Royal Highness, and shall be free and clear from all Taxes and Assessments, and all other Charges whatsoever, and shall be paid on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in every Year, by equal quarterly Payments, with a proportional Part of such Annuity from the last quarterly Day of Payment to the Day of the Decease of Her said Royal Highness; the first Payment thereof to be made on the first quarterly Day of Payment which shall happen next after the Decease of His said Royal Highness the Duke of *Cambridge*, of such Proportion of such Annuity as shall have accrued between the Decease of His said Royal Highness the Duke of *Cambridge* and such quarterly Day of Payment; and that the said Annuity of Three thousand Pounds shall, by such Letters Patent, be directed to be issuing and payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, during the Remainder of the Life of Her said Royal Highness, after paying or reserving sufficient to pay all such Sums as shall have been directed to be paid out of the same by any Act or Acts of Parliament made before the Time of passing this Act, but with a Preference to all Payments which shall at any Time after the passing of this Act be charged upon the said Fund.

CAP. XXVI.

An Act for regulating the Prison at *Millbank*.

[27th *June* 1843.]

'WHEREAS it is expedient to repeal the Laws passed 'for the Establishment and Regulation of the Penitentiary House at *Millbank*, near *Tothill Fields*, in the County 'of *Middlesex*, and that the Buildings there should be used as 'a Prison for the Reception of such Offenders as are hereinafter mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Repeal of 34 G. 3. c. 84. That an Act passed in the Thirty-fourth Year of the Reign of King *George* the Third, intituled *An Act for erecting a Penitentiary House or Houses for confining and employing Convicts;* and an Act passed in the Fifty-second Year of the same Reign,

52 G. 3. c. 44. intituled *An Act for the Erection of a Penitentiary House for the Confinement of Offenders convicted within the City of* London *and County of* Middlesex; *and for making Compensation to* Jeremy Bentham *Esquire for the Nonperformance of an Agreement between the said* Jeremy Bentham *and the Lords Commissioners of His Majesty's Treasury respecting the Custody and Maintenance of Convicts;* and an Act passed in the Fifty-sixth Year of the same

56 G. 3. c. 63. Reign, intituled *An Act to regulate the General Penitentiary for Convicts at* Millbank *in the County of* Middlesex; and an Act passed in the Fifty-ninth Year of the same Reign, intituled

59 G. 3. c. 136. *An Act for the better Regulation of the General Penitentiary for*

Convicts at Millbank; and an Act passed in the Eighth Year of the Reign of King *George* the Fourth, intituled *An Act for the further Regulation of the General Penitentiary at* Millbank; and so much of an Act passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for establishing a new Court for the Trial of Offences committed in the Metropolis and Parts adjoining*, as relates to the said Penitentiary House; and so much of an Act passed in the Sixth Year of the same Reign, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, as relates to the said Penitentiary House; and an Act passed in the Seventh Year of the same Reign, intituled *An Act to amend the Acts for regulating the General Penitentiary at* Millbank; and so much of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act for the better ordering of Prisons*, as relates to the said Penitentiary House; and so much of an Act passed in the last Session of Parliament, intituled *An Act to amend the Laws concerning Prisons*, as relates to the said Penitentiary House; and so much of Two Acts passed in this Session of Parliament, intituled, severally, *An Act for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, and *An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore*, as relates to the said Penitentiary House; and also so much of any other Act now in force as relates to the said Penitentiary House, shall be repealed, except so far as any of the said Acts may repeal the Whole or any Part of any other Act, and except as to any Offences which before the passing of this Act have been committed against any of the said Acts, which shall be punished as if this Act had not been passed, and except as to any thing before the passing of this Act done by any Person under the Authority of any of the said Acts, with respect to whom every Privilege and Protection given by any of the said Acts shall continue in force as if this Act had not been passed, and except as to any Rules or Things before the passing of this Act made or done by virtue of any of the said Acts, and except as to the Fulfilment of any Contract or Agreement before the passing of this Act made by virtue of any of the said Acts, and except as to the Term of Confinement of all Convicts received before the passing of this Act into the said Penitentiary House by virtue of any of the said Acts, who shall be confined therein for the same Periods as they would respectively have been liable to be confined if this Act had not been passed.

