CAP. LXXXV.

An Act for the Prevention of Contagious Diseases at certain Naval and Military Stations. [29th *July* 1864.]

'WHEREAS it is expedient to make Provisions calculated to prevent the spreading of certain Contagious Diseases in the Places to which this Act applies:'

Be it therefore 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:

1. This Act may be cited as The Contagious Diseases Prevention Act, 1864. Short Title.

2. In this Act— Interpretation of Terms.
The Term "Contagious Disease" means Venereal Disease, including Gonorrhœa:
The Term "Hospital" includes Ward of a Hospital:
The Term "public Place" means a Thoroughfare or other public Street or Place, or a House or Room which is open to the Inspection of the Police.

3. The Places to which this Act applies shall be the Places mentioned in the First Schedule hereto, the Limits of which Places shall for the Purposes of this Act be such as are defined in that Schedule. Act to extend only to Places in Schedule.

4. Expenses incurred in the Execution of this Act shall be paid under the Direction of the Lord High Admiral of the United Kingdom or the Commissioners for executing his Office (hereafter in this Act styled the Admiralty), and of such One of Her Majesty's Principal Secretaries of State as Her Majesty thinks fit for the Time being to intrust with the Seals of the War Department (hereafter in this Act styled the Secretary of State for War), out of Money to be provided by Parliament for the Purpose. Provision as to Expenses of Act.

5. The Admiralty and the Secretary of State for War shall, on the passing of this Act, appoint a Superior Medical Officer of Her Majesty's Navy or Army to be, during Pleasure, Inspector of Hospitals certified under this Act, and may from Time to Time, on the Death, Resignation, or Removal from Office of any such Inspector, appoint another such Officer in his Stead. Appointment of Inspector of Hospitals under this Act.

6. On the Application of the Authorities having the Direction or Management of any Hospital desiring that such Hospital should be certified under this Act, the Admiralty and the Secretary of State for War may direct the Inspector of Hospitals to examine and report to them on the Condition of that Hospital, and on the Regulations established for its Direction and Management. Hospitals to be examined and reported on.

7. If on such Examination and Report the Hospital appears to the Admiralty and the Secretary of State for War to be useful and efficient for the Purposes of this Act, and is certified in Writing to be so by the Admiralty and the Secretary of State for War, the same shall be deemed a Certified Hospital for the Purposes of this Act; and every such Hospital is in this Act referred to as a Certified Hospital; and the Admiralty and the Secretary of State for War shall state in their Certificate what Persons or Officers for the Time being are to be deemed the Authorities of the Hospital for the Purpose of exercising the Powers herein-after given, and the Persons or Officers so stated shall be such Authorities accordingly. Power to certify Hospitals on such Examination and Report.

8. The Inspector shall from Time to Time visit and inspect every Certified Hospital. Hospital to be inspected from Time to Time.

9. If on the Report of the Inspector respecting any Certified Hospital the Admiralty and the Secretary of State for War think proper to withdraw their Certificate, that Hospital shall thereupon cease to be a Certified Hospital for the Purposes of this Act. Power to withdraw Certificate.

10. A Notice shall be published in the *London* or *Dublin* Gazette (as the Case may require) of the Granting or Withdrawal of any Certificate relative to any Hospital under this Act; and a Copy of the Gazette containing any such Notice shall be sufficient Evidence of such Granting or Withdrawal; and any such Certificate shall be presumed to be in force until the Withdrawal thereof is proved. The Granting or Withdrawal of Certificate to be published in Gazette.

11. Where

On Information, Justice may issue Notice to Woman named in Information.

11. Where an Information, in the Form given in the Second Schedule to this Act, or to the like Effect, is laid before a Justice of the Peace by a Superintendent or Inspector of Metropolitan Police, or by a Superintendent or Inspector of Police or Constabulary authorized to act in any Place to which this Act applies, or by any Medical Practitioner duly registered as such, the Justice may, if he thinks fit, issue to the Woman named in the Information a Notice in the Form given in the same Schedule, or to the like Effect.

