

C A P. I.

AN Act for the Transportation of certain offenders from this Province to England, to be thence again Transported to New South Wales or Van Diemen's Land.

[18th November, 1835.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS by the laws in force in this Province offenders convicted of certain offences are liable to be punished, under sentence of His Majesty's Courts of this Province, other than Courts Martial, by Transportation, and other convicts adjudged in the same Courts to suffer death may have received or may receive His Majesty's most gracious Pardon upon condition of Transportation: And Whereas by an Act passed in the United Kingdom of Great Britain and Ireland, in the fifth year of the Reign of His late Majesty George the Fourth, Chapter eighty-four, intituled "An Act for the Transportation of Offenders from "Great Britain," it is amongst other things enacted, that whenever any such Convict shall be brought to England in order to be Transported, it shall and may be lawful to imprison any such Convict, until such Convict shall be transported or shall become entitled to his liberty, and that after such imprisonment, certain provisions, rules, regulations, clauses, authorities, powers, penalties, matters, and things provided by the Law of the United Kingdom concerning the safe custody, confinement, treatment, and transportation of any offenders convicted in Great Britain, shall extend and be construed to extend to every such Convict as aforesaid, as fully and effectually as if any such Convict had been convicted and sentenced in England; And whereas in conformity to, and by virtue of the Act passed in the United Kingdom of Great Britain and Ireland, in the sixth year of the Reign of His late Majesty George the Fourth, chapter sixty-nine, intituled, "An Act for "punishing offences committed by Transports kept to labour in the Colonies, "and better regulating the powers of Justices of the Peace in New South Wales," His Excellency the Governor in Chief of this Province did by His Proclamation, dated at Quebec, the seventh day of October, in the year one thousand eight hundred and thirty-five, appoint the Colony of New South Wales or the Colony of Van Diemen's Land, as His Majesty shall be pleased to direct, to be the place within His Majesty's Dominions to which such Convicts brought to England as aforesaid from this Province shall be hereafter transported: And whereas by His Message, dated at Quebec, the ninth day of November, in the year last aforesaid, His Excellency the Governor in Chief offered to this Province the power to avail itself of the advantages held out by His Majesty's Government, in conformity to the