

CHAP. 96.

An Act to amend the Contagious Diseases Act, 1866. A.D. 1869.

[11th August 1869.]

BE it enacted by the Queen'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, as follows:

Short title. **1.** This Act may be cited as the Contagious Diseases Act, 1869.

Construction of Act. **2.** This Act shall be construed as one with the Contagious Diseases Act, 1866, (in this Act referred to as the principal Act,) and with the Act of the session of the thirty-first and thirty-second years of the reign of Her present Majesty, chapter eighty, and those Acts and this Act may be cited together as the Contagious Diseases Acts, 1866 to 1869.

Temporary detention of women. **3.** Any woman who, on attending for examination or being examined by the visiting surgeon, is found by him to be in such a condition that he cannot properly examine her, shall, if such surgeon has reasonable grounds for believing that she is affected with a contagious disease, be liable to be detained in a certified hospital, subject and according to the provisions of the Contagious Diseases Acts, 1866 to 1869, until the visiting surgeon can properly examine her, so that she be not so detained for a period exceeding five days. The visiting surgeon shall sign a certificate to the effect that she was in such a condition that he could not properly examine her, and that he has reasonable grounds to believe that she is affected with a contagious disease, and shall name therein the certified hospital in which she is to be placed; and such certificate shall be signed and otherwise dealt with in the same manner, and have the same effect, except as regards duration, as a certificate under the principal Act.

If the reason that the visiting surgeon cannot examine the woman is that she is drunk, she may be detained upon an order of the visiting surgeon for a period not exceeding twenty-four hours in

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any place named in the order where persons accused of being drunk and disorderly or of offences punishable summarily are usually detained, and the gaoler or the keeper of such place shall upon the receipt of such order receive and detain the woman accordingly.

Notice by justice to woman being a common prostitute.

4. Where an information on oath is laid before a justice by a superintendent of police, charging to the effect that the informant has good cause to believe that a woman therein named is a common prostitute, and either is resident within the limits of any place to which this Act applies, or, being resident within ten miles of those limits, or having no settled place of abode, has, within fourteen days before the laying of the information, either been within those limits for the purpose of prostitution, or been outside of those limits for the purposes of prostitution in the company of men resident within those limits, the justice may, if he thinks fit, issue a notice thereof addressed to such woman, which notice the superintendent of police shall cause to be served on her:

Provided that nothing in the Contagious Diseases Acts, 1866 to 1869, shall extend, in the case of Woolwich, to any woman who is not resident within the limits specified in the first schedule to this Act.

Section fifteen of the principal Act is hereby repealed, and the foregoing enactment in this section is substituted for it; provided that all proceedings taken and acts done under the section hereby repealed shall, notwithstanding, remain of full effect, and shall, if necessary, be continued as if they had been taken and done under this section.

Duration of order.

5. Any order for subjecting a woman to periodical medical examination shall be in operation and enforceable as long as and whenever such woman is resident within ten miles of the limits of the place where the order was made, instead of within five miles, as prescribed by section thirty-two of the principal Act.

Effect of voluntary submission by women.

6. Where any woman, in pursuance of the principal Act, voluntarily subjects herself by submission in writing to a periodical medical examination under that Act, such submission shall, for all the purposes of the Contagious Diseases Acts, 1866 to 1869, have the same effect as an order of a justice subjecting the woman to examination; and all the provisions of the principal Act respecting the attendance of the woman for examination, and her absenting herself to avoid examination, and her refusing or wilfully neglecting to submit herself for examination, and the force of the order subjecting her to examination after imprisonment for such absence, refusal, or neglect, shall apply and be construed accordingly.

Duration of detention.

7. A woman may be detained for a further period not exceeding three months, in addition to the six months allowed under section twenty-four of the principal Act, if such certificate as is required by that section (to the effect that her further detention for medical treatment is requisite,) is given at the expiration of such six months; so, nevertheless, that any woman be not detained under one certificate for a longer time in the whole than nine months.

Custody of orders of discharge.

8. Where an order is made discharging a woman from any hospital, or where a certificate is given, under section thirty of the principal Act, that a woman is free from a contagious disease, such order and certificate shall be delivered to the superintendent of police, and retained by him.

