

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
1st September, 1869.*

Gaolers and Prisoners.

ANALYSIS.

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| <p>Title.
1. Short Title.
2. Prisoners removed to hospital may be removed thence to gaol.</p> | <p>3. Penalty for communicating with and delivering certain articles to prisoners under sentence.</p> |
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A BILL INTITULED

AN ACT to amend the Law relating to Prisoners in confinement in Public Gaols. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Gaolers and Prisoners Act 1869." Short Title.

5 **2.** Whenever any Gaoler under any order of a Judge of the Supreme Court has caused or shall have caused any prisoner whatever to be removed from any gaol to any hospital or infirmary in case of illness such prisoner shall be deemed to remain in the lawful custody of such Gaoler and such Gaoler shall have power to remove such prisoner from such hospital or infirmary to any gaol under his control and management Provided that no such removal from such hospital or infirmary shall actually take place without the leave of a Judge of the Supreme Court on application made to him for that purpose. Prisoners removed to hospital may be removed thence to gaol.

15 **3.** Any person who shall hold or attempt to hold any communication with any prisoner undergoing sentence or who shall deliver or in any manner whatsoever endeavour or attempt to deliver or cause to be delivered to any such prisoner or shall introduce or attempt or endeavour to introduce or cause to be introduced into any public gaol any money article of clothing letter tobacco or any other article or any thing whatsoever not allowed by the rules and regulations for the time being in force for the classification diet instruction treatment correction and safe custody of the prisoners therein or for the good discipline of such gaol or who shall for any of the purposes aforesaid Penalty for communicating with and delivering certain articles to prisoners under sentence.

lurk or loiter about any road or other public works or any public gaol in which prisoners may be confined or employed or shall deliver or cause to be delivered to any other person any such money article of clothing letter tobacco article or thing for the purpose of being conveyed or introduced as aforesaid or who shall secrete or leave upon or about any place where any such prisoner as aforesaid is usually employed any such money article of clothing letter tobacco article or thing for the purpose of being found or received by any such prisoner or who shall in any other manner convey or cause to be conveyed to any such prisoner any such money article of clothing letter tobacco article or thing shall be liable to be apprehended without warrant by any constable or by any person in whose charge or custody any such prisoner may then be without warrant and be by such constable or other person detained and kept in safe custody until he can be brought before any Resident Magistrate or before two or more of Her Majesty's Justices of the Peace who shall have power to hear and determine such offence and upon conviction any such offender shall for any such offence forfeit and pay a penalty not exceeding thirty pounds and in default of payment or in the discretion of such Resident Magistrate or Justices be imprisoned and kept to hard labour for any period not exceeding three months and any person loitering about any such public gaol road or works who shall refuse or neglect to depart therefrom upon being duly warned by any constable gaoler warder or authorized person so to do shall be deemed and taken to be lurking or loitering about such public gaol road or works for the purposes aforesaid.

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