As to the Term "Lord Chancellor."

X. In the Construction of this Act, unless such Meaning be repugnant to or inconsistent with the Context, the Expression Lord Chancellor shall mean and include the Lord High Chancellor of *Great Britain* and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

Officers of the Court of Chancery, who were formerly Officers of the Court of Exchequer, enabled to compute the Period during which they were such Officers for the Purposes of retiring Pensions.

XI. 'And whereas by an Act passed in the Fifteenth and Sixteenth Years of the Reign 'of Her present Majesty, Chapter Eighty-seven, Section Forty-six, Provision was made for 'granting Superannuation Allowances to any Person holding any Office or Appointment in 'the Court of Chancery who should be afflicted with some permanent Infirmity disabling him 'from the due Execution of his Office, or should have continued in any Office or Offices for 'Twenty Years, and should be desirous of resigning the same: And whereas by the Act of 'the Fifth Year of the Reign of Her present Majesty, Chapter Five, certain of the Sworn 'Clerks and Side Clerks of the Court of Exchequer were appointed Registrars and Clerks to 'Registrars of the Court of Chancery, and it is expedient that the Time during which they 'had held the Offices of Sworn Clerks and Side Clerks of the said Court of Exchequer should 'for the Purposes herein-after mentioned be added to the Time during which they have been 'Registrars and Clerks to Registrars of the Court of Chancery:' Be it therefore enacted, That the Commissioners of Her Majesty's Treasury, in ascertaining and awarding the Amount of any Superannuation Allowance under the Authority of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Eighty-seven, to any Registrars and Clerks to Registrars of the Court of Chancery who shall have been Sworn Clerks and Side Clerks in the Court of Exchequer, shall take into consideration the whole Period during which they shall have been such Sworn Clerks and Side Clerks, and the same shall be added to the Time during which they shall have held the Offices of Registrars and Clerks to the Registrars of the Court of Chancery.

CAP. XCIX.

An Act to substitute, in certain Cases, other Punishment in lieu of Transportation. [20th *August* 1853.]

'WHEREAS by reason of the Difficulty of transporting Offenders beyond the Seas it 'has become expedient to substitute, in certain Cases, other Punishment in lieu of 'Transportation:' Be it therefore 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:

No Person to be transported, except for Life or for 14 Years or upwards.

I. After the Commencement of this Act no Person shall be sentenced to Transportation who if this Act had not been passed would not have been liable to be transported for Life, or for a Term of Fourteen Years or upwards; and no Person shall be sentenced to Transportation for any Term less than Fourteen Years.

Sentence of Penal Servitude.

II. Any Person who if this Act had not been passed might have been sentenced to Transportation for a Term of less than Fourteen Years shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for such Term as herein-after mentioned.

Persons liable to Transportation for 14 Years, &c. may still be sentenced to Transportation, &c.

III. Any Person who if this Act had not been passed might have been sentenced to Transportation for a Term of Fourteen Years or upwards or for Life shall, after the Commencement of this Act, be liable, at the Discretion of the Court, to be sentenced either to such Transportation for Fourteen Years or upwards or for Life, or to be kept in Penal Servitude for such Term as under this Act may be awarded instead of such Transportation.

Terms of Penal Servitude which are to be awarded instead of the present Terms of Transportation.

IV. The Terms of Penal Servitude to be awarded instead of the Transportation to which any Offender would have been liable if this Act had not been passed shall be as follows; (that is to say,)

Instead of Transportation for Seven Years or for a Term not exceeding Seven Years, Penal Servitude for the Term of Four Years:

Instead

Instead of any Term of Transportation exceeding Seven Years, and not exceeding Ten Years, Penal Servitude for any Term not less than Four and not exceeding Six Years:

Instead of any Term of Transportation exceeding Ten Years, and not exceeding Fifteen Years, Penal Servitude for any Term not less than Six and not exceeding Eight Years:

Instead of any Term of Transportation exceeding Fifteen Years, Penal Servitude for any Term not less than Six and not exceeding Ten Years:

Instead of Transportation for the Term of Life, Penal Servitude for the Term of Life:

And in every Case where, at the Discretion of the Court, One of any Two or more of the Terms of Transportation herein-before mentioned might have been awarded, the Court shall have the like Discretion to award One of the Two or more Terms of Penal Servitude herein-before mentioned in relation to such Terms of Transportation.

Conditional Pardons to be allowed with reference to the substituted Punishment, as in Cases of Pardons on Condition of Transportation.

V. Whenever Her Majesty, or the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, shall be pleased to extend Mercy to any Offender convicted of any Offence for which he may be liable to the Punishment of Death, upon Condition of his being kept to Penal Servitude for any Term of Years or for Life, such Intention of Mercy shall have the same Effect and may be signified in the same Manner, and all Courts, Justices, and others shall give Effect thereto and to the Condition of the Pardon in like Manner, as in the Cases where Her Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time, is or are now pleased to extend Mercy upon Condition of Transportation beyond Seas, the Order for the Execution of such Punishment as Her Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, may have made the Condition of Her, his, or their Mercy being substituted for the Order for Transportation.

