

charged with being an offender illegally at large within the meaning of this Act to convict him thereof, and at their discretion either

- (1.) To take bail that such person shall leave the colony within seven days after his conviction; or
- (2.) To cause such person to be delivered up to any person duly authorized by the Government of the country or possession from whence he came, so as to be conveyed in custody to such country; or
- (3.) To cause him to be put on board any ship of war belonging to such country, and in the meantime to detain him until he can be so conveyed, delivered up, or put on board a ship of war as aforesaid; or
- (4.) To sentence such person, if a male, to be kept to hard labour on the roads or other public works of the colony for any period not exceeding three years; or if a female, to be imprisoned with or without hard labour in any gaol for any period not exceeding one year.

Forfeiture of property.

4. All property found upon or in the possession of any person arrested under the authority of this Act shall, upon his apprehension, be seized and detained, and, in the event of his being convicted, may be forfeited and sold or otherwise disposed of at the discretion of the country Justices.

Punishment for offenders remaining after expiration of sentence.

5. Any person sentenced as aforesaid to hard labour or imprisonment who shall remain in Queensland for three months after the termination of such sentence shall be liable to be again apprehended and sentenced, and so on from time to time as often as he shall so remain.

Penalty for harbouring.

6. Any person who shall harbour or conceal any other person whom he shall know or believe to be an offender illegally at large within the meaning of the Act shall be subject to a fine not exceeding one hundred pounds, or to be imprisoned in any gaol or house of correction in Queensland for any period not exceeding twelve months.

Masters of ships liable if offenders introduced.

7. Any master mariner or other person commanding, navigating, or sailing any vessel for the trip or voyage when such vessel shall bring to any port or place in Queensland any such person as is mentioned in the first clause of this Act shall, upon conviction thereof before any two Justices of the Peace, for every such offence be liable to a fine not exceeding one hundred pounds, or to imprisonment for any time not exceeding six months, or to both, at the discretion of the said Justices.

Search warrants.

8. It shall be lawful for any Justice of the Peace having information on oath that any offender illegally at large is harboured in any house or other place to grant a general search warrant to any constable for such person, and it shall be lawful for any such constable, in virtue of such general search warrant, to break, enter, and search by day or by night any dwelling-house, tenement, or other place wherein such person may be suspected to be concealed, and to apprehend any person whom such constable shall have reasonable cause for suspecting to have arrived or remained in Queensland contrary to the provisions hereof, and also to apprehend all persons found in or about such dwelling-house, tenement, or other place whom such constable shall have reasonable grounds for suspecting and believing to have knowingly harboured and concealed such suspected person; and all persons found and apprehended as aforesaid shall be forthwith taken before any Justices of the Peace to be dealt with as herein provided.

Power of search.

9. It shall be lawful for any Justice of the Peace or constable to enter on board any vessel, and, having reasonable cause to suspect that any such person as is mentioned in the first section is on board such vessel, to search any and every part thereof and apprehend any such person found therein.

Summary jurisdiction.

10. It shall be lawful for any two or more Justices to hear and determine in a summary way all cases arising under this Act; and no complaint, conviction, order for confiscation, punishment, or forfeiture, or other proceeding before or by any Justices under this Act shall be quashed or set aside, or deemed void or insufficient for want of form only, or be removed or removable by *certiorari* or any other writ or process whatsoever into the Supreme Court.

11. The Justices who shall hear any complaint or information laid under this Act may receive such evidence as may be laid before them, although the same may not be such as in other cases would be legally admissible; and if it shall be proved before them—

- (1.) That any person was at any time theretofore in any country known, deemed, or commonly reputed to have been found guilty of any transportable or capital felony in the United Kingdom, or any British possession other than Queensland;
- (2.) Was known or deemed or reputed to have served or been serving any sentence of transportation or imprisonment,

shall for the purposes of the Act be taken to be *prima facie* evidence of such person having been so found guilty, or been sentenced or served such sentence as aforesaid.

12. Any Justices adjudicating under this Act may, for the purpose of assisting their judgment, receive in evidence any paper purporting to be a Government *Gazette* of any Australian colony, containing the name of any person charged under this Act, and describing him as a convicted prisoner, or transported felon, or prisoner escaped from justice, and in the case of prisoners from any foreign State may also inspect any letter written by any Governor or consular authority of such State in which any such person shall be named, described, or referred to as a person escaped from custody; and