

When a prisoner is to be returned from the United Kingdom a warrant to the like effect may be issued, but under the hand of a Secretary of State; and the prisoner shall be delivered accordingly.

8. The removal of a prisoner under this Act may be effected upon the authority of a warrant under the hand of the Governor and the seal of the possession in which the prisoner is confined, and addressed to the master of any British ship, or any other person or persons; and the person or persons to whom such warrant is addressed shall have power to convey the prisoner therein named to his destination, and to deliver him, when there, together with the warrant, into the custody of any authority designated therein, or empowered, if in the United Kingdom, by a Secretary of State, or if in a possession, by the Governor, to receive the prisoner.

The return of a prisoner under this Act may be effected in the same manner as is herein prescribed with respect to the removal of a prisoner, with this addition, that where a prisoner is returned from the United Kingdom the warrant authorizing his return shall be under the hand of a Secretary of State.

9. Every warrant for the delivery and removal or return of a prisoner purporting to be issued in pursuance of this Act, and to be under the hand of a Secretary of State, or to be signed by the Governor of a possession, and to be sealed with the seal of such possession, shall be received in evidence in every Court of justice in Her Majesty's dominions without further proof, and shall be *prima facie* evidence of the facts therein set forth.

10. Every prisoner removed to the United Kingdom under this Act shall, as soon as conveniently may be after his arrival, be delivered into the custody of the keeper of such prison as a Secretary of State directs, and shall undergo therein the term of penal servitude or of imprisonment with or without hard labour specified in the order of the Secretary of State, and shall be subject to the same laws and regulations, and shall be dealt with in the same manner in all respects, as if such term of penal servitude or imprisonment had been imposed by the sentence of a Court of competent jurisdiction in the United Kingdom.

11. Every prisoner removed from any possession to another possession under this Act shall, as soon as conveniently may be after his arrival, be delivered into the custody of the keeper of such prison as the Governor of the possession to which he is removed directs, and shall undergo therein the term of penal servitude or imprisonment, with or without hard labour, specified in the order of the Secretary of State, and shall be subject to the same laws and regulations and be dealt with in the same manner in all respects as if such term of penal servitude or imprisonment had been imposed by the sentence of a Court of competent jurisdiction in such last-named possession.

12. Every prisoner removed or returned under this Act shall, from the time of his leaving his prison in the place from which he is removed or returned to the time of his reaching his prison in the place to which he is removed or returned, be deemed to be undergoing his sentence and to be in the legal custody of the person or persons empowered to remove or to return him, and to be subject to the same restraint and, in the event of misbehaviour, to the same punishment as if he had continued in prison, and as if the person or persons empowered to remove or to return him were the gaoler or gaolers of such prison; and if he escape or attempt to escape from such custody, such prisoner, and every person aiding or attempting to aid him in such escape, shall be subject to the same punishment as if such escape or attempt to escape were an escape or attempt to escape from prison.

Any person punishable under this section may be tried and punished in the possession from which or the possession to which he is in course of being sent at the time of the offence, or in the United Kingdom in the event of his being in course of being sent to or from the United Kingdom, and the law applicable to such person shall be the law of that part of Her Majesty's dominions in which he is tried.

13. Where a prisoner is removed from any possession to another possession or to the United Kingdom on the ground of ill-health, or for the more efficient carrying-out of the sentence, or for safer custody, or is returned to any possession, the expenses of his removal or return and the cost of his maintenance in prison shall be payable by the possession from which he was removed; and where such prisoner is removed to the United Kingdom as having been tried under an Imperial Act of Parliament, or as having been subject to the Mutiny Act or the Navy Acts, the said expenses and costs shall be defrayed out of moneys to be voted by Parliament.

14. The forms contained in the Schedule to this Act, or forms to the like effect, with such variations and additions as circumstances may require, may be used for the purposes therein indicated, and instruments in those forms (as regards the form thereof) shall be valid and sufficient.

15. Nothing contained in this Act shall affect any agreement already made or hereafter to be made under the Colonial Prisoners Removal Act, 1869.

#### SCHEDULE OF FORMS.

##### I.—FORM OF ORDER OF REMOVAL.

“The Prisoners Removal Act, 187 .”  
(Royal Arms.)

To all to whom these presents shall come, I, \_\_\_\_\_, one of Her Majesty's Principal Secretaries of State, send greeting:

WHEREAS A.B. was on the \_\_\_\_\_ day of \_\_\_\_\_, before the Supreme Court of the Presidency of