

This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, }  
Sydney, 15 July, 1881. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUADRAGESIMO QUINTO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

An Act to incorporate the Sydney Infirmery and Dispensary.

**W**HEREAS a Society or Institution was in the year one thousand <sup>Preamble.</sup>  
eight hundred and twenty-six established known as the  
"Sydney Dispensary" having for its object to afford medical and  
surgical relief to poor and destitute persons and others requiring such  
5 aid And whereas by the Act of Council seventh Victoria number  
twenty-three the members of the said Sydney Dispensary were enabled  
to sue and be sued in the name of their Treasurer for the time being  
and in the same name to acquire and hold land by purchase or lease  
and provision was also made in case the said Society should establish  
10 a General Hospital that the said Act should be applicable to such  
Hospital as well as to the said Dispensary And whereas the Hospital  
so contemplated was established in the year eighteen hundred and  
forty-six and the Society thereupon became and has since been desig-  
nated and known as the "Sydney Infirmery and Dispensary" and has  
15 under such designation continued to occupy the lands buildings and  
premises in Macquarie-street originally occupied by the said Sydney  
Dispensary and a grant thereof has been issued to the said Society upon  
certain trusts in favour of the said Infirmery and Dispensary and subject  
to certain conditions qualifications and provisions as therein expressed  
20 And whereas the moneys now possessed by or held in trust for the said

*Sydney Hospital.*

Sydney Infirmary and Dispensary have been given bequeathed or subscribed by persons of various religious denominations and it is therefore deemed expedient that the said Institution shall be entirely unsectarian in character And whereas it is expedient for the purpose of more effectually  
 5 carrying out the purposes for which such moneys are held viz. the erection of a suitable building or buildings the maintenance thereof and to ensure the good government and management thereof that the subscribers for the time being to the erection and support of the said Hospital should be incorporated with and subject to the powers  
 10 privileges conditions and provisions hereinafter expressed and that the land comprised in the grant hereinbefore referred to should be vested and held in manner hereinafter mentioned And whereas attendance by medical students in the Sydney Infirmary and Dispensary is recognized by the British Medical Schools as a valid attendance for  
 15 the purpose of obtaining a degree or diploma in medicine or surgery in Great Britain and it is expedient to make provision for facilitating and regulating such attendance Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in  
 20 Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the "Sydney Hospital Act of Title of Act.  
 1881."

2. From and after the passing of this Act the Act seventh Repeal of 7 Vic. No. 23.  
 Victoria number twenty-three intituled "*An Act to enable the*  
 25 *Members of a certain Institution in the Colony of New South Wales*  
*denominated 'The Sydney Dispensary' to sue and be sued in the name*  
*of the Treasurer for the time being and for other purposes therein*  
*mentioned*" shall be repealed but without prejudice to anything  
 lawfully done or commenced thereunder.

30 3. All persons who at the time of the passing of this Act shall Subscribers to Institution to be a corporation.  
 be entitled to vote at the meetings of the Sydney Infirmary and Dispensary And all persons who shall hereafter contribute to the support of the Sydney Hospital a sum of not less than one pound annually so long as they continue so to contribute And all persons who shall  
 35 contribute to the building fund of the Hospital or the general support of the Institution a sum of not less than fifty pounds in one sum shall be a body corporate by the name of the Sydney Hospital and shall have perpetual succession and a common seal and under that name may sue and be sued prosecute and defend and take all other proceedings  
 40 in all Courts civil and criminal within the said Colony.

4. All real and personal estate now or hereafter vested in and All trust property vested in body corporate.  
 held by any person or persons in trust for the said Sydney Dispensary or Sydney Infirmary and Dispensary are and shall be hereby transferred to and vested in the said body corporate subject to any trusts  
 45 affecting the same.

5. It shall be lawful for the said body corporate to take Power to hold and deal with lands.  
 purchase hold and enjoy not only such lands buildings and hereditaments as may from time to time be required for the purposes of the Institution but also any other lands and hereditaments whatsoever or  
 50 wheresoever situate and also to take purchase receive hold and enjoy any chattels and personal property and also to sell grant convey demise or otherwise dispose of either absolutely or by way of mortgage any of the property real or personal belonging to the said body corporate Provided that it shall not be lawful for the said body corporate  
 55 so to sell grant convey demise or dispose of the said land so as aforesaid granted by the Crown or any part thereof or any land which may at any time hereafter be granted to the said body corporate by the Crown by way of free gift unless with the approval of the Governor and Executive Council to be testified by writing under  
 the

*Sydney Hospital.*

the hand of the Governor countersigned by the Colonial Secretary for the time being except by way of lease for any term not exceeding twenty-one years from the time of the granting of any such lease in and by which there shall be reserved and made payable during the  
5 whole of the term to be thereby granted the best yearly rent that can be reasonably gotten for such land without any fine or premium.

