

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 21 November, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1968.

An Act relating to the detention in New South Wales of prisoners received from the Australian Capital Territory; for this and other purposes to amend the Prisons Act, 1952, as subsequently amended; and for purposes connected therewith

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Prisons (Further Amendment) Act, 1968".

Short title
and
citation.

(2)

Prisons (Further Amendment).

(2) The Prisons Act, 1952, as subsequently amended and as amended by this Act, may be cited as the Prisons Act, 1952-1968.

2. The Prisons Act, 1952, as subsequently amended, is 5 amended— Amendment of Act No. 9, 1952.

(a) by inserting in section two next after the matter Sec. 2. relating to Part VIII the following new matter :— (Division into Parts.)

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

10

(b) by inserting next after Part VIII the following new New Part IX. Part :—

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

15

53. (1) In this Part, unless the contrary Interpretation. intention appears—

“authorized person”, “constable”, “court”, “magistrate”, “order”, “prison” and “the Territory” have the respective meanings ascribed to those expressions by subsection one of section three of the Commonwealth Act;

20

“the Governor-General” has the meaning ascribed to that expression by the Acts Interpretation Act 1901, as subsequently amended, of the Parliament of the Commonwealth of Australia;

25

“warrant” means a warrant issued in accordance with the provisions of the Commonwealth Act.

30

(2)

Prisons (Further Amendment).

5 (2) A reference in this Act to the Commonwealth Act is a reference to the Removal of Prisoners (Australian Capital Territory) Act 1968 of the Parliament of the Commonwealth of Australia and includes a reference to that Act as amended at any time, whether or not that Act or any Act amending that Act is, in all respects, a valid law of the Commonwealth of Australia.

10 (3) Where the Governor-General has commuted a sentence of death pronounced on a person to a term of imprisonment, this Part applies to and in relation to the person as if the sentence of death had been a sentence of imprisonment for that term.

15 (4) For the purposes of this Part, a reference to an order of a court or magistrate includes a reference to a warrant issued by a court or a magistrate, other than a warrant as defined by subsection one of this section.

20 54. (1) Where a constable has a person in custody in accordance with the terms of a warrant, it is lawful for the constable to hold and deal with the person in accordance with those terms. Conveyance and detention of prisoners from the Territory.

25 (2) The governor of a prison or any other officer doing duty at a prison shall accept custody of any person delivered into his custody by a constable in accordance with a warrant, and the person shall thereafter, subject to this Part, be detained in that prison or any other prison in this State for the period, as referred to in the warrant, necessary for the execution of the order or sentence of the court or magistrate so referred to, unless his earlier release is authorized by the exercise of the Royal prerogative of mercy or by reason of the operation of any law of the Commonwealth of Australia, or of any law in force in the Territory, relating to the release of offenders.

30

35

(3) Subject to the provisions of the Commonwealth Act, a person referred to in subsection two of this section, until he is released from custody

or

Prisons (Further Amendment).

5 or delivered into the custody of a constable in
accordance with a warrant, may be dealt with in
the like manner, and is subject to the like laws, as
if the order or sentence of the court or magistrate in
respect of the person had been a like order or
sentence made or pronounced under a law in force
in this State.

10 55. Where a person (in this section referred to
as the prisoner) is being detained in a prison under
this Part and a constable has presented to the
governor of the prison a warrant requiring the
person in charge of the prison to deliver the prisoner
into the custody of the constable and requiring
15 the constable into whose custody the prisoner is
delivered to convey the prisoner in custody to the
Territory, the governor of the prison shall deliver
the prisoner into the custody of the constable and
the warrant shall be sufficient authority for the
constable to convey the prisoner in custody to the
20 Territory.

Returns
of persons
to the
Territory.

25 56. This Part applies to and in relation to a
person who was, before the commencement of this
Part, placed in custody in a prison for the purpose
of giving effect to an order or sentence of a court
or magistrate and has not been released before that
commencement, as if—

Application
of this
Part to
prisoners
in custody
at com-
mencement
of this
Part.

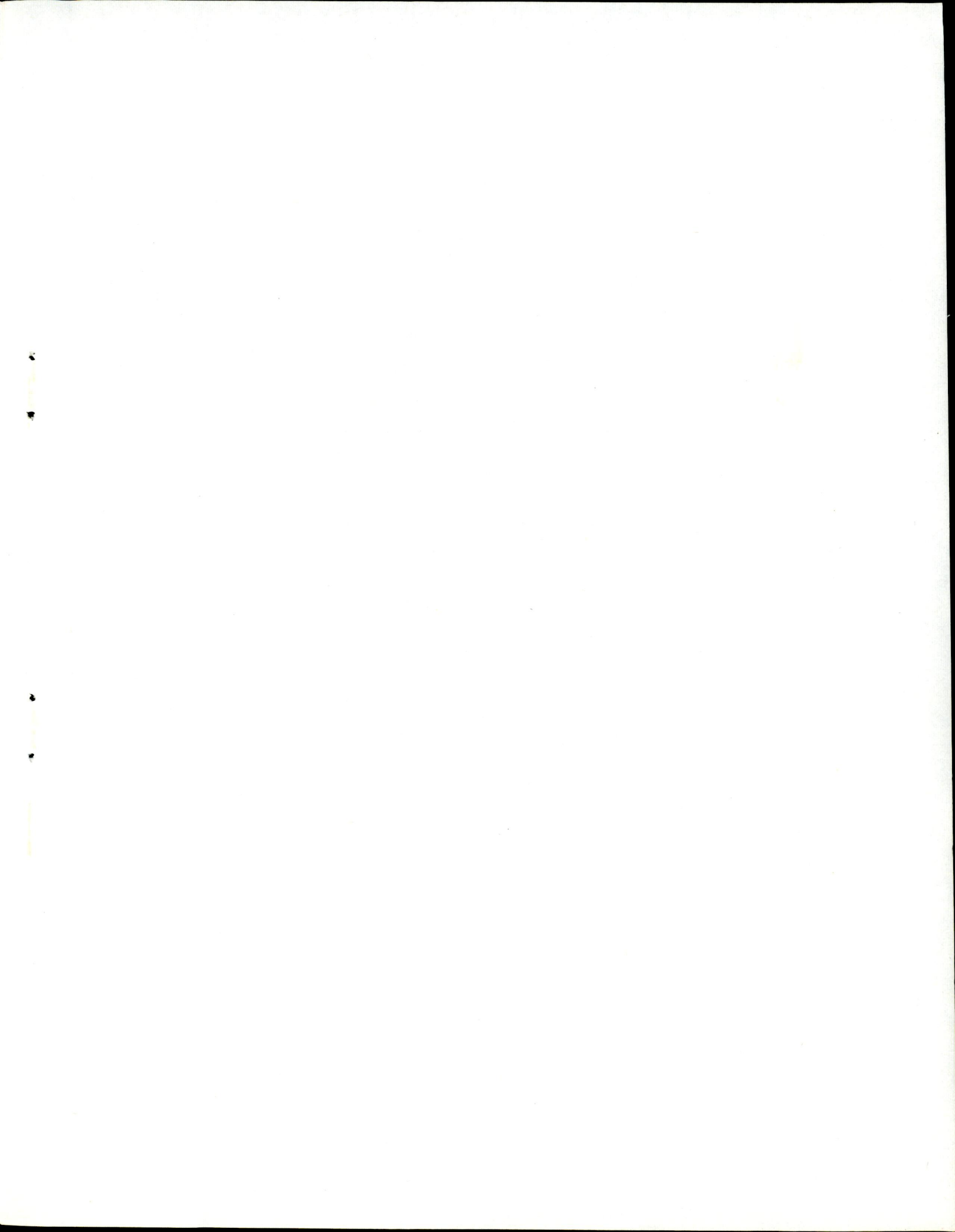
- 30 (a) the Commonwealth Act and this Part had
been in force at the time the person was
placed in custody;
- (b) the person had been delivered into the
custody of the governor of that prison in
accordance with the terms of a warrant
issued in relation to that order or sentence;
and
- 35 (c) the detention of the person before the com-
mencement of this Part had been detention
in accordance with this Part.

