

REPORT

OF

A SELECT COMMITTEE OF THE HOUSE OF REPRESENTATIVES

ON A BILL INTITULED

“AN ACT TO AMEND THE LAWS RELATING TO VACCINATION.”

BROUGHT UP 3RD AUGUST, 1870, AND ORDERED TO BE PRINTED.

WELLINGTON.

—
1870.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

TUESDAY, THE 21ST DAY OF JUNE, 1870.

Ordered, That the Bill to amend the Laws relating to Vaccination be referred to a Select Committee.

A true extract,

F. E. CAMPBELL, Clerk, House of Representatives.

THURSDAY, THE 24TH DAY OF JUNE, 1870.

Ordered, That the Select Committee to which the Bill to amend the Laws relating to Vaccination stands referred shall consist of Mr. Gillies, Mr. Reader Wood, Mr. Kelly, Sir D. Monro, Mr. Collins, Mr. Richmond, Mr. Rolleston, and Mr. Webster; five to be a quorum; to report in a fortnight.

A true extract,

F. E. CAMPBELL, Clerk, House of Representatives.

REPORT OF A SELECT COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON THE VACCINATION BILL.

YOUR Committee, after much discussion, and after hearing a considerable amount of evidence, have come to the following Resolutions:—

That it will be impracticable at present to establish a general system of compulsory vaccination; but, with a view to encourage vaccination as much as possible among the people, that it is expedient that the Government should obtain a constant supply of pure lymph, guaranteed by one of the English vaccine establishments or otherwise.

That Public Vaccinators should be appointed in all centres of population, to whom all persons who require gratuitous vaccination for their children may apply.

That Public Vaccinators (who may be non-medical persons, whose competency should be certified by some professional authority, and who should use only lymph supplied by the Government,) should be employed to vaccinate and make periodical circuits in rural districts for the purpose.

That, in order to provide gratuitous vaccination to those who may require it, the payment of Public Vaccinators should be by salary or fees paid by the Government.

That the Government should cause a circular to be drawn up and distributed throughout the country, conveying, in popular language, the latest scientific opinions as to the advantages of vaccination.

That a sum should be placed on the Estimates to meet the necessary expenses.

Having arrived at these conclusions, your Committee cannot recommend that the present Bill should be proceeded with. They would propose that a new Bill should be introduced next Session, repealing the existing Act of 1863, imposing a penalty on inoculation, enjoining the Government to make provisions in conformity with the above Resolutions for encouraging voluntary vaccination, and providing for registration, and for the issue by the Registrars of Births of notices recommending vaccination, and informing the Public Vaccinators of all cases of neglect within their districts.

Your Committee would also suggest that proof of vaccination might be required, as in the United States of America, before admission of children to public schools, and of clerks and others to public employment. By these means considerable indirect compulsion would be effected.

EVIDENCE TAKEN BEFORE THE COMMITTEE.

MONDAY, 11TH JULY, 1870.

Dr. Hector in attendance, and examined.

1. *Sir D. Monro.*] I believe that you have had your attention drawn to the subject of vaccination for some time past?—Yes. It was referred to me by the Government about three years ago.

Dr. Hector,
F.R.S.

11th July, 1870.

2. What is your opinion of the proposed Vaccination Act?—I think that it is unnecessarily complicated, and that it fails distinctly to meet the chief defect of the present Act, which is, that on the medical officer is imposed the duty of prosecuting persons who have not had their children vaccinated. I was in favour of the Act in the form in which it was brought in last Session, and which was thrown out by the Lower House. I think, and it is the opinion of several other medical men, that if the duty of having the child vaccinated, and of making a return to the Registrar, were left to the parents, and that if the proper penalties for neglect of vaccination were enforced, the parents would generally find means of having their children vaccinated.

3. Do you think that the machinery proposed by the Act would be sufficient for the accomplishment of the first step towards the object in view?—I am of opinion that the introduction of districts into the Act complicates it unnecessarily. Public Vaccinators should be appointed to attend at country places, whose duty it would be to keep on hand a supply of vaccine matter for distribution, and to perform the operation gratuitously in pauper cases. But the claim on their services should not be defined by the applicant being a resident in a certain district.

4. What should you consider as conclusive evidence that the operation had been properly performed?—The existence of the characteristic mark of successful vaccination on the arm of the child.

