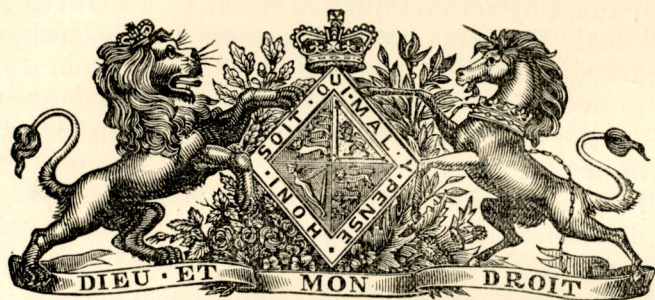


*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council Chamber,  
Sydney, 12th October, 1892. }*

*ADOLPHUS P. CLAPIN,  
Acting Clerk of the Parliaments.*

**New South Wales.**



ANNO QUINQUAGESIMO SEXTO .

**VICTORIÆ REGINÆ.**

\*\*\*\*\*

No. .

An Act for the Suppression of Disorderly Conduct.

**W**HEREAS it is expedient that additional powers be given to Preamble.  
Stipendiary and Police Magistrates for the suppression of  
Disorderly Behaviour and for the punishment of Aggravated Assaults:  
Be it therefore enacted by the Queen's Most Excellent Majesty, by  
5 and with the advice and consent of the Legislative Council and Legis-  
lative Assembly of New South Wales in Parliament assembled, and  
by the authority of the same, as follows :—

1. Whosoever is guilty of riotous, disorderly, or indecent Riotous, disorderly,  
behaviour in any public street, road, thoroughfare, or public place, or  
10 is guilty of any violent or indecent behaviour in any police office,  
lock-up, or police station, shall, on conviction before a stipendiary or  
police magistrate, be liable to imprisonment with hard labour for a  
term not exceeding six months, or to a fine not exceeding twenty  
pounds; and if it be proved that such person has been previously  
15 convicted of any offence against decency or good order, he shall not  
be fined, but shall be liable to imprisonment with hard labour for  
any term not exceeding six months; and if more than one such  
previous conviction be proved against him, he shall be liable to impri-  
sonment with hard labour for any term not exceeding twelve months.



*Disorderly Conduct Suppression.*

2. Whosoever is guilty of riotous, disorderly, or indecent behaviour, accompanied by actual injury to person or property, in any public street, thoroughfare, or public place, or in any house, booth, place, or vessel duly licensed under the "Liquors Licensing Acts,"  
 5 shall be liable, on conviction before a stipendiary or police magistrate, to imprisonment with hard labour for any term not exceeding twelve months, or to a fine not exceeding twenty pounds; and, in addition to such imprisonment or fine, shall be liable to pay to the owner of  
 10 any property injured such sum of money as such magistrate may direct as compensation for such injury, such compensation to be recoverable as a fine or penalty under this Act. And if such offence is committed by any person in combination with other persons, or if it shall be proved that such person has been previously convicted of any offence against good order, accompanied by actual injury to person or property,  
 15 he shall not be fined, but shall be liable to be imprisoned with hard labour for any term not exceeding twelve months.

Riotous, &c., behaviour, accompanied by actual injury to person or property.

3. Whosoever is guilty of riotous, disorderly, or indecent behaviour, accompanied by the throwing of stones or other missiles likely to cause personal injury, in any public street, road, thoroughfare, or public place, shall, on conviction before a stipendiary or police  
 20 magistrate, be liable to imprisonment with hard labour for any term not exceeding nine months; and if the offence is committed by any person in combination with other persons, he shall be liable to imprisonment for any term not exceeding twelve months.

Riotous, &c., behaviour, accompanied by the throwing of stones.

25 4. The provisions of the preceding three sections are in addition to and not in substitution for the provisions of section fifteen of the Act of Council seventeenth Victoria number thirty-one.