Prisons (Further Amendment).

57. (1) Where, before the commencement of this Part, a person has undergone a period of imprisonment in a prison by way of execution or purported execution of a sentence of imprisonment imposed under a law as in force in the Territory, whether or not the person is in a prison at the commencement of this Part, he shall be deemed to have duly served that period of imprisonment in accordance with that sentence or law. Validation.

(2) Where, before the commencement of this Part, a person has been detained in custody in this State for the purpose of giving effect to an order or sentence of a court or magistrate, that detention shall, for all purposes (including the purposes of any action or proceedings, whether instituted before or after the commencement of this Part) be deemed to have been as lawful as it would have been if the Commonwealth Act and this Part had been in force at the time of the detention and the detention had been in accordance with this Part.

58. A document purporting to be a warrant and to be under the hand of an authorized person shall be admissible in any proceedings and shall, in all courts exercising jurisdiction in this State and upon all occasions, be prima facie evidence of the particulars stated in the document. Evidentiary provision.



The undersigned hereby certifies that the above is a true and correct copy of the original as the same appears on the records of the Board of Health of the City of New York.

Attest:
Secretary of Health

WILLIAM W. WOOD

WILLIAM W. WOOD

Secretary of Health

WILLIAM W. WOOD

Secretary of Health

WILLIAM W. WOOD

Secretary of Health

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Secretary of Health

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 21 November, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1968.

An Act relating to the detention in New South Wales of prisoners received from the Australian Capital Territory; for this and other purposes to amend the Prisons Act, 1952, as subsequently amended; and for purposes connected therewith

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Prisons (Further Amendment) Act, 1968".

Short title
and
citation.

(2)

Prisons (Further Amendment).

(2) The Prisons Act, 1952, as subsequently amended and as amended by this Act, may be cited as the Prisons Act, 1952-1968.

2. The Prisons Act, 1952, as subsequently amended, is 5 amended— Amendment of Act No. 9, 1952.

(a) by inserting in section two next after the matter Sec. 2. relating to Part VIII the following new matter :— (Division into Parts.)

PART IX.

10 PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

(b) by inserting next after Part VIII the following new New Part IX. Part :—

PART IX.

15 PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

53. (1) In this Part, unless the contrary Interpretation. intention appears—

20 “authorized person”, “constable”, “court”, “magistrate”, “order”, “prison” and “the Territory” have the respective meanings ascribed to those expressions by subsection one of section three of the Commonwealth Act;

25 “the Governor-General” has the meaning ascribed to that expression by the Acts Interpretation Act 1901, as subsequently amended, of the Parliament of the Commonwealth of Australia;

30 “warrant” means a warrant issued in accordance with the provisions of the Commonwealth Act.

(2)

Prisons (Further Amendment).

5 (2) A reference in this Act to the Commonwealth Act is a reference to the Removal of Prisoners (Australian Capital Territory) Act 1968 of the Parliament of the Commonwealth of Australia and includes a reference to that Act as amended at any time, whether or not that Act or any Act amending that Act is, in all respects, a valid law of the Commonwealth of Australia.

10 (3) Where the Governor-General has commuted a sentence of death pronounced on a person to a term of imprisonment, this Part applies to and in relation to the person as if the sentence of death had been a sentence of imprisonment for that term.

15 (4) For the purposes of this Part, a reference to an order of a court or magistrate includes a reference to a warrant issued by a court or a magistrate, other than a warrant as defined by subsection one of this section.

20 54. (1) Where a constable has a person in custody in accordance with the terms of a warrant, it is lawful for the constable to hold and deal with the person in accordance with those terms. Conveyance and detention of prisoners from the Territory.

25 (2) The governor of a prison or any other officer doing duty at a prison shall accept custody of any person delivered into his custody by a constable in accordance with a warrant, and the person shall thereafter, subject to this Part, be detained in that prison or any other prison in this State for the period, as referred to in the warrant, necessary for the execution of the order or sentence of the court or magistrate so referred to, unless his earlier release is authorized by the exercise of the Royal prerogative of mercy or by reason of the operation of any law of the Commonwealth of Australia, or of any law in force in the Territory, relating to the release of offenders.

30

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(3) Subject to the provisions of the Commonwealth Act, a person referred to in subsection two of this section, until he is released from custody

or

Prisons (Further Amendment).

5 or delivered into the custody of a constable in accordance with a warrant, may be dealt with in the like manner, and is subject to the like laws, as if the order or sentence of the court or magistrate in respect of the person had been a like order or sentence made or pronounced under a law in force in this State.

