



Anno Vicesimo-Sexto

# VICTORIÆ REGINÆ.

## CAP. XII.

AN ACT to make further Provision for the Punishment of  
Persons convicted of certain Offences under circum-  
stances of Aggravation.

[Passed 25th March, 1863.]

**W**HEREAS it is expedient to make further provision for the Punish-  
ment of Persons convicted of certain Offences under circumstances  
of aggravation : Preamble.

Be it therefore Enacted by the Governor, Council and Assembly, in  
Legislative Session convened, as follows :

I.—When any Person shall be Convicted in any Court of Record, or be-  
fore any Stipendiary Justice of the Peace in this Island, of any Felony or  
Misdemeanor, and it shall be proved at the trial, to the satisfaction of the  
Court or Justice, that such Person has been previously convicted before  
any Court of Record or Stipendiary Justice of the Peace in this Island, of  
the same or of any other Felony or Misdemeanor, it shall be lawful for such  
first mentioned Court or Justice, if they shall think fit, to direct and adjudge  
that, in addition to any other Punishment that may be by Law inflicted  
for such second Offence, such Person shall be once, twice, or thrice publicly  
or privately Whipped; and in such adjudication to prescribe the number of  
Stripes to be given on each occasion; and such adjudication shall be  
carried into effect by the Gaoler of the Prison in which such Person may  
be confined: Provided that not more than Twenty-five Stripes shall be  
given at any one time.

Persons twice con-  
victed of offences of  
the same character,  
or of any felony, &c.,  
may be whipped, &c.

Persons damaging  
Gaol or Gaol Furni-  
ture may be whipped.

II.—Every Person confined in any Gaol in this Island who shall wilfully Injure or Destroy any part of the Furniture of such Gaol, or Damage any of the Walls, Floors, or other parts thereof, or shall Assault any Officer or Prisoner of or in such Gaol, shall be guilty of a Misdemeanor, and may be tried therefor in a summary manner before any Stipendiary Justice of the Peace, and upon conviction shall be subject to further Imprisonment not exceeding One Calendar Month, and in the discretion of the said Justice shall also be liable to be punished by Whipping, to the extent and in manner provided in the preceding Section of this Act.

Females not subject  
to this Act.

III.—No Female shall be subject to the operation of this Act.