7 & 8 G. 4. c. 33.

4 & 5 W. 4. c. 36. ss. 5, 6, 7, & 8.

5 & 6 W. 4. c. 38. ss. 13, 14, & 15.

7 W. 4. & 1 Vict. c. 13.

2 & 3 Vict. c. 56., Part of s. 1, ss. 18, 19, 20, 21.

5 & 6 Vict. c. 98. ss. 26, 27.

6 & 7 Vict. cc. 3, 4.

II. And be it declared and enacted, That the Lands and Tenements purchased for the Establishment of the said Penitentiary House or thereunto in anywise belonging, with all Furniture and Fixtures therein, now belonging to Her Majesty, or hereafter provided for the Use of the Prison, shall be and continue vested absolutely in Her Majesty, Her Heirs and Successors.

Lands and Buildings vested in Her Majesty.

The Millbank Prison shall be used as a Prison for the Offenders herein-after specified.

III. And be it enacted, That after the passing of this Act the said Penitentiary House shall be called "The *Millbank* Prison," and shall be used as a Prison for such Offenders as are herein-after specified, and shall be within the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, and of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act for the better ordering of Prisons*, and of an Act passed in the last Session of Parliament, intituled *An Act to amend the Laws concerning Prisons.*

5 & 6 W. 4. c. 38.

2 & 3 Vict. c. 56.

5 & 6 Vict. c. 98.

Prison to be exempt from Rates and Taxes.

IV. And be it enacted, That the said Prison, and all the Lands, Tenements, and Hereditaments thereunto belonging, with the Appurtenances thereof, and all Persons in respect thereof, shall be wholly freed and discharged from all Taxes, Rates, Assessments, and Charges whatsoever.

Appointment of Officers.

V. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State to appoint for the said Prison, and at his Pleasure to remove, a Governor, a Chaplain or Chaplains, (being Clergymen not having any other Cure of Souls), a Medical Officer, and a Matron, and so many other Officers and Servants as he shall deem to be necessary for the Service and Discipline of the Prison; and the several Persons who shall be the Governor, Chaplains, Surgeon or Apothecary, Matron, and other Officers of the said Penitentiary at the Time of the passing of this Act shall continue to hold the like Offices in the *Millbank* Prison until they shall die, resign, or be removed by the Secretary of State, and shall continue, as Officers of the *Millbank* Prison, to hold all Records, Books, and Papers which were in their Custody as Officers of the said Penitentiary House; and the Secretary of State, with the Approval of the Commissioners of Her Majesty's Treasury, shall fix the Salaries to be paid to the said Governor, Chaplains, Medical Officer, Matron, and other Officers and Servants of the Prison: Provided always, that no Chaplain shall officiate at the said Prison unless he shall have obtained a Licence from the Bishop of the Diocese of *London* to officiate at the said *Millbank* Prison or at the said Penitentiary House, nor for any longer Time than while such Licence shall be in force; and Notice of every such Appointment of a Chaplain shall be sent to the Bishop by the Secretary of State within One Calendar Month next after such Appointment.

Secretary of State may require Security from any Officer.

VI. And be it enacted, That it shall be lawful for the Secretary of State, if he shall deem it necessary, to require any Person employed in the said Prison to give Security for the due Performance of his or her Duties, in such Sums, and with such collateral Securities, and in such Form as the Secretary of State shall direct.

For ousting dismissed Officers.