10 55. Where a person (in this section referred to as the prisoner) is being detained in a prison under this Part and a constable has presented to the governor of the prison a warrant requiring the person in charge of the prison to deliver the prisoner into the custody of the constable and requiring the constable into whose custody the prisoner is delivered to convey the prisoner in custody to the Territory, the governor of the prison shall deliver the prisoner into the custody of the constable and the warrant shall be sufficient authority for the constable to convey the prisoner in custody to the Territory.

25 56. This Part applies to and in relation to a person who was, before the commencement of this Part, placed in custody in a prison for the purpose of giving effect to an order or sentence of a court or magistrate and has not been released before that commencement, as if—

- (a) the Commonwealth Act and this Part had been in force at the time the person was placed in custody;
- 30 (b) the person had been delivered into the custody of the governor of that prison in accordance with the terms of a warrant issued in relation to that order or sentence; and
- 35 (c) the detention of the person before the commencement of this Part had been detention in accordance with this Part.

Prisons (Further Amendment).

5 57. (1) Where, before the commencement of this Part, a person has undergone a period of imprisonment in a prison by way of execution or purported execution of a sentence of imprisonment imposed under a law as in force in the Territory, whether or not the person is in a prison at the commencement of this Part, he shall be deemed to have duly served that period of imprisonment in accordance with that sentence or law. Validation.

10 (2) Where, before the commencement of this Part, a person has been detained in custody in this State for the purpose of giving effect to an order or sentence of a court or magistrate, that detention shall, for all purposes (including the purposes of any action or proceedings, whether instituted before or after the commencement of this Part) be deemed to have been as lawful as it would have been if the Commonwealth Act and this Part had been in force at the time of the detention and the detention had been in accordance with this Part.

25 58. A document purporting to be a warrant and to be under the hand of an authorized person shall be admissible in any proceedings and shall, in all courts exercising jurisdiction in this State and upon all occasions, be prima facie evidence of the particulars stated in the document. Evidentiary provision.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 309

LECTURE 10

PROBABILITY

1. Introduction

2. Probability distributions

3. Expectation values

4. Variance and standard deviation

5. Central limit theorem

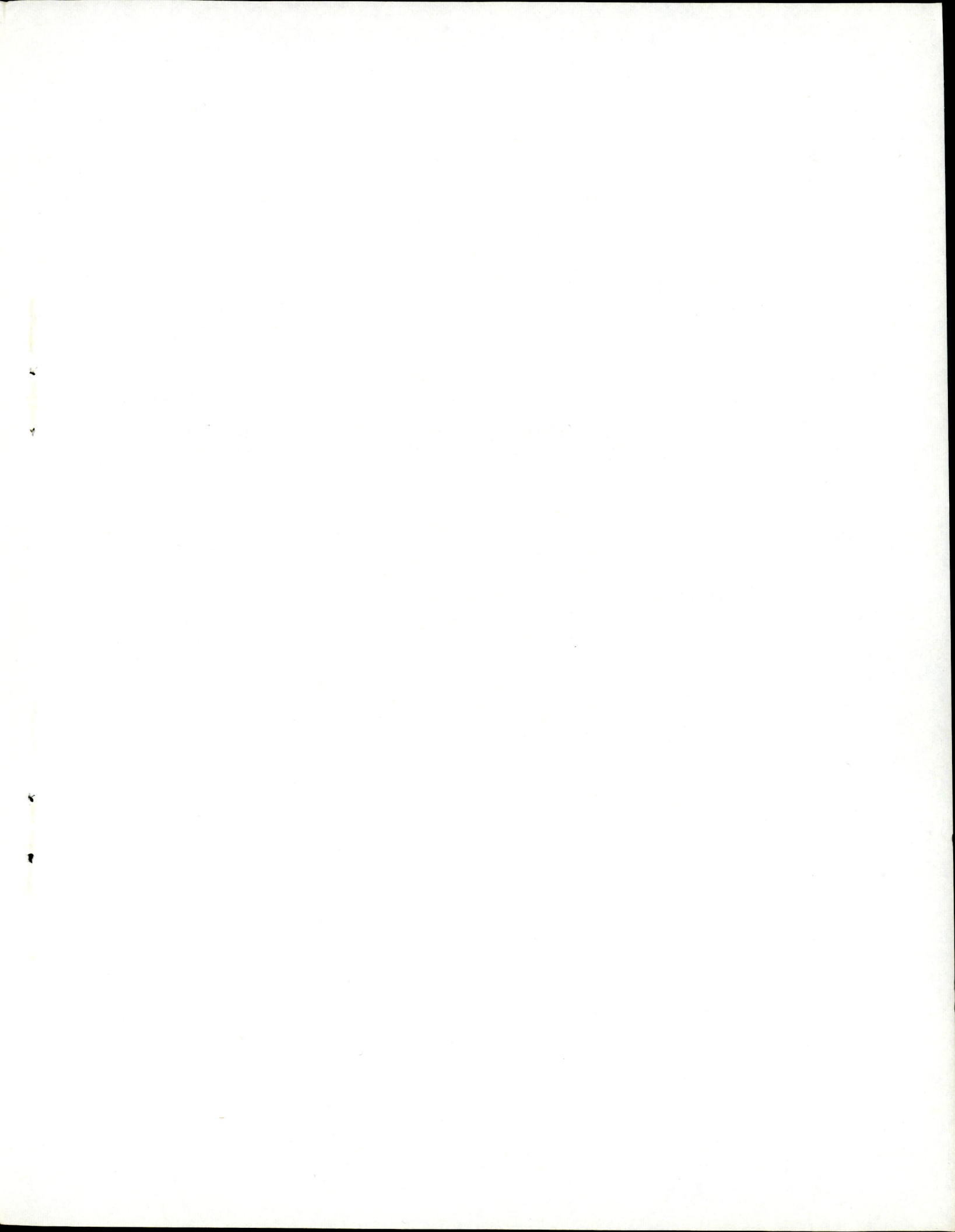
6. Summary

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*Legislative Assembly Chamber,
Sydney, 21 November, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1968.

An Act relating to the detention in New South Wales of prisoners received from the Australian Capital Territory; for this and other purposes to amend the Prisons Act, 1952, as subsequently amended; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Prisons (Further Amendment) Act, 1968".

Short title
and
citation.

