said Corporation; and that they and their Successors for ever shall and may take and receive any Lands, Tenements, or Hereditaments whatsoever, over and above the said Ten Acres of Land herein-before authorized to be purchased or taken at Rent, not exceeding the annual Value of Two thousand Pounds, and shall and may be capable of taking Gifts, Grants, Contributions, Legacies, and Benefactions to any Amount in Personal Property, in Trust for the sole Use and Benefit of the said Hospital or Infirmary, and shall have Power to employ the same for the Use of the said Hospital or Infirmary in such Manner as they shall judge proper, unless the Donor shall direct the Manner of applying such Benefactions, in which Case the Directions of the Donor shall be observed; and such Corporation or Body Politic shall and may receive all Donations and Subscriptions for the Support of the said Hospital or Infirmary, and for other Purposes connected with the Welfare and Advancement of its Concerns.

Power of
Grand Jury
to present
annually for
a Sum not
exceeding
600*l*.

VII. And be it further enacted, That from and after the Establishment in manner aforesaid of the said Infirmary or Hospital of the County of the City of *Cork* it shall and may be lawful to and for the Grand Jury of the City and County of the City of *Cork* to present annually, to be raised on the said City and County of the said City, a Sum not exceeding Six hundred Pounds; and the same, together with such Sum and Sums as shall be voluntarily subscribed and paid to the said Governors, or as they shall acquire under the Provisions of this Act, shall be paid to the Governors of the said General Infirmary or Hospital, to be applied by them towards the Erection, Improvement, Support, and Maintenance of such Infirmary or Hospital, as Occasion shall require.

Properties of
present Infir-
maries vested
in Governors
of General
Infirmary.

VIII. And be it further enacted, That all and every the Lands and Tenements, Sum and Sums of Money, Stocks, Funds, Annuities, Mortgages, Securities for Money, Rents, or other Property, Real or Personal, and all Choses in and Rights of Action either at Law or in Equity, vested in the said respective Trustees under the said former Acts or either of them, shall, immediately on the Establishment in manner aforesaid of the Infirmary or Hospital of the County of the City of *Cork*, be vested in the Governors appointed by virtue of this Act; and the Governors hereby appointed, or to be elected or appointed by virtue hereof, shall be and they are hereby enabled

to receive and take possession of the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due or had been vested in them under and by virtue of this Act; and all and every Sum and Sums of Money which now is and are or would become payable to the Governors of the said Infirmaries heretofore established, or either of them, if this Act had not been passed, shall thenceforward be paid and payable unto the Governors of the said General Infirmary or Hospital; and the Receipt and Receipts of the Treasurer of the said General Infirmary or Hospital shall be allowed as Vouchers for the Sum or Sums for which the same shall respectively be given, as fully as the Receipt or Receipts of the respective Treasurers of the said respective Infirmaries or Hospitals would have been if this Act had not been passed.

IX. And be it further enacted, That the said Governors of the said General Infirmary or Hospital shall have full Power and Authority at all Time and Times hereafter to meet and assemble themselves together, whensoever and wheresoever they may think proper, for the Purposes of their Appointment, being duly summoned by Notice in Writing, left at the usual Place of Abode of each of the said Governors, or otherwise, as shall be regulated and determined by any Bye Law or Bye Laws to be made in respect thereof as herein mentioned, and that all Powers and Authorities in them vested shall and may be exercised from Time to Time by the major Part of them who shall attend at any Meeting, the Number of the Governors present at such Meeting not being less than Five; and all Acts, Orders, and Proceedings of the major Part of such Governors present at such their several Meetings shall have the same Force and Effect as if the same were made or done by all such Governors for the Time being; and at every Meeting of the said Governors a Chairman shall and may be appointed, who shall be entitled to vote upon any Question notwithstanding his being such Chairman; and when and as often as it shall so happen that there shall be an Equality of Votes at any such Meeting upon any Question, including the Vote of the Chairman, then and in every such Case the Chairman shall have and he is hereby empowered to give the decisive or casting Vote: Provided nevertheless, that if such Chairman so appointed shall leave or quit such Meeting before the Adjournment of the same, then and in such Case the remaining Governors present at such Meeting, not being less than Five, shall and may nominate and appoint another Chairman, being a Governor present at such Meeting, by virtue of this Act, to replace the said former Chairman, and to preside at such Meeting as aforesaid during the Remainder of the Time of such Meeting until the same shall be adjourned.

Meeting of
Governors.

Five to be a
Quorum.

X. And be it further enacted, That the said Governors of the said General Infirmary or Hospital shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings, and of the Names of all such Governors as shall be present at their several Meetings; and all Entries in such Books, being signed by the Chairman of such Meeting,

Books of
Proceedings
to be kept,
and the En-
tries therein
may be made
Evidence.

