

## C A P . C L X X .

An Act to restrain the injurious practice of inoculating with the Small Pox.

[Assented to 14th June, 1853.]

**W**HEREAS it is highly expedient to restrain the injurious practice of inoculating with the natural Small Pox, (*variola*): Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That any person who shall produce or attempt to produce, by inoculation with variolous matter, or by wilful exposure to variolous matter, or to any matter, article or thing impregnated with variolous matter, or wilfully by any other means whatsoever, the disease of Small Pox in any person in this Province, shall be liable to be proceeded against and convicted summarily before any two Justices, and for every such offense shall upon conviction be imprisoned for any term not exceeding one month.

Preamble.

Penalty for inoculating with the small Pox.

II. And be it enacted, That if any person licensed to practise Physic, Surgery or Midwifery in this Province or in any part thereof be convicted of an offence against the provisions of this Act, the license of such person in that behalf shall thereby become null and void and of no effect, and such person shall from and after the date of such conviction be liable to the same penalty in the event of his practising Physic, Surgery or Midwifery in Lower Canada or in Upper Canada respectively, as he would have been liable to for so doing if he had never been licensed to practise the same: Provided always, that it shall be lawful for the Governor General, on the Certificate of the Medical Board in Upper Canada, or for the Provincial Medical Board in Lower Canada, at any time after the expiration of the term of imprisonment of any such person so convicted as aforesaid, again to license such person to practise Physic, Surgery and Midwifery as aforesaid, and thereupon and thereafter such person shall no longer be liable to any fine or penalty for so doing.

License of offender to become void.

Proviso: License may be again granted.