Persons under Sentence or Order of Penal Servitude how to be dealt with.

VI. Every Person who under this Act shall be sentenced or ordered to be kept in Penal Servitude may, during the Term of the Sentence or Order, be confined in any such Prison or Place of Confinement in any Part of the United Kingdom, or in any River, Port, or Harbour of the United Kingdom, in which Persons under Sentence or Order of Transportation may now by Law be confined, or in any other Prison in the United Kingdom, or in any Part of Her Majesty's Dominions beyond the Seas, or in any Port or Harbour thereof, as One of Her Majesty's Principal Secretaries of State may from Time to Time direct; and such Person may during such Term be kept to Hard Labour and otherwise dealt with in all respects as Persons sentenced to Transportation may now by Law be dealt with while so confined.

All Acts, &c., concerning Convicts sentenced to Transportation made applicable for the Purposes of this Act.

VII. All Acts and Provisions of Acts now applicable with respect to Persons under Sentence or Order of Transportation shall, so far as may be consistent with the express Provisions of this Act, be construed to extend and be applicable to Persons under any Sentence or Order of Penal Servitude under this Act; and all the Powers and Provisions contained in the Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-four, authorizing the Appointment by Her Majesty from Time to Time of Places of Confinement as therein mentioned for Male Offenders under Sentence or Order of Transportation, and authorizing Her Majesty to order Male Offenders convicted in *Great Britain* and under Sentence or Order of Transportation to be kept to Hard Labour in any Part of Her Majesty's Dominions out of *England*, shall extend and be applicable to and for the Appointment by Her Majesty of like Places of Confinement in any Part of the United Kingdom for Offenders (whether Male or Female) sentenced under this Act in any Part of the United Kingdom, and to and for the ordering of such Offenders to be kept to Hard Labour in any Part of Her Majesty's Dominions out of *England;* and all the Provisions of the said Act concerning the Removal to or from and Confinement in the Places of Confinement in or out of *England*, appointed under the said Act, of the Offenders therein mentioned, and all Acts and Provisions of Acts now in force concerning or relating to the Regulation and Government of such Places of Confinement, and the Custody, Treatment, Management, and Control of or otherwise in relation to the Offenders confined therein, shall, so far as the same may be consistent with the express Provisions of the Act, extend and be applicable to and for the Removal to and from and Confinement in the Places of Confinement appointed under this Act of the Offenders

sentenced in any Part of the United Kingdom, and otherwise be applicable to and in respect of such Places of Confinement and the Offenders to be confined therein.

Powers of Secretary of State to be exercised in Ireland by Lord Lieutenant.

VIII. Provided always, That all the Powers vested under this Act expressly or by reference to any other Act, in One of Her Majesty's Principal Secretaries of State, shall in relation to Places of Confinement in *Ireland*, or where such Powers are otherwise to be exercised in *Ireland*, be exercised by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and where the Signature of One of Her Majesty's Principal Secretaries of State would be necessary in relation to the Exercise of such Powers, the Signature of such Lord Lieutenant or Chief Governor or Governors, or his or their Chief Secretary, shall be sufficient in the Case of the Exercise of such Powers by such Lord Lieutenant or Chief Governor or Governors.

Her Majesty may grant Licences to be at large to Convicts under Sentence of Transportation.

IX. It shall be lawful for Her Majesty, by an Order in Writing under the Hand and Seal of One of Her Majesty's Principal Secretaries of State, to grant to any Convict now under Sentence of Transportation, or who may hereafter be sentenced to Transportation, or to any Punishment substituted for Transportation by this Act, a Licence to be at large in the United Kingdom and the Channel Islands, or in such Part thereof respectively as in such Licence shall be expressed, during such Portion of his or her Term of Transportation or Imprisonment, and upon such Conditions in all respects as to Her Majesty shall seem fit; and it shall be lawful for Her Majesty to revoke or alter such Licence by a like Order at Her Majesty's Pleasure.

Holder of Licence not to be imprisoned, &c., by reason of his Sentence.

X. So long as such Licence shall continue in force and unrevoked, such Convict shall not be liable to be imprisoned or transported by reason of his or her Sentence, but shall be allowed to go and remain at large according to the Term of such Licence.

If Licence revoked, the Convict may be apprehended, and committed to Prison.