Meeting, shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, and Actions touching or concerning any thing done in pursuance of the recited Acts or of this Act; and that such Books shall, at the said Meeting of the said Governors, and at all other reasonable Times, be kept open and liable to the Inspection of all and every of the said Governors, and that any of the said Governors shall and may have and take Copies thereof.

Books of Accounts under former Acts to be given in Evidence.

XI. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts respectively as aforesaid, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, Actions, and Proceedings whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Governors to make Orders for Payments of Money, and to determine the Number of Persons to be employed, and fix their Salaries.

XII. And be it further enacted, That it shall and may be lawful to and for the said Governors of the said General Infirmary or Hospital, from Time to Time, when and as often as they shall think necessary or find it expedient, at such respective Meeting or Meetings, to make Orders for the Payment of all Expenditures which they shall find and judge to be necessary for carrying into execution the Purposes of their Appointment, and to determine and appoint the Number of Physicians, Surgeons, Apothecaries, Medical Attendants, Officers, and Servants who shall be from Time to Time employed within the said Infirmary or Hospital, or in the Execution of the several Matters which may be necessary for the Maintenance thereof, and to establish such Salaries and Allowances to be paid to them respectively as to the said Governors shall seem fit and reasonable, and the same to increase and diminish from Time to Time as to them shall seem fit: Provided always, that the Persons to be elected to fill such Situations and Offices respectively shall be elected in manner herein-after appointed with reference to them respectively, and none other; and provided also, that no Appointment of any Salary above Twenty Pounds *per Annum* shall be valid until the same shall be agreed to and confirmed at the next or some other succeeding Meeting of the Persons who shall be Donors and Subscribers to the said Infirmary to the respective Amounts herein-before mentioned.

All Medical and Surgical Persons, and all Officers and Servants having Salaries above 20*l.* per Annum, to be elected by Donors and Subscribers.

XIII. And be it further enacted, That the several and respective Persons who shall be employed or engaged as Physicians, Surgeons, Apothecaries, or in any respect as Medical Attendants, to or within the said Infirmary or Hospital, whether they shall or shall not receive Salaries or other Compensation for such their Attendance, and all Officers, Servants, and other Persons employed within or for the Benefit of the said Infirmary who shall respectively receive annual Salaries amounting to upwards of Twenty Pounds, shall from Time to Time be elected, nominated, and appointed by the several Persons who shall at the Time of such respective Elections be Donors for the Support of One of the said Infirmaries, or for the Support of the said General Infirmary or Hospital, of Sums not less than Ten Guineas, and by such Persons as shall have been Subscribers of the
Sum

Sum of One Guinea each at the least for the Support of One of the said Infirmaries, or of the said General Infirmary or Hospital, for the Year immediately previous to the Time of the then last Election of Governors for such Hospitals respectively, or for such General Hospital, as the Case may be, and whose Subscriptions for the current Year shall have been paid; and that all other Person and Persons to be from Time to Time engaged or employed within the said Infirmary, or for the Execution or Performance of any Duty, Matter, or Thing connected therewith, shall from Time to Time be appointed by the said Governors: Provided always, that no Person shall vote at any Election in respect to any Office or Situation which shall have become vacant before such Person shall have been a Subscriber, and in no Case shall any Person have a Vote on any Question or Matter arising in the Execution of this Act until he shall have been a Subscriber One Month at the least: Provided always, that it shall and may be lawful to and for the said Donors and Subscribers assembled at the annual Meeting appointed for the Election of Governors to remove, if they shall think fit so to do, all or any of the Persons who shall have been previously elected by the said Donors and Subscribers to any Situation, Place, or Office in or connected with the said Infirmary or Hospital: Provided always, that all such Elections of Physicians and Surgeons respectively shall be from the Members or Licentiates of One of the Royal Colleges of Physicians or of chartered Universities, or One of the Royal Colleges of Surgeons.

All other Persons employed at the Hospital to be appointed by Governors.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Governors, from Time to Time, in case they shall deem it expedient so to do, to remove all and every or any of the several and respective Persons who shall be appointed as aforesaid, whether they shall have been appointed by the said Donors and Subscribers or by the said Governors, and the Person or Persons so from Time to Time removed by the said Governors shall not be eligible to be again elected by the said Donors and Subscribers without the Consent of the said Governors, expressed by a Resolution to that Effect entered upon the Book of their Proceedings.

Governors may remove any Person, whether elected by Subscribers or Governors.