6. The Institution and the property of the said body corporate shall be governed managed and disposed of by the Board of Directors of the Institution for the time being subject to the by-laws for the time  
10 being of the said Institution and six Directors shall form a quorum of such Board for the doing any act or performing or transacting any business which may under the provisions of this Act or the by-laws of the said body corporate be done performed or transacted by such Board.

7. The Board shall for all purposes connected with the said  
15 Institution be the representatives of the said body corporate and shall consist of a President two Vice-Presidents a Treasurer and twenty Directors together with two representative Directors to be annually elected by the Honorary Medical and Surgical Officers of the said Institution respectively And of the twenty Directors  
20 aforesaid eight shall be nominated by the Governor with the advice of the Executive Council and shall hold office during the pleasure of the said Governor and Council Provided always that when and so often as any person appointed by the Governor as aforesaid ceases to be a Director some other person shall be appointed in the manner aforesaid.

8. The President Vice-Presidents and Treasurer shall be elected  
25 annually at a meeting of the subscribers to be held in the month of January or February and of the sixteen Directors to be elected by the subscribers at the annual meeting aforesaid four shall retire annually the retiring Directors being those whose attendance at the meetings of the  
30 Board shall have been the least numerous And where any doubt shall exist as to who shall be the Directors to retire under this provision the Board shall determine this matter by lot and the retiring Directors shall be eligible for re-election.

9. The first Board shall be the President Vice-Presidents Treasurer  
35 and Directors to be elected at a general meeting of the subscribers to be held within two months after passing of the Act and until such election shall have taken place the Board of Directors of the Sydney Infirmery and Dispensary shall continue to manage the said Hospital.

10. Subject to the provisions of this Act it shall be lawful for  
40 the Board to make repeal and alter by-laws for regulating the times and mode of meetings and of transacting business for fixing the number of votes of contributors in proportion to the amount of their contributions for determining the qualification disqualification change retirement election and appointment of Directors medical officers  
45 auditors executive and other officers and nursing staff and sub-committees of the Institution and generally for the support management and government of the Institution and of all officers servants and patients thereof And such by-laws shall on approval by the Governor with the advice aforesaid and upon publication in the *Gazette*  
50 have the full force of law and shall be laid before Parliament within fourteen days after such approval if Parliament be then sitting and if not then within fourteen days after the commencement of the next ensuing Session thereof Provided nevertheless that the rules and by-laws of the Sydney Infirmery and Dispensary in force at the time  
55 of the passing of this Act shall continue in force so far as the same shall be applicable until new by-laws shall have been made under the authority of this Act in place thereof.

11. A copy of the *Gazette* containing any such by-laws pur-  
porting to be certified by the Secretary for the time being of the  
Institution

Institution and property to be managed by Directors.

Board of Directors.

Election of President Vice-Presidents and Treasurer.

First Board of Directors.

Power to make by-laws.

Evidence of copy of by-laws.

*Sydney Hospital.*

Institution as being correct shall be received in any Court as conclusive evidence of such by-laws having been duly made in pursuance of the provisions of this Act.

12. It shall be lawful for the Board from time to time to invest any funds of the said body corporate which are not in the opinion of such Board required to defray the current expenses of the Institution and any moneys given or bequeathed to or arising from any donation of real or personal property to the Institution at the discretion of such Board in any Government funds or debentures of any Australian Colony or in any debentures or debenture stock of any Municipal Corporation in the said Colonies or of any Bank or incorporated company carrying on business there in or by way of purchase of or mortgage upon any freehold estate there as well as in Bank or deposit receipts for fixed periods or otherwise with power from time to time and at any time to vary and transfer any such investment for or into any other investment authorized by this Act Provided always that it shall be lawful for the said Board in their absolute discretion at any time to resort to any such investments and to sell the same for the purpose of applying the moneys to arise from such sale for the purposes of the Institution.

Power of Directors to invest funds.

13. The Board shall from time to time elect and appoint from their own body a house committee and such and so many sub-committees as they may think fit for transacting the affairs and business of the Institution with and subject to such powers privileges provisions and conditions as shall be expressed and declared by the by-laws.

Directors to appoint sub-committees.

14. It shall be lawful for the Board from time to time to make provision for the establishment and support of a medical school and a nursing and training staff for the Institution And for regulating the attendance of medical students at such school and the fees to be paid by such students.

Power to appoint medical and nursing staff.

