

Certain offenders under 21 years, may be sent to the said Prisons, instead of the Penitentiary.

V. So soon as the said buildings shall be declared by Proclamation to be Reformatory Prisons as aforesaid, it shall be lawful for any Court of Criminal Jurisdiction in this Province, in its discretion, to sentence any person, male or female, whose age at the time of trial shall not in the opinion of such Court exceed the age of twenty-one years, and who shall have been convicted before such Court of any offence now punishable or which may be made punishable by imprisonment in the Provincial Penitentiary, to be imprisoned in one of the said Reformatory Prisons instead thereof; Provided always, that in no case shall the sentence be less than six calendar months or more than five years confinement in any such Reformatory Prison, and in every case when the length of imprisonment is fixed by law to be more than five years, then such imprisonment shall be in the Penitentiary; And provided always, that persons so convicted in Lower Canada shall be sentenced to imprisonment in the Reformatory Prison for Lower Canada, and those convicted in Upper Canada, to imprisonment in the Reformatory Prison for Upper Canada.

Proviso.

Proviso.

And certain others instead of being sent to the Common Gaol: and by what authority.

VI. Whenever, after the said Buildings shall be declared by Proclamation to be Reformatory Prisons as aforesaid, any person under the age of sixteen years shall be convicted of any offence punishable by law on summary conviction, and shall be thereupon sentenced and committed to prison in any Common Gaol, then and in every such case which may occur in Lower Canada it shall be lawful for any Judge of the Superior Courts of Lower Canada, and in every such case occurring in Upper Canada, it shall be lawful for any Judge of any of the Superior Courts of Upper Canada, and for any Judge of any County Court (in any case occurring within his County,) to examine and enquire into the circumstances of such case and conviction, and to direct such offender to be sent, either forthwith, or at the expiration of his sentence, to the Reformatory Prison for that section of the Province within which such conviction was had, to be there detained for a period of not less than six months and not exceeding two years. And such offender shall be liable to be detained pursuant to such direction; Provided always that no offender shall be directed to be so sent and detained as aforesaid, unless the sentence of imprisonment to the Common Gaol as aforesaid, shall be for fourteen days at the least; Provided also that the Governor may at any time order any such offender to be discharged from such Reformatory Prison.

Proviso.

Proviso.

Juvenile offenders may be removed from Penitentiary to Reformatory Prisons.

VII. It shall be lawful for the Governor, at any time in his discretion, to cause any convict in the Provincial Penitentiary whose age may appear to the Inspectors not to exceed the age of twenty-one years, to be transferred to the Reformatory Prison for that section of the Province within which such convict had been tried and convicted, for the remainder of the term of imprisonment for which such convict had been sentenced.