

side drains of stone should be laid in _____ street, in the said borough.)

Dated this _____ day of _____ in the year 18 .

To the Superintendent of Public Works,

I, the undersigned _____ Sanitary Inspector for the Borough of _____ do hereby certify that on the _____ day of _____ I caused to be served on the owner of the premises No. _____ in _____ street, in the said Borough of _____ an Order under the "Public Health Ordinance, 1869," requiring him within _____ from the time of the service of such Order to (here state what the order required to be done) and that the said owner having failed to comply with such Order, I did on the _____ day of _____ certify to the Local Authority of the Borough of _____ that such Order had been made by me and had not been complied with, whereby the said Local Authority became and was charged with the execution of the said Order; And I further certify that the said Local Authority has failed to execute the said Order within the time allowed by the said Ordinance.

Dated this _____ day of _____ in the year 18 .
(Signature.)

No. 18.—1869.

2nd August.

AN ORDINANCE for the better Prevention of Contagious Diseases.

[L. S.] C. H. KORTRIGHT.

14th August, 1869.

BE it enacted by his Excellency the Governor, with the advice and consent of the Legislative Council, as follows :

Preliminary.

1. This Ordinance may be cited as "The Contagious Short title. Diseases Ordinance, 1869."

2. In this Ordinance the term "Contagious Diseases" Interpretation of terms. shall mean "venereal diseases," including gonorrhœa; the term "officer of police" shall mean any police officer not being of less rank than a serjeant of police; words importing the singular number shall include the plural number, and words importing the plural number shall

include the singular. Words importing the masculine gender shall include females.

Appointment
of visiting
surgeons.

3. The Surgeon General, the House Surgeon of the Colonial Hospital, and the Medical Superintendent of the Colonial Hospital at San Fernando shall be visiting surgeons under this Ordinance, and it shall be lawful for the Governor to appoint such competent persons as he shall see fit, being members of the medical board, to be visiting surgeons for the purposes of this Ordinance, and to assign to each such surgeon such district as he may see fit, and on the death, resignation, or removal of any officer so appointed, to appoint another officer in his stead. A notice of the appointment of every such visiting surgeon shall be published in the *Royal Gazette*. A copy of the *Gazette* containing such a notice shall be conclusive evidence of the appointment.

Power to
Governor to
make regula-
tions respect-
ing times and
places for
holding
medical
examinations,
&c.

4. The Governor may from time to time make regulations respecting the times and places of medical examinations under this Ordinance, and generally respecting the arrangements for the conduct there of those examinations; and a copy of all such regulations from time to time in force shall be sent to the Clerk of the Peace of each police district.

On informa-
tion Justice
may issue
notice to
woman who is
a common
prostitute.

5. Where information on oath is laid before a Justice of the Peace by an officer of police charging to the effect that the informant has good cause to believe that a woman therein named is a common prostitute, the Justice may, if he thinks fit, issue a notice thereof addressed to such woman, which notice such officer of police shall cause to be served on her.

Power to Jus-
tice to order
periodical
examination

6. In either of the following cases, namely:—

If the woman on whom such a notice is served appears herself, or by some person on her behalf, at the time and place appointed in the notice, or at some time and place appointed by adjournment; 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 think fit, order that the woman be subject to a periodical medical examination by the visiting surgeon for any period not exceeding one year, for the purpose of ascertaining at the time of each such examination whether she is affected with a contagious disease, and thereupon she shall be subject to such a periodical medical examination, and the order shall be a sufficient warrant for the visiting surgeon to conduct such examination accordingly ;

The order shall specify the time and place at which the woman shall attend for the first examination ;

The Sub-Inspector of Police shall cause a copy of the order to be served on the woman.

7. The visiting surgeon, having regard to the circumstance of each case, shall at the first examination of each woman examined by him and afterwards from time to time as occasion requires, prescribe the times and places at which she is required to attend again for examination, and he shall from time to time give or cause to be given to each such woman notice in writing of the times and places as prescribed.

Visiting surgeon to prescribe times, &c., for re-examination.

8. Any woman may voluntarily, by a submission in writing, signed by her in the presence of, and attested by, the Inspector Commandant or Sub-Inspector of Police, subject herself to a periodical medical examination under this Ordinance, for any period not exceeding one year.

Voluntary submission by woman.

Detention in Hospital.