Application to surgeon for relief from examination.

9. Any woman subjected, either on her own submission or under the order of a justice, to a periodical medical examination under the principal Act, who desires to be relieved therefrom, and is not under detention in a certified hospital, may make application in writing in that behalf to the visiting surgeon.

The visiting surgeon shall cause a copy of such application to be delivered to the superintendent of police, and if, after a report from such superintendent, he is satisfied by such report or other evidence that the applicant has ceased to be a common prostitute, may, by order under his hand, direct that she be relieved, and she shall thereupon be relieved, from periodical medical examination.

Such order shall be in triplicate; one copy shall be delivered to the woman, and two copies shall be delivered to the superintendent of police, who shall communicate one copy to the justice (if any) who made the order subjecting the woman to a periodical medical examination, or to his successor in office.

The provisions of this section shall be in addition to and not in substitution for the provisions of the principal Act for relieving a woman from examination.

Places to which Act extends.

10. The places to which the Contagious Diseases Acts, 1866 to 1869, apply, shall be the places mentioned in the first schedule to this Act, the limits of which places shall, for the purposes of the said Acts, be such as are defined in that schedule.

Forms in second schedule to be used.

11. The forms of certificates, orders, and other instruments given in the second schedule to this Act, or forms to the like effect, with such variations and additions as circumstances require, may be used

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for the purposes therein indicated, and according to the directions therein contained, and instruments in those forms shall (as regards the form thereof) be valid and sufficient.

Repeal of parts of 29 & 30 Vict. c. 35.

12. Sections four and thirty-eight of the principal Act, and the two schedules to that Act, are hereby repealed.

As to settlement of child born in certified hospital.

13. The settlement of a child born of the body of a mother while detained in a certified hospital shall be the same as if such hospital were a house licensed for the public reception of pregnant women under the Act of the thirteenth year of King George the Third, chapter eighty-two.

FIRST SCHEDULE.

Names of Places.	Limits of Places.
Aldershot - -	The limits of the following parishes; namely, Pirbright, Ash, Compton, Peper Harow, Frimley, Puttenham, } in the county of Surrey. Seal, Tongham, Elstead, Farnham, Bisley, Aldershot, Yateley, Crondall, Dogmersfield, Winchfield, Hartley Wintney, } in the county of Hants. Cove, Eversley, Farnborough, Binsted, Bentley, Sandhurst, in the county of Berks.
Canterbury - -	The limits of the following parishes or ecclesiastical districts; namely, St. Andrew. All Saints. St. Alphage. St. Mary Bredin. St. Mary Bredman. St. George-the-Martyr. St. Mary Magdalen. St. Margaret. St. Mildred. St. Mary, Northgate. St. Martin. St. Paul. St. Peter. The Archbishop's Palace. St. Dunstan. Christ Church. St. Gregory. Staplegate. Westgate Within. Westgate Without. St. Augustine. Old Castle.

Names of Places.	Limits of Places.
Chatham - -	The limits of the following parishes and places; namely, Chatham. Gillingham. St. Nicholas, Rochester. St. Margaret, Rochester. The Precincts, Rochester. Brompton. New Brompton. Strood, Frindsbury, and The hamlet of Grange, otherwise Grench.
Colchester - -	The limits of the following parishes or ecclesiastical districts; namely, All Saints. St. Botolph. St. Giles. St. James. St. John. St. Leonard. St. Martin. St. Mary at the Walls. St. Mary Magdalene. St. Nicholas. St. Peter. St. Runwald. The Holy Trinity. St. Andrew's, Greenstead. Lexden. St. Michaels, Mile End.
Dover - - -	The limits of the parishes of— Buckland. Charlton. Hougham. St. Mary's. St. James's. Eastcliff (extra-parochial). Guston.
Gravesend - -	The limits of the parishes of— Gravesend. Milton. Northfleet. Denton. Chalk.
Maidstone - -	The limits of the parishes of— Maidstone. Barming. East Farleigh. Loose. Boughton Monchelsea. Allington, and The Hamlet of Tovil.

