

No. LV.

FEMALE
TRANSPORTATION
ABOLISHED.

An Act to substitute in respect of Female Offenders other punishments in lieu of Transportation beyond Seas. [17th June, 1848.]

Preamble.

11 Vic. No. 34.

Females convicted of transportable offences to be imprisoned in gaol or house of correction.

Periods during which female offenders may be imprisoned.

Female offenders may be kept to light or hard labor at the discretion of the Court or kept in solitary confinement for certain periods.

WHEREAS impediments have arisen to the carrying into execution of sentences to transportation beyond seas passed within the Colony of New South Wales and in consequence whereof provision has been made for the substitution of other punishments of male offenders in lieu of actual transportation and it is expedient to make provision also for such substitution in the case of female offenders Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That when any female offender may now be under conviction or shall hereafter be convicted in any Court of competent jurisdiction in New South Wales of any offence punishable by law with transportation it shall be lawful for such Court to sentence such offender by way of substitution for transportation to be imprisoned in any gaol or house of correction in the said Colony for such term as the said Court shall think fit not being more nor less in any case than the periods next mentioned that is to say in lieu of transportation for life a period of not less than three years nor more than seven years in lieu of transportation for fifteen years or for any period under fifteen and more than seven years a period of not less than two nor more than five years and in lieu of transportation for seven years a period of not less than one year nor more than three years and that it shall be lawful for the Court before which any such conviction shall have been had at its discretion to award in every such case that the offender so sentenced shall be kept to light labor or hard labor as the said Court shall think fit and also to direct that such offender shall be kept in solitary confinement for any portion or portions of such imprisonment not exceeding in the whole three calendar months in any one year and not exceeding fourteen days at any one time as to the said Court

Companies and their Members mutual right to sue.

Court in its discretion shall seem meet Provided nevertheless that nothing in this Act contained shall be construed to take away alter or abridge any power now possessed or which may hereafter be given by law to any such Court to award other and different sentences than such as are hereinbefore authorized to be passed by way of substitution as aforesaid.

Not to abridge power
to the Court by law
to award other sen-
tences.

2. And be it declared and enacted That nothing in this Act contained shall or doth in any manner affect Her Majesty's Royal Prerogative of Mercy.

Queen's Prerogative
of Mercy not affected.
