

# Prisoners Maintenance Expenses.

## A BILL INTITULED

AN ACT to make further and better provision for Title.  
 charging the Expense of Maintenance of Prisoners  
 detained in Public Gaols for Punishment or safe  
 Custody.

**W**HEREAS it does sometimes happen that persons are committed Preamble.  
 for safe custody or imprisonment to gaols not being within the  
 Province within which the offence charged has been or is alleged to  
 have been committed, and it is expedient that the expenses of the  
 maintenance in gaols of such prisoners should be borne by the  
 Province within which the offence charged has been or is alleged to  
 to have been committed :

BE IT THEREFORE ENACTED by the General Assembly of New  
 Zealand in Parliament assembled, and by the authority of the same, as  
 follows :—

**1.** The Short Title of this Act shall be “The Prisoners Mainte- Short Title.  
 nance Expenses Act, 1871.”

**2.** In the construction of this Act the words terms and expressions Interpretation.  
 following shall have the meanings hereby assigned to them, unless  
 there be something in the subject or context repugnant to such con-  
 struction, that is to say—

The term “prisoner” shall mean and include any person who “Prisoner.”  
 is detained under or by virtue of any committal or con-  
 viction or order made under the provisions of “The  
 Justices of the Peace Act, 1866,” or any Act amending  
 the same, or any Act passed or to be passed for the like  
 purposes, or by or under the order conviction or judgment  
 of any Court of criminal jurisdiction in any public gaol,  
 whether committed for safe custody or for punishment, or  
 on default of bail for appearance or good behaviour or  
 keeping the peace, or for any other purpose or on any  
 other account :

The expression “expenses of maintenance” shall mean and “Expenses of  
 maintenance.”  
 include the actual expenses incurred in the maintenance  
 safe custody care and punishment of the prisoner accord-  
 ing to the term for which he shall have been in custody in  
 the gaol with reference to which the term is used, at the  
 average daily cost of each prisoner according to the whole  
 number of prisoners confined in the gaol ; such average to

be taken at such intervals as the Colonial Secretary shall from time to time direct, including in such expenses all salaries of officers, all expenses of repairs alterations additions and improvements in or to such gaol, and any other charges whatsoever on account of the prisoners confined in such gaol, and such other expenses as the Colonial Secretary shall from time to time determine; subject nevertheless to a proportionate share of all deductions on account of earnings of the prisoners in such gaol, and subject to such other deductions as the Colonial Secretary shall from time to time determine.

Act to apply to prisoners detained at time of passing Act and to prisoners received into gaol after passing of Act.

**3.** This Act, as to all expenses of maintenance incurred after the passing of this Act, shall apply to the expenses of maintenance of all prisoners detained in any public gaol at the time of the passing of this Act, and of prisoners received into any such gaol after the passing of this Act.

Expenses of maintenance in gaol of one Province of prisoners who have committed offences in another Province, how to be charged.

**4.** The expenses of maintenance in any public gaol of every convicted prisoner detained in any public gaol not being within the Province within which the offence of which he may have been convicted shall have been committed, shall be paid by the Colonial Treasurer to the Superintendent of the Province within which such gaol is, and shall be charged against the Province within which such offence shall have been committed:

And the expenses of maintenance of every prisoner charged with an offence and under committal for trial or safe custody, and detained within any public gaol not being within the Province within which the offence charged shall have been committed or charged to have been committed, shall be paid by the Colonial Treasurer to the Superintendent of the Province within which such gaol is, and shall be charged against the Province within which such offence shall have been committed:

And the expenses of maintenance of every other prisoner detained for safe custody, or for default of bail, or for contempt of Court, or on any other account, and detained in any public gaol not being within the Province within which the act of commission or omission or other default shall have been committed or have occurred with which such person is charged, or on account of which he shall be committed to gaol, shall be paid by the Colonial Treasurer to the Superintendent of the Province within which such gaol is, and be charged against the Province within which such act or default shall have been committed or have occurred.