

(No. 31.)

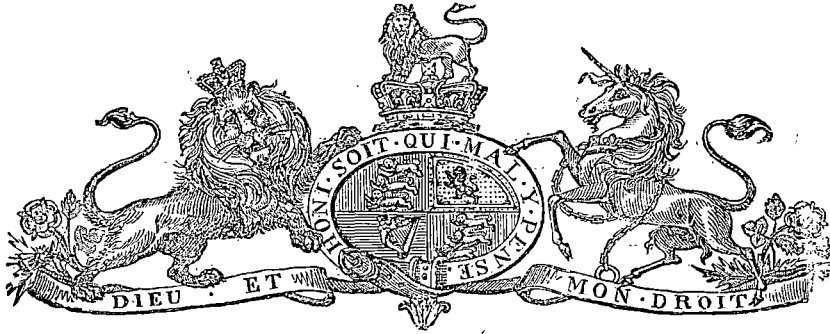


1860.

T A S M A N I A.

TERMS UPON WHICH CONVICTS AND PAUPERS HAVE BEEN
MADE CHARGEABLE RESPECTIVELY UPON IMPERIAL AND
COLONIAL FUNDS.

Laid upon the Table by Mr. Henty, and ordered by the Council to be printed,
printed, 31 August, 1860.



(No. 23.)

Downing-street, 14th February, 1854.

SIR,

I HAVE had under my consideration your Despatch No. 154, of the 2nd July last, accompanied by a Report from the Comptroller-General, and containing the views which you have formed on the steps to be taken for the progressive reduction of the Convict Establishment in Van Diemen's Land, in consequence of the abolition of Transportation to the Colony.

I shall now proceed to convey to you, in succession, the decisions of Her Majesty's Government on the leading proposals contained in your Despatch.

First, with regard to the apportionment of the expense of future punishment, the general rule of course will be, that convicts who commit fresh offences will be punished at the expense of the Imperial Government, whilst free men or expeires, or holders of conditional pardons, who commit offences will be punished at the expense of the Colony. In order, however, to provide equitably for the case of hardened convicts who may commit fresh crimes very shortly after having served out their time, I have to authorise you further to adopt the following rule:—Any convict who, within twelve months of becoming free, either by expiration of sentence or by receipt of a conditional pardon, shall be convicted of an offence for which he is sentenced to a punishment of two years or upwards, shall be maintained at the expense of the Imperial Government; but no claim whatever shall be admissible upon the Home Government in respect of the punishment of a convict for any fresh crime which he may commit after the lapse of one clear twelvemonth from the date of his becoming free.

Secondly, the maintenance of invalid, lunatic, or pauper convicts, and of those free men who, at the time of their arrival in the Colony as Convicts, were above sixty years of age, but of no other free men, shall be chargeable to the British Treasury.

* * * * *

Sixthly, with regard to the request which you submit that no early reduction may be made in the number of Troops maintained in Van Diemen's Land, I have to state that due attention will be paid to the presence of Convicts in the Colony in regulating the strength of the military force which shall be there maintained.

* * * * *

The Comptroller-General in his Report supplies some useful information, and proposes to make reductions as fast as occasions may present themselves.

I have every reliance on your vigilance and on the zeal and efficiency of Mr. Hampton: but, adverting to the heavy charges which are now thrown on Great Britain for the maintenance of Convict stations in other parts of the Empire, it is my duty to impress upon you the importance of seizing the earliest opportunity to make every practicable reduction, both in the general expenses of the Convict Department and in the establishment itself.

I have the honour to be,

Sir,

Your most obedient Servant,

NEWCASTLE.

Lieut-Governor SIR W. DENISON,
 &c. &c. &c.

EXTRACT of Despatch from the Duke of Newcastle to Sir W. Denison, in re. Convict Estimates for 1854-5, dated 3 May, 1854.

"I HAVE to convey to you distinct instructions that the Expenditure after the 31 March, 1855, must be placed upon altogether a different footing from that which, unfortunately, it is necessary to

sanction for the current year. * * * But the choice of the practical measures of retrenchment must unavoidably be left, in a great degree, to the discretion of yourself and of your proper official advisers on the spot. I have to instruct you, however, that the time of granting Tickets-of-Leave to all Convicts not yet possessed of that indulgence should be accelerated by at least one-half of the period which they would have to serve under existing regulations,—and that it may be accelerated by more, if you see no just objection; and further, that I should be prepared to acquiesce in accelerating the period at which the holders of Tickets-of-Leave may be recommended for Conditional Pardons. The exact amount of the acceleration, and the requisite rules of detail for carrying this measure into effect with a proper regard to discipline and to the different merits of the Prisoners, are matters which I must leave it to you to determine, with the aid and advice of the Comptroller-General and of the Deputy-Commissary-General; but, after the foregoing review of the continued and even largely increasing expenditure on Convict Establishments in Van Diemen's Land, notwithstanding the abolition of Transportation, I must impress it upon you, unequivocally and finally, that, by the method above indicated, and by any other which you may judge practicable and expedient, Her Majesty's Government must insist on a very large reduction indeed in the total amount of the demand to be made for these services."

(Signed) NEWCASTLE.

Convict Department, Comptroller-General's Office, 18th July, 1854.

THE Lieutenant-Governor directs it to be notified that, under instructions received from the Right Honourable the Secretary of State, male and female ticket-of-leave holders will, from this date, be required to serve with good conduct only half of the period for which they would have had to serve under previous regulations for a recommendation for a conditional pardon.

Ticket-of-leave holders becoming eligible under this notification for a recommendation for a conditional pardon, must send in their applications on the usual printed form to the Comptroller-General of Convicts, through the Police Magistrate of the district in which they may be resident.

J. S. HAMPTON, *Comptroller-General.*

Gazetted July 25th.

Convict Department, Comptroller-General's Office, 18th July, 1854.

THE Lieutenant-Governor directs it to be notified that, under instructions received from the Right Honourable the Secretary of State, male and female pass-holders will, from this date, be required to serve only half of the period for which they would have had to serve under previous regulations for the indulgence of a ticket-of-leave.

Petitions from pass-holders, who will thus be eligible for the indulgence of a ticket-of-leave, must be sent in on the usual printed form to the Comptroller-General of Convicts, through the Police Magistrate of the district in which they may be resident; and no application will be entertained from any pass-holder who has been under Magisterial sentence until the completion of Six Months; with good conduct, from the expiration of the last sentence.

It is also notified that, under the instructions above referred to, pass-holders who have no offence recorded against them since their arrival in the Colony, will be allowed a further deduction of one-fourth of the diminished period of service for a ticket-of-leave.

J. S. HAMPTON, *Comptroller-General.*

Gazetted July 25th.

MEMORANDUM of previous Regulations referred to.

Convicts sentenced to Life to serve 12 years for a Ticket-of-Leave and 2 years for a Conditional Pardon.

Convicts sentenced to 14 and 15 years to serve 10 years for a Ticket-of-Leave and 18 months for a Conditional Pardon.

Convicts sentenced to 10 years to serve 5 years for a Ticket-of-Leave and 15 months for a Conditional Pardon.

Convicts sentenced to 7 years to serve 3½ years for a Ticket-of-Leave and 12 months for a Conditional Pardon.

If any differences of opinion arise in defining the liabilities of the respective Governments, the disputed cases are referred to a Committee consisting of the Comptroller-General, the Commissariat Officer in charge, the Colonial Secretary, and the Colonial Treasurer.