

## No. 3.—1875.

1st March.

AN ORDINANCE to amend the Law as to the  
Punishment and Custody of Offenders.

(L. S.) HENRY T. IRVING.

2nd March, 1875.

WHEREAS by divers laws in force in this Island offenders may be sentenced to transportation: And whereas it is at present impracticable to carry out a sentence of transportation, and it is expedient to substitute some other punishment: And whereas the law as to the custody of offenders requires to be amended as hereinafter appears: Be it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

1. Where by any Ordinance or other law in force in this Island a sentence of transportation may be passed upon any offender, it shall be lawful for the tribunal having power to pass such sentence of transportation to pass a sentence of imprisonment with or without hard labour for any term not exceeding the longest term for which such offender might be transported.

Imprisonment  
with or  
without hard  
labour  
substituted  
for trans-  
portation.

2. For the purpose of preventing escape or violent assault, and for the purpose of preventing or suppressing mutiny, any officer having charge of any felons or other prisoners, may use fire-arms or any other mode of force, and shall not be responsible for the consequences of such use, if necessary for any of the purposes aforesaid.

Use of fire-  
arms, &c., by  
officers.

The Inspector of Prisons shall take means to make this enactment known to the prisoners.

Passed in Council this first day of March in the year of our Lord one thousand eight hundred and seventy-five.

A. C. ROSS,  
Clerk of Council.