

Offences against the Person.

ANALYSIS.

Title.	
1. Short Title.	7. Carnally knowing a girl between the ages of twelve and thirteen years a misdemeanour.
2. Repeal.	8. Indecent assaults, or attempt to commit the last two offences.
3. Rape.	9. Whipping for offenders against this Act.
4. Attempts to commit rape.	10. Act to be read as part of "The Offences against the Person Act, 1867."
5. Procuring the defilement of a girl under age.	
6. Carnally knowing a girl under the age of twelve years a felony.	

A BILL INTITULED

AN ACT to amend the Law relating to Offences against the Person. 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 Offences against the Person Act, 1876." Short Title.

2. Sections forty-five, forty-six, and forty-seven of "The Offences against the Person Act, 1867," and "The Offences against the Person Act Amendment Act, 1874," are hereby repealed, except as to any thing heretofore duly done thereunder, and except so far as may be necessary for the purpose of supporting and continuing any proceeding taken or of prosecuting or punishing any person for any offence committed before the passing of this Act. Repeal.

3. Whosoever shall be convicted of the crime of rape shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for life, or for any term not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour. Rape.

4. Whosoever shall be convicted of an attempt to commit, or of an assault with intent to commit, the crime of rape, shall be liable, at the discretion of the Court, to be kept in penal servitude for any term not exceeding ten years, and not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour. Attempts to commit rape.

5. Whosoever shall by false pretences false representations or other fraudulent means, procure any woman or girl under the age of twenty-one years to have illicit carnal connection with any man, shall be guilty of a misdemeanour, and being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned for any term not exceeding two years, with or without hard labour. Procuring the defilement of a girl under age.

6. Whosoever shall unlawfully and carnally know and abuse any girl under the age of twelve years shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for life or for any term not less than five years, or to be imprisoned for any term not exceeding two years with or without hard labour. Carnally knowing a girl under the age of twelve years a felony.

Carnally knowing a girl between the ages of twelve and thirteen years a misdemeanour.

7. Whosoever shall unlawfully and carnally know and abuse any girl being above the age of twelve years and under the age of thirteen years, whether with or without her consent, shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for any term not exceeding ten years and not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour.

Indecent assaults, or attempt to commit the last two offences.

8. Whosoever shall be convicted of any indecent assault upon any female, or of any attempt to have carnal knowledge of any girl under thirteen years of age, shall be liable, at the discretion of the Court, to be kept in penal servitude for any term not exceeding seven years and not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour.

Whipping for offences under this Act.

9. Where any person is convicted of a crime under any of the foregoing sections of this Act, the Court before whom he is convicted may, in addition to the punishment awarded, direct that the offender be once twice or thrice privately whipped: Provided the number of strokes do not exceed fifty at each such whipping, and that the Court in its sentence shall specify the number of strokes to be inflicted and the instrument to be used: Provided also that in no case shall such whipping take place after the expiration of six months from the passing of the sentence: Provided also that in all cases where the punishment of whipping shall be inflicted under the authority of this Act, the surgeon or medical officer of the gaol 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.

Act to be read as part of "The Offences against the Person Act, 1867."

10. This Act shall be construed and read as part of "The Offences against the Person Act, 1867."