

to the same punishment, as if he had continued in prison, and as if the person or persons empowered to remove him were the gaoler or gaolers of such prison; and if he escape or attempt to escape from such custody, such prisoner, and every person aiding or attempting to aid him in such escape, shall be subject to the same punishment as if such escape or attempt to escape were an escape or attempt to escape from prison.

A prison shall mean any place of confinement, or any place where the prisoners undergo punishment.

Any person punishable under this section may be tried and punished either in the colony from which the prisoner is being removed, or in the colony to which he is being removed; and the law applicable to such person shall be the law of the colony in which he is tried.

Liability of prisoner in colony to which he is removed.

7. Every prisoner shall, upon his delivery to the person having lawful authority to receive him in the colony to which he is removed, be subject within such colony to the same laws and regulations, and shall be dealt with in all respects in the same manner, as if he had been tried and received the same sentence in such colony as the sentence which has been passed on him in the colony from which he is removed.

Removals heretofore made to be valid for all purposes.

8. And whereas from time to time divers prisoners have been removed from one of Her Majesty's colonies to another, and doubts have been entertained whether such removals were legal, and how far such prisoners could be legally dealt with in the colonies to which they have been removed, and it is expedient that such doubts should be removed: Be it enacted as follows:

The removal of any prisoner heretofore made from one colony to another by or under the authority of the governor of either of such colonies, and any act done in relation to such removal by or under such authority, and the detention, custody, and treatment in either colony of the prisoner so removed, shall be deemed to have been as lawful and effectual for all purposes whatsoever as if this Act had been passed at the time of such removal, and had been in force in respect of both the colonies referred to in this section, and such removal had been duly made in pursuance of this Act.

No. 62.

COPY of a DESPATCH from the Right Hon. Earl GRANVILLE, K.G., to Governor Sir G. F. BOWEN, G.C.M.G.

(Circular 1.)

Downing Street, 11th June, 1869.

SIR,—

(Received at Wellington 10th August, 1869.)

I transmit to you herewith copies of a correspondence with the War Office, relative to an arrangement which has been proposed by that Department for offering encouragement to a certain proportion of the non-commissioned officers and privates of Regiments about to return to this country, after serving in Her Majesty's Colonies, to accept their discharge with a view to their employment in the Police and other positions of trust; and I have to request that you will submit this plan for the consideration of your Responsible Advisers.

I have, &c.,

Governor Sir G. F. Bowen, G.C.M.G.

GRANVILLE.

Enclosure 1 in No. 62.

Sir E. LUGARD to the UNDER SECRETARY of STATE, Colonial Office.

SIR,—

War Office, 16th February, 1869.

I am directed by Mr. Secretary Cardwell to request that you will state to Earl Granville that it appears to him to be desirable, both for the interests of the Colony and of the Mother Country, that when any of Her Majesty's regiments are ordered to return home from service in the Colonies, that a certain proportion of non-commissioned officers and privates of good character should be allowed their discharge, if the Colonial authorities desire to employ them as Policemen or in other places of trust.

The Colony, on the one hand, would obtain the advantage of the services of a class of men not easily to be met with, while, on the other hand, the expense of their conveyance home would be saved to this country, and the prospect of such employment after foreign service might prove an encouragement to recruiting generally, and especially to the re-engagement of men who are serving in the Colonies.

In order not to give these men an undue advantage over those who obtain their discharges by purchase, it would be desirable that some security should, if possible, be taken from the men accepting their discharge under this arrangement, by their engaging to serve for a certain period in the situation to which they may be appointed, or to remain in the Colony as settlers, if allowed to relinquish them.

Should Lord Granville agree with Mr. Cardwell, I am to suggest that a circular letter upon the subject should be addressed to the Governors of the several Colonies, in which case Mr. Cardwell would be happy to furnish His Lordship with the conditions under which men will be allowed to take their discharge.

The Under Secretary of State, &c.,
Colonial Office.

I have, &c.,
EDWARD LUGARD.