(2)

Prisons (Further Amendment).

(2) The Prisons Act, 1952, as subsequently amended and as amended by this Act, may be cited as the Prisons Act, 1952-1968.

2. The Prisons Act, 1952, as subsequently amended, is 5 amended— Amendment of Act No. 9, 1952.

(a) by inserting in section two next after the matter relating to Part VIII the following new matter :— Sec. 2. (Division into Parts.)

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

10

(b) by inserting next after Part VIII the following new Part :— New Part IX.

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

15

53. (1) In this Part, unless the contrary intention appears— Interpretation.

20

“authorized person”, “constable”, “court”, “magistrate”, “order”, “prison” and “the Territory” have the respective meanings ascribed to those expressions by subsection one of section three of the Commonwealth Act;

25

“the Governor-General” has the meaning ascribed to that expression by the Acts Interpretation Act 1901, as subsequently amended, of the Parliament of the Commonwealth of Australia;

30

“warrant” means a warrant issued in accordance with the provisions of the Commonwealth Act.

(2)

Prisons (Further Amendment).

5 (2) A reference in this Act to the Commonwealth Act is a reference to the Removal of Prisoners (Australian Capital Territory) Act 1968 of the Parliament of the Commonwealth of Australia and includes a reference to that Act as amended at any time, whether or not that Act or any Act amending that Act is, in all respects, a valid law of the Commonwealth of Australia.

10 (3) Where the Governor-General has commuted a sentence of death pronounced on a person to a term of imprisonment, this Part applies to and in relation to the person as if the sentence of death had been a sentence of imprisonment for that term.

15 (4) For the purposes of this Part, a reference to an order of a court or magistrate includes a reference to a warrant issued by a court or a magistrate, other than a warrant as defined by subsection one of this section.

20 54. (1) Where a constable has a person in custody in accordance with the terms of a warrant, it is lawful for the constable to hold and deal with the person in accordance with those terms. Conveyance and detention of prisoners from the Territory.

25 (2) The governor of a prison or any other officer doing duty at a prison shall accept custody of any person delivered into his custody by a constable in accordance with a warrant, and the person shall thereafter, subject to this Part, be detained in that prison or any other prison in this State for the period, as referred to in the warrant, necessary for the execution of the order or sentence of the court or magistrate so referred to, unless his earlier release is authorized by the exercise of the Royal prerogative of mercy or by reason of the operation of any law of the Commonwealth of Australia, or of any law in force in the Territory, relating to the release of offenders.

30

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(3) Subject to the provisions of the Commonwealth Act, a person referred to in subsection two of this section, until he is released from custody

or

Prisons (Further Amendment).

5 or delivered into the custody of a constable in accordance with a warrant, may be dealt with in the like manner, and is subject to the like laws, as if the order or sentence of the court or magistrate in respect of the person had been a like order or sentence made or pronounced under a law in force in this State.

10 55. Where a person (in this section referred to as the prisoner) is being detained in a prison under this Part and a constable has presented to the governor of the prison a warrant requiring the person in charge of the prison to deliver the prisoner into the custody of the constable and requiring the constable into whose custody the prisoner is delivered to convey the prisoner in custody to the Territory, the governor of the prison shall deliver the prisoner into the custody of the constable and the warrant shall be sufficient authority for the constable to convey the prisoner in custody to the Territory.

25 56. This Part applies to and in relation to a person who was, before the commencement of this Part, placed in custody in a prison for the purpose of giving effect to an order or sentence of a court or magistrate and has not been released before that commencement, as if—

- 30 (a) the Commonwealth Act and this Part had been in force at the time the person was placed in custody;
- (b) the person had been delivered into the custody of the governor of that prison in accordance with the terms of a warrant issued in relation to that order or sentence; and
- 35 (c) the detention of the person before the commencement of this Part had been detention in accordance with this Part.

Returns of persons to the Territory.

Application of this Part to prisoners in custody at commencement of this Part.

Prisons (Further Amendment).

5 57. (1) Where, before the commencement of Validation.
this Part, a person has undergone a period of
imprisonment in a prison by way of execution or
purported execution of a sentence of imprisonment
imposed under a law as in force in the Territory,
whether or not the person is in a prison at the
commencement of this Part, he shall be deemed to
have duly served that period of imprisonment in
accordance with that sentence or law.

10 (2) Where, before the commencement of
this Part, a person has been detained in custody in
this State for the purpose of giving effect to an
order or sentence of a court or magistrate, that
15 detention shall, for all purposes (including the
purposes of any action or proceedings, whether
instituted before or after the commencement of this
Part) be deemed to have been as lawful as it would
have been if the Commonwealth Act and this Part
20 had been in force at the time of the detention and
the detention had been in accordance with this Part.

25 58. A document purporting to be a warrant and Evidentiary
to be under the hand of an authorized person shall provision.
be admissible in any proceedings and shall, in all
courts exercising jurisdiction in this State and upon
all occasions, be prima facie evidence of the
particulars stated in the document.

BY AUTHORITY:V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968
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THE HISTORY OF THE
CITY OF BOSTON

FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME

BY
NATHAN OLSZEWSKI

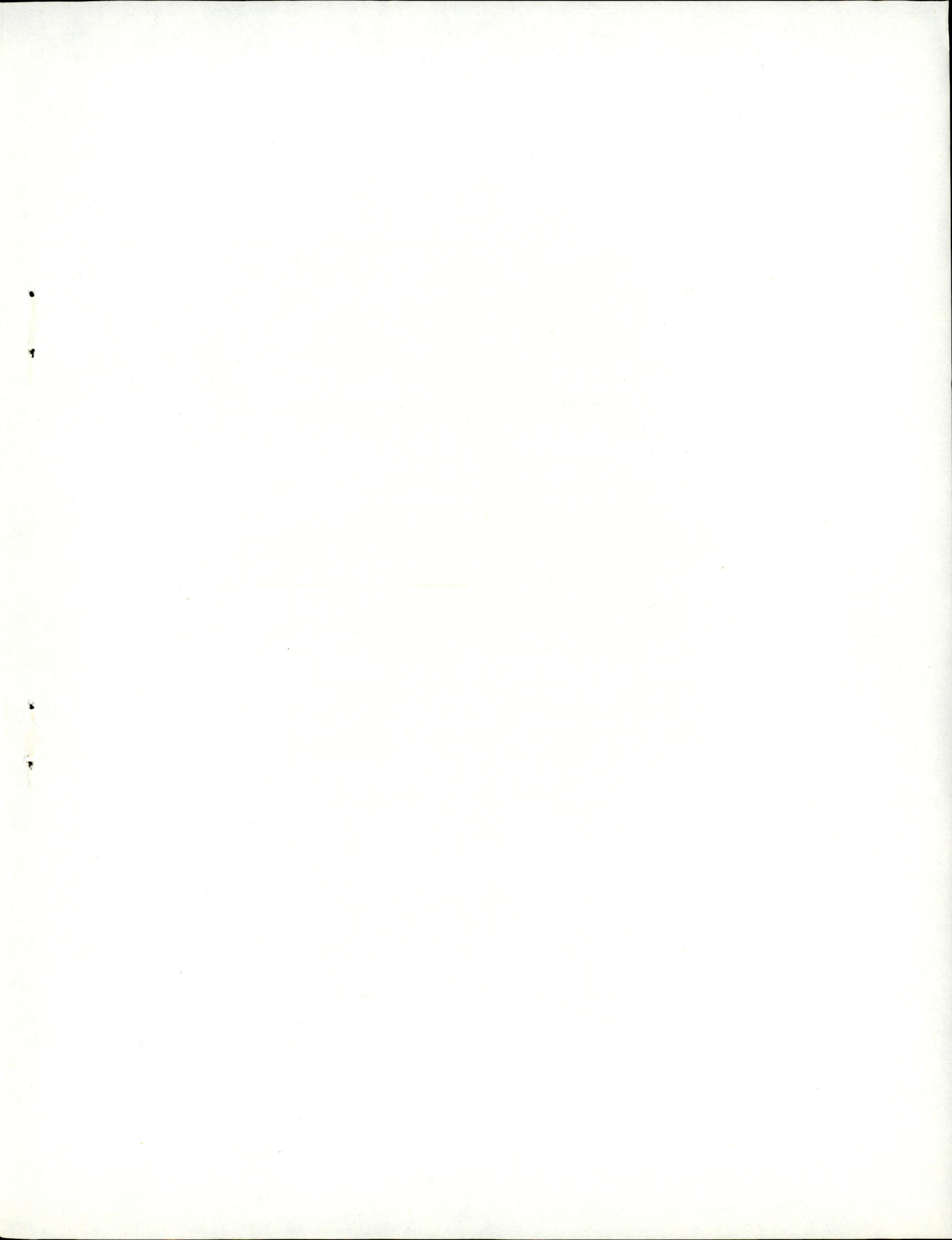
VOLUME I
FROM THE FIRST SETTLEMENT
TO 1780

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The Board of Directors of the American Association of
University Professors is now ready to announce to the public
the results of its investigation.

THE AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS

1201 K Street, N.W., Washington, D.C. 20004
Telephone: 202-338-6100

THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS



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New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 42, 1968.

An Act relating to the detention in New South Wales of prisoners received from the Australian Capital Territory; for this and other purposes to amend the Prisons Act, 1952, as subsequently amended; and for purposes connected therewith. [Assented to, 22nd November, 1968.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Prisons (Further Amendment) Act, 1968".

Short title
and
citation.

(2)

Prisons (Further Amendment).

(2) The Prisons Act, 1952, as subsequently amended and as amended by this Act, may be cited as the Prisons Act, 1952-1968.

**Amendment
of Act No.
9, 1952.**

2. The Prisons Act, 1952, as subsequently amended, is amended—

**Sec. 2.
(Division
into Parts.)**

(a) by inserting in section two next after the matter relating to Part VIII the following new matter :—

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN
CAPITAL TERRITORY.

**New Part
IX.**

(b) by inserting next after Part VIII the following new Part :—

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN
CAPITAL TERRITORY.

**Interpreta-
tion.**

53. (1) In this Part, unless the contrary intention appears—

“authorized person”, “constable”, “court”, “magistrate”, “order”, “prison” and “the Territory” have the respective meanings ascribed to those expressions by subsection one of section three of the Commonwealth Act;

“the Governor-General” has the meaning ascribed to that expression by the Acts Interpretation Act 1901, as subsequently amended, of the Parliament of the Commonwealth of Australia;

“warrant” means a warrant issued in accordance with the provisions of the Commonwealth Act.

Prisons (Further Amendment).

(2) A reference in this Act to the Commonwealth Act is a reference to the Removal of Prisoners (Australian Capital Territory) Act 1968 of the Parliament of the Commonwealth of Australia and includes a reference to that Act as amended at any time, whether or not that Act or any Act amending that Act is, in all respects, a valid law of the Commonwealth of Australia.

(3) Where the Governor-General has commuted a sentence of death pronounced on a person to a term of imprisonment, this Part applies to and in relation to the person as if the sentence of death had been a sentence of imprisonment for that term.

(4) For the purposes of this Part, a reference to an order of a court or magistrate includes a reference to a warrant issued by a court or a magistrate, other than a warrant as defined by subsection one of this section.

54. (1) Where a constable has a person in custody in accordance with the terms of a warrant, it is lawful for the constable to hold and deal with the person in accordance with those terms.

Conveyance
and deten-
tion of
prisoners
from the
Territory.

(2) The governor of a prison or any other officer doing duty at a prison shall accept custody of any person delivered into his custody by a constable in accordance with a warrant, and the person shall thereafter, subject to this Part, be detained in that prison or any other prison in this State for the period, as referred to in the warrant, necessary for the execution of the order or sentence of the court or magistrate so referred to, unless his earlier release is authorized by the exercise of the Royal prerogative of mercy or by reason of the operation of any law of the Commonwealth of Australia, or of any law in force in the Territory, relating to the release of offenders.

(3) Subject to the provisions of the Commonwealth Act, a person referred to in subsection two of this section, until he is released from custody

or

Prisons (Further Amendment).

or delivered into the custody of a constable in accordance with a warrant, may be dealt with in the like manner, and is subject to the like laws, as if the order or sentence of the court or magistrate in respect of the person had been a like order or sentence made or pronounced under a law in force in this State.

Returns
of persons
to the
Territory.

