

CHAPTER 67.

Of Whipping and Hard Labor.

SECTION

1.—Offenders in certain cases may be whipped,
2.—Injury to gaols or furniture to be punished
by whipping.

SECTION

3.—Whipping for personal violence.
4.—Magistrates and Justices may impose hard
labour.

1. When any male person shall be convicted in any Court of Record or before any Justice of any felony or misdemeanor, and it shall be proved, on or after conviction, to the satisfaction of the Court or Justice, that such person has been previously convicted before any Court of Record or Justice in this Colony of felony or misdemeanor, such first-mentioned Court or Justice may, if it or he shall think fit, 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 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.

2. Every person confined in 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 six months, and in the discretion of the said Justice shall, if a male offender, also be liable to be punished by whipping, to the extent and in the manner provided in the preceding section of this chapter.

3. When any male person shall be convicted before the Supreme Court of any offence accompanied with severe personal violence, the said Supreme Court, if it shall think fit, may adjudge that in addition to any other punishment that may be by law inflicted, such person shall be once, twice or thrice, publicly or privately whipped, and in such adjudication 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 shall be confined: Provided that not more than twenty-five stripes shall be given at any one time.

4. In all sentences of imprisonment under summary convictions before a stipendiary Magistrate or Justice, such sentence of imprisonment may be with hard labour during the term of imprisonment, in the discretion of such convicting Magistrate or Justice.