4. Do you think that clause 10 of the proposed Act would work?—It would not work well in country districts. Children in out of the way districts would have to be brought to town and kept there for a week exposed to the danger of contracting diseases unknown in the country, or else the medical officer would require to make two journeys into the country.

Dr. Hector,
F.R.S.

11th July, 1870.

5. *Mr. Kelly.*] By whom, in your opinion, should proceedings be taken against persons failing to have the operation performed?—I am of opinion that the Registrar of Births should give a list to the police of parents who have not complied with the regulations, and that they should take proceedings. In most cases the collection of certificates would be all they have to do.

6. Do you think that the vaccinators appointed should travel round the country?—I think that they should.

7. *Mr. Collins.*] Do you think it desirable that the character of the lymph used should be ascertained?—Great care should be exercised in taking the lymph from a child's arm. If taken at the proper period I do not think that any taint of any disease can be conveyed by it. Wherever vaccination has been enforced by legislation in other parts of the world, its results have been very satisfactory, and no evil consequences have ensued.

8. What is the objection to taking the vaccine matter from the cow?—I have had no experience in this, and have always been taught that the system of vaccinating from arm to arm is successful.

9. *Mr. Kelly.*] In the case of an apparently healthy child on whom vaccination has been successfully performed, but born of parents having symptoms of secondary syphilis, do you think there would be any danger of the syphilitic virus being conveyed to another child if vaccinated from it?—I do not think so, and besides that a medical man would be careful not to take lymph from an arm on which the mark after vaccination took a syphilitic form.

10. *Sir D. Monro.*] What is your opinion generally on the subject of compulsory vaccination?—My opinion is that the parents of children should be compelled to have their children vaccinated, and that certificates of effectual vaccination should be signed within seven months of the performance of the operation, and forwarded to the Registrar, and that he should give to the police or other proper authorities a schedule of such persons as had failed to send in certificates within the time appointed.

11. *Mr. Kelly.*] Do you think it absolutely necessary that the operation should be performed by a medical practitioner?—No; but I think it necessary that the successful performance of the operation should be certified to, and that the lymph should be extracted by a medical man.

J. B. Bennett, Esq., in attendance, and examined.

J. B. Bennett,
Esq.

11th July, 1870.

12. *Sir D. Monro.*] Have you seen the proposed Vaccination Act?—I have.

13. What are your views as regards this Act?—It has been carefully prepared, and could its provisions be carried out throughout the Colony would answer every purpose. But I doubt whether the details of it could be effectually carried out in the remote country districts.

14. Can you make any suggestions?—I should propose, if it were not for the difficulty of the expenditure which it would involve, that medical officers be appointed to go round the country for the purpose of vaccinating children, and of ascertaining the success of such vaccination. It would very probably be found difficult to get parents to bring children considerable distances, and more than once, to the Public Vaccinator. There is, in many instances, difficulty even in getting them to come to the Registrar for the purpose of having the births of their children registered. It would not be necessary that the Vaccinator should go round from house to house in towns and thickly-populated districts.

15. What is the proportion of children at present vaccinated?—I am not able to say. The proportion would probably have been shown to be large if the Act of 1863 had been fully carried out. But returns of successful vaccinations as required under this Act were very defective.

16. What is your opinion of clause 10 in the proposed Act?—I should prefer not having anything to say on the medical part of the subject.

17. Can you give any information as regards the Maoris?—I cannot.

18. *Mr. Kelly.*] Could it not be made the duty of the Vaccinator instead of the duty of the parents to send in certificates of the proper performance of the operations?—The certificate is, by the proposed Act, to be filled up by the Vaccinator. The parents merely forward it.

19. What proportion do you think of the births which occur are registered?—A very large proportion; and I believe that the number unregistered is diminishing every year.

20. *Sir D. Monro.*] How do you think it would do to make the production of the certificate of having been vaccinated a necessary condition of any one obtaining employment in the public service?—I do not see any objection to this. There would be a question, however, as to making such a requirement retrospective.

Dr. Grace in attendance, and examined.

Dr. Grace.

11th July, 1870.

21. *Sir D. Monro.*] You have been in practice in Wellington for some time, I believe?—I have practised in various parts of the country for the last nine years.

