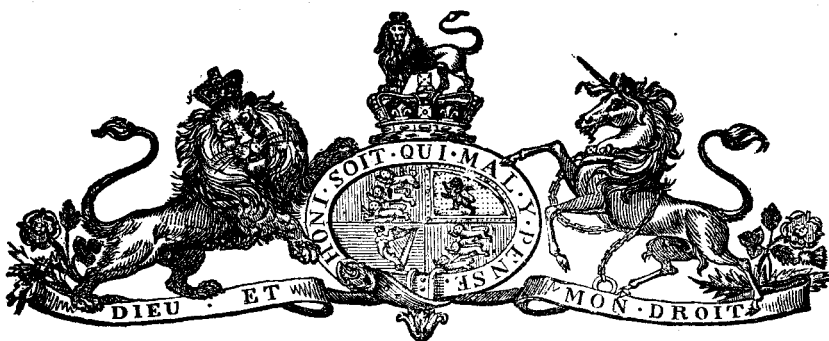
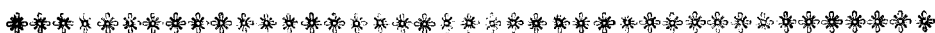


TASMANIA



1879.

ANNO QUADRAGESIMO-SECUNDO
VICTORIÆ REGINÆ,
No. 36.



AN ACT for the better Prevention of certain A.D. 1879.
Contagious Diseases. [10 June, 1879.] —

BE it enacted by His Excellency the Governor of *Tasmania*,
by and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as “ The Contagious Diseases Act, 1879.” Short title.

2 This Act shall continue in force until the Thirty-first day of Duration of Act.
December, One thousand eight hundred and eighty-one.

3 The provisions of this Act shall only apply to the City of *Hobart* Application of
Town, the Town of *Launceston*, and to an area within a radius of Six Act limited.
miles from the boundaries of such City and Town respectively.

4 In the construction of this Act—

Interpretation.

The expression “ the venereal disease ” shall include syphilis
and gonorrhœa :

The term “ hospital ” shall include a ward of a hospital :

The term “ Police Magistrate ” includes the Police Magistrates at
Hobart Town and *Launceston* respectively only.

5 It shall be lawful for the Governor by and with the advice of the Proclamation of
Executive Council, from time to time, by Proclamation to be published hospitals.
in the *Gazette*, to appoint any hospital receiving aid from the Consoli-
dated Revenue Fund, or any ward thereof, a place in which persons may
under this Act be placed for medical treatment.

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Diseased female
to place herself
in hospital.

Schedule (1).

Schedule (2).

6 Upon complaint made on oath by an officer to be appointed for that purpose by the Governor in Council that a female is or is reputed to be a common prostitute, or has within fourteen days prior to the making of such complaint solicited prostitution, and that he has been informed and has reason to believe that she is suffering from the venereal disease, a Police Magistrate may, by notice in the form in the Schedule (1) or to the like effect, require such female to appear before him and prove by the evidence of some legally qualified medical practitioner that she is free from the said disease. In the event of such female not producing such proof, the Police Magistrate may, by order under his hand in the form in the Schedule (2) or to the like effect, direct such female to place herself, within a time to be named in such order, in a hospital to be named in such order for medical treatment: Provided always, that the fact that a female is or is reputed to be a common prostitute shall be proved to the satisfaction of such Police Magistrate by the oath of two credible witnesses: Provided also that no such order shall be made unless and until such female shall be in a position, in the opinion of such Magistrate, to procure the attendance and evidence of some such legally qualified medical practitioner.

In default to be
apprehended.

Schedule (3).

7 If such female shall neglect or refuse to place herself in the hospital within the time mentioned in such order, it shall be lawful for any Justice of the Peace for *Tasmania*, on complaint on oath being made to him that she has omitted so to do, by warrant under his hand in the form in the Schedule (3) or to the like effect, to order any constable to apprehend and convey her to such hospital and place her there for medical treatment; and such warrant shall be a sufficient authority to all persons for the arrest and detention of such female in the hospital until she shall have recovered from the venereal disease.

Female neglecting
to appear before
Police Magistrate
may be ordered
to be placed in
hospital.

Schedule (4).

8 If such female fail to appear before the Police Magistrate as required by such notice as aforesaid, and proof be given to such Police Magistrate of the due service of such notice on such female, the Police Magistrate may, by warrant under his hand in the form in the Schedule (4) or to the like effect, order any constable to apprehend and convey her to a hospital and place her there for medical treatment; and such warrant shall be a sufficient authority to all persons for the arrest and detention of such female in the hospital until she shall have recovered from the venereal disease.

Female voluntarily
submitting.

9 If any female shall voluntarily, by a submission in writing signed by her in the presence of a Police Magistrate in the form in the Schedule (5) or to the like effect, desire to place herself in a hospital for medical treatment for the cure of the venereal disease, such Police Magistrate, on proof that such female is suffering from the said disease, shall, by warrant under his hand in the form in the Schedule (6) or to the like effect, order her to be detained in a hospital to be named in such order for medical treatment, and such warrant shall be a sufficient authority to all persons for the detention of such female in the hospital until she shall have recovered from the said disease.

Female refusing
to submit to
treatment in
hospital.

