

and then deliver such offender to the Keeper there, pursuant to the sentence passed upon such prisoner, without any further warrant, order or direction than the passing of such sentence by the Court before whom such offender shall be tried, and a copy of the sentence passed upon such offender from the Minutes of the Court before whom such offender shall be tried, certified by any Justice or by the Clerk or acting Clerk of such Court.

Offenders to be conveyed and secured as the officer in charge may think fit.

Expenses to be defrayed by the County when the sentence is passed by other than the Court of Oyer and Terminer;

If by the Court of Oyer and Terminer, expenses to be paid by the Province.

Keeper of the Penitentiary or under Officer to have the same power over convicts as a Sheriff or Gaoler.

Escape from the Penitentiary made felony.

Rescuing a convict, or aiding or permitting an escape, made felony.

Supplying arms, disguises, &c. made felony, though no escape be made.

Negligently permitting an escape, made a misdemeanor.

Persons introducing articles not allowed by the Prison regulations, may be apprehended, and on conviction, committed to the Penitentiary.

II. And be it enacted, That the Sheriff or Gaoler, and every person employed in the conveyance of any offender to the Provincial Penitentiary, there to be imprisoned, may in such manner as he shall think fit, carry and secure such offender in and through any County in this Province; and that all reasonable expenses which such Sheriff, Gaoler or other person shall incur in every such removal, if the conviction had been before any Court other than the Court of Oyer and Terminer and General Gaol Delivery, shall be paid by the County for which the Court in which the offender was convicted shall have been held, to be paid by the Treasurer of such County, such reasonable expenses being first allowed by order of the Justices of the Peace at their General Sessions or other Sessions of the Peace, who are hereby required to make such order as shall be just in that behalf; and if the conviction had been before the Court of Oyer and Terminer and General Gaol Delivery, the same shall be paid by the Province, and shall be drawn from the Treasury by Warrant under the hand and seal of the Lieutenant Governor or Administrator of the Government for the time being; the amount of such charges and expenses being first ascertained and settled by Her Majesty's Justices of the Peace of the proper County at their General Sessions, or at any Special Sessions of the Peace to be by them for that purpose holden, and duly audited by the Provincial Auditor.

III. And be it enacted, That after the delivery of any such offender as aforesaid, to the Keeper of the said Penitentiary, such Keeper or other person having the custody of criminals or convicts under his direction, shall during the term for which such criminals or convicts shall be ordered to remain in his custody, have the same power over such convicts as are incident to the office of a Sheriff or Gaoler, and in case of any abuse of such custody or other misbehaviour or negligence in the discharge of his office, shall be liable to the same punishment to which a Gaoler is now liable by Law.

IV. And be it enacted, That any criminal or convict who shall be ordered or sentenced to be imprisoned in the said Penitentiary, who at any time during the term of such confinement, shall break prison or escape, or who, while being conveyed to such Penitentiary, shall escape from the person or persons having the lawful custody of such convict, he or she so breaking prison, or escaping, shall be guilty of felony.

V. And be it enacted, That if any person shall rescue any convict or criminal who shall be ordered or sentenced to be imprisoned in the said Provincial Penitentiary, either during the time of his or her conveyance to the said Penitentiary, or of his or her imprisonment therein, or if any person shall be aiding or assisting in any such rescue, every person so rescuing, aiding or assisting, shall be guilty of felony; and if any person having the custody of any such convict or criminal, or being employed as Keeper, Under Keeper, Assistant or Guard, shall knowingly and wilfully permit such convict to escape; and if any person shall by supplying arms, tools or instruments of disguise, or otherwise be in any manner aiding or assisting any such convict in any escape or prison breach, or in any attempt to make an escape, though no escape be actually made; or shall attempt to rescue any such convict or criminal, or be aiding or assisting in any such attempt, though no rescue be actually made; every person so permitting, attempting, aiding or assisting, shall be guilty of felony; and if any person having such custody, or being so employed by the person having such custody as aforesaid, shall negligently permit any such convict or criminal to escape, such person shall be guilty of a misdemeanor, and being lawfully convicted of the same, shall be liable to fine or imprisonment, or to both, at the discretion of the Court.

VI. And be it enacted, That if any person shall carry or bring, or attempt or endeavour, by throwing over the walls, or any other means to introduce into the said Provincial Penitentiary, any letters, tobacco, liquor, or other articles not allowed by the rules of the said Prison, it shall be lawful for any person to apprehend such offender and to carry him or her before any Justice of the Peace, who is hereby authorized to hear and determine such offence in a summary way; and if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to the Provincial Penitentiary, there to be kept with hard labour for any time not exceeding one calendar month, without bail or mainprize, unless such offender shall immediately pay down such sum of money, not exceeding five