15. No irregularity informality or illegality in the election or appointment of any Director or officer of the Institution shall render illegal or invalid any act deed matter or thing done or executed or suffered to be done or executed by such Director or officer in pursuance of such election or appointment but any such election or appointment may in such way as may be provided for in the said by-laws be determined by resolution to be good or bad and if bad the vacancy may be supplied in such way as may be provided for in such by-laws the provisions whereof as to the validity of any such election or appointment and the acts deeds and things done by any Director or officer in pursuance of any such election or appointment shall have the force and effect of law.

Informality of election of Director or officer not to invalidate acts &c.

16. It shall be lawful for the said Board to design the common seal of the said body corporate.

Power to make common seal.

17. It shall be lawful for the Treasurer to institute and prosecute in the name and on behalf of the said body corporate proceedings in any Court against any person who may have received medical or surgical treatment in the Institution or against the executors or administrators or the Curator of the estate of any such person for the recovery of fees and remuneration for such care and attention and any amount recovered in any such proceeding shall be applied in such way as may be provided in the by-laws.

Proceedings may be instituted for recovering remuneration for treatment in the Institution.

18. All unclaimed moneys of patients who shall die in the Institution shall be the property of the said body corporate and shall form a distinct and separate fund to be called the "Samaritan Fund" which fund shall be managed and disposed of in such manner as shall be provided by the by-laws for the benefit of necessitous outgoing patients.

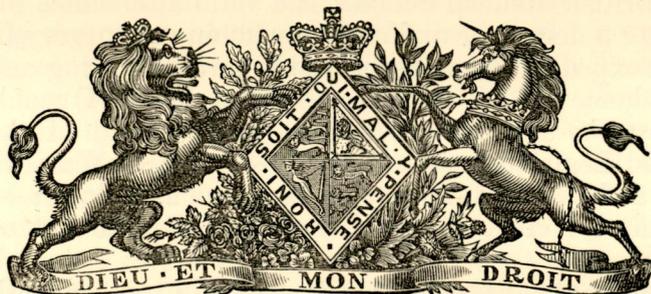
Unclaimed moneys of deceased patients to form "Samaritan Fund."

This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,  
Sydney, 15 July, 1881. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

*(As amended in Committee of the Whole Council.)*

An Act to incorporate the Sydney Infirmary and Dispensary.

**W**HEREAS a Society or Institution was in the year one thousand <sup>Preamble.</sup>  
eight hundred and twenty-six established known as the  
"Sydney Dispensary" having for its object to afford medical and  
surgical relief to poor and destitute persons and others requiring such  
5 aid And whereas by the Act of Council seventh Victoria number  
twenty-three the members of the said Sydney Dispensary were enabled  
to sue and be sued in the name of their Treasurer for the time being  
and in the same name to acquire and hold land by purchase or lease  
and provision was also made in case the said Society should establish  
10 a General Hospital that the said Act should be applicable to such  
Hospital as well as to the said Dispensary And whereas the Hospital  
so contemplated was established in the year eighteen hundred and  
forty-six and the Society thereupon became and has since been desig-  
nated and known as the "Sydney Infirmary and Dispensary" and has  
15 under such designation continued to occupy the lands buildings and  
premises

99—A

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Sydney Hospital.*

premises in Macquarie-street originally occupied by the said Sydney Dispensary and a grant thereof has been issued to the said Society upon certain trusts in favour of the said Infirmary and Dispensary and subject to certain conditions qualifications and provisions as therein expressed

5 And whereas the moneys now possessed by or held in trust for the said Sydney Infirmary and Dispensary have been given bequeathed or subscribed by persons of various religious denominations and it is therefore deemed expedient that the said Institution shall be entirely unsectarian in character And whereas it is expedient for the purpose of more effectually

10 carrying out the purposes for which such moneys are held viz. the erection of a suitable building or buildings the maintenance thereof and to ensure the good government and management thereof that the subscribers for the time being to the erection and support of the said Hospital should be incorporated with and subject to the powers

15 privileges conditions and provisions hereinafter expressed and that the land comprised in the grant hereinbefore referred to should be vested and held in manner hereinafter mentioned And whereas attendance by medical students in the Sydney Infirmary and Dispensary is recognized by the British Medical Schools as a valid attendance for

20 the purpose of obtaining a degree or diploma in medicine or surgery in Great Britain and it is expedient to make provision for facilitating and regulating such attendance Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in