5. Whosoever commits any unprovoked and violent assault on any person, or who violently assaults any constable or police officer  
 30 while in the execution of his duty, or any person while lawfully aiding such constable or police officer, or any witness in any criminal proceeding (whether before or after such witness has given evidence) shall be liable, on conviction before a stipendiary or police magistrate, to imprisonment with hard labour for any term not exceeding twelve  
 35 months, and at the discretion of such magistrate shall in addition to such term of imprisonment be liable, in the case of a male person, who in the opinion of such magistrate is of or above the age of twelve years, to be once, twice, or thrice privately whipped. And the provisions of sections four hundred and three and four hundred and  
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 45 the case of a person under the said age and of or above the age of fourteen years, and fifteen in the case of a person under the age of fourteen years, and the number of strokes to be inflicted shall be specified in each conviction.

Unprovoked and violent assaults.

6. Any number of persons exceeding two congregated together  
 50 in any public street, thoroughfare, or public place, and conducting themselves in a manner reasonably calculated to cause annoyance to other persons shall, on being requested so to do by any police constable, forthwith separate and disperse; and any one or more of such persons who shall fail to comply with such request, shall be liable on conviction  
 55 before a stipendiary or police magistrate to a fine not exceeding ten pounds.

Persons assembled unlawfully in a public street to disperse forthwith.

7. In any conviction under this Act in which a term of imprisonment is awarded the stipendiary or police magistrate may indorse on such conviction the words "Special treatment under the

Special prison treatment in certain cases.

Disorderly



*Disorderly Conduct Suppression.*

Disorderly Conduct Suppression Act of 1892," in which case the person so sentenced shall, while in prison, be dieted and treated in accordance with prison regulations hereby authorised to be made by the Governor with the advice of the Executive Council for carrying out such special  
5 treatment.

8. Where a sum adjudged to be paid or forfeited or imposed as a penalty under this Act is not paid into the hands of the Clerk of the Bench, together with the costs imposed, if any, immediately upon the conviction, or within such period as the adjudicating magistrate  
10 shall, at the time of conviction, have appointed, such magistrate may commit the offender to prison for non-payment, there to remain, according to the amount unpaid, for a term to be named in the conviction, and not exceeding in any case the terms hereinafter specified respectively, that is to say, for a term not exceeding twenty-one days  
15 where the unpaid amount does not exceed two pounds; for a term not exceeding two months where such unpaid amount if above that sum does not exceed five pounds; for a term not exceeding four months where such unpaid amount if above five does not exceed ten pounds; and for a term not exceeding six months in any other case—the im-  
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9. This Act shall be incorporated and construed with the Acts  
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25 the "Disorderly Conduct Suppression Act of 1892."

Committal on non-  
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Act incorporated  
with 17 Vic. No. 31,  
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Short title.



5

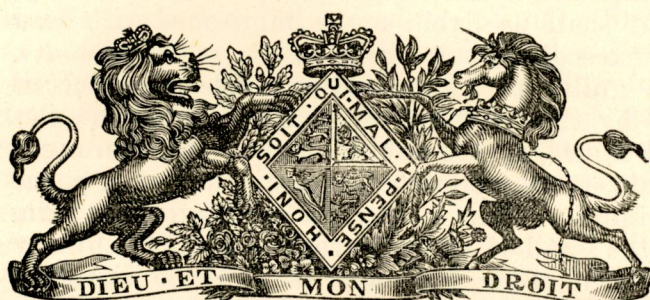


*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council Chamber,  
Sydney, 12th October, 1892.* }

ADOLPHUS P. CLAPIN,  
*Acting Clerk of the Parliaments.*

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

## VICTORIÆ REGINÆ.

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*Disorderly Conduct Suppression.*

2. Whosoever is guilty of riotous, disorderly, or indecent behaviour, accompanied by actual injury to person or property, in any public street, thoroughfare, or public place, or in any house, booth, place, or vessel duly licensed under the "Liquors Licensing Acts," shall be liable, on conviction before a stipendiary or police magistrate, to imprisonment with hard labour for any term not exceeding twelve months, or to a fine not exceeding twenty pounds; and, in addition to such imprisonment or fine, shall be liable to pay to the owner of any property injured such sum of money as such magistrate may direct as compensation for such injury, such compensation to be recoverable as a fine or penalty under this Act. And if such offence is committed by any person in combination with other persons, or if it shall be proved that such person has been previously convicted of any offence against good order, accompanied by actual injury to person or property, he shall not be fined, but shall be liable to be imprisoned with hard labour for any term not exceeding twelve months.

