4. The Commissioners of Her Majesty's Treasury shall from Time to Time, upon being satisfied that the Assets are not sufficient to meet the Liabilities, and upon a Certificate to that effect under the Hands of the Comptroller General or Assistant Comptroller acting under the Commissioners for the Reduction of the National Debt, direct such Sums to be issued out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, as may be necessary to meet the said Liabilities: Provided always, that no such Sums shall be issued as, taken together, shall exceed the Amount charged upon the Consolidated Fund under the Authority of this Act. Treasury to issue out of Consolidated Fund Sums necessary to make good Deficiency.

CAP. XLVII.

An Act to amend the Penal Servitude Acts. [25th *July* 1864.]

'WHEREAS Two Acts were passed, the one Chapter Ninety-nine in the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, and the other Chapter Three in the Session of the Twentieth and Twenty-first Years of the same Reign, having for their Object the Substitution of other Punishments in lieu of Transportation: And whereas it is expedient to amend the said Acts:' 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: 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3.

1. This Act shall be construed as One with the above-mentioned Acts, and the said Acts, together with this Act, may be cited for all Purposes as the Penal Servitude Acts, 1853, 1857, and 1864, and each of the said Acts may be cited as the Penal Servitude Act of the Year in which it was passed. Short Titles.

Sentences of Penal Servitude.

2. No Person shall be sentenced to Penal Servitude in respect to any Offence committed after the passing of this Act for a Period of less than Five Years, and where under any Act now in force a Period of less than Five Years is the utmost Sentence of Penal Servitude that can be awarded, a Period of Five Years shall, in respect to any Offence committed after the passing of this Act, in such Act be substituted for the less Period; and where under any Act now in force a Period of either less or more than Five Years may be awarded as a Sentence of Penal Servitude, the least Sentence of Penal Servitude that can be awarded under that Act shall, in respect to any Offence committed after the passing of this Act, be a Period of Five Years; and where any Person shall on Indictment be convicted of any Crime or Offence punishable with Penal Servitude, after having been previously convicted of Felony, or, in *Scotland*, of any Crime, (whether such previous Conviction shall have taken place upon an Indictment or under the Provisions of the Act passed in the Eighteenth and Nineteenth of *Victoria*, Chapter One hundred and twenty-six,) the least Sentence of Penal Servitude that can be awarded in such Case shall be a Period of Seven Years. Length of Sentences of Penal Servitude.

Convict Prisons.

3. One of Her Majesty's Principal Secretaries of State in *Great Britain*, and the Lord Lieutenant or other Chief Governor in *Ireland*, may, by Warrant under his Hand and Seal, empower any Two or more Justices of the Peace, to be named in such Warrant, acting for any County in which a Prison for the Reception of Convicts under Sentence of Penal Servitude is situate, to order, from Time to Time, the Infliction of Corporal Punishment on any Convict confined in such Prison, for an Offence committed by such Convict in such Prison, and against the Discipline thereof; and any Two or more Justices of the Peace thus empowered shall have the same Power of adjudicating on such Offences, and of ordering the Infliction of such Punishment, to be exercised under the same Conditions as One of the Directors of Convict Prisons would have, and no greater. Punishment of Offences in Convict Prisons.

Licences.

Licences.

Forfeiture of Licence.

4. A Licence granted under the said Penal Servitude Acts, or any of them, may be in the Form set forth in Schedule (A.) to this Act annexed, and may be written, printed, or lithographed. If any Holder of a Licence granted in the Form set forth in the said Schedule (A.) is convicted, either by the Verdict of a Jury, or upon his own Confession, of any Offence for which he is indicted, his Licence shall be forthwith forfeited by virtue of such Conviction; or if any Holder of a Licence granted under the said Penal Servitude Acts, or any of them, who shall be at large in the United Kingdom, shall, unless prevented by Illness or other unavoidable Cause, fail to report himself personally, if in *Great Britain* to the Chief Police Station of the Borough or Police Division, and if in *Ireland* to the Constabulary Station of the Locality, to which he may go within Three Days after his Arrival therein, and being a Male subsequently once in each Month, at such Time and Place, in such Manner, and to such Person as the chief Officer of the Constabulary Force to which such Station belongs shall appoint, or shall change his Residence from one Police District to another without having previously notified the same to the Police or Constabulary Station to which he last reported himself, he shall be deemed guilty of a Misdemeanor, and may be summarily convicted thereof, and his Licence shall be forthwith forfeited by virtue of such Conviction, but he shall not be liable to any other Punishment by virtue of such Conviction.

