

(Hon. Mr. O'Rorke.)

Imbecile Passengers.

ANALYSIS.

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A BILL INTITULED

AN ACT to prevent the introduction of Imbecile Persons into the Colony of New Zealand. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Imbecile Passengers Act, 1873." Short Title.

2. In the interpretation of this Act, the following words and expressions shall have the meanings hereinafter assigned to them, unless there shall be something in the context or subject-matter inconsistent with such meaning, that is to say— Interpretation.

10 "Superintendent" shall mean the Superintendent of any Province where any ship subject to the provisions of this Act shall arrive, and shall include the Deputy Superintendent of such Province.

15 "Ship" shall include any British or foreign navigable vessel of any kind carrying passengers, except vessels plying from any one port in the Colony to any other port therein.

"Passenger" shall include all passengers by any ship.

"Colonial Treasurer" shall include the Colonial Treasurer of the Colony for the time being.

20 3. If the Superintendent of any Province shall certify that any passenger shall have arrived in New Zealand on board any ship being either lunatic idiotic deaf dumb blind or infirm, and likely in his opinion to become a charge upon the public or upon any public or charitable institution, the Superintendent shall require the owner charterer or master of such ship, within seven days after her arrival, Bond to be given for passengers lunatic, &c.

to execute with two sufficient sureties jointly and severally a bond to Her Majesty in the sum of one hundred pounds for every such passenger, conditioned to pay to the Colonial Treasurer all moneys or expenses which shall or may be laid out or incurred within the space of five years from the execution of the said bond for the maintenance or support of such passenger; and the said sureties shall justify before and to the satisfaction of the said Superintendent and shall by their oath or affirmation satisfy him that they are respectively residents in New Zealand and each worth treble the amount of the penalty of such bond over and above all their liabilities.

Any Superintendent making any such requisition shall forthwith give notice thereof to the principal officer of Customs at the port or place at which the ship is at the time of such requisition being made.

To report as to forfeiture.

4. If any passenger for whom any bond shall have been given as aforesaid shall, at any time within five years from the execution thereof, receive maintenance or support from any public or charitable institution in New Zealand, the payment incurred for the maintenance and support of such passenger shall be provided for out of the money collected in or under such bond to the extent of the penalty therein mentioned, or such portion as shall be required for the payment of such maintenance or support; and it shall be the duty of the Superintendent, upon representation made to him, to ascertain the right and claim of the Colonial Treasurer to payment of the amount so expended for the maintenance and support of any such passenger, and to report the same to the Governor in Council; and the said report shall be conclusive in the matter, and shall be evidence of the facts therein stated; and such bond may be put in suit, and the penalty, or as much thereof as shall be required to defray the expenses of such maintenance or support, may be recovered on behalf of Her Majesty in the manner provided by "The Crown Debts Act, 1866."

All moneys recovered or received under any such bond as aforesaid shall be paid by the Colonial Treasurer to the authorities or public institutions by whom any such passenger may have been maintained or supported as aforesaid.

Penalty for refusing to execute bond.

5. If the owner charterer or master of any ship on board which such passengers certified as aforesaid shall have been carried shall neglect or refuse to execute a bond as aforesaid within seven days after being so required as aforesaid, he shall be liable to a penalty not exceeding one hundred pounds sterling in addition to his liability under the said bond; and such ship shall not, either during or after the expiration of the said period of seven days, be cleared out, unless and until the said bond shall have been executed and the said penalties shall have been paid.

Act not to extend to Government immigrants, &c.

6. The provisions of this Act shall not extend to immigrants brought to New Zealand either wholly or partly at the expense of the Colony, nor to shipwrecked mariners brought to New Zealand without charge by the master of some other ship than that in which they were wrecked, nor to the crews of ships who shall have signed articles for the whole voyage, nor to Her Majesty's land and sea forces.