Names of Places.	Limits of Places.
Plymouth and Devonport	The limits of the following places; namely, The municipal borough of Plymouth. The parliamentary borough of Devonport. The district of Laira. The tithing of Pennycross or Western Peveril. The tithing of Compton Gifford. Torpoint in the county of Cornwall, within the distance of half a mile from the Ferry Gate. Ivy Bridge. The parishes of Plympton St. Maurice and Plympton St. Mary. Dartmouth.
Portsmouth - -	The limits of the following places and parishes; namely, The municipal borough of Portsmouth. The residue of the island of Portsea. The parish of Alverstoke. The township of Landport.
Sheerness - -	The limits of the parish of Minster, of the township of Queenborough, and of the Isle of Grain.
Shorncliffe - -	The limits of the following parishes; namely, Cheriton. Hythe. Folkstone. Walmer. Deal. Sholden. Mongeham. Ringwold. Ripple.
Southampton - -	The limits of the municipal borough of Southampton.
Winchester - -	The limits of the parliamentary borough of Winchester.
Windsor - -	The limits of the following parishes; namely, New Windsor, Old Windsor, Clewer, } in the county of Berks. Eton, Datchet, Upton, } in the county of Bucks.

Names of Places.	Limits of Places.
Woolwich - -	The limits of the following parishes and places; namely, Woolwich. Plumstead. Charlton. St. Paul, St. Nicholas } Deptford. Hamlet of Hatcham. St. Alphage, Greenwich.

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The Curragh - -	The limits of the following parishes; namely, Kilcullen. Kildare. Ballysax. Great Conwell. Morristown-beller.
Cork - - -	The limits of the borough of Cork for municipal purposes.
Queenstown - -	The limits of the town of Queenstown for the purposes of town improvement.

SECOND SCHEDULE.

FORMS.

(A.)

Gazette Notice of Appointments.

London, 18 .

THE Lords Commissioners of the Admiralty have [*or* the Secretary of State for War has] appointed *R.S.* to be visiting surgeon [*or* assistant visiting surgeon] for [*Portsmouth, or* the Lords Commissioners of the Admiralty and the Secretary of State for War have appointed *P.S.* to be inspector [*or* assistant inspector] of certified hospitals] under the Contagious Diseases Acts, 1866 to 1869.

(B.)

Certificate for Hospital provided by Admiralty, &c.

THE CONTAGIOUS DISEASES ACTS, 1866 to 1869.

IN pursuance of the above-mentioned Acts, it is hereby certified by the commissioners for executing the office of Lord High Admiral of the United

Kingdom [*or* by Her Majesty's Principal Secretary of State intrusted with the seals of the War Department], that the following building [*or* part of a building], namely, [*here describe generally the building or part of building,*] has been provided by the said Lords Commissioners [*or* Secretary of State] as a hospital for the purposes of the said Acts.

Dated this day of 18 .

By order of the Lords Commissioners of the Admiralty.

Signed (*C.P.*)
Secretary of the Admiralty.

[*Or,*

By order of the Secretary of State for War.

Signed (*E.L.*)
Under-Secretary of State.]

(C.)

Certificate for Hospital not provided by Admiralty, &c.

THE CONTAGIOUS DISEASES ACTS, 1866 to 1869.

IN pursuance of the above-mentioned Acts, it is hereby certified by the commissioners for executing the office of Lord High Admiral of the United Kingdom [*or* by Her Majesty's Principal Secretary of State intrusted with the seals of the War Department], that the following building [*or* part of a building], namely, [the lock wards of the Portsmouth, Portsea, and Gosport hospital, *or as the case may be,*] is useful and efficient as a hospital for the purposes of the said Acts.

Dated this day of 18 .

By order of the Lords Commissioners of the Admiralty.

(Signed) *C.P.*,
Secretary of the Admiralty.

[*Or*

By order of the Secretary of State for War.

(Signed) *E.L.*,
Under-Secretary of State.]

(D.)

Declaration of Withdrawal of Certificate.

THE CONTAGIOUS DISEASES ACTS, 1866 to 1869.