25 Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the "Sydney Hospital Act of 1881." Title of Act.
2. From and after the passing of this Act the Act seventh Repeal of 7 Vic. No. 23. Victoria number twenty-three intituled "*An Act to enable the*
- 30 *Members of a certain Institution in the Colony of New South Wales denominated 'The Sydney Dispensary' to sue and be sued in the name of the Treasurer for the time being and for other purposes therein mentioned*" shall be repealed but without prejudice to anything lawfully done or commenced thereunder.
3. All persons who at the time of the passing of this Act shall Subscribers to Institution to be a corporation. be entitled to vote at the meetings of the Sydney Infirmary and Dispensary And all persons who shall hereafter contribute to the support of the Sydney Hospital a sum of not less than one pound annually so long as they continue so to contribute And all persons who shall
- 40 contribute to the building fund of the Hospital or the general support of the Institution a sum of not less than fifty pounds in one sum shall be a body corporate by the name of the Sydney Hospital and shall have perpetual succession and a common seal and under that name may sue and be sued prosecute and defend and take all other proceedings
- 45 in all Courts civil and criminal within the said Colony.
4. All real and personal estate now or hereafter vested in and held by any person or persons in trust for the said Sydney Dispensary or Sydney Infirmary and Dispensary are and shall be hereby transferred to and vested in the said body corporate subject to any trusts All trust property vested in body corporate.
- 50 affecting the same.
5. It shall be lawful for the said body corporate to take Power to hold and deal with lands. purchase hold and enjoy not only such lands buildings and hereditaments as may from time to time be required for the purposes of the Institution but also any other lands and hereditaments whatsoever or
- 55 wheresoever situate and also to take purchase receive hold and enjoy any chattels and personal property and also to sell grant convey demise or otherwise dispose of either absolutely or by way of mortgage any of the property real or personal belonging to the said body corporate Provided that it shall not be lawful for the said body corporate so to sell

*Sydney Hospital.*

sell grant convey demise or dispose of the said any land so as aforesaid now or hereafter granted by the Crown or any part thereof or any land which may at any time hereafter be granted to the said body corporate by the Crown by way of free gift unless with the approval of the  
 5 Governor and Executive Council to be testified by writing under the hand of the Governor countersigned by the Colonial Secretary for the time being except by way of lease for any term not exceeding twenty-one years from the time of the granting of any such lease in and by which there shall be reserved and made payable during the  
 10 whole of the term to be thereby granted the best yearly rent that can be reasonably gotten for such land without any fine or premium.

6. The Institution and the property of the said body corporate shall be governed managed and disposed of by the Board of Directors of the Institution for the time being subject to the by-laws for the time  
 15 being of the said Institution and six Directors shall form a quorum of such Board for the doing any act or performing or transacting any business which may under the provisions of this Act or the by-laws of the said body corporate be done performed or transacted by such Board.

7. The Board shall for all purposes connected with the said  
 20 Institution be the representatives of the said body corporate and shall consist of a President two Vice-Presidents a Treasurer and twenty Directors together with two representative Directors to be annually elected by the Honorary Medical and Surgical Officers of the said Institution respectively And of the twenty Directors afore-  
 25 said eight ten shall be nominated by the Governor with the advice of the Executive Council and shall hold office during the pleasure of the said Governor and Council Provided always that when and so often as any person appointed by the Governor as aforesaid ceases to be a Director some other person shall be appointed in the manner aforesaid.

8. The President Vice-Presidents and Treasurer shall be elected  
 30 annually at a meeting of the subscribers to be held in the month of January or February and of the sixteen Directors to be elected by the subscribers at the annual meeting aforesaid four shall retire annually the retiring Directors being those whose attendance at the meetings of the  
 35 Board shall have been the least numerous And where any doubt shall exist as to who shall be the Directors to retire under this provision the Board shall determine this matter by lot and the retiring Directors shall be eligible for re-election.

8. A general meeting of the subscribers shall be held within  
 40 two months after the passing of this Act for the purpose of electing a President two Vice-Presidents a Treasurer and ten Directors who together with two representative Directors elected as aforesaid and ten Directors nominated by the Governor shall collectively form the first  
 45 Board under this Act and until the said elections and nominations shall have taken place the existing Board of Directors shall continue to manage the said Hospital.

9. The first Board shall be the President Vice-Presidents Treasurer  
 and Directors to be elected at a general meeting of the subscribers to be held within two months after passing of the Act and until such election  
 50 shall have taken place the Board of Directors of the Sydney Infirmery and Dispensary shall continue to manage the said Hospital.

9. The President Vice-Presidents and Treasurer shall be elected  
 annually at a meeting of the subscribers to be held in the month of  
 January or February the first of such annual meetings to take place in  
 55 the month of February next and of the ten Directors elected by the subscribers as aforesaid four shall retire annually the retiring Directors being those whose attendance at the meetings of the Board shall have been the least numerous And where any doubt shall exist as to the Directors to retire under this provision the Board shall determine the  
 60 matter by lot but the retiring Directors shall in every year be eligible for re-election.

