

ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

No. I.

PRISONERS' REMOVAL. An Act to regulate the removal of Prisoners under sentence to the places appointed for the service of such sentences. [21st June, 1853.]

Preamble.

WHEREAS doubts have arisen whether prisoners under sentences to hard labor on the roads or other public works of the Colony can be removed from the places at which such sentences were pronounced without a special direction from the Governor made in each case after sentence for the disposal of such prisoners respectively And whereas also doubts are entertained of the sufficiency of the warrants hitherto used for the removal of prisoners generally from the said places of sentence to the places at which their respective sentences are to be served For remedy thereof Be it enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows:—

Governor to give general directions beforehand as to disposal of convicts sentenced to the roads or public works.

1. It shall be competent to the Governor from time to time to give general directions to the Sheriff of the Colony touching the places at which prisoners to be thereafter sentenced to hard labor on the roads or other public works of the Colony shall be kept and all prisoners so sentenced shall forthwith or as soon as conveniently may be after their respective sentences be forwarded to such places of detention accordingly.

Regulating the warrants to be granted for removal of persons under conviction.

2. All prisoners under any sentence to labor on the roads or other public works and liable to be forwarded to such places of detention as before mentioned and all prisoners under sentence of imprisonment in some gaol or house of correction elsewhere than at the place where such sentence was passed and all prisoners under sentence of transportation and whom it may be necessary to forward to the metropolitan gaol may be forwarded to such place of detention gaol or house of correction under a warrant from any convicting Justice (in the case of a summary conviction) or of the Sheriff of the Colony or of any person acting or who shall have acted as Deputy Sheriff at the Assize Court or Court of Quarter Sessions at which such prisoner shall have been sentenced and such warrants shall be a sufficient authority for all constables who may be intrusted with the conveyance of such prisoners to keep and convey them accordingly and to all lock-up keepers and gaolers to keep and detain them in custody for so long as convenience may require for the purpose and in the course of such removal.