9. If on examination the woman examined is found to be affected with a contagious disease, she shall thereupon be liable to be detained in a public hospital subject and according to the provisions of this Ordinance, and the visiting surgeon shall sign a certificate to the effect that she is affected with a contagious disease, naming the hospital in which she is to be placed ; and he shall sign that certificate in triplicate, and shall cause one of the originals to be delivered to the woman, and the others to the officer of police.

Certificate of Visiting surgeon.

10. Any woman to whom any such certificate relates

Placing in

hospital for
treatment.

may, if she thinks fit, proceed to the hospital named in that certificate, and place herself there for medical treatment, but if after the certificate is delivered to her she neglects or refuses to do so, the officer of police or a constable acting under his orders, shall apprehend her and convey her with all practicable speed to that hospital, and place her there for medical treatment, and the certificate of the visiting surgeon shall be sufficient authority to him for so doing.

Detention in
hospital.

11. Where a woman certified by the visiting surgeon to be affected with a contagious disease, places herself, or is placed as aforesaid in a certified hospital for medical treatment, she shall be detained there until discharged by the surgeon of the hospital by writing under his hand, and the certificate of the visiting surgeon (one of the three originals whereof shall be delivered by the officer of police to the surgeon of the hospital), shall when so delivered be sufficient authority for such detention.

During con-
veyance to
hospital, &c.,
woman
deemed to be
in legal
custody.

12. Every woman conveyed under this Ordinance to a public hospital shall, while being so conveyed thither, and also while detained there, be deemed to be legally in the custody of the person conveying or detaining her, notwithstanding that she is for that purpose removed out of one into or through another jurisdiction or is detained in a jurisdiction other than that in which the certificate of the visiting surgeon was made.

Punishment
of women for
refusing to be
examined, &c.

13. In any of the following cases, namely :

If any woman subjected by order of a Justice under this Ordinance to periodical medical examination at any time temporarily absents herself in order to avoid submitting herself to such examination on any occasion on which she ought to submit herself, or refuses or wilfully neglects to submit herself to such examination on any such occasion; If any woman authorised by this Ordinance to be detained in a public hospital for medical treatment quits the hospital without being discharged therefrom by the surgeon thereof, by writing under his hand (the proof whereof shall lie on the accused);

If any woman authorized by this Ordinance to be

detained in a public hospital for medical treatment, or any woman being in a public hospital under medical treatment for a contagious disease, refuses or wilfully neglects while in the hospital to conform to the regulations thereof approved under this Ordinance;

Then and in every such case such woman shall be guilty of an offence against this Ordinance, and on summary conviction shall be liable to imprisonment with or without hard labour, in the case of the 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 three months, and in the case of the offence of quitting the hospital without being discharged as aforesaid the woman may be taken in custody without warrant by any constable.

14. If any woman is convicted of or imprisoned for the offence of absenting herself, or of refusing or neglecting to submit to examination as aforesaid, the order subjecting her to periodical examination shall be in force after and notwithstanding her imprisonment, unless the surgeon or other medical officer of the prison or a visiting surgeon appointed under this Ordinance at the time of her discharge from imprisonment certifies in writing to the effect that she is then free from a contagious disease (the proof of which certificate shall lie on her) and in that case the order subjecting her to periodical medical examination shall, on her discharge from imprisonment, cease to operate.

Effect of order of imprisonment for absence, &c., from examination.

15. If any woman is convicted of, and imprisoned for, the offence of quitting a hospital without being discharged, or of refusing or neglecting while in a hospital to conform to the regulations thereof as aforesaid, the certificate of the visiting surgeon under which she was detained in the hospital shall continue in force, and on the expiration of her term of imprisonment she shall be sent back from the prison to such public hospital, and shall be detained there under that certificate, unless the surgeon or other medical officer of the prison or a visiting surgeon appointed under this Ordinance, at the time of her discharge from imprisonment, certifies in writing to the effect that she is then free from

Effect on order of imprisonment for quitting hospital, &c.

a contagious disease (the proof of which certificate shall lie on her) and in that case the certificate under which she was detained and the order subjecting her to periodical medical examination shall, on her discharge from imprisonment, cease to operate.

Relief from Examination.

Application for relief from examination.

16. If any woman subjected to a periodical medical examination under this Ordinance (either on her own submission or under the order of a Justice) desiring to be relieved therefrom, and not being under detention in a public hospital, makes application in writing in that behalf to a Justice, the Justice shall appoint, by notice in writing, a time and place for the hearing of the application, and shall cause the notice to be delivered to the applicant, and a copy of the application and of the notice to be delivered to the police.

