



Concealment of Birth (Scotland) Act 1809

1809 CHAPTER 14

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 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 (hall conceal her being with Child during the whole Space, and (hall not call for and make use of Help and Assistance in the Birth, the Child being found dead or amissing, the Mother (hall 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:

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King'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,

Part of recited Act repealed.

That from and after the passing of this Act, the said in part recited Act of the Parliament of *Scotland* shall be and the same is hereby repealed.

II Concealing Pregnancy, &c. how to be punished.

And be it further enacted, That if, from and after the passing of this Act, any Woman in that Part of *Great Britain* called *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, Avail be imprisoned for a Period not exceeding Two Years, in such Common Gaol or Prison as the Court before which she is tried shall direct and appoint.