VII. And be it enacted, That every Person appointed to any Office or Employment in the said Prison who shall be removed from his or her Office or Employment shall quit the said Prison

 forthwith,

forthwith, or within such Time as shall be allowed by One of the said Inspectors; and if he or she shall refuse or neglect to give up Possession of any House, Building, or Apartment therein or belonging thereto within such Period as shall be fixed by the Secretary of State in any Order or Notice in Writing, not being less than Forty-eight Hours after the Delivery to such Person of any such Order or Notice, then it shall be lawful for the Secretary of State, by Warrant under his Hand and Seal, to direct the Sheriff of the County to remove such Person out of the Prison, and the said Sheriff shall thereupon clear the Possession thereof, so far as relates to any Part of the Prison, or any House, Building, or Apartment therein or belonging thereto occupied, by or in possession of such Person, in like Manner as upon a Writ of Habere facias possessionem.

Inspectors to have the same Powers as Visiting Justices.

VIII. And be it enacted, That such of the Inspectors of Prisons as shall be appointed for that Purpose by One of Her Majesty's Principal Secretaries of State shall have the same Powers and Duties with respect to the said Prison which the Visiting Justices of any other Prison have with respect to their Prison, and that the Justices of the Peace for the County of *Middlesex* or for the City and Liberty of *Westminster* shall not have any Power or Jurisdiction with respect to the said Prison; and all Enactments respecting the Visiting Justices of any Prison shall be deemed to apply to the said Inspectors with respect to the *Millbank* Prison; and the said Inspectors shall hold Meetings, and they or any Two of them shall be empowered from Time to Time to make and alter Rules for their Meetings and for all Matters relating thereunto, and also for the Government of the said Prison, and for the Duties and Conduct of the Governor and other Officers of the Prison, and for the Diet, Clothing, Maintenance, Employment, and Discipline of the Convicts imprisoned therein, as to the said Inspectors shall seem fit; provided, that no such Rule, whether it be original, or an Amendment or Revocation of a former Rule, shall be enforced until it shall have been approved by One of Her Majesty's Principal Secretaries of State.

Inspectors to visit the Prison.

IX. And be it enacted, That One of the said Inspectors shall from Time to Time visit the *Millbank* Prison during the Intervals between their Meetings, and may make any Order or give any Direction, in Cases of pressing Emergency, within the said Prison, which might be made or given by the said Inspectors; provided that every such Order or Direction shall be in Writing, and shall be reported, with the Circumstances by which the same was occasioned, to the Inspectors at their next Meeting.

Inspectors to be a Body Corporate with Power to make Contracts.

X. And be it enacted, That the said Inspectors and their Successors in Office shall be a Body Corporate for the Purposes of this Act, and shall sue and be sued by the Name of "The Inspectors of the *Millbank* Prison," and shall have Power in that Capacity to make Contracts with any Persons whomsoever for the Clothing, Diet, and other Necessaries required for the Use of such Prison, and for all Repairs, Alterations, and

Additions thereto, and for the Implements and Materials for any Kind of Manufacture or Trade in which Convicts confined in such Prison shall be employed, and also to carry on such Manufacture or Trade in such Prison, and to sell such Goods, Wares, and Merchandize as shall there be wrought or manufactured.

Inspectors to report to the Secretary of State.

XI. And be it enacted, That the said Inspectors shall, on or before the Tenth Day of *March* in each Year, and oftener if required by One of Her Majesty's Principal Secretaries of State, make Reports in Writing, under the Hands of Two or more of them, to the Secretary of State, specifying the State of the Buildings, the Behaviour and Conduct of the Officers of the Prison and of the Convicts, and the Expence of such Prison, and such other Matters relating to the Discipline and Management of such Prison as they shall deem expedient, or as the Secretary of State shall direct; and every such Report shall be laid before both Houses of Parliament within One Calendar Month next after the Receipt thereof if Parliament shall be then sitting, or if not, then within One Calendar Month after the then next Meeting of Parliament.

Reports to be laid before Parliament.

