

No. XXVI.

IMPRISONMENT UNDER
SUMMARY
CONVICTION.

An Act to authorize Lock-up Houses or Watch-houses to be used as places of imprisonment under summary sentences for short periods.
[6th December, 1852.]

Preamble.

WHEREAS in consequence of the great distances at which the Common Gaols and Houses of Correction are from many of the Courts of Petty Sessions great inconvenience is experienced and much hardship is occasioned in carrying out the sentences of imprisonment awarded by Justices of the Peace in minor summary cases. Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows:—

Summary sentences for fourteen days may be directed to be served in the nearest Lock-up or Watch-house.

To apply to convictions under Masters' and Servants' Acts 9 Vic. No. 27 and 11 Vic. No. 9.

1. In all cases in which Justices of the Peace shall in the exercise of the summary jurisdiction conferred on them by law award imprisonment for periods not exceeding fourteen days it shall be competent to such Justices if they shall think fit to direct such imprisonment to be in the nearest Lock-up or Watch-house in lieu of in any Gaol or House of Correction.

2. This Act shall apply to cases arising under the Act of Council passed in the ninth year of Her present Majesty's reign to consolidate the laws between Masters and Servants and to the Act passed for the amendment thereof in the eleventh year of the same reign notwithstanding that the nearest Gaol may not be a greater distance than thirty miles from the place at which the conviction shall be had and notwithstanding that the period of imprisonment shall exceed one week.