*Sydney Hospital.*

10. Subject to the provisions of this Act it shall be lawful for the Board to make repeal and alter by-laws for regulating the times and mode of meetings and of transacting business for fixing the number of votes of contributors in proportion to the amount of their contributions for determining the qualification disqualification change retirement election and appointment of Directors medical officers auditors executive and other officers and nursing staff and sub-committees of the Institution and generally for the support management and government of the Institution and of all officers servants and patients thereof And such by-laws shall on approval by the Governor with the advice aforesaid and upon publication in the *Gazette* have the full force of law and shall be laid before Parliament within fourteen days after such approval if Parliament be then sitting and if not then within fourteen days after the commencement of the next ensuing Session thereof Provided nevertheless that the rules and by-laws of the Sydney Infirmary and Dispensary in force at the time of the passing of this Act shall continue in force so far as the same shall be applicable until new by-laws shall have been made under the authority of this Act in place thereof.
11. A copy of the *Gazette* containing any such by-laws purporting to be certified by the Secretary for the time being of the Institution as being correct shall be received in any Court as conclusive evidence of such by-laws having been duly made in pursuance of the provisions of this Act.
12. It shall be lawful for the Board from time to time to invest any funds of the said body corporate which are not in the opinion of such Board required to defray the current expenses of the Institution and any moneys given or bequeathed to or arising from any donation of real or personal property to the Institution at the discretion of such Board in any Government funds or debentures of any Australian Colony or in any debentures or debenture stock of any Municipal Corporation in the said Colonies or of any Bank or incorporated company carrying on business there in or by way of purchase of or mortgage upon any freehold estate there as well as in Bank or deposit receipts for fixed periods or otherwise with power from time to time and at any time to vary and transfer any such investment for or into any other investment authorized by this Act Provided always that it shall be lawful for the said Board in their absolute discretion at any time to resort to any such investments and to sell the same for the purpose of applying the moneys to arise from such sale for the purposes of the Institution.
13. The Board shall may from time to time elect and appoint from their own body a house committee and such and so many sub-committees as they may think fit for transacting the affairs and business of the Institution with and subject to such powers privileges provisions and conditions as shall be expressed and declared by the by-laws.
14. It shall be lawful for the Board from time to time to make provision for the instruction of medical students and for the establishment and support of a medical school and a nursing and training staff for the Institution And for regulating the attendance of such medical students at such school and the fees to be paid by such students them.
15. No irregularity informality or illegality in the election or appointment of any Director or officer of the Institution shall render illegal or invalid any act deed matter or thing done or executed or suffered to be done or executed by such Director or officer in pursuance of such election or appointment but any such election or appointment may in such way as may be provided for in the said by-laws be determined by resolution to be good or bad and if bad the vacancy may be supplied in such way as may be provided for in such by-laws the

Power to make  
by-laws.

Evidence of copy of  
by-laws.

Power of Directors  
to invest funds.

Directors to appoint  
sub-committees.

Power to appoint  
medical and nursing  
staff.

Informality of elec-  
tion of Director or  
officer not to  
invalidate acts &c.

*Sydney Hospital.*

the provisions whereof as to the validity of any such election or appointment and the acts deeds and things done by any Director or officer in pursuance of any such election or appointment shall have the force and effect of law.

5      16. It shall be lawful for the said Board to ~~design the common seal of the said body corporate~~ **appoint all officers and servants of the Hospital by writing under the hands of three Directors of whom the President or Treasurer shall be one and without affixing the corporate seal.** Power to make common seal. Appointment of officers and servants.

10      17. It shall be lawful for the Treasurer to institute and prosecute in the name and on behalf of the said body corporate proceedings in any Court against any person who may have received medical or surgical treatment in the Institution or against the executors or administrators or the Curator of the estate of any such person for the **recovery of fees and remuneration for such care and attention and any amount recovered in any such proceeding shall be applied in such way as may be provided in the by-laws.** Proceedings may be instituted for recovering remuneration for treatment in the Institution.

15      18. All unclaimed moneys of patients who shall die in the Institution shall be the property of the said body corporate and shall **form a distinct and separate fund to be called the "Samaritan Fund" which fund shall be managed and disposed of in such manner as shall be provided by the by-laws for the benefit of necessitous outgoing patients.** Unclaimed moneys of deceased patients to form "Samaritan Fund."



SYDNEY HOSPITAL BILL.