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4. The provisions of the preceding three sections are in addition to and not in substitution for the provisions of section fifteen of the Act of Council seventeenth Victoria number thirty-one.

5. Whosoever commits any unprovoked and violent assault on any person, or who violently assaults any constable or police officer while in the execution of his duty, or any person while lawfully aiding such constable or police officer, or any witness in any criminal proceeding (whether before or after such witness has given evidence) shall be liable, on conviction before a stipendiary or police magistrate, to imprisonment with hard labour for any term not exceeding twelve months, and at the discretion of such magistrate shall in addition to such term of imprisonment be liable, in the case of a male person, who in the opinion of such magistrate is of or above the age of twelve years, to be once, twice, or thrice privately whipped. And the provisions of sections four hundred and three and four hundred and four of the "Criminal Law Amendment Act of 1883," and of section five of the "Criminal Law and Evidence Amendment Act of 1891" shall apply to any sentence of whipping under this Act. The maximum number of strokes to be given at each whipping shall be thirty in the case of a person of or above the age of eighteen years, and twenty in the case of a person under the said age and of or above the age of fourteen years, and fifteen in the case of a person under the age of fourteen years, and the number of strokes to be inflicted shall be specified in each conviction.

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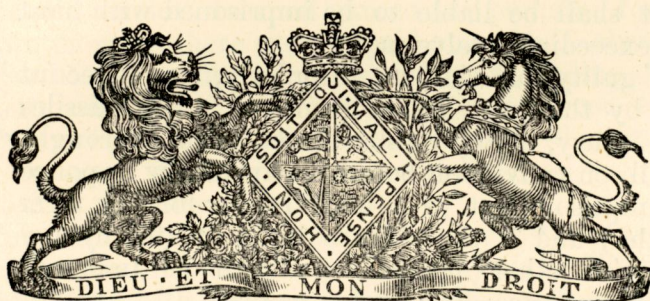


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*Acting Clerk of the Parliaments.*

## New South Wales.



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*Disorderly Conduct Suppression.*

2. Whosoever is guilty of riotous, disorderly, or indecent behaviour, accompanied by actual injury to person or property, in any public street, thoroughfare, or public place, or in any house, booth, place, or vessel duly licensed under the "Liquors Licensing Acts," shall be liable, on conviction before a stipendiary or police magistrate, to imprisonment with hard labour for any term not exceeding twelve months, or to a fine not exceeding twenty pounds; and, in addition to such imprisonment or fine, shall be liable to pay to the owner of any property injured such sum of money as such magistrate may direct as compensation for such injury, such compensation to be recoverable as a fine or penalty under this Act. And if such offence is committed by any person in combination with other persons, or if it shall be proved that such person has been previously convicted of any offence against good order, accompanied by actual injury to person or property, he shall not be fined, but shall be liable to be imprisoned with hard labour for any term not exceeding twelve months.

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4. The provisions of the preceding three sections are in addition to and not in substitution for the provisions of section fifteen of the Act of Council seventeenth Victoria number thirty-one.

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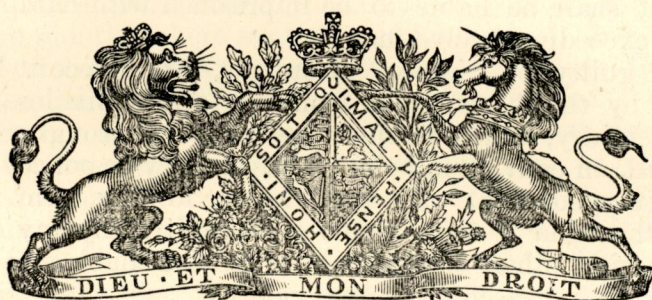


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4. The provisions of the preceding three sections are in addition to and not in substitution for the provisions of section fifteen of the Act of Council seventeenth Victoria number thirty-one.