22. Would you state to the Committee your views on the subject of compulsory vaccination?—Let all Public Vaccinators be Vaccination Inspectors. Let every doctor in every country district be a Public Vaccinator. Pay him for each case vaccinated at least five shillings. Let such Public Vaccinator in his capacity of Vaccination Inspector be empowered to inspect all children who may have been vaccinated by unskilled persons, and let him receive five shillings for each such certificate. Let each Provincial Surgeon be a Public Vaccinator, and let

the Registrar in each district furnish to the Police a list of children whose births are registered and whose vaccination remain unregistered. As for clause 10 of the proposed Act—if Government pay five shillings for original operation, the public will (with sufficient frequency) pay the second five shillings to induce the doctor to take the trouble to make inspection. Let a small sum be placed on the estimates for the maintenance of a few calves for the cultivation of vaccine, and let these calves be placed under some skilled Vaccinator, who shall be ready to supply applicants with this peculiar lymph when desired.

23. *Mr. Kelly.*] Can any person not a medical man perform the operation successfully?—It is the fixed opinion of the medical profession that the performance of the operation by a non-medical man is most injudicious.

24. In the case of an apparently healthy child on whom vaccination has been successfully performed, but born of parents having symptoms of secondary syphilis, do you think there would be any danger of the syphilitic virus being conveyed to another child if vaccinated from it?—It depends on the period and manner of removal of vaccine from arm to arm. Given the conditions of a perfectly-formed vaccine vesicle and the observance of sufficient care and knowledge, I do not think that the virus of syphilis can be communicated in such vaccine.

FRIDAY, 15TH JULY, 1870.

Dr. Johnston in attendance, and examined.

25. *Mr. Richmond.*] Have you seen the Bill on the subject of vaccination now before the House?—I have not.

26. What is your experience with regard to the present law?—I know that it has not been carried out.

27. Will you explain to the Committee the reason why, in your opinion, it has not been carried out?—I think the main reason has been that under the Act the Superintendent was to appoint Public Vaccinators, but there were no funds for the purpose, and it is hardly to be expected that persons would undertake a somewhat disagreeable task without any remuneration whatever; the consequence has been that it has not been strictly carried out.

28. It is your opinion, then, that want of money prevented the Act being strictly carried out?—Yes.

29. Can you give the Committee any information respecting a subject which has created alarm in some parts of the Colony, viz., the alleged transmission of contagious diseases by vaccination?—Cases of disease have been reported, but they arose from inefficient vaccination, and not from syphilis. There was one case, which is reported as having occurred some ten years ago, in which the disease arose from a child who was nursed by an unhealthy woman; some forty infants who had been vaccinated from this infant showed symptoms of disease, but in this case there must have been some blood taken with the vaccine matter, as it is impossible to transmit disease by means of pure vaccine, though if you take any blood with the vaccine matter there is a chance of disease being transmitted.

30. What do you consider the remedy?—The copious supply of pure lymph, which might be hermetically sealed. Persons would be more ready to have their children vaccinated if pure lymph could be guaranteed.

31. *Mr. Reader Wood.*] If you vaccinate from cows, would you introduce some of the diseases peculiar to that animal?—Yes; possibly analogous diseases if the lymph were not carefully taken from the cow; but you avoid this by taking pure lymph from the arm of the healthy child.

32. *Sir David Monro.*] Have you ever, in the course of your own practice, seen a case of secondary symptoms communicated by vaccination?—Never.

33. *Mr. Reader Wood.*] Can a woman communicate secondary symptoms through the milk?—No.

34. What would, in your opinion, be the best course to adopt to encourage vaccination in the sparsely settled districts?—To establish a central vaccination station, and to make it compulsory on people to bring their children.

35. *Mr. Rolleston.*] Do you think there is any foundation for the present excitement against vaccination?—No. With pure lymph, a clean lancet, and not too long a time elapsing from the pustule being ready, there is not the least fear; but in case the pustule is left too long, there is likely to be unpleasant symptoms.

36. *Mr. Richmond.*] If pure lymph can be procured, there is nothing, in your opinion, to necessitate the pustule being watched closely, is there?—No. Except that it would require to be seen to give the certificate.

37. *Mr. Webster.*] Do you think it would work well to appoint persons as vaccinators under the Act who were not professional persons, if they procured a certificate from the central medical officer, such as a gentleman on a station, who had gone through tuition on this subject?—I think that perhaps this might work well; but it would require to be carefully guarded, so as not to open the door to every one, as it would, in case of anything going wrong, cause much outcry amongst the people.

