
A BILL

To abolish the punishment of Death in certain cases and to assimilate the Law of New South Wales in that respect with the Law of England.

[MR. PLUNKETT:—17 October, 1867.]

WHEREAS it is expedient that all capital punishments should be ^{Preamble.} abolished within this Colony (cases of murder and treason alone excepted) and thereby to assimilate the Law to that of England Be it therefore enacted by the Queen's Most Excellent Majesty by 5 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. All capital punishments within the Colony (except in cases ^{Punishment of death abolished except in certain cases.} of murder and treason) shall be and the same are hereby abolished 10 and Judgment of Death shall neither be pronounced nor recorded against any person (save and except those duly convicted of murder or treason) after the passing of this Act.

2. Every person convicted of any crime punishable with Death ^{Substituted punishment for now capital crimes.} at the passing of this Act (murder and treason alone excepted) shall be 15 liable to be kept in penal servitude and be imprisoned and put to hard labor in one of Her Majesty's Gaols within the Colony for the whole of his natural life.

3. Nothing herein contained shall be construed to abridge or ^{Prerogative of Mercy saved.} affect Her Majesty's Royal Prerogative of Mercy.