Offenders under Sentence of Transportation may be removed to the Millbank Prison.

XII. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct the Removal to the *Millbank* Prison of any Convict under Sentence or Order of Transportation, who, having been examined by an experienced Medical Officer, shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol, Prison, or Place in which such Offender shall be confined; and the Sheriff or Gaoler having the Custody of any Convict whose Removal to the *Millbank* Prison shall be ordered in manner aforesaid shall, with all convenient Speed after the Receipt of any such Order, convey or cause to be conveyed every such Convict to the said Prison, and, if upon Examination by a Medical Officer of the *Millbank* Prison he or she shall appear fit to be received into the Prison, shall there deliver him or her into the Custody of the Governor of the *Millbank* Prison, with a true Copy, attested by such Sheriff or Gaoler, of the Caption and Order of the Court by which such Convict was sentenced, containing the Sentence of every such Convict by virtue of which he or she shall be in the Custody of such Sheriff or Gaoler, and also a Certificate specifying such Particulars within the Knowledge of the Sheriff or Gaoler concerning such Convict as may be from Time to Time directed by One of Her Majesty's Principal Secretaries of State; and the Governor of the *Millbank* Prison shall give a Receipt in Writing for every Convict received into his Custody to the Sheriff or Gaoler for his Discharge; and all reasonable Expences which the Sheriff or Gaoler shall incur in every such Removal shall be paid by the County, Riding, Division, City, Borough, Liberty, or Place for which the Court in which the Offender shall be convicted shall have been holden.

Reception of Convicts.

XIII. And be it enacted, That when any Convict who shall be ordered to be confined in the said Prison shall be brought thither

thither in pursuance of the Powers contained in this Act, he or she shall continue in the Custody of the Person in whose Custody he or she shall have been brought to the Prison until he or she shall have been examined by a Medical Officer of the said Prison, and until it be certified by such Medical Officer that he or she is fit to be received into the Prison; and if the Medical Officer shall certify that he or she is not fit to be received there, he or she may be conveyed back, in the same Custody, to the Prison or Place of Confinement from which he or she was brought.

Terms of Imprisonment.

XIV. And be it enacted, That every Convict in the Custody of the Governor of the *Millbank* Prison shall continue there until he or she shall be transported according to Law, or conditionally pardoned, or shall become entitled to his or her Freedom, or until the Secretary of State shall direct the Removal of such Convict to any other Prison or Place of Confinement in which he or she may be lawfully imprisoned: Provided always, that every such Convict shall nevertheless be within the Provisions of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act for the Transportation of Offenders from* Great Britain, in case One of Her Majesty's Principal Secretaries of State shall direct that he or she shall be afterwards removed from the *Millbank* Prison, as herein provided.

5 G. 4. c. 84.

Discharge of Convicts.

XV. And be it enacted, That no Convict in the Custody of the Governor of the *Millbank* Prison shall be dismissed from the said Prison, at the End or other Determination of his or her Term, if he or she shall then labour under any acute or dangerous Distemper, unless at his or her Request; and when such Convict shall be finally discharged, such decent Clothing and such Assistance in Money or otherwise as shall be judged proper by One of Her Majesty's Principal Secretaries of State shall be given to such Convict.

Hours of Work.

XVI. And be it enacted, That such Convicts may be employed in Work at the said Prison every Day in the Year, except *Sundays*, *Christmas Day*, *Good Friday*, and any Day appointed for a General Fast or Thanksgiving, so many Hours, not exceeding Twelve, exclusive of the Time allowed for Meals and Exercise, as the Inspectors shall order: Provided always, that the said Inspectors, by a written Order, may allow any Convict, at his or her own Request, to labour for a longer Time than is required by the Rules of the Prison.

None but privileged Persons and Officers to enter any of the Apartments of the Prison.

