

No. IV.

PRISONERS' LABOUR
SENTENCES.

An Act to provide for the carrying out of labour outside the walls of Gaols by Prisoners under sentences and for other purposes. [3rd July, 1884.]

Preamble.

WHEREAS it is expedient to make provision for the working of prisoners under sentences to hard labour outside the walls of any gaol and within the precincts of any place of detention proclaimed for the carrying out of sentences to imprisonment with hard labour hard labour on the roads or public works of the Colony and to penal servitude and for other purposes Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Comptroller-General
may authorize
labour sentences to
be performed
outside gaol &c.

1. The Comptroller-General of Prisons may direct any prisoner sentenced to imprisonment with hard labour or to labour on the roads or other public works of the Colony or to penal servitude to be taken for the purpose of labour outside the walls of any gaol in which such prisoner may be confined And may direct any prisoner sentenced to imprisonment with hard labour to be taken and worked outside the walls of any building within the precincts of any place proclaimed by the Governor with the advice of the Executive Council as a place of detention for prisoners.

When Justices may
direct hard labour
sentences to be
performed outside
watch-house &c.

2. In any case in which any Justice or Justices of the Peace shall order or direct any offender to be imprisoned with hard labour for any period not exceeding fourteen days within any watch-house or lock-up such Justice or Justices may by warrant under his or their hand direct such labour to be performed outside any such watch-house or lock-up.

Punishment of
prisoners escaping.

3. Every prisoner employed outside the walls of a gaol or beyond the precincts of a place of detention proclaimed as hereinbefore provided who shall escape or attempt to escape from the custody of any person shall be guilty of felony and may be sentenced to penal servitude for any period not exceeding five years in addition to any term of punishment not then actually served to which he has been sentenced And every offender employed outside any watch-house or lock-up pursuant to the provisions of the second section of this Act who shall escape or attempt to escape from the custody of any person shall be guilty of a misdemeanour and may be sentenced to imprisonment with or without hard labour for any term not exceeding six months.

Penalty on officer
for negligently or
wilfully permitting
prisoner to escape
and powers of
officers.

4. Every person lawfully in charge of any prisoner removed from any gaol under the authority of this Act who wilfully or negligently permits such prisoner to escape shall be subject to the like pains and penalties to which any constable or police officer is now by law liable for a like offence and shall while in charge of any prisoner so removed have all the power and privileges by law appertaining to a constable lawfully in charge of a prisoner.

Penalty on persons
being at or near
places of detention
without permission.

5. If any person without lawful authority (the proof of which authority shall be on him) shall be found within one hundred yards of the boundaries of any place of detention so proclaimed as aforesaid or shall in any manner communicate or endeavour to communicate with

or

Sydney Corporation Act Amendment (No. 2).

or loiter near any offender confined or employed in such place or communicate with any prisoner employed outside the walls of any gaol he shall be guilty of a misdemeanour and be liable to a fine or penalty not exceeding twenty pounds or to imprisonment with or without hard labour for any term not exceeding three calendar months or to both at the discretion of the Court.

6. The Governor with the advice of the Executive Council may by proclamation to be published in the *Gazette* proclaim any place within limits to be specified in such proclamation to be a place of detention for the purpose of carrying out sentences to imprisonment with hard labour on the roads or public works of the Colony or penal servitude and by any subsequent proclamation may abolish or alter the limits of any such place of detention. And every place of detention so proclaimed shall for all purposes of the law relating to gaols or prisons and to escapes rescue or prison-breach be deemed to be a gaol and prison.

Proclamation of places of detention for labour.

7. Any prisoner under any such sentence as aforesaid may be taken temporarily by authority of a warrant under the hand of the Minister of Justice from any gaol or prison or from any place of detention proclaimed under this Act to any place in the Colony for any purpose in aid of the administration of justice or other purpose which in the opinion of the Minister requires that such temporary removal should in the ends of justice be authorized.

Temporary removal of prisoners in furtherance of ends of justice &c.

8. This Act may be cited as the "Prisoners' Labour Sentences Act 1884."

Short title.