55. Where a person (in this section referred to as the prisoner) is being detained in a prison under this Part and a constable has presented to the governor of the prison a warrant requiring the person in charge of the prison to deliver the prisoner into the custody of the constable and requiring the constable into whose custody the prisoner is delivered to convey the prisoner in custody to the Territory, the governor of the prison shall deliver the prisoner into the custody of the constable and the warrant shall be sufficient authority for the constable to convey the prisoner in custody to the Territory.

Application
of this
Part to
prisoners
in custody
at com-
mencement
of this
Part.

56. This Part applies to and in relation to a person who was, before the commencement of this Part, placed in custody in a prison for the purpose of giving effect to an order or sentence of a court or magistrate and has not been released before that commencement, as if—

- (a) the Commonwealth Act and this Part had been in force at the time the person was placed in custody;
- (b) the person had been delivered into the custody of the governor of that prison in accordance with the terms of a warrant issued in relation to that order or sentence; and
- (c) the detention of the person before the commencement of this Part had been detention in accordance with this Part.

Prisons (Further Amendment).

57. (1) Where, before the commencement of Validation. this Part, a person has undergone a period of imprisonment in a prison by way of execution or purported execution of a sentence of imprisonment imposed under a law as in force in the Territory, whether or not the person is in a prison at the commencement of this Part, he shall be deemed to have duly served that period of imprisonment in accordance with that sentence or law.

(2) Where, before the commencement of this Part, a person has been detained in custody in this State for the purpose of giving effect to an order or sentence of a court or magistrate, that detention shall, for all purposes (including the purposes of any action or proceedings, whether instituted before or after the commencement of this Part) be deemed to have been as lawful as it would have been if the Commonwealth Act and this Part had been in force at the time of the detention and the detention had been in accordance with this Part.

58. A document purporting to be a warrant and Evidentiary to be under the hand of an authorized person shall provision. be admissible in any proceedings and shall, in all courts exercising jurisdiction in this State and upon all occasions, be prima facie evidence of the particulars stated in the document.

BY AUTHORITY:

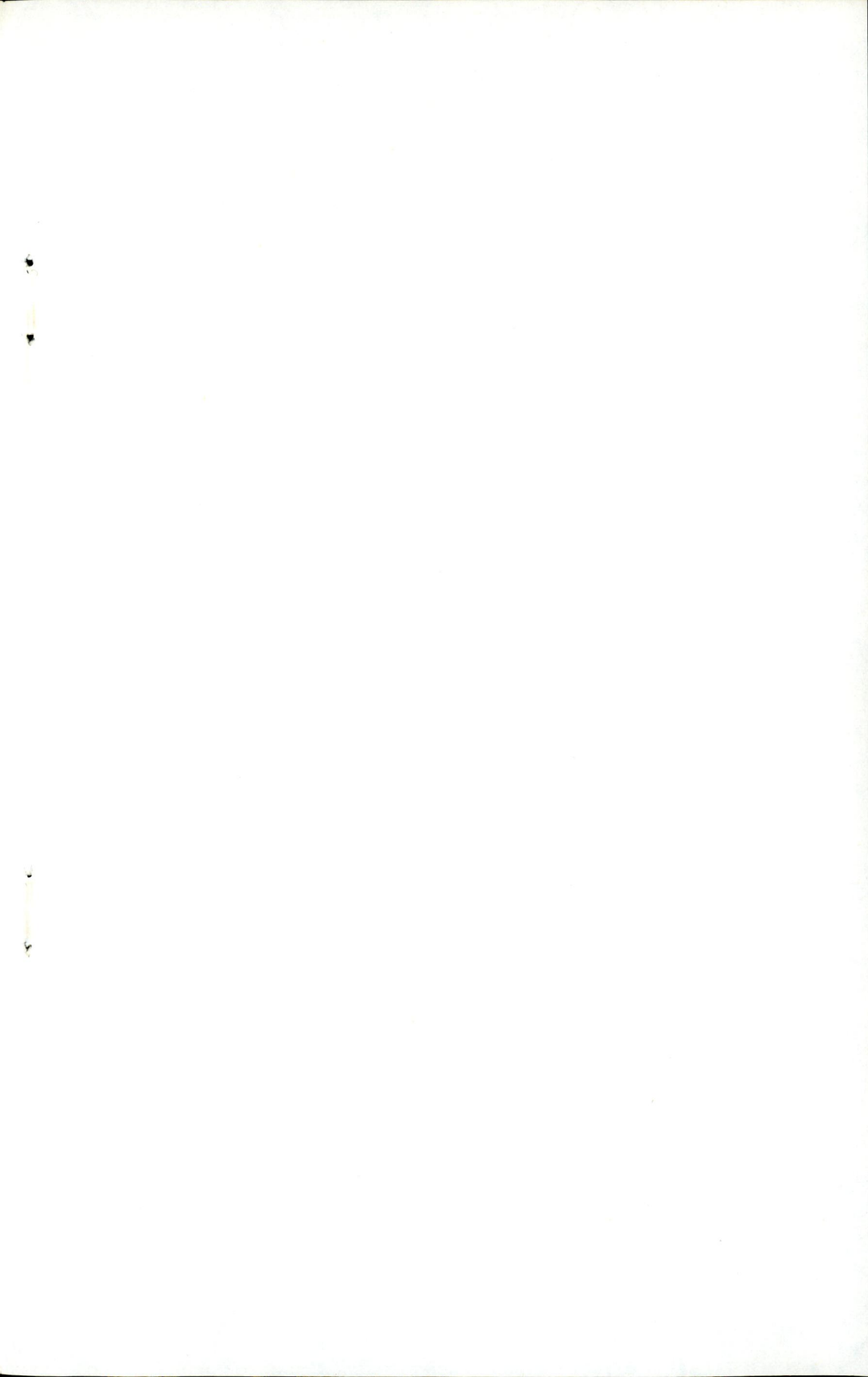
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