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*SCHEDULE of the Amendments referred to in Message of 12th October, 1881.*

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- Page 3, clause 5, line 1. *After* "demise" *insert* "mortgage"  
" " line 1. *Omit* "the said" *insert* "any"  
" " lines 1 and 2. *Omit* "so as aforesaid" *insert* "now or hereafter"  
" " line 2. *After* "Crown" *omit* remainder of clause.  
" " 7, line 24. *Omit* "respectively"  
" " line 25. *Omit* "eight" *insert* "ten"  
" " line 27. *After* "Council" *omit* Proviso.  
" " 8. *Omit* clause 8, *insert* new clause 8.  
" " 9. *Omit* clause 9, *insert* new clause 9.  
Page 4, " 10, line 15. *After* "thereof" *omit* Proviso.  
" " 13, line 42. *Omit* "shall" *insert* "may"  
" " 14, line 48. *After* "provision" *insert* "for the instruction of medical  
" " "students and"  
" " line 49. *Omit* "medical school and a"  
" " line 50. *After* "of" *insert* "such"  
" " line 51. *Omit* "at such school"  
" " line 51. *Omit* "such students" *insert* "them"  
Page 5, " 16. *Omit* clause 16.
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WYOMING HOSPITAL BILL

RECEIVED OF THE HOSPITALS REFERRED TO BY RESOLUTION OF THE BOARD OF HEALTH, 1901

Page	Class	Item
1	1	1.00
2	2	2.00
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4	4	4.00
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*This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 15 July, 1881.* }

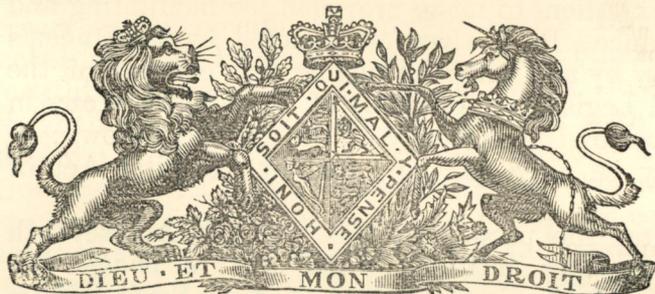
STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 12th October, 1881.* }

*For the Clerk of the Parliaments,  
ADOLPHUS P. CLAPIN,  
Clerk Assistant.*

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

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An Act to incorporate the Sydney Infirmary and Dispensary.

**W**HEREAS a Society or Institution was in the year one thousand Preamble.  
eight hundred and twenty-six established known as the  
"Sydney Dispensary" having for its object to afford medical and  
surgical relief to poor and destitute persons and others requiring such  
aid And whereas by the Act of Council seventh Victoria number  
twenty-three the members of the said Sydney Dispensary were enabled  
to sue and be sued in the name of their Treasurer for the time being  
and in the same name to acquire and hold land by purchase or lease  
and provision was also made in case the said Society should establish  
a General Hospital that the said Act should be applicable to such  
Hospital as well as to the said Dispensary And whereas the Hospital  
so contemplated was established in the year eighteen hundred and  
forty-six and the Society thereupon became and has since been desig-  
nated and known as the "Sydney Infirmary and Dispensary" and has  
under such designation continued to occupy the lands buildings and  
premises  
99—A

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

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premises in Macquarie-street originally occupied by the said Sydney Dispensary and a grant thereof has been issued to the said Society upon certain trusts in favour of the said Infirmary and Dispensary and subject to certain conditions qualifications and provisions as therein expressed

5 And whereas the moneys now possessed by or held in trust for the said Sydney Infirmary and Dispensary have been given bequeathed or subscribed by persons of various religious denominations and it is therefore deemed expedient that the said Institution shall be entirely unsectarian in character And whereas it is expedient for the purpose of more effectually

10 carrying out the purposes for which such moneys are held viz. the erection of a suitable building or buildings the maintenance thereof and to ensure the good government and management thereof that the subscribers for the time being to the erection and support of the said Hospital should be incorporated with and subject to the powers

15 privileges conditions and provisions hereinafter expressed and that the land comprised in the grant hereinbefore referred to should be vested and held in manner hereinafter mentioned And whereas attendance by medical students in the Sydney Infirmary and Dispensary is recognized by the British Medical Schools as a valid attendance for

20 the purpose of obtaining a degree or diploma in medicine or surgery in Great Britain and it is expedient to make provision for facilitating and regulating such attendance Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in

25 Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the "Sydney Hospital Act of Title of Act.  
1881."

2. From and after the passing of this Act the Act seventh Repeal of 7 Vic.  
Victoria number twenty-three intituled "*An Act to enable the No. 23.*  
30 *Members of a certain Institution in the Colony of New South Wales denominated 'The Sydney Dispensary' to sue and be sued in the name of the Treasurer for the time being and for other purposes therein mentioned*" shall be repealed but without prejudice to anything lawfully done or commenced thereunder.

