

75

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
6th June, 1882.*

Hon. Col. Brett.

***VAGRANT ACT 1866 AMENDMENT.**

ANALYSIS.

Title.
1. Short Title.

2. Penalty for exposure of person.

A BILL INTITULED

AN ACT to amend "The Vagrant Act, 1866."

Title.

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

5 **1.** The Short Title of this Act is "The Vagrant Act 1866 Amendment Act, 1882." Short Title.

2. Where any person is convicted under subsection five of section four of "The Vagrant Act, 1866," of wilfully and obscenely exposing his person in any street, road, or public highway, or in the view thereof, or in any place of public resort, the Resident Magistrate or two Justices before whom he is convicted may, in addition to the punishment awarded, direct that the offender be once or twice privately whipped, subject to the following conditions:— Penalty for exposure of person.

15 (a.) The number of strokes shall not exceed twenty-five at each such whipping, and the Court, in its sentence, shall specify the number of strokes to be inflicted and the instrument to be used.

20 (b.) In no case shall such whipping take place after the expiration of six months from the passing of the sentence.

25 (c.) In all cases where the punishment of whipping is inflicted under the authority of this Act, the surgeon or medical officer of the goal in which the offender is confined shall be present when the said punishment is inflicted; and such surgeon or medical officer, if he be of opinion that the prisoner is not at any time able to bear the whole or any part of the said punishment so awarded, may from time to time order the infliction of the whole or any part of the said punishment to be postponed, and shall, within seven days after the making of any such order, send a report in writing, stating his reasons for making such order, to the Colonial Secretary.