

85.

BILL.

An Act to amend the Criminal Law in relation to Capital Punishment.

WHEREAS it is expedient that ample time should be Preamble.
allowed between the passing of sentence of death
on any person and the execution of such sentence, for
the discovery of any error in the proceedings at the trial
5 or otherwise, before it be too late to remedy the conse-
quences of such error : Be it therefore enacted, &c.

That when any person shall be convicted of any crime Imprisonment
in Penitentiary
to make part
of sentence.
punishable with death and sentenced to such punishment,
he shall at the same time be sentenced to hard labour in
10 the Provincial Penitentiary until such punishment of
death shall be inflicted.

II. And be it enacted, That no person so imprisoned Delay between
sentence and
execution.
shall be executed in pursuance of such sentence within
one year from the day such sentence of death was passed,
15 nor until the whole record of such proceedings or case,
shall be certified by the Clerk of said Court, under the
seal thereof, to the Governor, nor until a warrant shall be
issued by the Governor, under the great seal of this
Province, directed to the Sheriff of the County wherein
20 the Provincial Penitentiary is situated, commanding the
Sheriff to cause the sentence of death to be carried into
execution in his County, which warrant the Sheriff shall
obey.

III. And be it enacted, That any person under sentence As to persons
now under
sentence.
25 of death at the time of the passing of this Act, shall
be conveyed to the Provincial Penitentiary, there to be
confined at hard labour until the expiration of one year
from the time of his sentence, and until the sentence of
death shall be executed ; and the Governor shall issue
30 his warrant authorizing and requiring such conveyance
and confinement, and such person may thereafter be dealt
with as if sentenced after the passing of this Act.