XVII. And be it enacted, That no Person except the Bishop of the Diocese of *London*, the Judges of Her Majesty's Superior Courts of Law at *Westminster*, Her Majesty's Principal Secretaries of State, and the Inspectors, Officers, and Servants of the Prison, or such Persons as shall be authorized according to the Rules made by the said Inspectors, shall be allowed at any Time to enter any Part of the Prison or Airing Yards allotted to or used by the Prisoners, or to converse or hold Communication of any Kind with any of them.

XVIII. And

Governor to have the same Power over Prisoners in his Custody as a Sheriff or Gaoler.

XVIII. And be it enacted, That the Governor of the *Millbank* Prison, or other Person having the Custody of Convicts under his Direction, shall, during the Term for which such Convicts shall be in his Custody, have the same Powers over such Convicts as are incident to the Office of Sheriff or Gaoler, and in case of any Abuse of such Custody, or other Misbehaviour or Negligence in the Discharge of his Office, shall be liable to the same Punishment to which a Gaoler is liable by Law.

Convicts Punishment for assaulting Governor or other Officers.

XIX. And be it enacted, That if any Convict in the *Millbank* Prison shall assault the Governor or any Officer or Servant employed therein, the Commissioners may order him or her to be prosecuted for the said Offence, and upon Conviction thereof such Convict shall be liable to be imprisoned for any Term not exceeding Two Years, in addition to the Term for which at the Time of committing such Offence he or she was subject to be confined, and, if a Male, shall also be liable to corporal Punishment, if the Court shall so order.

Convicts may be removed from the Prison as incorrigible.

XX. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State at any Time to order any Convict to be removed from the *Millbank* Prison as incorrigible; and in every such Case the Convict so removed shall be liable to be transported under his or her original Sentence of Transportation, to the full Extent of the Term specified in such Sentence, and shall be liable to all the Consequences of such Sentence in the same Manner as if no Order for sending him or her to the *Millbank* Prison had been made.

Insane Convicts to be removed to Lunatic Asylums.

XXI. And be it enacted, That if any Convict in the said Prison shall become or be found to be insane during such Confinement upon the Certificate of Two Physicians or Surgeons, and shall be so reported by the Inspectors to One of Her Majesty's Principal Secretaries of State, it shall be lawful for such Secretary of State, by Warrant under his Hand, to order that such insane Convict shall be forthwith removed to such Lunatic Asylum as the said Secretary of State may judge proper; and every Convict so removed shall remain under Confinement in such Asylum, or in any other Lunatic Asylum to which such Convict may be lawfully removed, until it shall be duly certified to One of Her Majesty's Principal Secretaries of State by Two Physicians or Surgeons that such Convict has become of sound Mind, whereupon, if the Time for which such Convict was sentenced to be imprisoned shall not have expired, the Secretary of State shall be authorized to issue his Warrant to the Governor or other Person having the Care of such Asylum, ordering that such Convict be remanded to the *Millbank* Prison, or, if the Period of Imprisonment of such Convict shall have expired, that he or she be discharged.

Punishment of Convicts for breaking Prison.

XXII. And be it enacted, That every Convict in the *Millbank* Prison who at any Time during the Term of his or her Imprisonment shall break Prison, or who, while being conveyed to such Prison, shall escape from the Person or Persons having the

the lawful Custody of such Convict, shall be punished by an Addition not exceeding Three Years to the Term of his or her Imprisonment, and if afterwards convicted of a Second Escape or Breach of Prison shall be adjudged guilty of Felony; and every Convict in the *Millbank* Prison who at any Time during the Term of his Imprisonment shall attempt to break Prison, or who shall forcibly break out of his or her Cell, or make any Breach therein with Intent to escape therefrom, shall be punished by an Addition not exceeding Twelve Calendar Months to the Term of his or her Imprisonment.

Punishment of Persons rescuing or assisting the Rescue of Prisoners.