10 If any female ordered to be detained in a hospital for medical treatment shall refuse to submit herself to such treatment, or shall leave the hospital before she shall be lawfully discharged therefrom, such female shall be guilty of an offence under this Act; and on summary conviction before any two Justices of the Peace for *Tasmania* shall be

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committed to gaol, to be detained there under treatment until she shall have recovered from the venereal disease : Provided that the term for which such female shall be detained shall not exceed Six months. A.D. 1879

11 Any female placed in a hospital under warrant as aforesaid shall be there detained for, and shall be subjected to, medical treatment for the cure of the venereal disease until the medical officer in charge of such hospital shall give her a certificate in writing under his hand that she is cured of the said disease, and may safely be discharged from such hospital. Female to be detained until cured.

12 If any female detained in a hospital for medical treatment as aforesaid shall consider herself entitled to be discharged therefrom, and the medical officer in charge of the hospital refuses or neglects to give her a certificate as aforesaid, such female shall, at her request, be conveyed before a Police Magistrate, who, on proof of her being free from the venereal disease, shall order her to be discharged from such hospital. Female may appeal to Police Magistrate for her discharge.

13 Unless the party charged shall otherwise desire all cases directed to be heard under this Act by a Police Magistrate shall be heard and decided in private, and no person shall have access to, or be or remain in, any room where any such case shall be heard. Cases to be heard by Police Magistrate in private.

14 Any person being the occupier of any house, room, or place in which a female suffering from the venereal disease shall reside for the purpose of prostitution, or to which she may resort for such purpose, shall be guilty of an offence under this Act, and on summary conviction thereof before any two Justices of the Peace for *Tasmania* shall be liable to a penalty not exceeding Twenty Pounds, or, at the discretion of the Justices, to be imprisoned with or without hard labour for any term not exceeding Six months : Provided that no conviction under this Section shall exempt the offender from any penal or other consequences to which he may be liable for keeping, or being concerned in keeping, a bawdy-house or disorderly house, or for the nuisance thereby occasioned. Penalty for permitting diseased female to resort to any house for purpose of prostitution.

15 Subject to the provisions of this Act *The Magistrates Summary Procedure Act* shall be applicable— Application of 19 Vict. No. 8.

1. To all proceedings for enforcing the provisions of this Act :
2. To all proceedings for the punishment of offences against this Act, and for the recovery of all penalties imposed or made payable under or by virtue hereof.

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command you, the said Constable, in Her Majesty's name forthwith to take and safely convey the said *A.B.* to the hospital at _____ aforesaid, and there to deliver her to the Medical Officer in charge of the said hospital, together with this precept; and I hereby command and direct you, the said Medical Officer, to receive the said *A.B.* into the said hospital, and there detain and subject her to medical treatment for the said disease until she shall have recovered therefrom: and for so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 18 .

(4.)

Section 8.

COLONY OF TASMANIA }
TO WIT.

To _____, a Constable of the Colony of *Tasmania*, and to all other peace officers in the said Colony, and also to _____, Medical Officer of the hospital at _____ in the said Colony.

WHEREAS *A.B.*, of _____, in the said Colony, was required by notice under my hand to appear before me at _____, on the day of _____, at _____ o'clock in the _____ noon, to answer the complaint upon oath of *C.D.*, under "The Contagious Diseases Act, 1879," that she was, or was reputed to be, a common prostitute, or that she had within fourteen days prior to the making of such complaint solicited prostitution, and that the said *C.D.* had reason to believe that the said *A.B.* was suffering from the venereal disease: And whereas proof has been given to me of the due service of the said notice on the said *A.B.*: And whereas the said *A.B.* failed to appear before me as required by the said notice: Now therefore I, Police Magistrate at _____, in the said Colony, do hereby command you the said Constable in Her Majesty's name forthwith to take and safely convey the said *A.B.* to the hospital at _____ aforesaid, and there to deliver her to the Medical Officer in charge of the said hospital, together with this precept: And I hereby command and direct you the said Medical Officer to receive the said *A.B.* into the said hospital, and there detain and subject her to medical treatment for the said disease until she shall have recovered therefrom: and for so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 18 .

(5.)

Section 9.

I, *A.B.*, of _____, in pursuance of the provisions of "The Contagious Diseases Act, 1879," by this submission voluntarily desire to place myself in a hospital for medical treatment for the cure of the venereal disease.

Dated this _____ day of _____, 18 .

A.B.

Witness—

Police Magistrate.

(6.)

Section 9.

COLONY OF TASMANIA }
TO WIT.

To _____, a Constable of the Colony of *Tasmania*, and to all other peace officers of the said Colony, and to _____, Medical Officer in charge of the hospital at _____ in the said Colony.

WHEREAS it has been proved before me, under "The Contagious Diseases Act, 1879," that *A.B.*, of _____, is suffering from the venereal disease: And whereas the said *A.B.* did, by writing signed by her in my presence, voluntarily desire to place herself in a hospital for medical treatment for the cure of the said disease: Now therefore I,

_____, Police Magistrate for the district of _____, in the said Colony, do hereby command you the said Constable in Her Majesty's name forthwith to take and safely convey the said *A.B.* to the hospital at _____ aforesaid, and there to deliver her to the Medical Officer in charge of the said hospital, together with this precept: And I hereby command and direct you the said Medical Officer to receive the said *A.B.* into the said hospital, and there detain and subject her to medical treatment for the said disease until she shall have recovered therefrom: and for so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 18 .