XV. And be it further enacted, That the said Infirmary or Hospital, and all the Offices, Buildings, and Erections connected therewith or belonging thereto, and all Matters and Things which shall be purchased or provided by the said Trustees for the Purposes of this Act, shall belong to and be the Property of the said Governors.

Hospital, Offices, &c. to be Property of Governors.

XVI. And be it further enacted, That the said Governors shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Governors and every of them, and they or any of them desirous so to do may take Copies thereof or Extracts therefrom without Fee

Accounts to be kept of Receipts and Disbursements.

or Reward; and in case the said Clerk shall refuse to permit or shall not permit the said Governors or any of them to inspect the same at all seasonable Times, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Clerk and
Treasurer
not to be the
same Person.

XVII. And be it further enacted, That it shall not be lawful for the said Governors to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer or the Clerk or other Person in the Service or Employ of such Treasurer, or of his Partner, to be the Clerk to the said Governors; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or, being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under this Act other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record in *Dublin*, by Action of Debt or upon the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance, shall be allowed.

Treasurer,
&c. to give
Security.

XVIII. Provided always, and be it further enacted, That the said Governors shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act for the due and faithful Execution of his or their Office, and also may take such Security from any Collector or Receiver of Subscriptions, or any other Officer acting in the Execution of this Act.

Officers to
account and
pay over the
Balances.

XIX. And be it further enacted, That each and every Clerk, Treasurer, Collector, and other Officer who shall be appointed under or by virtue of this Act shall, from Time to Time, within Twenty-one Days after being thereunto required by Notice, signed by Two or more of the said Governors, given to him or them, or left at his or their usual Place of Abode, deliver to the said Governors, or to such Person or Persons as they for that Purpose shall appoint, a true and perfect Account in Writing under his or their Hand or respective Hands of all Monies which shall have been by him or them respectively had, collected, or received by virtue of this Act, and how and to whom and for what Purpose the same and every Part thereof

thereof hath been disposed of, together with proper Vouchers and Receipts for such Payments; and all such Officers or Persons shall and they are hereby respectively required, within Fourteen Days after so exhibiting their Accounts, or within such other further Time as the said Governors shall order or appoint, to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their or his Hands to the said Governors, or to such Person or Persons as they the said Governors shall appoint to receive the same; and if any of the said Officers or Persons shall refuse or neglect to render and give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance remaining in their or his Hands, within the Time or in manner aforesaid, if thereunto required by the said Governors, or if any such Officers or Persons shall refuse or neglect to deliver up to the said Governors, or to such Person or Persons as they or any Two or more of them shall appoint to take the same, within Fourteen Days after being thereunto required by the said Governors, all Books, Accounts, Papers, and Writings in their respective Custody or Power in anywise relating to the Execution of this Act, or to the said Infirmary or Hospital, and Complaint shall be made of any such Neglect or Refusal to any Justice of the Peace of the County or Place where the Officer or Officers, Person or Persons so neglecting or refusing shall live or reside, by the said Governors, or by any Person or Persons by them authorized on their Behalf, such Justice may and he is hereby authorized and required to summon such Officer or Officers or Person or Persons to appear before him, and in case such Officer or Officers, Person or Persons, shall not appear upon such Summons, (the same having been served upon him or them personally, or left at his or their usual Place or Places of Abode, and no reasonable Cause or Causes, to the Satisfaction of the said Justice, being shown for such Nonappearance,) to issue a Warrant or Warrants for the Apprehension of such Officer or Officers, Person or Persons; and it shall be lawful for such Justice, upon the Appearance of such Officer or Officers, Person or Persons, upon such Summons, or upon his or their being apprehended and brought before such Justice by virtue of such Warrant, or upon his or their having absconded or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in the same Manner as the Governors might have done; and if upon the Confession of the Officer or Officers or Person or Persons against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been so had, collected, and received shall be in the Hands of such Officer or Officers or Person or Persons, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers or Person and Persons respectively; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Money and the Charges of levying the same, or if such Officer or Officers or Person or Persons, appearing or being brought before the said Justice in manner aforesaid, shall
 refuse

Proceedings
in case of
Default.

refuse or neglect to give up and deliver to such Justice an Account or Accounts of the Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act or to the said Infirmary or Hospital, then and in any of the Cases aforesaid such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Officers or Person or Persons to the Common Gaol of the County or Place where he or they shall live or reside, or to any House of Correction within the same, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his and their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress and Sale as shall have been made by virtue of this Act in respect thereof, or until he or they shall have compounded with the said Governors for the same, and paid the Composition Money to the said Governors, or to such Person or Persons as they shall appoint to receive the same, (and which Composition the said Governors are hereby empowered to make and receive,) or until he or they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or having given Satisfaction in respect thereof to the said Governors or to such Justice; but no such Officer or other Person who shall be committed for Want of sufficient Distress only shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months.

