



Concealment of Birth (Scotland) Act 1809

1809 CHAPTER 14 49 Geo 3

An Act for repealing an Act of the Parliament of Scotland relative to Child Murder, and for making other Provisions in lieu thereof. [20th March 1809]

Whereas by an Act of the Parliament of Scotland passed in the^{M1} second session of the first Parliament of King William and Queen Mary, intituled “Act anent murthering of children,” it is enacted that if any woman shall conceal her being with child during the whole space and shall not call for and make use of help and assistance in the birth, the child being found dead or amissing, the mother shall be holden and reputed the murtherer of her own child: and whereas the punishment of death has been found too rigorous for such an offence, but nevertheless it is expedient that it should be repressed and punished suitable to its quality and degree:

Modifications etc. (not altering text)

C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)

Marginal Citations

M1 Sess. 2. Parl. I. Will. & Mary.

[1.] F1

Textual Amendments

F1 S. 1 repealed by [Statute Law Revision \(No. 2\) Act 1872 \(c. 97\)](#)

2 Concealing pregnancy, &c. how to be punished.

And if, from and after the passing of this Act, any woman in Scotland shall conceal her being with child during the whole period of her pregnancy, and shall not call for and make use of help or assistance in the birth, and if the child be found dead or be amissing, the mother, being lawfully convicted thereof, shall be imprisoned for a

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Concealment of Birth (Scotland) Act 1809. (See end of Document for details)

period not exceeding two years in such common gaol or prison as the court before which she is tried shall direct and appoint.

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