

6 V. c. 5.

punishable by imprisonment, such imprisonment shall, if it be for two years or any longer term, be in the Provincial Penitentiary; anything in the Act passed in the sixth year of Her Majesty's Reign and intituled, *An Act for better proportioning the punishment to the offence in certain cases, and for other purposes therein mentioned*, or in any other Act or Law to the contrary notwithstanding. 5

Property vested in the Crown.

Warden to have the custody.

III, And be it enacted, That the property of the said Penitentiary and of all the property therein or thereto belonging shall remain vested in Her Majesty, but the Warden of the Penitentiary and his Successors in Office, shall have the custody thereof under the terms and conditions of this Act, and for the uses herein mentioned; and the said Penitentiary shall be exempt from all taxes. 10

Convicts to be received by the Warden.

As to commutation of sentence of death.

IV. And be it enacted, That the said Warden shall receive into the Penitentiary all convicts legally certified to him as sentenced to imprisonment in the said Penitentiary, and shall there detain them and those now lawfully imprisoned therein until the term for which they are sentenced be completed, or until they shall be otherwise discharged in due course of law. And it is declared and enacted that in any case wherein sentence of death has been or shall hereafter be passed upon any person by any Court of this Province, and Her Majesty's Royal pardon shall have been or shall hereafter be extended to such person, on condition that he or she be imprisoned in the Penitentiary for life, or for any term of years in such pardon mentioned, such pardon hath and shall have the same effect as the judgment of a Competent Court legally sentencing such person to such imprisonment for life or other term, would have or would have had; and on the production to him of such pardon or acopy thereof certified by the Provincial Secretary, said Warden shall receive and deal with the said person as if he had been legally sentenced to such imprisonment for life or other term, and such sentence had been duly certified to the said Warden. 15 20 25 30 35

How convicts shall be clothed, fed and employed.

V. And be it enacted, That all convicts in the said Penitentiary shall, during the term of his or her confinement, be clothed at the expense of the Penitentiary in garments of coarse but comfortable materials; and shall be fed on a sufficient quantity of wholesome food; and shall be kept constantly employed at hard labour, for the benefit of the Penitentiary, during the daytime of every day in the year, except Sundays, Good Friday and Christmas-day, in such manner as the Warden shall deem most advantageous for the public, consistently with the welfare of each convict, and with the 40 45