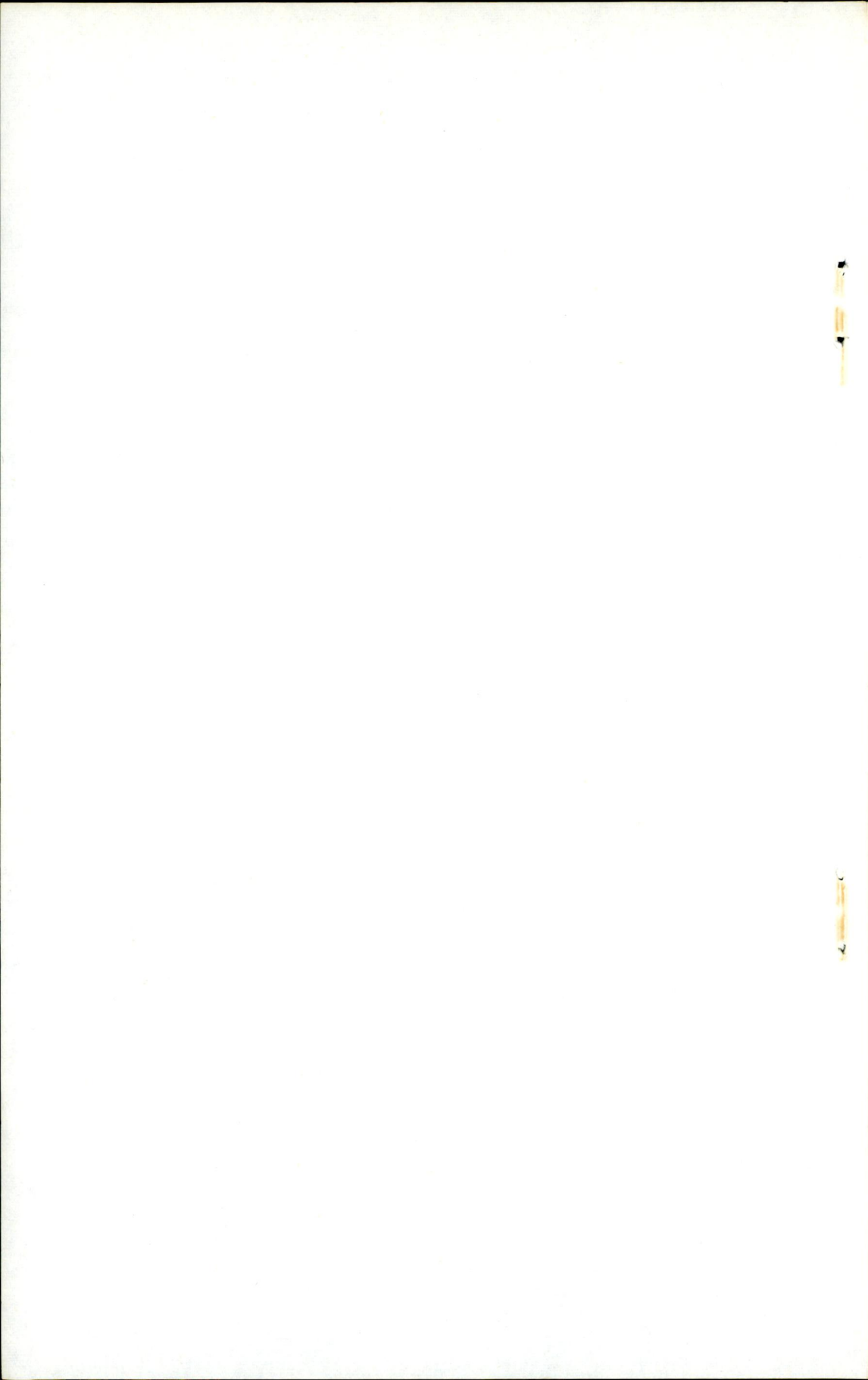
1887

Received of the Treasurer of the
Board of Education the sum of
\$100.00 for the year ending
June 30, 1887.

1888

Received of the Treasurer of the
Board of Education the sum of
\$100.00 for the year ending
June 30, 1888.





I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 21 November, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 42, 1968.

An Act relating to the detention in New South Wales of prisoners received from the Australian Capital Territory; for this and other purposes to amend the Prisons Act, 1952, as subsequently amended; and for purposes connected therewith. [Assented to, 22nd November, 1968.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Prisons (Further Amendment) Act, 1968".

Short title
and
citation.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Prisons (Further Amendment).

(2) The Prisons Act, 1952, as subsequently amended and as amended by this Act, may be cited as the Prisons Act, 1952-1968.

Amendment of Act No. 9, 1952. **2.** The Prisons Act, 1952, as subsequently amended, is amended—

Sec. 2. (Division into Parts.) (a) by inserting in section two next after the matter relating to Part VIII the following new matter :—

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

New Part IX. (b) by inserting next after Part VIII the following new Part :—

PART IX.

PRISONERS RECEIVED FROM THE AUSTRALIAN CAPITAL TERRITORY.

Interpretation. 53. (1) In this Part, unless the contrary intention appears—

“authorized person”, “constable”, “court”, “magistrate”, “order”, “prison” and “the Territory” have the respective meanings ascribed to those expressions by subsection one of section three of the Commonwealth Act;

“the Governor-General” has the meaning ascribed to that expression by the Acts Interpretation Act 1901, as subsequently amended, of the Parliament of the Commonwealth of Australia;

“warrant” means a warrant issued in accordance with the provisions of the Commonwealth Act.

(2)

Prisons (Further Amendment).

(2) A reference in this Act to the Commonwealth Act is a reference to the Removal of Prisoners (Australian Capital Territory) Act 1968 of the Parliament of the Commonwealth of Australia and includes a reference to that Act as amended at any time, whether or not that Act or any Act amending that Act is, in all respects, a valid law of the Commonwealth of Australia.

(3) Where the Governor-General has commuted a sentence of death pronounced on a person to a term of imprisonment, this Part applies to and in relation to the person as if the sentence of death had been a sentence of imprisonment for that term.

(4) For the purposes of this Part, a reference to an order of a court or magistrate includes a reference to a warrant issued by a court or a magistrate, other than a warrant as defined by subsection one of this section.

54. (1) Where a constable has a person in custody in accordance with the terms of a warrant, it is lawful for the constable to hold and deal with the person in accordance with those terms.

Conveyance
and deten-
tion of
prisoners
from the
Territory.

(2) The governor of a prison or any other officer doing duty at a prison shall accept custody of any person delivered into his custody by a constable in accordance with a warrant, and the person shall thereafter, subject to this Part, be detained in that prison or any other prison in this State for the period, as referred to in the warrant, necessary for the execution of the order or sentence of the court or magistrate so referred to, unless his earlier release is authorized by the exercise of the Royal prerogative of mercy or by reason of the operation of any law of the Commonwealth of Australia, or of any law in force in the Territory, relating to the release of offenders.

