



# **Isle of Man**

*Ellan Vannin*

**AT 2 of 1896**

## **THE VAGRANCY ACT 1896**





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**Isle of Man***Ellan Vannin*

## THE VAGRANCY ACT 1896

<i>Received Royal Assent:</i>	<i>8 February 1896</i>
<i>Promulgated:</i>	<i>6 July 1896</i>
<i>Commenced:</i>	<i>6 July 1896</i>

**AN ACT** concerning Vagrants.

**GENERAL NOTE:** References to hard labour are to be construed in accordance with the *Custody Act 1995* Sch 3 para 1.

### 1 Short title

This Act may be cited as “The Vagrancy Act, 1896”.

### 2 Acts of vagrancy

Any person who shall be guilty of any of the following offences (hereinafter referred to as “vagrancy offences”) shall be punishable as a vagrant (that is to say): —

#### **Fortune telling, etc.**

- (1) Pretending or professing to tell fortunes, or using any subtle craft, means, or device by palmistry to deceive or impose on any of Her Majesty’s subjects:

#### **Prostitution and riotous and indecent behaviour**

- (2) [Repealed]<sup>1</sup>

#### **Lodging in outhouses, etc.**

- (3) Wandering abroad, and lodging in any barn or outhouse, or in any deserted or unoccupied building, or in any stack, or in the open air, or under a tent, or in any cart, waggon, or other vehicle of any description, not having any visible means of subsistence, and not giving a good account of himself:

#### **Indecent exhibitions**

- (4) [Repealed]<sup>2</sup>

**Exposing wounds**

- (5) Wandering abroad and endeavouring, by the exposure of wounds and deformities, to obtain or gather alms:

**Gaming in public places**

- (6) Playing, or betting by way of wagering, or gaming in any street, road, highway, and other open and public place, or in any open place to which the public have, or are permitted to have access, at or with any table, or any instrument of gaming, or any coin, card, token, or any other article used as an instrument or means of such wagering or gaming at any game or pretended game of chance:
- (7) [Repealed]<sup>3</sup>

**Armed with offensive weapon with intent to commit unlawful act**

- (8) Being armed with any gun, pistol, hanger, cutlass, bludgeon, or any other offensive weapon, or having upon him any instrument with intent to commit an unlawful act:

**Found on premises for unlawful purpose**

- (9) Being found in or upon any dwelling-house, shop, warehouse, coach-house, stable, or outhouse, or in any enclosed yard, garden, or area for any unlawful purpose:

**Reputed thieves**

- (10) Being a suspected person or reputed thief, and frequenting any river, or dock, or any quay, wharf, or warehouse near or adjoining thereto, or any street, highway, or avenue leading thereto, or any place of public resort, or any avenue leading thereto, or any street, or any highway, or any place adjacent to a street or highway for any unlawful act.

Provided always, that in proving an intent with respect to any of the said offences, it shall not be necessary to show that the person accused or suspected of being guilty of any such offences, was guilty of any particular act tending to show his purpose or intent; but he may be convicted if, from the circumstances of the case, and from his known character as proved to the court, it appears to the court that his intent was to commit an unlawful act, as the case may be.<sup>4</sup>

**3 Punishment**

Every person who shall be convicted of any vagrancy offence, and shall be punishable as a vagrant under this or any other Act of Tynwald, shall be liable to imprisonment for a term not exceeding three months, with or without hard labour. The court shall also adjudge all instruments and articles of every description which shall have been seized when in the possession of the person convicted of any such offence, the use or possession of which instruments or articles constitutes, or forms part of such offence, to be forfeited to Her Majesty.

**4 Prosecutions**

Prosecutions for vagrancy offences shall be at the suit of the Chief-Constable or any other constable, or of any person aggrieved, and shall be before a High-Bailiff or two justices of the Peace, such High-Bailiff or Justices being hereinbefore referred to as the court.

**5 Arrest without warrant**

Any person may apprehend without warrant anyone offending against this Act, and convey him before a High-Bailiff or Justice of the Peace, or deliver him to a constable for that purpose.





## ENDNOTES

### Table of Endnote References

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<sup>1</sup> Subs (2) repealed by Sexual Offences and Obscene Publications Act 2021 Sch 5, subject to supplementary provisions [see article 4 of SD2024/0108].

<sup>2</sup> Subs (4) repealed by Sexual Offences and Obscene Publications Act 2021 Sch 5, subject to supplementary provisions [see article 4 of SD2024/0108].

<sup>3</sup> Para (7) repealed by Theft Act 1981 Sch 2.

<sup>4</sup> S 2 repealed by Fraudulent Mediums Act 1952 s 2 in so far as it extends to persons purporting to act as spiritualistic mediums or to exercise any powers of telepathy, clairvoyance or other similar powers, or to persons who, in purporting so to act or to exercise such powers, use fraudulent devices.