IN pursuance of the above-mentioned Acts, it is hereby declared by the commissioners for executing the office of Lord High Admiral of the United Kingdom [*or* by Her Majesty's Principal Secretary of State intrusted with the seals of the War Department], that the certificate under the said Acts

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dated the day of , constituting the hospital [*or as the case may be*] a certified hospital under the said Acts, has been and the same is hereby withdrawn as from the day of 18 .

Dated this day of 18 .

By order of the Lords Commissioners of the Admiralty.

(Signed) *C.P.*,
Secretary of the Admiralty.

[*Or*

By order of the Secretary of State for War.

(Signed) *E.L.*,
Under-Secretary of State.]

(E.)

Information.

to wit. } THE information of *C.D.* of , Superintendent of Police for [*or as the case may be*] under The Contagious Diseases Acts, 1866 to 1869, taken this day of 186 , before the undersigned, one of Her Majesty's justices of the peace in and for the said [*county*] of who says he has good cause to believe that *A.B.* is a common prostitute, and is resident within the limits of a place to which the said Acts apply, that is to say, at in the [*county*] of [*or* is a common prostitute, and being resident within fifteen miles of a place to which the said Act applies, that is to say, at in the county of , was within fourteen days before the laying of this information, that is to say, on the day of , within those limits [*or* outside of those limits], that is to say, at in the county of for the purpose of prostitution [in the company of men resident within those limits].

Taken and sworn before me the day and year first above mentioned.

(Signed) *L.M.*

(F.)

Notice for Attendance of Woman.

To *A.B.* of

TAKE notice, that an information, a copy whereof is subjoined hereto, has been laid before me, and that, in accordance with the provisions of the Acts therein mentioned, the truth of the statements therein contained will be inquired into before me, or some other justice, at , on the day of , at o'clock in the noon.

You are therefore to appear before me or such other justice at that place and time, and to answer to what is stated in the said information.

You may appear yourself, or by any person on your behalf.

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If you do not appear, you may be ordered, without further notice, to be subject to a periodical medical examination by the visiting surgeon under the said Acts.

If you prefer it, you may, by a submission in writing signed by you in the presence of the Superintendent of Police [*or as the case may be*], and attested by him, subject yourself to such a periodical examination.

If you do so before the time above appointed for your appearance, it will not be necessary for you to appear then before a justice.

Dated this day of .

(Signed) *L.M.*
Justice of the peace for

[*Subjoin copy of information.*]

(G.)

Order subjecting Woman to Examination.

to wit. } Be it remembered, that on the day of in pursuance of The Contagious Diseases Acts, 1866 to 1869, I, one of Her Majesty's justices of the peace in and for the said [*county*] of do order that *A.B.* of be subject to a periodical medical examination by the visiting surgeon for [*Portsmouth, or as the case may be*] for calendar months from this day, for the purpose of ascertaining at the time of each such examination whether she is affected with a contagious disease within the meaning of the said Acts, and that she do attend for the first examination at on the day of at o'clock in the noon.

(Signed) *L.M.*

(H.)

Voluntary Submission to Examination.

The Contagious Diseases Acts, 1866 to 1869.

I *A.B.* of , in pursuance of the above-mentioned Acts, by this submission, voluntarily subject myself to a periodical medical examination by the visiting surgeon for [*Portsmouth, or as the case may be*] for calendar months from the date hereof.

Dated this day of 18 .

(Signed) *A.B.*

Witness,
X.Y.,
Superintendent of police for [*or as the case may be*].

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(J.)

Notice by Visiting Surgeon to Woman of Times, &c. of Examination.

To *A.B.* of

TAKE notice, that in pursuance of The Contagious Diseases Acts, 1866 to 1869, you are required to attend for medical examination as follows:

[*Here state times and places of examination.*]

Dated this day of 18 .

(Signed) *E.F.*,
Visiting Surgeon for [*Portsmouth*].

(K.)

Certificate of Visiting Surgeon.

IN pursuance of The Contagious Diseases Acts, 1866 to 1869, I hereby certify that I have this day examined *A.B.* of , and that she is affected with a contagious disease within the meaning of those Acts; and the certified hospital in which she is to be placed under the said Acts is the hospital.

Dated this day of 18 .

(Signed) *E.F.*,
Visiting Surgeon for [*Portsmouth*].

