

Court of Sessions

St. John's



ANNO QUARTO

GULIELMI IV. REGIS.

(2ND SESSION.)

CAP. V.

An ACT to provide for the Banishment of Persons convicted of certain Offences, and also to provide certain modes of Punishment in divers Criminal Cases.

[12th June, 1834.]

WHEREAS it is expedient to make further provision for the punishment of Persons convicted of certain Offences in Newfoundland, and to authorize the infliction of other punishments upon Offenders than those which may now be legally awarded: *Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Parliament assembled, and by the authority of the same, that when any Person shall be convicted of any crime for which he or she shall be liable by Law to be Transported, or to receive any Infamous or Corporal Punishment, the Court before which such Person shall be so convicted, or any Court holden for the same place having like jurisdiction, instead of the sentence of Transportation, or of such Infamous or Corporal Punishment, shall and may, should it think fit so to do, order and adjudge that such person be Banished from this Island, for and during such a number of Years, or for Life, as to the Court in its discretion shall seem meet: and shall also adjudge that such person be confined and kept to Hard Labour, until such person shall have procured, or have been provided with, a passage to some Port or Place, beyond the Government of Newfoundland, and shall have been there landed, put on shore, and discharged by the Master of the Vessel.

Preamble.

Offenders liable to transportation or corporal punishment may, under this Act, be banished;

---and kept at hard labour till a passage be provided.

II.—*And be it further enacted*, that it shall and may be lawful for the Sheriff of Newfoundland for the time being, or for any Justice of the Peace having jurisdiction where such person shall have been convicted, to contract with the Master or Owner of any such Vessel, bound for any Port not being within the Government of this Island, for the removal of any Convict under sentence of Banishment; and upon delivering such Convict on board such Vessel, to issue his Warrant to the Master of such Vessel, committing the said Convict to the custody of such Master, who shall thereupon be punishable

Sheriff or Justices of Peace to contract with masters of vessels for such passage.