

to the Felony whereof the offender was so convicted ; Provided always, that nothing herein contained, nor the enduring of such punishment, shall prevent or mitigate any punishment to which the offender might otherwise be lawfully sentenced, on a subsequent conviction for any other Felony.

XXII. And whereas there are certain Misdemeanors which render the parties convicted thereof incompetent witnesses, and it is expedient to restore the competency of such parties after they have undergone their punishment ; Be it therefore enacted, That where any offender hath been or shall be convicted of any such Misdemeanor (except Perjury or subornation of Perjury) and hath endured or shall endure the punishment to which such offender hath been or shall be adjudged for the same, such offender shall not, after the punishment so endured, be deemed to be by reason of such Misdemeanor, an incompetent witness in any Court or proceeding Civil or Criminal.

No misdemeanor (except perjury) shall render a party an incompetent witness after he has undergone the punishment.

XXIII. And be it enacted, That in all cases in which any person shall be charged with Felony, the Officers of the Court before which such person shall be tried, or any proceeding had with regard to such charge, and who shall render any official services in the matter of such charge, or in the course of such trial, to the person so charged with Felony, shall be paid their lawful Fees for all such services out of the Public Funds, in the same manner as other Fees due and payable to them in respect of official services by them rendered to the Crown, in the conduct of public prosecutions, are now paid, and no such Fees shall in any case be demanded of or payable by the person charged with such Felony.

Officers of Court to be paid their fees from public funds.

XXIV. And be it enacted, That every person convicted of any Felony not punishable with death, shall be punished in the manner prescribed by the Statute or Statutes specially relating to such Felony ; and that every person convicted of any Felony for which no punishment hath been or hereafter may be specially provided, shall be deemed to be punishable under this Act, and shall be liable, at the discretion of the Court, to be imprisoned at hard labour in the Provincial Penitentiary for any term not less than seven years,* or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.

Felonies not capital, punishable under the Act relating thereto, otherwise under this Act.

XXV. And be it enacted, That if any person sentenced or ordered, or hereafter to be sentenced or ordered to be transported, or who shall have agreed or shall agree to transport or banish himself or herself on certain conditions, either for life or for any number of years, shall be afterwards at large within any part of this Province, contrary to such sentence, order or agreement,

Persons returning from transportation may be tried where found, &c.

* But see 6 Vic. cap. 5, sec. 2, as to the shortest term of imprisonment in the Provincial Penitentiary under these Acts. See also 14 & 15 V. c. 2, s. 2, providing that whenever any offender is punishable by imprisonment for more than two years such imprisonment shall be in the Provincial Penitentiary.