Constable to serve Notice on Woman.

12. A Constable or other Peace Officer shall serve such Notice on the Woman to whom it is directed, by delivering the same to her personally, or by leaving the same with some Person for her at her last or usual Place of Abode.

Justice may order Medical Examination at Certified Hospital.

13. In either of the following Cases; namely,—

(1.) If the Woman on whom such Notice is served appears herself, or by some Person on her Behalf, at the Time and Place appointed in the Notice, or at some other Time and Place appointed by Adjournment:

(2.) If she does not so appear, and it is shown (on Oath) to the Justice present that the Notice was served on her a reasonable Time before the Time appointed for her Appearance, or that reasonable Notice of such Adjournment was given to her (as the Case may be):

the Justice present, on Oath being made before him substantiating the Matter of the Information to his Satisfaction, may, if he thinks fit, order such Woman to be taken to a Certified Hospital for Medical Examination.

Medical Examination at Certified Hospital.

14. Such Order shall be a sufficient Warrant for any Constable or Peace Officer to whom the Order is delivered, to apprehend such Woman, and to convey her with all practicable Speed to the Hospital therein named, and for the Authorities of the Hospital to cause her to be examined by some Medical Officer of such Hospital, for the Purpose of ascertaining whether or not she has a Contagious Disease, and in case, on such Examination, it is ascertained that she has a Contagious Disease, then to detain her in the Hospital for Twenty-four Hours from the Time of her being brought there.

Power for Woman to submit to Examination voluntarily.

15. Any Woman on whom Notice is served by any Constable or Peace Officer, in pursuance of this Act, may signify to him her Willingness to submit herself voluntarily for Examination to the Medical Officers of the nearest Certified Hospital; and in that Case it shall be the Duty of such Constable or Peace Officer to accompany her to such Hospital, and her Examination shall then be made in the same Manner and with the same Consequences as if she had been brought to that Hospital to be examined in pursuance of the Order of a Justice.

Under Order of Justice Woman may be detained for Medical Treatment in Hospital.

16. Within the said Period of Twenty-four Hours the Authorities of such Hospital shall cause a Certificate, signed by the Medical Officer who has made such Examination, stating (if the Fact be so) that on such Examination it has been ascertained that such Woman has a Contagious Disease, to be made out and laid before the Justice by whom the Order was made, or some other Justice having the like Jurisdiction; and thereupon such Justice may, if he thinks fit, order the Authorities of such Hospital to detain such Woman in the Hospital for Medical Treatment until discharged by such Authorities, and such Order shall be a sufficient Warrant to such Authorities to detain such Woman, and such Authorities shall detain her accordingly; provided that no Woman shall be detained under any such Order for a longer Period than Three Months.

Penalty for refusing to be examined or to conform to Rules, or quitting Hospital.

17. If any Woman ordered as aforesaid to be taken to a Certified Hospital for Medical Examination refuses to submit to such Examination, or if any Woman ordered to be detained in a Certified Hospital for Medical Treatment refuses or wilfully neglects while in the Hospital to conform to the Regulations thereof, or quits the Hospital without being discharged from the same as aforesaid, every such Woman shall be guilty of an Offence against this Act, and on summary Conviction thereof before Two or more Justices of the Peace shall be liable to Imprisonment in the Case of a First Offence, for any Term not exceeding One Month and in the Case of a Second or any subsequent Offence for any Term not exceeding Two Months.

