

ANNO SEPTIMO

GULIELMI IV. REGIS.

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CAP. XIII.

An Act to amend the Acts for regulating the General Penitentiary at *Millbank*.

[8th *June* 1837.]

WHEREAS it is expedient to amend the Acts for regulating the General Penitentiary at *Millbank*, as herein-after mentioned: Be it therefore enacted by the King'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, That it shall be lawful for His Majesty, by an Order in Writing to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that any Male or Female Offenders in any Prison or other Place of Confinement within *Great Britain*, under Sentence or Order of any Court, or of any competent Authority, for any Offence committed by them, shall be removed from the Prison or other Place of Confinement in which they are confined to the General Penitentiary at *Millbank*, there to remain under the respective Sentences or Orders relating to them, or until further Order shall be given by the like Authority for carrying such Sentences or Orders into effect according to Law; all such Offenders during their Confinement in such Penitentiary to be subject to all Powers, Provisions, and Regulations for the Confinement, Employment, and Management of Convicts in such Penitentiary: Provided always, that where any Offender shall be removed to such Penitentiary under any Order purporting to be

His Majesty may direct Prisoners to be removed to the General Penitentiary, there to remain under their Sentences until further Orders for carrying such Sentences into effect.

made by virtue of the previous Provision of this Act, the Sentence or Order of the Court or other competent Authority relating to such Offender shall still remain in full Force, and shall not be affected or abridged by the subsequent Provisions of this Act.

So much of 56 G. 3. c. 63. as regulates the Terms of Confinement of Convicts removed to the Penitentiary repealed, and other Terms substituted.

II. And whereas by an Act passed in the Fifty-sixth Year of the Reign of King *George* the Third, intituled *An Act to regulate the General Penitentiary for Convicts at* Millbank *in the County of* Middlesex, it is among other things enacted, that it shall and may be lawful for His Majesty, by an Order in Writing to be notified by the Secretary of State, to direct that any Person who may be under Sentence or Order of Transportation for any Offence committed within that Part of the United Kingdom called *England* and *Wales*, and who having been examined by an experienced Surgeon or Apothecary shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol or Prison in which such Person may be confined, shall be removed to the said Penitentiary, there to remain and continue for and during the Term of Five Years in case such Convict shall be under Sentence or Order of Transportation for Seven Years only, and for and during the Term of Seven Years in case such Convict shall be under Sentence or Order of Transportation for Fourteen Years, and for and during the Term of Ten Years in case such Convict shall be under Sentence or Order for Life: And whereas it is expedient to repeal the herein-before recited Part of the said Act, and also such Part of the said Act as relates to reducing the Term of Confinement in the said Penitentiary in consequence of the previous Confinement of the Convict in some other Prison; be it therefore enacted, That the said Parts of the said Act shall be and the same are hereby repealed; and that it shall be lawful for His Majesty, by an Order in Writing to be notified by the Secretary of State, to direct that any Person who may be under Sentence or Order of Transportation for any Offence committed in that Part of the United Kingdom called *Great Britain*, and who having been examined by an experienced Surgeon or Apothecary shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol or Prison in which such Person may be confined, shall be removed to the said Penitentiary, there to remain and continue for and during the Term of Three Years in case such Convict shall be under Sentence or Order of Transportation for Seven Years only, and for and during the Term of Four Years in case such Convict shall be under Sentence or Order for Fourteen Years, and for and during the Term of Five Years in case such Convict shall be under Sentence or Order for Life; the said respective Terms of Three Years, Four Years, and Five Years to be computed from the Day of the Conviction of the Offender.

Terms of Imprisonment of Convicts removed to the Penitentiary before the passing of this Act.

III. And be it further enacted, That every Convict who shall have been removed before the passing of this Act to the said Penitentiary, there to remain and continue for and during the Term of Five Years, Seven Years, or Ten Years, in lieu of any Sentence or Order of Transportation for Seven Years, Fourteen Years, or for Life, as the Case may be, shall remain and continue in the said Penitentiary for and during the Term of Three Years, in case such Convict shall have

been under Sentence or Order of Transportation for Seven Years only, and for and during the Term of Four Years in case such Convict shall have been under Sentence or Order for Fourteen Years, and for and during the Term of Five Years in case such Convict shall have been under Sentence or Order for Life; the respective Terms of Three Years, Four Years, or Five Years to be computed from the Day of the Conviction of the Offender: Provided always, that it shall be lawful for the superintending Committee of the said Penitentiary to recommend as Objects of the Royal Mercy, on the Ground of good Conduct, any of such Convicts who shall have been removed to the said Penitentiary before the passing of this Act, being at the Time of such Removal under Sentence or Order of Transportation for Life or for Fourteen Years.

Superintending Committee may recommend any of such Convicts as Objects of the Royal Mercy.

IV. And be it further enacted, That so much of the several Acts passed for the Management of the said Penitentiary as relates to Recommendations by the superintending Committee of Convicts to His Majesty as Objects of the Royal Mercy, (save and except such Convicts herein-before described as were removed to the said Penitentiary before the passing of this Act,) and to the Division of Convicts into Classes, called the First and Second Classes, and to the burning or selling and disposing of the Clothes of Prisoners, and to the granting to them any Part of the Profits arising from their Labour, and to the Payment of Money to Prisoners for good Conduct after their Discharge, shall be and the same is hereby repealed.

Provisions of former Acts as to dividing of Convicts into Classes, and to their Clothes, Allowances, and Rewards, repealed, (except, &c.)

V. Provided always, and be it enacted, That where any Convict shall have been removed or may hereafter be removed to the said Penitentiary under Two Sentences of Transportation each for the Term of Seven Years, or under Two Sentences of Transportation each for the Term of Fourteen Years, such Two Sentences for Seven Years shall for the Purposes of this Act be deemed equivalent to One Sentence of Transportation for Fourteen Years, and such Two Sentences for Fourteen Years shall for the like Purposes be deemed equivalent to One Sentence of Transportation for Life.

As to Convicts removed under Two Sentences of Transportation.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner affect His Majesty's Royal Prerogative of Mercy.

Saving the King's Prerogative.

VII. And be it further enacted, That this Act, or any Part thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Alteration of Act.

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