

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Bond to be given for passengers lunatic, &c. 4. Conditions of bond. 5. Provision as to ships quarantined. 6. Bond to be applied to maintenance of passengers, &c. | <ol style="list-style-type: none"> 7. Authority in charge of institution to report as to forfeiture of bond. 8. Bond may be put in suit. 9. Payment to institutions maintaining passengers. 10. Penalty for refusing to execute bond. 11. Act not to extend to Government immigrants, &c. 12. Recovery of penalties. 13. Repeal of Acts. Saving. |
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1882, No. 58.

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| Title. | <p>AN ACT to consolidate and amend the Law respecting the Introduction of Imbecile Persons into the Colony. [15th September, 1882.]</p> <p>BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—</p> |
| Short Title. | <p>1. The Short Title of this Act is “The Imbecile Passengers Act, 1882.”</p> |
| Interpretation. | <p>2. In this Act, if not inconsistent with the context,—</p> <p>“Collector” means the Collector, or other principal officer, of Customs at the place or port where any ship subject to the provisions of this Act shall arrive:</p> <p>“Commissioner” means the Commissioner of Trade and Customs:</p> <p>“Passenger” includes all passengers by any ship, and also the crew of any ship, and all persons on board and belonging in any capacity to any ship:</p> <p>“Ship” includes any British or foreign navigable vessel of any kind carrying passengers, except vessels plying from any one port in the colony to any other port therein.</p> |
| Bond to be given for passengers lunatic, &c. | <p>3. If the Collector shall certify that any passenger shall have arrived in New Zealand on board any ship being either lunatic, idiotic, deaf, dumb, blind, or infirm, and likely in his opinion to become a charge upon the public or upon any public or charitable institution, the Collector shall require the owner, charterer, or master of such ship, within fourteen days after her arrival, to execute a bond to Her Majesty in the sum of one hundred pounds for every such passenger.</p> |
| Conditions of bond. | <p>4. Every such bond shall be entered into with at least two sufficient sureties, and the person giving such bond and his sureties shall be bound jointly and severally to pay to the Commissioner all moneys or expenses which shall or may be laid out or incurred within the space of five years from the execution of the said bond for the maintenance or support of such passenger by or in any public or charitable institution in New Zealand.</p> <p>The said sureties shall justify before and to the satisfaction of the Collector, and shall by their oath or affirmation satisfy him, that they are respectively</p> |

residents in New Zealand, and each worth treble the amount of the penalty of such bond, over and above all their liabilities.

5. Whenever any such ship or the passengers by such ship shall have performed quarantine in accordance with any law for the time being in force, then the period within which the owner, charterer, or master shall be required to give such bond shall be within fourteen days after such ship or passengers has or have performed quarantine and been duly discharged therefrom.

Provision as to ships quarantined.

6. If any passenger for whom any bond shall have been given as aforesaid shall, at any time within five years from the execution thereof, receive maintenance or support from any public or charitable institution in New Zealand, the charges incurred for the maintenance and support of such passenger shall be provided for and repaid as hereinafter provided out of the moneys collected under such bond to the extent of the penalty therein mentioned, or such portion thereof as shall be required for the payment of such maintenance or support.

Bond to be applied to maintenance of passengers, &c.

7. It shall be the duty of the authority or person having the control or charge of such public or charitable institution to ascertain the right and claim of the Commissioner to payment of the amount so expended for the maintenance and support of any such passenger, and to report the same to him with all such information as may enable the Commissioner to recover the moneys due.

Authority in charge of institution to report as to forfeiture of bond.

8. Every such report shall be conclusive in the matter, and shall be evidence of the facts therein stated; and every such bond may be put in suit, and the penalty, or as much thereof as shall be required to defray the charges incurred in such maintenance or support, may be recovered on behalf of Her Majesty in the manner provided by "The Crown Suits Act, 1881."

Bond may be put in suit.

9. All moneys recovered or received under any such bond as aforesaid shall be paid by the Commissioner to the public or charitable institution by or in which any such passenger may have been maintained or supported as aforesaid.

Payment to institutions maintaining passengers.

10. If the owner, charterer, or master of any ship shall neglect or refuse to execute a bond in any case within the provisions of this Act within seven days after being so required as aforesaid he shall be liable to a penalty not exceeding one hundred pounds, and the payment of such penalty shall not be deemed to exonerate such owner, charterer, or master from being compelled to execute such bond as by this Act provided.

Penalty for refusing to execute bond.

And such ship shall not, either during or after the expiration of the said period of seven days, be cleared out unless and until the said bond shall have been executed and the said penalty has been paid.

11. The provisions of this Act shall not extend to immigrants brought to New Zealand either wholly or partly at the expense of the colony, nor to shipwrecked mariners brought to New Zealand without charge by the master of some other ship than that in which they were wrecked, nor to Her Majesty's land and sea forces.

Act not to extend to Government immigrants, &c.

12. All penalties incurred under section ten shall be recoverable in a summary way before any two or more Justices of the Peace.

Recovery of penalties.

13. "The Imbecile Passengers Act, 1873," "The Imbecile Passengers Act Amendment Act, 1875," and "The Imbecile Passengers Act Extension Act, 1879," are hereby repealed.

Repeal of Acts.

But such repeal shall not prejudice or affect any bond or other instrument given, executed, or made under the said repealed Acts or any of them, or be deemed to release or discharge any person from any subsisting liability thereunder respectively.

Saving.