38. Do you think then that it is necessary to have the regular medical practitioners as vaccinators?—Yes; if possible.

Dr. Grace.

11th July, 1870.

Dr. Johnston.

15th July, 1870.

Dr. Johnston.

39. What do you think is a fair remuneration for the practitioners as vaccinators?—Five shillings per case, I should think, in towns.

15th July, 1870.

40. *Sir David Monro.*] Have you had an opportunity of studying the provisions of the Bill now before us?—I have not.

41. *Mr. Webster.*] In saying that, you refer to the centres of population?—Yes; I do not know anything about the country.

42. *Mr. Richmond.*] Have you any experience of vaccination from the cow?—I have not.

43. So far as you have read, do you approve of it?—I do not.

44. Do you believe, if vaccination be properly performed, that it is possible to introduce contagious diseases into the human frame?—I do not.

Dr. Kemp in attendance, and examined.

Dr. Kemp.

15th July, 1870.]

45. *Mr. Richmond.*] Have you anything to add to the evidence of Dr. Johnston on the point of contagious disease?—No. I think that it is impossible if the proper precautions be taken.

46. Have you seen the Bill now before the House on this subject?—I have just had it put into my hand.

47. What is your opinion about non-professional vaccination?—I think vaccination ought to be confined to medical practitioners.

48. Have you had any experience in using vaccine lymph from the cow?—No.

49. *Mr. Rolleston.*] Would lymph which was taken from a syphilitic person if passed through a cow be secure?—I cannot say positively. I should prefer not using it.

50. *Sir David Monro.*] Have you formed an idea of the manner in which this Act could be carried out successfully in the sparsely populated districts?—I think this would be assisted by the Government paying the fees of the vaccinator if the people could not.

51. What do you think would be a reasonable fee for vaccination to pay to a country practitioner?—Five shillings per case would be a fair remuneration within a certain radius, outside of which he should, I think, be allowed mileage.

52. Do you think that such medical man would consider that it was of some advantage to his private practice to be the Public Vaccinator?—I should think so.

Dr. France in attendance, and examined.

Dr. France.

15th July, 1870.

53. *Mr. Richmond.*] Have you anything to add to the evidence that you have heard concerning the alleged transmission of contagious diseases by vaccination?—No; except to express my opinion that by the use of pure lymph it is rendered impossible.

54. *Mr. Rolleston.*] In a case in which vaccine matter mixed with blood was taken from a syphilitic patient, would that communicate disease?—Yes; you might have the disease as well as the vaccine vesicle, but you would not have them mixed; they would be distinct.

55. Have you any experience in the use of lymph from the cow direct?—No, I have not; but I believe it is not so much to be depended upon as human vaccine.

56. *Mr. Richmond.*] In your opinion would it be advisable to use the lymph which could be procured from the large vaccine establishments?—Yes; there is no doubt at all it would be so.

57. Do you see any objection to the employment of non-professional persons?—I should have no objection to their being employed to use pure lymph put into their hands by means of capillary tubes, but not to vaccinate from arm to arm.

Dr. Knight in attendance, and examined.

Dr. Knight.

15th July, 1870.

58. *Mr. Richmond.*] Have you anything to add to the evidence already before the Committee?—No. I agree generally with it, but I think that the vaccination from the cow would be more effective. It was found in Prussia that the greater the number of punctures for the insertion of virus taken from the human subject, the more effective the treatment was in preventing death supervening after small-pox; for instance, with four punctures in the arm the security from a fatal termination was almost absolute.

59. Have you formed any idea how a general system of vaccination could be carried out?—No. I have not had time to look into the Act now before the Committee.

No. 1.

Dr. JOHNSTON to the CHAIRMAN, VACCINATION COMMITTEE.

SIR,—

Wellington, 18th July, 1870.

Since attending your Committee on Friday last I have carefully read over the Vaccination Act, and in accordance with your request, I now most respectfully forward a few remarks upon its future operation.

1. As the wording of the Act is imperative, as regards parents and guardians having their children vaccinated, I think it should also be imperative as regards Superintendents of Provinces putting it into operation. If clauses 5 and 7 are left as they now stand, I know from experience that this Act in some Provinces will be inoperative, while in others it will be enforced, thus making it inefficient over the whole Colony.

2. Clause 10 is very obstructive. Success of vaccination may be ascertained, and a certificate issued at any convenient time subsequent to the operation. If this clause were altered, clause 14 should also be made to meet it.