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Unprovoked and brutal assaults.

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8. Where a sum adjudged to be paid or forfeited or imposed as a penalty under this Act is not paid into the hands of the Clerk of the Bench, together with the costs imposed, if any, immediately upon the conviction, or within such period as the adjudicating magistrate shall, at the time of conviction, have appointed, such magistrate may  
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Short title.







## DISORDERLY CONDUCT SUPPRESSION BILL.

*(Amendments and new clause to be proposed in Committee of the  
Whole by MR. R. E. O'CONNOR.)*

Clause 5 showing proposed amendments :—

5. Whomsoever commits any unprovoked and brutal assault on any person, or who brutally assaults any constable or police officer while in the execution of his duty, or any person while lawfully aiding such constable or police officer, or any witness in any criminal proceeding (whether before or after such witness has given evidence) shall be liable, on conviction before a Stipendiary or Police Magistrate, to imprisonment with hard labour for any term not exceeding *twelve* months, and, at the discretion of such magistrate, shall be liable, in addition to such term of imprisonment in the case of a male person apparently in the opinion of such magistrate, of or above the age of fourteen years, to be *once, twice, or thrice* privately whipped, and in the case of a male person apparently under the age of fourteen years to be *once, twice, or thrice* privately whipped ~~with a cane or tawse.~~ And the provisions of sections four hundred and three and four hundred and four of the "Criminal Law Amendment Act of 1883," and of section five of the "Criminal Law and Evidence Amendment Act of 1891" shall apply to any sentence of whipping under this Act. The maximum number of strokes to be given at each whipping shall be thirty in the case of a male person of or above the age of eighteen years, and twenty in the case of a male person under the said age and above the age of fourteen years, and fifteen in the case of a male person of or under the age of fourteen years, and the number of strokes to be inflicted shall be specified in each conviction.

Proposed New Clause 8 :—

8. Where a sum adjudged to be paid or forfeited or imposed as a penalty under this Act is not paid into the hands of the Clerk of the Bench, together with the costs imposed, if any, immediately upon the conviction, or within such period as the adjudicating Magistrate shall, at the time of conviction, have appointed, such Magistrate may commit the offender to prison for non-payment, there to remain, according to the amount unpaid, for a term to be named in the conviction, and not exceeding in any case the terms hereinafter specified respectively, that is to say, for a term not exceeding twenty-one days where the unpaid amount does not exceed two pounds; for a term not exceeding two months where such unpaid amount if above that sum does not exceed five pounds; for a term not exceeding four months where such unpaid amount if above five does not exceed ten pounds; and for a term not exceeding six months in any other case—the imprisonment to cease in each case, nevertheless, on payment of the amount stated in the warrant to be unpaid.



THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
JANUARY 1950  
TO THE HONORABLE  
COMMISSIONER OF THE  
GEOLOGICAL SURVEY  
WASHINGTON, D. C.  
SIR:  
I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,  
Yours very truly,  
J. H. VAN VAN  
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(Enclosure)

ENCLOSURE

10 JAN 1950



## DISORDERLY CONDUCT SUPPRESSION BILL.

(*Amendments and new clause to be proposed in Committee of the Whole by MR. R. E. O'CONNOR.*)