3. All persons who at the time of the passing of this Act shall Subscribers to  
be entitled to vote at the meetings of the Sydney Infirmary and Dis- Institution to be a  
pensary And all persons who shall hereafter contribute to the support corporation.  
of the Sydney Hospital a sum of not less than one pound annually so  
40 contribute to the building fund of the Hospital or the general support  
of the Institution a sum of not less than fifty pounds in one sum  
shall be a body corporate by the name of the Sydney Hospital and  
shall have perpetual succession and a common seal and under that name  
45 in all Courts civil and criminal within the said Colony.

4. All real and personal estate now or hereafter vested in and All trust property  
held by any person or persons in trust for the said Sydney Dispensary vested in body  
or Sydney Infirmary and Dispensary are and shall be hereby trans- corporate.  
ferred to and vested in the said body corporate subject to any trusts  
50 affecting the same.

5. It shall be lawful for the said body corporate to take Power to hold and  
purchase hold and enjoy not only such lands buildings and heredita- deal with lands.  
ments as may from time to time be required for the purposes of the  
Institution but also any other lands and hereditaments whatsoever or  
55 wheresoever situate and also to take purchase receive hold and enjoy  
any chattels and personal property and also to sell grant convey demise  
or otherwise dispose of either absolutely or by way of mortgage any of  
the property real or personal belonging to the said body corporate  
Provided that it shall not be lawful for the said body corporate so to sell  
grant

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grant convey demise mortgage or dispose of the said any land so as aforesaid now or hereafter granted by the Crown or any part thereof or any land which may at any time hereafter be granted to the said body corporate by the Crown by way of free gift unless with the approval of the  
 5 Governor and Executive Council to be testified by writing under the hand of the Governor countersigned by the Colonial Secretary for the time being except by way of lease for any term not exceeding twenty-one years from the time of the granting of any such lease in and by which there shall be reserved and made payable during the  
 10 whole of the term to be thereby granted the best yearly rent that can be reasonably gotten for such land without any fine or premium.

6. The Institution and the property of the said body corporate shall be governed managed and disposed of by the Board of Directors of the Institution and property to be managed by Directors. for the time being subject to the by-laws for the time  
 15 being of the said Institution and six Directors shall form a quorum of such Board for the doing any act or performing or transacting any business which may under the provisions of this Act or the by-laws of the said body corporate be done performed or transacted by such Board.

7. The Board shall for all purposes connected with the said  
 20 Institution be the representatives of the said body corporate and shall consist of a President two Vice-Presidents a Treasurer and twenty Directors together with two representative Directors to be annually elected by the Honorary Medical and Surgical Officers of the said Institution respectively And of the twenty Directors aforesaid  
 25 said eight ten shall be nominated by the Governor with the advice of the Executive Council and shall hold office during the pleasure of the said Governor and Council Provided always that when and so often as any person appointed by the Governor as aforesaid ceases to be a Director some other person shall be appointed in the manner aforesaid.

8. The President Vice-Presidents and Treasurer shall be elected  
 30 annually at a meeting of the subscribers to be held in the month of January or February and of the sixteen Directors to be elected by the subscribers at the annual meeting aforesaid four shall retire annually the retiring Directors being those whose attendance at the meetings of the  
 35 Board shall have been the least numerous And where any doubt shall exist as to who shall be the Directors to retire under this provision the Board shall determine this matter by lot and the retiring Directors shall be eligible for re-election.

8. A general meeting of the subscribers shall be held within  
 40 two months after the passing of this Act for the purpose of electing a President two Vice-Presidents a Treasurer and ten Directors who together with two representative Directors elected as aforesaid and ten Directors nominated by the Governor shall collectively form the first  
 45 Board under this Act and until the said elections and nominations shall have taken place the existing Board of Directors shall continue to manage the said Hospital.

9. The first Board shall be the President Vice-Presidents Treasurer  
 and Directors to be elected at a general meeting of the subscribers to be  
 50 held within two months after passing of the Act and until such election shall have taken place the Board of Directors of the Sydney Infirmary and Dispensary shall continue to manage the said Hospital.

9. The President Vice-Presidents and Treasurer shall be elected  
 55 annually at a meeting of the subscribers to be held in the month of January or February the first of such annual meetings to take place in the month of February next and of the ten Directors elected by the subscribers as aforesaid four shall retire annually the retiring Directors being those whose attendance at the meetings of the Board shall have been the least numerous And where any doubt shall exist as to the  
 60 matter by lot but the retiring Directors shall in every year be eligible for re-election.

