CHAP. 95.

An Act to enable Military Offenders to be confined in Millbank Prison. [11th August 1869.]

A.D. 1869.

WHEREAS it is expedient to provide that military offenders subject to imprisonment may be confined in Millbank Prison:

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, as follows:

Short title.

1. This Act may be cited for all purposes as "The Millbank Prison Act, 1869."

Power to remove military prisoners.

2. From and after the passing of this Act any military prisoner may be sent, removed, or transferred to the Millbank Prison for the purpose of undergoing his sentence, by the same authority and in the same manner in and by which such prisoner might, for such purpose, in pursuance of the Mutiny Act, be sent to any public prison, or removed from one public prison to another, or transferred from a military prison to a public prison; subject, nevertheless, to the provisions of the Millbank Acts as to his freedom from any putrid or infectious distemper, or to his being examined and certified by the medical officer of the Millbank Prison to be fit to be received into the same.

Any military prisoner sent, removed, or transferred to Millbank Prison in pursuance of this Act shall, during his continuance in such prison, be subject to the Millbank Acts, in the same manner as if he were a convict in the custody of the governor of the said prison in pursuance of the Millbank Acts; and the said prison shall be deemed to be a prison for the punishment of prisoners sent, removed, or transferred thereto in pursuance of this Act, as well as of convicts under sentence of penal servitude; and it shall be lawful for one of Her Majesty's Principal Secretaries of State to make regulations with respect to the treatment of military prisoners

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who may be confined in such prison, but, until such regulations are made, such prisoners shall be subject to the regulations for the time being applicable to convicts in such prison under sentence of penal servitude.

Before any military prisoners are received into the Millbank Prison, the Commissioners of the Treasury shall determine the rate to be charged for the maintenance of such prisoners, and out of what funds such rate is to be defrayed.

Discharge of military offender from Millbank.

3. Any military prisoner may be discharged from the Millbank Prison or delivered over to military custody out of the Millbank Prison, in the same manner and by the same authority in and by which he might be discharged or so delivered under the Mutiny Act from a public prison other than a military prison.

Interpretation of terms.

4. In the construction of this Act the term "Mutiny Act" shall mean any Act for the time being in force for punishing mutiny and desertion, and for the better payment of the army and their quarters:

The term "military prisoner" shall mean any person subject to imprisonment by or in pursuance of the sentence of any court-martial, passed either before or after the passing of this Act:

The term "Millbank Acts" shall mean and include any Act or Acts for the time being in force for regulating the Millbank Prison.

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