3. I think the Public Vaccinators should be paid by fee, and not by salary, as provided by this Act; but whether it be salary or fee, it should be fixed and paid by the General Government, and then charged against the Province.

4. Every certificate of vaccination charged by the Public Vaccinator, in his official capacity, should be endorsed to the effect that the vaccinifer had been vaccinated, at the request of his or her parent or guardian, by the Public Vaccinator. This I think would be a sufficient line to draw between the children vaccinated at the public expense, and children vaccinated as private patients.

5. The Surgeon of every public Hospital should be appointed a Public Vaccinator, and should also be required to keep a constant supply of vaccine lymph, to be forwarded by him to legally qualified medical practitioners on application personally, or by letter, at the Hospital.

Hoping I have not trespassed too much upon your time,

I have, &c.,

To the Chairman Vaccination Committee
of the General Assembly, New Zealand.

ALEXANDER JOHNSTON, M.D.

No. 2.

Mr. C. FRANCE to the CHAIRMAN, VACCINATION COMMITTEE.

SIR,—

Wellington, 18th July, 1870.

Having carefully read the proposed Vaccination Act, I am of opinion that the period of one week (clause 10), for the purpose of inspection, might be extended, especially in country districts. The principal objection being the probable failure of the supply of lymph, the parent should be required to give a sufficient reason, such as badness of weather or illness of the child. The success of the operation could be as easily determined the day-month as the day-week. I have found by experience that wet and cold weather are the greatest obstacles in keeping up weekly arm-to-arm vaccination.

The difficulty of remunerating country Public Vaccinators, I think, would be best met by giving a similar fee for inspection as for operating, with the understanding that it should be either a success, or repeated, if necessary, without further charge.

I have, &c.,

To the Chairman of the Committee on Vaccination.

CHARLES FRANCE,
Surgeon.

No. 3.

Mr. W. G. KEMP to the CHAIRMAN, VACCINATION COMMITTEE.

SIR,—

Wellington, 18th July, 1870.

I would suggest, as simplifying in some measure the working of the proposed Bill, that instead of a Vaccination Inspector being appointed, the Registrar in each district should keep a list of all children born within his district, and should send to the Police Inspector of the same district the names and addresses of all children whose certificates of successful vaccination, or exemption, as the case might be, had not been furnished to him (the Registrar) within six calendar months after the birth of each child. This would relieve medical men from all responsibility in the matter, who would simply furnish the Registrar of their district with a list of all children successfully vaccinated by them, as well as of those who were exempt from sickness or other cause.

In towns and centres of population I would suggest the appointment of one medical practitioner as Public Vaccinator, whose duty it should be to vaccinate all pauper cases within his district, and that he should be paid by the General Government after a fixed scale, viz., five shillings for every case vaccinated at his (the Vaccinator's) house, and seven and sixpence for every case done at the patient's house, as in the latter case more trouble and time are spent, for which some further remuneration should be made.

In sparsely populated districts I would suggest that each medical practitioner be appointed Public Vaccinator for his own district, and that he be paid after the above scale for cases within a radius of three miles from his (the Vaccinator's) house, beyond which distance he should be allowed mileage, after the rate of one shilling per mile, allowance being made for one way only.

I am of opinion that the establishment of stations, even in towns and centres of population, would be found in the working unsatisfactory, and for this reason, that the Public Vaccinators will be, in small country towns in New Zealand, men in actual practice (not, as in England, men who give up their time, in a great measure, to vaccination), to whom it might often cause very serious loss and inconvenience to be obliged to attend so many hours in the week at any given place, more especially as the number of patients would, I apprehend, be small.

In country districts, I think, the idea of stations is wholly untenable, as it would impose upon parents or guardians great trouble and inconvenience, especially clause 10, as under the proposed Act they are required to bring the child for inspection on the eighth day.

Some provision ought, I think, to be made for keeping a supply of vaccine lymph, as medical men sometimes, though rarely with care, run out of it, and are often at a loss where to obtain further supply. At Nelson there is a certain quantity sent out every month by the Agent in London, to the Provincial Secretary, who has the distribution of it.

In other respects I think the Act would be found to work satisfactorily.

I have, &c.,

WILLIAM G. KEMP, M.R.C.S.E., L.R.C.P. Lond., &c., &c.