Offences by Holders of Licence.

5. If any Holder of a Licence granted in the Form set forth in the said Schedule (A.),—

1. Fails to produce his Licence when required to do so by any Judge, Justice of the Peace, Sheriff, Sheriff Substitute, Police or other Magistrate before whom he may be brought charged with any Offence, or by any Constable or Officer of the Police in whose Custody he may be, and also fails to make any reasonable Excuse why he does not produce the same; or
2. Breaks any of the other Conditions of his Licence by an Act that is not of itself punishable either upon Indictment or upon summary Conviction;

He shall be deemed guilty of an Offence punishable summarily by Imprisonment for any Period not exceeding Three Months, with or without Hard Labour.

Apprehension of Holder of Licence without Warrant.

6. Any Constable or Police Officer may, without Warrant, take into Custody any Holder of such a Licence whom he may reasonably suspect of having committed any Offence, or having broken any of the Conditions of his Licence, and may detain him in Custody until he can be taken before a Justice of the Peace or other competent Magistrate, and dealt with according to Law.

Summary Punishment of Offences.

7. In *England* and *Ireland* any Offence under this Act punishable summarily may be prosecuted summarily before Two or more Justices; as to *England*, in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to Summary Convictions and Orders*, or any Act amending the same; and as to *Ireland*, in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Ninety-three, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, or any Act amending the same.

In *Scotland* any Offence under this Act punishable summarily may be prosecuted upon Summary Conviction at the Instance of the Procurator Fiscal before any Sheriff or Sheriff Substitute, or before any Two Justices of the County, or before the Magistrates or any Police Magistrate of the Burgh in which the Offence is committed.

Where Holder of Licence is summarily convicted, convicting Magistrate to forward Certificate to Secretary of State or Lord Lieutenant of Ireland.

8. Where any Holder of a Licence granted in the Form set forth in the said Schedule (A.) is convicted of an Offence punishable summarily under this or any other Act, the Justices, Sheriff, Sheriff Substitute, or other Magistrate convicting the Prisoner shall without Delay forward by Post a Certificate in the Form given in Schedule (B.) to this Act annexed, if in *England* or *Scotland* to One of Her Majesty's Principal Secretaries of State, if in *Ireland* to the Lord Lieutenant or other Chief Governor of *Ireland*, and thereupon the Licence of the said Holder may be revoked in manner provided by the said Penal Servitude Acts.

9. Where

9. Where any Licence granted in the Form set forth in the said Schedule (A.) is forfeited by a Conviction of any indictable Offence, or is revoked in pursuance of a summary Conviction under this Act or any other Act of Parliament, the Person whose Licence is forfeited or revoked shall, after undergoing any other Punishment to which he may be sentenced for the Offence in consequence of which his Licence is forfeited or revoked, further undergo a Term of Penal Servitude equal to the Portion of his Term of Penal Servitude that remained unexpired at the Time of his Licence being granted, and shall, for the Purpose of his undergoing such last-mentioned Punishment, be removed from the Prison of any County, Borough, or Place in which he may be confined, to any Prison in which Convicts under Sentence of Penal Servitude may lawfully be confined, by Warrant under the Hand and Seal of any Justice of the Peace of the said County, Borough, or Place, and shall be liable to be there dealt with in all respects as if such Term of Penal Servitude had formed Part of his original Sentence.

Effect of Forfeiture or Revocation of Licence.