(3) Subject to the provisions of the Commonwealth Act, a person referred to in subsection two of this section, until he is released from custody

or

Prisons (Further Amendment).

or delivered into the custody of a constable in accordance with a warrant, may be dealt with in the like manner, and is subject to the like laws, as if the order or sentence of the court or magistrate in respect of the person had been a like order or sentence made or pronounced under a law in force in this State.

Returns
of persons
to the
Territory.

55. Where a person (in this section referred to as the prisoner) is being detained in a prison under this Part and a constable has presented to the governor of the prison a warrant requiring the person in charge of the prison to deliver the prisoner into the custody of the constable and requiring the constable into whose custody the prisoner is delivered to convey the prisoner in custody to the Territory, the governor of the prison shall deliver the prisoner into the custody of the constable and the warrant shall be sufficient authority for the constable to convey the prisoner in custody to the Territory.

Application
of this
Part to
prisoners
in custody
at com-
mencement
of this
Part.

56. This Part applies to and in relation to a person who was, before the commencement of this Part, placed in custody in a prison for the purpose of giving effect to an order or sentence of a court or magistrate and has not been released before that commencement, as if—

- (a) the Commonwealth Act and this Part had been in force at the time the person was placed in custody;
- (b) the person had been delivered into the custody of the governor of that prison in accordance with the terms of a warrant issued in relation to that order or sentence; and
- (c) the detention of the person before the commencement of this Part had been detention in accordance with this Part.

Prisons (Further Amendment).

57. (1) Where, before the commencement of Validation. this Part, a person has undergone a period of imprisonment in a prison by way of execution or purported execution of a sentence of imprisonment imposed under a law as in force in the Territory, whether or not the person is in a prison at the commencement of this Part, he shall be deemed to have duly served that period of imprisonment in accordance with that sentence or law.

(2) Where, before the commencement of this Part, a person has been detained in custody in this State for the purpose of giving effect to an order or sentence of a court or magistrate, that detention shall, for all purposes (including the purposes of any action or proceedings, whether instituted before or after the commencement of this Part) be deemed to have been as lawful as it would have been if the Commonwealth Act and this Part had been in force at the time of the detention and the detention had been in accordance with this Part.

58. A document purporting to be a warrant and Evidentiary to be under the hand of an authorized person shall provision. be admissible in any proceedings and shall, in all courts exercising jurisdiction in this State and upon all occasions, be prima facie evidence of the particulars stated in the document.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 22nd November, 1968.*

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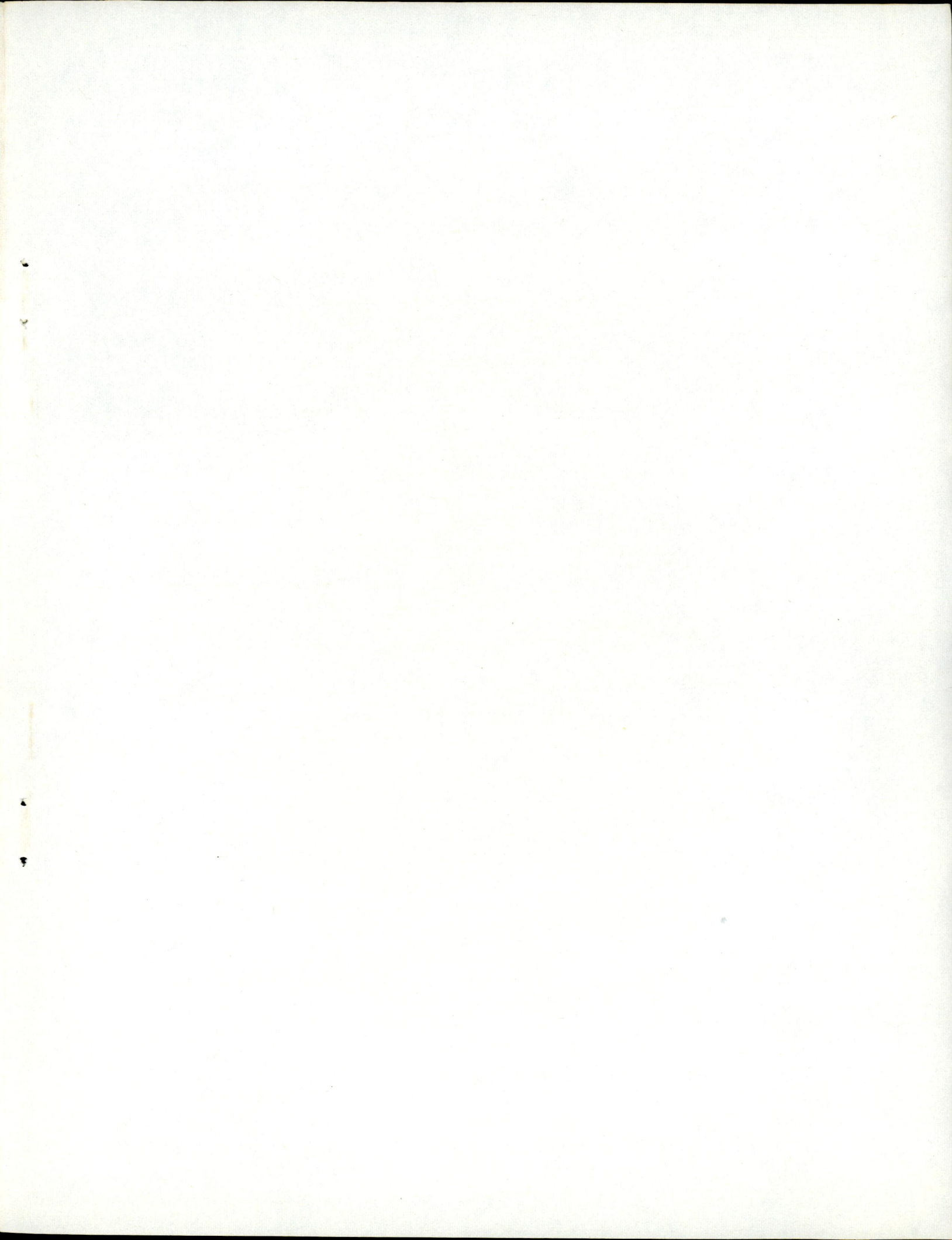
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