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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.

[AS REPORTED FROM COMMITTEE OF THE WHOLE HOUSE, 5TH
JULY, 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.

5 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 is "The Vagrant Act 1866 Amend-
ment Act, 1882."

Short Title.

10 2. Where any male person is convicted ~~accused or charged~~ under
subsection five of section four of "The Vagrant Act, 1866," of or with
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~~
15 ~~may, in addition to the punishment awarded, direct that the offender be once~~
~~or twice privately whipped, subject to the following conditions:—such~~
~~person shall be brought before a Resident Magistrate or two or more~~
~~Justices of the Peace; and if such Resident Magistrate or Justices of~~
20 ~~opinion that such person, if proved guilty, can be sufficiently punished~~
~~under the said "Vagrant Act, 1866," the said Resident Magistrate or~~
~~Justices may deal with the case summarily; but if such Resident~~
~~Magistrate or Justices consider that the offence is one which, if proved,~~
25 ~~would be deserving of additional punishment, then the person so charged~~
~~may be committed for trial as for an indictable offence, in the ordinary~~
~~way, to the next sittings of the nearest Court of competent jurisdiction;~~
~~and upon the conviction of such person before the said Court he may, in~~
30 ~~addition to the whole or any part of the punishment provided for under~~
~~the said Act, be ordered to be once or twice privately whipped, subject~~
~~to the following conditions:—~~

Penalty for exposure
of person.

(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.

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