10. Provided always, That it shall be lawful for Her Majesty, or for the Lord Lieutenant or other Chief Governor in *Ireland*, whenever they shall respectively think fit, to grant from Time to Time to Convicts under Sentence of Penal Servitude, Licences in any other Form different from that set forth in Schedule (A.), which they may respectively consider it expedient to adopt, and containing other and different Conditions; and such last-mentioned Licences shall be revocable at pleasure by the Authority by which they are granted; but no Holder of such last-mentioned Licence shall be deemed guilty of an Offence punishable upon summary Conviction merely by reason of the Breach of the Conditions of the said last-mentioned Licences, or any of them.

Licences may be granted in Form differing from that in Schedule (A.)

SCHEDULES.

SCHEDULE (A.)

Order of Licence to a Convict made under the Statute.

Whitehall,
Day of 18 .

HER MAJESTY is graciously pleased to grant to who was convicted of at the for the on the and was then and there sentenced to be kept in Penal Servitude for the Term of and is now confined in the Her Royal Licence to be at large from the Day of his Liberation under this Order during the remaining Portion of his said Term of Penal Servitude, unless the said shall before the Expiration of the said Term be convicted of some indictable Offence within the United Kingdom, in which Case such Licence will be immediately forfeited by Law, or unless it shall please Her Majesty sooner to revoke or alter such Licence.

This Licence is given subject to the Conditions endorsed upon the same, upon the Breach of any of which it will be liable to be revoked, whether such Breach is followed by a Conviction or not.

And Her Majesty hereby orders that the said be set at Liberty within Thirty Days from the Date of this Order.

Given under my Hand and Seal

Conditions.

1. The Holder shall preserve his Licence and produce it when called upon to do so by a Magistrate or Police Officer.
2. He shall abstain from any Violation of the Law.
3. He shall not habitually associate with notoriously bad Characters, such as reputed Thieves and Prostitutes.

4. He

4. He shall not lead an idle and dissolute Life, without visible Means of obtaining an honest Livelihood.

If his Licence is forfeited or revoked in consequence of a Conviction for any Offence, he will be liable to undergo a Term of Penal Servitude equal to the Portion of his Term of Years which remained unexpired when his Licence was granted, viz., the Term of Years.

SCHEDULE (B.)

Form of Certificate of Conviction of Holder of Licence.

I do hereby certify that *A.B.*, the Holder of a Licence under the Penal Servitude Acts, was on the Day of in the Year duly convicted by of the Offence of and sentenced to

C.D.,
Clerk to the said Justices.

C A P. XLVIII.

An Act for the Extension of the Factory Acts. [25th *July* 1864.]

WHEREAS it is expedient to provide for the effectual cleansing and Ventilation of the Factories in which are carried on the Manufactures and Employments specified in the First Schedule hereto, and for the Regulation of the Labour of the Children, Young Persons, and Women employed therein:' 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:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as the "Factory Acts Extension Act, 1864."

Application of Act.

2. This Act shall apply only to the several Manufactures and Employments mentioned in the said First Schedule.

Definition of "Factory Acts."

3. The Factory Acts shall mean such Provisions as are now in force of the Acts following; that is to say,

An Act passed in the Fourth Year of the Reign of His late Majesty, Chapter One hundred and three, intituled *An Act to regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom:*

An Act passed in the Seventh Year of the Reign of Her present Majesty, Chapter Fifteen, intituled *An Act to amend the Laws relating to Labour in Factories:*

An Act passed in the Fourteenth Year of the Reign of Her present Majesty, Chapter Fifty-four, intituled *An Act to amend the Acts relating to Labour in Factories:*

An Act passed in the Seventeenth Year of the Reign of Her present Majesty, Chapter One hundred and four, intituled *An Act further to regulate the Employment of Children in Factories:*

An Act passed in the Twentieth Year of the Reign of Her present Majesty, Chapter Thirty-eight, intituled *An Act for the further Amendment of the Laws relating to Labour in Factories.*

Sanitary Measures.

Factory to be well cleansed and ventilated.

4. Every Factory to which this Act applies shall be kept in a cleanly State, and be ventilated in such a Manner as to render harmless so far as is practicable any Gases, Dust, or other Impurities generated in the Process of Manufacture that may be injurious to Health.

If