18. If

18. If any Person, being the Owner or Occupier of any House, Room, or Place within the Limits of any Place to which this Act applies, or being a Manager or Assistant in the Management thereof, knowing or having reasonable Cause to believe any common Prostitute to have a Contagious Disease, induces or suffers such common Prostitute to resort to or be in such House, Room, or Place for the Purpose of Prostitution, every such Person shall be guilty of an Offence against this Act, and on summary Conviction thereof before Two or more Justices of the Peace shall be liable to a Penalty not exceeding Ten Pounds, or, at the Discretion of the Justices, to be imprisoned for any Term not exceeding Three Months, with or without Hard Labour. Penalty for permitting Prostitute having Contagious Disease to resort to any House, &c. for Prostitution.

Provided that a Conviction under this Enactment shall not exempt the Offender from any penal or other Consequences to which he or she may be liable for keeping or being concerned in keeping a Bawdy House or Disorderly House, or for the Nuisance thereby occasioned.

19. All Proceedings under this Act before and by Justices shall be had, in *England* according to the Provisions of the Act of the Session of the Eleventh and Twelfth Years of Her Majesty (Chapter Forty-three), "to facilitate the Performance of the Duties of Justices "of the Peace out of Sessions within *England* and *Wales*, with respect to summary Con- "victions and Orders," and in *Ireland* according to the Provisions of The Petty Sessions (*Ireland*) Act, 1851, save so far as those Provisions respectively are inconsistent with any Provision of this Act, and save also that, except where the Woman concerning whom an Information is laid under this Act in the Form given in the Second Schedule desires the contrary, the Room or Place in which a Justice sits to inquire into the Truth of the Statements contained in any such Information shall not be deemed an open Court for that Purpose, and, except in the Case aforesaid, such Justice may in his Discretion order that no Person have Access to or be or remain in that Room without his Consent or Permission. Application of 11 & 12 Vict. c. 43. and 14 & 15 Vict. c. 93.

20. The Forms of Orders and Certificate given in the Second Schedule to this Act shall be used for the Purposes of this Act, with such Variations as Circumstances may require. Forms in Second Schedule to be used.

21. For the Protection of Persons acting in the Execution of this Act,—all Actions and Prosecutions against any Person for anything done in pursuance or execution or intended execution of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Three Months after the Fact committed, and not otherwise; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Month at least before the Commencement of the Action; and in any such Action the Defendant may plead generally that the Act complained of was done in pursuance or execution or intended execution of this Act, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and the Plaintiff shall not recover in any such Action if Tender of sufficient Amends is made before such Action brought, or if a sufficient Sum of Money is paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict passes for the Defendant, or the Plaintiff becomes nonsuit, or discontinues any such Action after Issue joined, or if upon Demurrer or otherwise Judgment is given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant has by Law in other Cases; and though a Verdict is given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial is had certifies his Approbation of the Action and of the Verdict. Limitation of Actions, &c.

22. This Act shall not come into force in any Place mentioned in the said First Schedule until a Hospital situate within or within Fifty Miles of the outward Limits of such Place shall have been duly certified and Notice of its having been so certified been duly given in manner provided by this Act. As to Time of this Act coming into force.

23. This Act shall continue in force for Three Years from the passing thereof, and no longer. Continuance of Act.

The

The FIRST SCHEDULE.

Names of Places.	Limits of Places.
Portsmouth -	The Limits of the Municipal Borough of Portsmouth, and of the Residue of the Island of Portsea, and of the Parish of Alverstoke, and of the Township of Landport.
Plymouth -	The Limits of the following Parishes; namely,— St. Andrew, Charles the Martyr, St. Peter, St. James the Less, Holy Trinity, Christ Church, St. John, } Plymouth. Stoke Damerel, St. James the Great, St. Paul, St. Mary, St. Stephen, } Devonport, Stoke, and Morice Town. St. George, Stonehouse.
Woolwich -	The Limits of the Parishes of Woolwich, Plumstead, and Charlton.
Chatham -	The Limits of the following Parishes; namely,— Chatham, Gillingham, St. Nicholas, Rochester, St. Margaret, Rochester, Strood, and Frindsbury, and of the Hamlet of Grange, otherwise Grench.
Sheerness -	The Limits of the Parish of Minster, and of the Township of Queenborough.
Aldershot -	The Limits of the following Parishes; namely,— Purbright, Ash, Compton, Pepper Harrow, Frimley, Puttenham, Seal, and Tongham, } in the County of Surrey. Elstead, Farnham, Bisley, Aldershot, Yateley, Crondall, Dogmersfield, Winchfield, Hartley Wintney, Cove, Eversley, Farnborough, Binstead, Bentley, } in the County of Hants. Sandhurst, in the County of Berks.

