

*Laws of Her Majesty's Province of Newfoundland*, passed in the year 1866. J. C. Withers, Queen's Printer, 1866.

29 Victoria – Chapter 14

**An Act to empower the Superior Courts of this Colony to direct certain Offenders to remove therefrom, and for other purposes. (Passed 1st May, 1866.)**

Be it enacted by the Governor, Legislative Council and Assembly, in Session convened:

- I. It shall be lawful for the Supreme Court and Circuit Court of this Colony, when any person shall be convicted before them of any felony not a capital felony, if they shall see fit, to adjudge and sentence that such person shall, in addition to any other punishment, or without any other punishment, leave this Colony after, or at, the expiration of such other punishment, where other punishment may be adjudged, and that the person so adjudged to leave, shall remain away either for a term of years or for life; and such Court shall, as part of the original sentence, further adjudge, that in case of such person not departing without delay, or in case of his returning before the expiration of his sentence, (his punishment in that behalf not being lawfully remitted,) that such person shall be again arrested and committed to prison, there to remain for such period, not exceeding three years, as the Court may direct, and there to be subject to hard labor or otherwise; and such person shall, in the event of his not departing, or of his returning as aforesaid, be liable to arrest and detention by any person at any place within this Colony, for the purpose of his being again imprisoned in manner aforesaid, and such arrest, detention, and imprisonment, may be without warrant.
- II. For the purpose of carrying into effect the sentence of the Court, it shall be lawful to remove the person so sentenced from one part of this Colony to another, either into the custody of the Sheriff or otherwise.
- III. In cases in which offenders coming within the provisions of this Act, and who may be sentenced to leave this Colony, would, for the felonies of which they may be convicted, be liable to imprisonment according to any law now or hereafter to be in force in this Colony, the term of imprisonment prescribed by any such law may be dispensed with or reduced, as the case may be; Provided that this section shall in no wise affect the term of imprisonment which such offenders may be adjudged to suffer by reason of their not departing or of their returning in manner aforesaid.
- IV. From and after the coming into operation of this Act the following Act shall stand repealed, namely:—An Act passed in the Fourth year of the Reign of His late Majesty, King William the Fourth, entitled “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,” and a certain other Act, passed in the Twenty-eighth Year of the Reign of Her present Majesty, entitled “An Act to continue the Punishment of Banishment in certain cases.”
- V. This Act shall not come into operation until the Royal assent shall be given thereto.