(L.)

Certificate of Visiting Surgeon where Woman cannot properly be examined.

I HEREBY certify, that *A.B.*, on being examined by me this day, in pursuance of The Contagious Diseases Acts, 1866 to 1869, was in such a condition that I could not properly examine her, and I have reasonable ground to believe that she is affected with contagious disease within the meaning of those Acts, and the certified hospital in which she is to be placed under the said Acts is the hospital.

Dated this day of 18 .

(Signed) *E.F.*,
Visiting Surgeon for [*Portsmouth*].

(M.)

Order of Visiting Surgeon for temporary Detention of Woman.

I HEREBY certify that *A.B.*, on attending this day for examination, in pursuance of The Contagious Diseases Acts, 1866 to 1869, was drunk, so that I

could not properly examine her, and I have reasonable ground to believe that she is affected with contagious disease within the meaning of those Acts, and I hereby order that she be detained in the lock-up [*or as the case may be*], at in accordance with the said Acts.

Dated this day of 18 .

(Signed) *E.F.*,
Visiting Surgeon for [*Portsmouth*].

(N.)

Order by Inspector of Certified Hospitals for Transfer.

BY virtue of the power in this behalf vested in me by The Contagious Diseases Acts, 1866 to 1869, I hereby order that *A.B.* of , now detained under those Acts in the certified hospital of for medical treatment, be transferred thence to the certified hospital of

Dated this day of 18 .

(Signed) *M.N.*,
Inspector of certified hospitals.

(O.)

Certificate for Detention beyond Three Months.

THE CONTAGIOUS DISEASES ACTS, 1866 to 1869.

WE, the undersigned, hereby certify that the further detention for medical treatment of *A.B.* of , now an inmate of this hospital, is requisite.

Dated this day of 18 , at the hospital.

(Signed) *M.N.*,
Inspector of certified hospitals,
[*or as the case may be.*]
G.H.,
Chief medical officer.

(P.)

Discharge from Hospital.

IN pursuance of The Contagious Diseases Acts, 1866 to 1869, I hereby discharge *A.B.* of from this hospital [*add according to the fact,* and certify that she is now free from a contagious disease].

Dated this day of 18 , at the hospital.

(Signed) *G.H.*,
Chief medical officer.

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(Q.)

Certificate on Discharge from Imprisonment.

THE CONTAGIOUS DISEASES ACTS, 1866 to 1869.

WHEREAS under the above-mentioned Acts, *A.B.* of was on the day of convicted of the offence of and has since been imprisoned for that offence in the gaol of and is now discharged from imprisonment therein; Now in pursuance of the said Acts, I hereby certify that she is now free from a contagious disease.

Dated this day of .

R.O.,
Surgeon of the gaol of ,
[*or E.F.*,
Visiting Surgeon for *Portsmouth*].

(R.)

Notice to Woman leaving Hospital.

THE CONTAGIOUS DISEASES ACTS, 1866 to 1869.

To *A.B.*

AS you are now leaving this hospital, I hereby, in pursuance of the above-mentioned Acts, give you notice that you are still affected with a contagious disease.

Dated this day of .

(Signed) *G.H.*,
Chief medical officer.

Note.—The above-mentioned Acts provide as follows:—

If on any woman leaving a certified hospital a notice [*set out section of Act*].

(S.)

Certificate on last foregoing Notice or Copy.

IN pursuance of the within-mentioned Acts, I hereby certify that the within-named woman is now free from a contagious disease.

Dated this day of .

(Signed) *E.F.*
Visiting Surgeon for [*Portsmouth*].

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(T.)

Application to be relieved from Examination.

To *L.M.*, Esq., and others, Her Majesty's justices of the peace for the [*county*] of [*or* to *N.O.*, Esq., Visiting Surgeon for *Portsmouth, or as the case may be*].

I *A.B.* of , being in pursuance of The Contagious Diseases Acts, 1866 to 1869, subject to a periodical medical examination on my own submission [*or* under the order of *L.M.*, Esq., *as the case may be*], dated the day of , do hereby apply to be relieved therefrom.

Dated this day of 18 .

(Signed) *A.B.*

Witness, *G.W.*

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