Auditors
shall be ap-
pointed at
annual
Meeting of
Subscribers.

XX. And be it further enacted, That the Donors and Subscribers to the said General Infirmary or Hospital who shall be entitled to vote on the Election of Governors shall, at every annual Meeting convened for the Purpose of electing Governors, nominate and appoint Three Persons, who shall be Auditors of the Accounts of the said Infirmary or Hospital for the Year then past; and the said Auditors shall thereupon proceed in the Examination and auditing of such Accounts, and shall, within Two Calendar Months after the Time of such their Appointment, make out a full and true Abstract or general Statement of the Receipts and Disbursements of the said Governors during the then preceding Year; which Abstract or general Statement shall be signed by the said Auditors, and shall afterwards be printed at the Expence of the said Governors, and distributed in such Manner as they shall direct, the Charges and Expences whereof the said Governors are hereby authorized and directed to pay out of the Monies to be from Time to Time received under and by virtue of this Act.

Governors
may call a
General
Meeting of
Subscribers.

XXI. And be it further enacted, That it shall and may be lawful to and for the Governors of the said Infirmary or Hospital from Time to Time, as often as they shall see Occasion so to do, to call a General Meeting of the Persons who shall be Donors of Ten Guineas each at the least and annual Subscribers to the Amount of One Guinea each at the least for the Support of One of the said Infirmaries, or of the said General Infirmary or Hospital, for the Year
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immediately previous to the Time of the then last Election of Governors for such Infirmaries respectively, or for such General Infirmary or Hospital, and whose Subscriptions for the then present Year shall have been paid; and all such Meetings shall be convened by Notice given in One or more Newspaper or Newspapers published in the City of *Cork*, mentioning the Time and Place and Purpose of such Meeting, the Time of such Meeting not being less than Six Days after Publication of such Notice.

XXII. And be it further enacted, That if at any Time or Times hereafter Twenty-one or more of the Persons who shall be Donors or Subscribers for the Support of the said Infirmaries or Hospitals, Infirmary or Hospital, as herein-before last mentioned, shall deem it necessary or expedient to call a Special Meeting of the said Donors and Subscribers, and shall sign a Requisition in Writing to the said Governors for that Purpose specifying the Object of such Meeting, and shall deliver or cause to be delivered to some or One of the Governors, or to the Clerk of the said Governors, or left for the said Governors at the Office of the said Governors, it shall be lawful for the said Governors, and they are herein required, to call a Special Meeting of such Donors and Subscribers as aforesaid; and in case the said Governors shall refuse or neglect for the Space of Fourteen Days to comply with such Requisition, then and in such Case it shall be lawful for the Donors and Subscribers who shall have signed the same Requisition to call a Special Meeting of the said Donors and Subscribers by Advertisement in One or more of the Newspapers published in the said City of *Cork*, specifying the Place and the Time (not being less than Six Days after such Notice) at which such Meeting is to be held, and also specifying the Reasons for calling such Special Meeting, and the Matters to be considered.

Subscribers may require Governors to call a General Meeting.

If Governors refuse to call a Meeting, the Requisitionists may do so.

XXIII. And be it further enacted, That at all General Meetings of the said Donors and Subscribers such One of the Governors as shall be chosen for that Purpose at such Meeting or Meetings respectively, or, in the Absence of all the Governors, such Donor or Subscriber, not being a Governor, as shall be chosen at such Meeting or Meetings respectively, shall be Chairman at such Meeting or Meetings respectively; and that all such Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and the Chairman of such Meeting shall be entitled to vote, and in case the Number of Votes upon any Question, including the Chairman's Vote, shall be equal, the Chairman shall also have a casting Vote; and in all such Cases the Act or Opinion of the said Donors and Subscribers then present shall be conclusive and binding upon all the rest of the said Donors and Subscribers.

General Meetings.

XXIV. And be it further enacted, That the said Governors may and they are hereby authorized and empowered, from Time to Time, to contract with any Person or Persons for doing or performing all or any of the Works hereby authorized or directed to be done or performed, in such Manner, and under such Penalties for the due Performance of such Contracts, as the said Governors shall think fit; and every such Contract shall be good, valid, and binding, as well

Governors may contract for Execution of Works.