Order for relief from examination on discontinuance of Prostitution, &c.

17. If on hearing of the application it is shown to the satisfaction of a Justice that the applicant has ceased to be a common prostitute, or if the applicant, with the approval of the Justice, enters into a recognizance with such surety or sureties as to the Justice seems meet, for her good behaviour during six months thereafter, the Justice shall order that she be relieved from periodical medical examination.

Forfeiture of recognizance by return to prostitution.

18. Every such recognizance shall be deemed to be forfeited if at any time during the said term for which it is entered into, the woman to whom it relates is in any public thoroughfare or place for the purpose of prostitution, or otherwise conducts herself as a common prostitute.

Penalties for Harboursing, &c.

Penalties for permitting prostitute having contagious disease to resort to any house, &c., for prostitution.

19. If any person, being the owner or occupier of any house, room, or place, or being a manager or assistant in the management thereof, having reasonable cause to believe any woman to be a common prostitute and to be affected with a contagious disease, induces or suffers her to resort to or be in that house, room, or place for the purpose of prostitution, such person shall be guilty of an offence against this Ordinance, and on summary conviction thereof before a Stipendiary Justice of the

Peace shall be liable to a penalty not exceeding twenty pounds, or at the discretion of the Justice to be imprisoned for any term not exceeding six months, with or without hard labour; Provided that a conviction under this enactment shall not 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.

Procedure, &c.

20. In any proceeding under this Ordinance any notice, order, certificate, copy of regulations, or other instrument purporting to be signed by a justice, visiting surgeon, surgeon, or other medical officer of a prison, or chief medical officer of a public hospital, shall, on production, be received in evidence and shall be presumed to have been duly signed by the person, and in the character by whom and in which it purports to be signed until the contrary is shown. Presumption as to signatures of Justices, &c.

21. Every notice, order, or other instrument by this Ordinance required to be served on a woman shall be served by delivery thereof to some person for her at her usual place of abode, or by delivery thereof to her personally. Service of notices, &c.

22. Any action or prosecution against any person for anything done in pursuance or execution or intended execution of this Ordinance shall be commenced within three months after the thing done, and not otherwise. Limitation of actions.

23. Notice in writing of every such action and of the cause thereof shall be given to the intended defendant one month at least before the commencement of the action. Notice to defendant.

24. In any such action the defendant may plead generally that the act complained of was done in pursuance or execution of this Ordinance, and give this Ordinance and the special matter in evidence at any trial to be had thereupon. Plea of defendant.

25. The plaintiff shall not recover if tender of sufficient amends is made before action brought, or if a sufficient sum of money is paid into Court after action brought by or on behalf of the defendant. Cases in which plaintiff shall not recover.

Defendant to
recover costs
in certain
cases.

26. If a verdict passes for the defendant, or the plaintiff becomes non-suit, or discontinues the action after issue joined, or if on demurrer or otherwise, judgment is given against the plaintiff, the defendant shall recover his full costs as between solicitor and client, and shall have the like remedy for the same as any defendant has by law for costs in other cases.

Costs to
plaintiff.

27. Though a verdict is given for the plaintiff he shall not have costs against the defendant unless the Judge before whom the trial is had certifies his approbation of the action.

Passed in Council this second day of August, in the year of our Lord one thousand eight hundred and sixty-nine.

A. C. ROSS,

Clerk of the Council.

No. 19.—1869.

2nd August.

AN ORDINANCE for the Admission of Medical Practitioners as Members of the Medical Board.

[L.S.] C. H. KORTRIGHT.

14th August, 1869.

Preamble—
cites 21 and
22 Vic., cap.
90; and 31
Vic., cap. 29.

WHEREAS by the thirty-first section of the Medical Act, passed in the session of Parliament holden in the twenty-first and twenty-second years of the reign of Her Majesty, chapter ninety; it is enacted, that every person registered under that Act shall be entitled according to his qualification or qualifications to practice medicine or surgery or medicine and surgery, as the case may be, in any part of Her Majesty's dominions, and to demand and recover in any Court of Law with full costs of suit reasonable charges for professional aid, advice, and visits, and the costs of medicines or other medical or surgical appliances rendered or supplied by him to his patients; and whereas by the third section of the Medical Act Amendment Act, 1868, passed in the