Names of Places.	Limits of Places.
Colchester -	The Limits of the following Parishes; namely,— St. Botolph. St. Giles. St. Mary at the Wall. Old Trinity. St. Runwald's. St. Peter's.
Shorncliffe -	The Limits of the following Parishes; namely,— Cheriton. Hythe. Folkestone.
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.

The SECOND SCHEDULE.

Form of Information.

} The Information of *C.D.* of , Superintendent of Police
to wit. } for [*or* Medical Practitioner, *or as the Case may be*], 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.* of in the [*County*] of is a common Prostitute, and has a Contagious Disease within the Meaning of The Contagious Diseases Prevention Act, 1864, and within Fourteen Days before the Date of this Information, that is to say, on day, the Day of , was in a public Place within the Limits of a Place to which the said Act applies, that is to say, in Street, in the Parish of , for the Purpose of Prostitution.

Taken before me the Day and Year first above mentioned.

(Signed) *L.M.*

Form of Notice.

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 Act 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.

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.

If you do not appear, you may be ordered, without further Notice, to be taken to a Certified Hospital for Medical Examination.

If you prefer it, you may go with the Constable [*or as the Case may be*] who serves this Notice to the Hospital at and submit yourself there to Medical Examination.

Dated this Day of

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

[*Subjoin Copy of Information.*]

FORM OF ORDER FOR EXAMINATION.

} BE it remembered, that on the Day of , in
to wit. } pursuance of The Contagious Diseases Prevention Act, 1864, I, One of Her Majesty's Justices of the Peace in and for the said [*County*] of , do order that *A.B.* of be taken to Hospital (being a Certified Hospital within the Meaning of the said Act) for Medical Examination.

(Signed) *L.M.*

FORM OF MEDICAL CERTIFICATE.

To *L.M.*, Esq., and others, Her Majesty's Justices of the Peace for the [*County*] of

IN pursuance of The Contagious Diseases Prevention Act, 1864, I hereby certify that I have this Day examined in this Hospital *A.B.* of , and that she has a Contagious Disease within the Meaning of the said Act.

Dated at the Hospital this Day of 186 .

(Signed) *E.F.*
House Surgeon to the Hospital
[*or as the Case may be*].

FORM OF ORDER FOR DETENTION IN HOSPITAL.

To the Authorities of the Hospital at

} IN pursuance of The Contagious Diseases Prevention Act, 1864, I, One of Her
to wit. } Majesty's Justices of the Peace in and for the said [*County*] of , do order that *A.B.* of be detained in the Hospital at for Medical Treatment until duly discharged by you, and I do command you to detain her accordingly; and for so doing this shall be your Warrant.

Dated this Day of 186 .

(Signed) *L.M.*

CAP. LXXXVI.

An Act to permit for a limited Period Compositions for Stamp Duty on Bank Post Bills of Five Pounds and upwards in *Ireland*. [29th *July* 1864.]

16 & 17 Vict. c. 63.

'WHEREAS by an Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Sixty-three, the Commissioners of Her Majesty's Treasury are authorized and empowered to compound and agree with all or any Bankers in *Scotland* or elsewhere for a Composition in lieu of the Stamp Duties payable on the Bills of Exchange of such Bankers: And whereas it is expedient to permit Bankers in *Ireland* for a limited Period to compound for the Stamp Duties payable on their Bank Post Bills as well