XI. Provided always, That if it shall please Her Majesty to revoke any such Licence as aforesaid it shall be lawful for One of Her Majesty's Principal Secretaries of State, by Warrant under his Hand and Seal, to signify to any One of the Police Magistrates of the Metropolis that such Licence has been revoked, and to require such Magistrate to issue his Warrant under his Hand and Seal for the Apprehension of the Convict to whom such Licence was granted, and such Magistrate shall issue his Warrant accordingly, and such Warrant shall and may be executed by the Constable to whom the same shall be delivered for that Purpose in any Part of the United Kingdom, or in the Isles of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, and shall have the same Force and Effect in all the said Places as if the same had been originally issued or subsequently endorsed by a Justice of the Peace or Magistrate, or other lawful Authority having Jurisdiction in the Place where the same shall be executed; and such Convict when apprehended under such Warrant shall be brought, as soon as he conveniently may be, before the Magistrate by whom the said Warrant shall have been issued, or some other Magistrate of the same Court, and such Magistrate shall thereupon make out his Warrant under his Hand and Seal for the Recommitment of such Convict to the Prison or Place of Confinement from which he was released by virtue of the said Licence, and such Convict shall be so recommitted accordingly, and shall thereupon be remitted to his or her original Sentence, and shall undergo the Residue thereof as if no such Licence had been granted.

On Conviction for Larceny after previous Conviction for Felony.

XII. No Person shall, after the Commencement of this Act, be liable to be transported by reason only of a Conviction for Larceny after a previous Conviction for Felony, but every such Person so convicted may be punished by Penal Servitude for any Term not less than Four Years and not more than Ten Years.

Queen's Prerogative.

XIII. Provided always, That nothing in this Act contained shall in any Manner affect Her Majesty's Royal Prerogative of Mercy, or any Prerogative of Mercy vested in the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

Discretion of Courts as to alternative Punishments

XIV. Provided also, That nothing herein contained shall interfere with or affect the Authority or Discretion of any Court in respect of any Punishment which such Court may now award or pass on any Offender other than Transportation, but where such other Punishment

ment may be awarded at the Discretion of the Court, instead of Transportation, or in addition thereto, the same may be awarded instead of or (as the Case may be) in addition to the Punishment substituted for Transportation under this Act. not to be affected.

XV. For the Purposes of this Act, the Term "Transportation" shall include Banishment beyond the Seas. "Transportation."

XVI. This Act shall commence from and after the First Day of *September* One thousand eight hundred and fifty-three. Commencement of Act.

CAP. C.

An Act further to extend and make compulsory the Practice of Vaccination.

[20th *August* 1853.]

'WHEREAS an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to extend the Practice of Vaccination:* And whereas an Act was passed in the Fifth Year of the same Reign, intituled *An Act to amend an Act to extend the Practice of Vaccination:* And whereas it is expedient that the Practice of Vaccination should be still further extended:' Be it therefore 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: 3 & 4 Vict. c. 29. 4 & 5 Vict. c. 32.

I. Within Six Weeks after the passing of this Act the Guardians of every Parish or Union, and the Overseers of every Parish in which Relief to the Poor shall not be administered by Guardians, in *England* and *Wales*, shall, subject to the Approval of the Poor Law Board, divide such Parish or Union, if need be, into convenient Districts for the Purpose of affording increased Facilities for the Vaccination of the Poor, and shall appoint a convenient Place in each such District for the Performance of such Vaccination, and shall take the most effectual Means for giving from Time to Time to all Persons resident within such District due Notice of the Days and Hours at which the Medical Officer or Practitioner contracted with for such Purpose will attend at such Place to vaccinate all Persons not already successfully vaccinated who may then appear there, and also of the Days and Hours at which such Medical Officer or Practitioner will attend at such Place to inspect the Progress of such Vaccination in the Persons so vaccinated. Parishes or Unions to be divided into Districts for the Purpose of Vaccination, and Places appointed for the Performance of Vaccination.

II. The Father or Mother of every Child born in *England* or *Wales* after the First Day of *August* in the Year of our Lord One thousand eight hundred and fifty-three shall within Three Calendar Months after the Birth of the said Child, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child shall within Four Calendar Months after the Birth of such Child, take or cause to be taken the said Child to the Medical Officer or Practitioner appointed in the Union or Parish in which the said Child is resident according to the Provisions of the first-recited Act for the Purpose of being vaccinated, unless he shall have been previously vaccinated by some duly qualified Medical Practitioner, and the Vaccination duly certified, and the said Medical Officer or Practitioner so appointed shall and he is hereby required thereupon, or as soon after as it may conveniently and properly be done, to vaccinate the said Child. Parents and Guardians of Children born after 1st August 1853 to have such Children vaccinated within Three or Four Months after Birth.

III. Upon the Eighth Day following the Day on which any Child has been vaccinated as aforesaid the Father or Mother, or other Person having the Care, Nurture, or Custody of the said Child, shall again take or cause to be taken the said Child to the Medical Officer or Practitioner by whom the Operation was performed, in order that such Medical Officer or Practitioner may ascertain by Inspection the Result of such Operation. Children to be taken for Inspection by Medical Officer on Eighth Day after Operation.

IV. Upon and immediately after the successful Vaccination of any Child the Medical Officer or Practitioner who shall have performed the Operation shall deliver to the Father or Certificate of successful Vaccination to be delivered.