Clause 5 showing proposed amendments :—

5. Whomsoever commits any unprovoked and brutal assault on any person, or who brutally assaults any constable or police officer while in the execution of his duty, or any person while lawfully aiding such constable or police officer, or any witness in any criminal proceeding (whether before or after such witness has given evidence) shall be liable, on conviction before a Stipendiary or Police Magistrate, to imprisonment with hard labour for any term not exceeding *twelve* months, and, at the discretion of such magistrate, shall be liable, in addition to such term of imprisonment in the case of a male person ~~apparently in the opinion of such magistrate~~, of or above the age of fourteen years, to be *once, twice, or thrice* privately whipped, and in the case of a male person apparently under the age of fourteen years to be *once, twice, or thrice* privately whipped ~~with a cane or tawse~~. And the provisions of sections four hundred and three and four hundred and four of the "Criminal Law Amendment Act of 1883," and of section five of the "Criminal Law and Evidence Amendment Act of 1891" shall apply to any sentence of whipping under this Act. The maximum number of strokes to be given at each whipping shall be thirty in the case of a male person of or above the age of eighteen years, and twenty in the case of a male person under the said age and above the age of fourteen years, and fifteen in the case of a male person of or under the age of fourteen years, and the number of strokes to be inflicted shall be specified in each conviction.

Unprovoked and  
brutal assaults.

Proposed New Clause 8 :—

8. Where a sum adjudged to be paid or forfeited or imposed as a penalty under this Act is not paid into the hands of the Clerk of the Bench, together with the costs imposed, if any, immediately upon the conviction, or within such period as the adjudicating Magistrate shall, at the time of conviction, have appointed, such Magistrate may commit the offender to prison for non-payment, there to remain, according to the amount unpaid, for a term to be named in the conviction, and not exceeding in any case the terms hereinafter specified respectively, that is to say, for a term not exceeding twenty-one days where the unpaid amount does not exceed two pounds; for a term not exceeding two months where such unpaid amount if above that sum does not exceed five pounds; for a term not exceeding four months where such unpaid amount if above five does not exceed ten pounds; and for a term not exceeding six months in any other case—the imprisonment to cease in each case, nevertheless, on payment of the amount stated in the warrant to be unpaid.







Legislative Council.

56<sup>o</sup> VICTORIÆ, 1892.

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## A BILL

For the Suppression of Disorderly Conduct.

[MR. R. E. O'CONNOR;—8 *September*, 1892.]

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**W**HEREAS it is expedient that additional powers be given to Preamble.  
Stipendiary and Police Magistrates for the suppression of  
Disorderly Behaviour and for the punishment of Aggravated Assaults:  
Be it therefore enacted by the Queen's Most Excellent Majesty, by  
5 and with the advice and consent of the Legislative Council and Legis-  
lative Assembly of New South Wales in Parliament assembled, and  
by the authority of the same, as follows:—

1. Whosoever is guilty of riotous, disorderly, or indecent Riotous, disorderly,  
or indecent  
behaviour.  
behaviour in any public street, road, thoroughfare, or public place, or  
10 is guilty of any violent or indecent behaviour in any police office,  
lock-up, or police station, shall, on conviction before a stipendiary or  
police magistrate, be liable to imprisonment with hard labour for a  
term not exceeding *six* months, or to a fine not exceeding *twenty*  
pounds; and if it be proved that such person has been previously  
15 convicted of any offence against decency or good order, he shall not  
be fined, but shall be liable to imprisonment with hard labour for  
any term not exceeding *six* months; and if more than one such  
previous conviction be proved against him, he shall be liable to im-  
prisonment with hard labour for any term not exceeding *twelve* months.



Riotous, &c., behaviour, accompanied by actual injury to person or property.

2. Whosoever is guilty of riotous, disorderly, or indecent behaviour, accompanied by actual injury to person or property, in any public street, thoroughfare, or public place, or in any house, booth, place, or vessel duly licensed under the "Liquors Licensing Acts," shall be liable, on conviction before a stipendiary or police magistrate, 5 to imprisonment with hard labour for any term not exceeding *twelve* months, or to a fine not exceeding *twenty* pounds; and, in addition to such imprisonment or fine, shall be liable to pay to the owner of any property injured such sum of money as such magistrate may direct as compensation for such injury, such compensation to be recoverable 10 as a fine or penalty under this Act. And if such offence is committed by any person in combination with other persons, or if it shall be proved that such person has been previously convicted of any offence against good order, accompanied by actual injury to person or property, he shall not be fined, but shall be liable to be imprisoned with hard 15 labour for any term not exceeding *twelve* months.