XXIII. And be it enacted, That every Person who shall rescue any Convict either during the Time of his or her Conveyance to or from the said Prison or of his or her Imprisonment therein, and also every Person who shall aid in any such Rescue, shall be guilty of Felony; and every Person having the Custody of any such Convict as aforesaid, or being employed by the Person having such Custody as a Keeper, Under-keeper, Turnkey, Assistant, or Guard, who shall knowingly and wilfully allow such Convict to escape, and also every Person who, by supplying Arms, Tools, or Instruments of Disguise, or otherwise, shall in any Manner aid any such Convict in any Escape, though no Escape be actually made, and every Person who shall attempt to rescue any such Convict or aid in any such Attempt, though no Rescue be actually made, shall be guilty of Felony; and every Person having such Custody as aforesaid who shall carelessly allow any such Convict to escape shall be guilty of a Misdemeanor, and being lawfully convicted of such Misdemeanor shall be liable to Fine or Imprisonment, or to both, at the Discretion of the Court.

Punishing Officers, &c. for furnishing Convicts with prohibited Articles.

XXIV. And be it enacted, That every Officer or Servant of the *Millbank* Prison who shall bring or carry out, or endeavour to bring or carry out, or knowingly allow to be brought or carried out, to or for any such Convict, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles whatsoever not allowed by the Rules of the Prison, shall be forthwith suspended from his or her Office by the Governor of the Prison, who shall report the Offence to the Inspectors at their next Meeting, and the Inspectors shall inquire thereof upon Oath, which they shall be empowered to administer, and upon Proof of the Offence shall dismiss such Officer or Servant, and may also, if they shall think fit, cause the Offender to be apprehended and carried before a Justice of the Peace, who shall be empowered to hear and determine any such Offence in a summary Way; and every such Officer or Servant, upon Conviction of such Offence before a Justice of the Peace, shall be liable to pay a Penalty not exceeding Fifty Pounds, or, in the Discretion of the Justice, to be imprisoned in the Common Gaol or House of Correction, there to be kept, with or without hard Labour, for any Time not exceeding Six Calendar Months.

Penalty for false Evidence.

XXV. And be it declared and enacted, That every Person who upon Examination on Oath or Affirmation before the said Inspectors

Inspectors shall wilfully give false Evidence shall be liable to the Pains and Penalties of Perjury.

Mode of Trial and Conviction.

XXVI. And be it enacted, That every Convict or other Person who shall commit any Offence mentioned in this Act or in any way relating to the *Millbank* Prison, for which he or she is not liable to be summarily convicted, may be tried before the Justices of Oyer and Terminer either at the Central Criminal Court or for the County in which the Offender shall be taken; and in any Case of any Prosecution for any such Offence either against a Convict or against any other Person or Persons concerned therein or accessory thereunto, a Copy, properly attested, of the Order of Commitment to such Prison, with Proof that the Person then in question before the Court is the same who was delivered with such Order, and Production of the Register of the said Prison, shall be sufficient Evidence of all the Facts entered in such Register as to such Convict, without the Production of any Record or Conviction or other Proof that such Convict had been convicted of Felony, and legally ordered to be imprisoned in the *Millbank* Prison.

Expences of executing this Act.

XXVII. And be it enacted, That an Account of the Expences of carrying this Act into execution shall be annually laid before both Houses of Parliament, and shall be provided for by Parliament.

Protection of Inspectors and Governor.

XXVIII. And be it enacted, That the Provisions of all Acts of Parliament now or which at any Time hereafter shall be in force for rendering Justices of the Peace safe in the Execution of their Offices shall extend to the said Inspectors and to the Governor of the *Millbank* Prison.

Limitation of Actions.

XXIX. And be it enacted, That all Suits and Prosecutions to be commenced by any Person or Persons for any thing done in pursuance of this Act shall be laid or tried in the County or Place where the Fact was committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise.

Act may be amended, &c.

XXX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXVII.

An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and forty-four, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and forty-three.

[4th *July* 1843.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and