[*Local.*]

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upon

upon the said Governors as upon the other Party or Parties thereto; and in case any Person or Persons who shall enter into any Contract or Contracts with the said Governors shall at any Time be guilty of any Breach or Nonperformance thereof, or of any Stipulation or Agreement therein, it shall and may be lawful to and for the said Governors, in case they shall deem it proper and expedient so to do, to declare such Contract or Contracts to be null and void, and the same shall thereupon be null and void accordingly; or it shall and may be lawful to and for the said Governors to compound for such Sum or Sums of Money with the Person or Persons who shall have so entered into such Contract or Contracts for such Breach or Nonperformance of such Contract or Contracts, and for all Costs, Charges, and Expences which shall be occasioned thereby, as to them the said Governors shall appear proper and expedient; or it shall and may be lawful to and for the said Governors to sue for and recover the full Penalty and Penalties contained and expressed in any such Contract or Contracts, or in any Bond or Bonds given and executed for the due Performance of such Contract or Contracts, by Action of Debt or on the Case, in any of His Majesty's Courts of Record in *Dublin*, in which Action or Actions no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Property may
be funded.

XXV. And be it further enacted, That it shall and may be lawful to and for the Treasurer for the Time being of the said Governors, and he is hereby authorized, from Time to Time, by and with the Consent and Approbation of the said Governors, to lay out and invest in any of the Public Funds, in the Name or Style of the said Governors, all or any such Sum or Sums of Money as have or hath been paid, given, devised, or bequeathed, or shall at any Time or Times hereafter be paid, given, devised, or bequeathed, by any charitable or well-disposed Person or Persons, to and for the Support of the said General Infirmary or Hospital or any Part thereof, other than and except such and so much thereof as the Exigencies of the said Establishment shall call for the immediate Application or Expenditure of.

Old Sites or
the Buildings
thereon may
be let or sold.

XXVI. And be it further enacted, That it shall and may be lawful to and for the said Governors of the said General Infirmary or Hospital for the Time being, if they in their Discretion shall think proper so to do, to demise, set, or lease for any Term or Terms consistent with their Interest therein, and at such Rent or Rents as they can best obtain for the same, with or without Fine, as may be most advantageous, provided that such Fine shall be *bonâ fide* expressed in such Lease; or, if they shall deem it advisable so to do, to make sale and absolutely dispose of all or any Part or Parts of the Buildings belonging to any or either of the said Two Infirmaries or Hospitals heretofore established as aforesaid, and of the Site or Sites thereof, and the Ground thereunto belonging, subject nevertheless to such Incumbrances as may affect the same Premises respectively, and in One Lot or in several Lots, and either by public Auction or private Contract, or partly by public Auction and partly by private Contract, for the best Price or Prices that at the Time of such Sale or Sales can or may be obtained for the same; and by Indenture or Inden-

tures under their Common Seal to demise, set, or lease, or to grant and convey the same by way of absolute Sale in Fee Simple, or for such Estate and Interest as they the said Governors shall have therein, to the Person or Persons who shall agree to become the Lessee or Lessees, Purchaser or Purchasers thereof, and his, her, and their Heirs, Executors, Administrators, or Assigns, or as he, she, or they shall direct or appoint: Provided always, that nothing in this Act contained shall be construed to give to the said Trustees of the said General Infirmary or Hospital for the Time being a greater or better Estate in the said Messuages or Tenements, Lands, and Hereditaments, or any of them, than was vested in the Trustees of the Infirmary or Hospital to which the same belonged immediately before the passing of this Act.

XXVII. And be it further enacted, That the Monies and Rents to arise and be produced upon the demising or by the Sale of any of the said Messuages, Lands, Tenements, Buildings, and Hereditaments which shall be sold under the Provisions of this Act shall be paid, by the respective Lessees or Purchaser or Purchasers thereof, into the Hands of the Governors for the Time being of the said General Infirmary or their Treasurer, or to such other Person or Persons as the said Governors for the Time being shall nominate and appoint to receive the same, to be applied and disposed of for or towards the Erection, Improvement, Maintenance, or Support of the General Infirmary, or Hospital in such Manner as the said Governors shall think fit; and that the Receipt or Receipts of the said Governors for the Time being of the said General Infirmary or Hospital, or their Treasurer, or such other Person so appointed to receive same, for any Purchase Monies or other Sum or Sums of Money payable unto them by virtue of this Act, shall be a sufficient and effectual Discharge or sufficient and effectual Discharges for the Money in such Receipt or Receipts expressed or acknowledged to be or to have been received, and that the Lessees, or Purchaser or Purchasers, or Person or Persons passing the same, and to whom such Receipt or Receipts shall have been given, shall not afterwards be answerable or accountable for the Application of such Monies or Rents.

Rents of old Sites, or Produce of Sale, to be placed to Credit of General Infirmary.

XXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