Riotous, &c., behaviour, accompanied by the throwing of stones.

3. Whosoever is guilty of riotous, disorderly, or indecent behaviour, accompanied by the throwing of stones or other missiles likely to cause personal injury, in any public street, road, thoroughfare, or public place, shall, on conviction before a stipendiary or police 20 magistrate, be liable to imprisonment with hard labour for any term not exceeding *nine* months; and if the offence is committed by any person in combination with other persons, he shall be liable to imprisonment for any term not exceeding *twelve* months.

4. The provisions of the preceding three sections are in addition 25 to and not in substitution for the provisions of section fifteen of the Act of Council seventeenth Victoria number thirty-one.

Unprovoked and brutal assaults.

5. Whosoever commits any unprovoked and brutal assault on any person, or who brutally assaults any constable or police officer while in the execution of his duty, or any person while lawfully aiding 30 such constable or police officer, or any witness in any criminal proceeding (whether before or after such witness has given evidence) shall be liable, on conviction before a stipendiary or police magistrate, to imprisonment with hard labour for any term not exceeding *twelve* months, and in addition to such term of imprisonment in the case 35 of a male person apparently of or above the age of fourteen years, to be *once, twice, or thrice* privately whipped, and in the case of a male person apparently under the age of fourteen years to be *once, twice, or thrice* privately whipped with a cane or tawse. And the provisions of sections four hundred and three and four hundred and 40 four of the "Criminal Law Amendment Act of 1883," and of section five of the "Criminal Law and Evidence Amendment Act of 1891" shall apply to any sentence of whipping under this Act. The maximum number of strokes to be given at each whipping shall be thirty in the case of a male person above the age of eighteen years, and twenty in 45 the case of a male person under the said age, and fifteen in the case of a male person under the age of fourteen years, and the number of strokes to be inflicted shall be specified in each conviction.

Persons assembled unlawfully in a public street to disperse forthwith.

6. Any number of persons exceeding *three* congregated together in any public street, thoroughfare, or public place, and conducting 50 themselves in a manner reasonably calculated to cause annoyance to other persons shall, on being requested so to do by any police constable, forthwith separate and disperse; and any one or more of such persons who shall fail to comply with such request, shall be liable on conviction before a stipendiary or police magistrate to a fine not exceeding *five* 55 pounds.

Special prison treatment in certain cases.

7. In any conviction under this Act in which a term of imprisonment is awarded the stipendiary or police magistrate may indorse on such conviction the words "Special treatment under the Disorderly



Disorderly Conduct Suppression Act of 1892," in which case the person so sentenced shall, while in prison, be dieted and treated in accordance with prison regulations hereby authorised to be made by the Governor with the advice of the Executive Council for carrying out such special  
5 treatment.

8. Where any person, against whom no previous conviction has been proved, shall be convicted under this Act, the adjudicating stipendiary or police magistrate, may, at any time within five hours after sentence passed, amend the sentence so that the term of imprisonment shall commence from the time of the proof of the breach of the  
10 recognizances as hereinafter mentioned, and may thereupon order his release upon a recognizance being entered into by such person, and, if the said stipendiary or police magistrate thinks fit, by one or more sureties in any amount not exceeding forty pounds, for the good  
15 behaviour of such person during any period then next following, not exceeding twelve months. And if it shall at any time thereafter be proved to the satisfaction of any stipendiary or police magistrate that the condition of such recognizance has not been observed, it shall be lawful for such stipendiary or police magistrate to remit such person  
20 to custody to serve, and such person shall serve, the amended sentence.

Person convicted under this Act may be released on recognizances.

9. This Act shall be incorporated and construed with the Acts  
seventeenth Victoria number thirty-one, forty-sixth Victoria number  
seventeen, and fifty-fifth Victoria number five, and may be cited as  
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Act incorporated with 17 Vic. No. 31, 46 Vic. No. 17, and 55 Vic. No. 5.  
Short title.







Legislative Council.

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