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10. Subject to the provisions of this Act it shall be lawful for the Board to make repeal and alter by-laws for regulating the times and mode of meetings and of transacting business for fixing the number of votes of contributors in proportion to the amount of their contributions for determining the qualification disqualification change retirement election and appointment of Directors medical officers auditors executive and other officers and nursing staff and sub-committees of the Institution and generally for the support management and government of the Institution and of all officers servants and patients thereof And such by-laws shall on approval by the Governor with the advice aforesaid and upon publication in the *Gazette* have the full force of law and shall be laid before Parliament within fourteen days after such approval if Parliament be then sitting and if not then within fourteen days after the commencement of the next ensuing Session thereof ~~Provided nevertheless that the rules and by-laws of the Sydney Infirmary and Dispensary in force at the time of the passing of this Act shall continue in force so far as the same shall be applicable until new by-laws shall have been made under the authority of this Act in place thereof.~~

Power to make  
by-laws.

11. A copy of the *Gazette* containing any such by-laws purporting to be certified by the Secretary for the time being of the Institution as being correct shall be received in any Court as conclusive evidence of such by-laws having been duly made in pursuance of the provisions of this Act.

Evidence of copy of  
by-laws.

12. It shall be lawful for the Board from time to time to invest any funds of the said body corporate which are not in the opinion of such Board required to defray the current expenses of the Institution and any moneys given or bequeathed to or arising from any donation of real or personal property to the Institution at the discretion of such Board in any Government funds or debentures of any Australian Colony or in any debentures or debenture stock of any Municipal Corporation in the said Colonies or of any Bank or incorporated company carrying on business there in or by way of purchase of or mortgage upon any freehold estate there as well as in Bank or deposit receipts for fixed periods or otherwise with power from time to time and at any time to vary and transfer any such investment for or into any other investment authorized by this Act Provided always that it shall be lawful for the said Board in their absolute discretion at any time to resort to any such investments and to sell the same for the purpose of applying the moneys to arise from such sale for the purposes of the Institution.

Power of Directors  
to invest funds.

13. The Board shall may from time to time elect and appoint from their own body a house committee and such and so many sub-committees as they may think fit for transacting the affairs and business of the Institution with and subject to such powers privileges provisions and conditions as shall be expressed and declared by the by-laws.

Directors to appoint  
sub-committees.

14. It shall be lawful for the Board from time to time to make provision for the instruction of medical students and for the establishment and support of a ~~medical school and a nursing and training staff~~ for the Institution And for regulating the attendance of such medical students at such school and the fees to be paid by such students ~~them~~.

Power to appoint  
medical and nursing  
staff.

15. No irregularity informality or illegality in the election or appointment of any Director or officer of the Institution shall render illegal or invalid any act deed matter or thing done or executed or suffered to be done or executed by such Director or officer in pursuance of such election or appointment but any such election or appointment may in such way as may be provided for in the said by-laws be determined by resolution to be good or bad and if bad the vacancy may be supplied in such way as may be provided for in such by-laws

Informality of elec-  
tion of Director or  
officer not to  
invalidate acts &c.

the

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the provisions whereof as to the validity of any such election or appointment and the acts deeds and things done by any Director or officer in pursuance of any such election or appointment shall have the force and effect of law.

5 ~~16. It shall be lawful for the said Board to design the common seal of the said body corporate.~~ Power to make common seal.

10 ~~17. 16.~~ It shall be lawful for the Treasurer to institute and prosecute in the name and on behalf of the said body corporate proceedings in any Court against any person who may have received medical or surgical treatment in the Institution or against the executors or administrators or the Curator of the estate of any such person for the recovery of fees and remuneration for such care and attention and any amount recovered in any such proceeding shall be applied in such way as may be provided in the by-laws.

15 ~~18. 17.~~ All unclaimed moneys of patients who shall die in the Institution shall be the property of the said body corporate and shall form a distinct and separate fund to be called the "Samaritan Fund" which fund shall be managed and disposed of in such manner as shall be provided by the by-laws for the benefit of necessitous outgoing patients.

Proceedings may be instituted for recovering remuneration for treatment in the Institution.

Unclaimed moneys of deceased patients to form "Samaritan Fund."

MR. VICTORIA

Bayley Hospital

The provisions of the Act shall apply to the patient in the event of his death or the death of the patient's spouse or partner in business or partnership shall have the same effect as if the patient were a minor.

10. In the event of the patient's death or the death of the patient's spouse or partner in business or partnership, the patient's estate shall be deemed to be the estate of the patient for the purposes of the Act.

11. Any amount received by the patient or the patient's spouse or partner in business or partnership shall be deemed to be received by the patient for the purposes of the Act.

12. 12. 17. A patient shall be deemed to be a patient for the purposes of the Act if he is a patient in a hospital or other institution which is a hospital or other institution for the purposes of the Act.

Approved by the Board of Directors

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[Signature]