

HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Criminal Code (Capital Punishment).

R.S., c. 146.

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Sections one thousand and sixty-four to one thousand and seventy-two, both inclusive, of the *Criminal Code*, Revised Statutes of Canada, 1906, chapter one hundred and forty-six, are hereby repealed, and the following are substituted therefor:— 5

Prisoner under sentence of death to be confined apart.

“**1064.** Every person who is sentenced to suffer death shall, after judgment, be sent to and confined in the penitentiary for the province, apart from all other prisoners; and no person except the officer charged by the Lieutenant-Governor in Council with the execution and the officers of the penitentiary and such officers as may be thereto authorized by the Lieutenant-Governor in Council of the Province, and a chaplain or a minister of religion, shall have access to any such convict without permission, in writing, of the court or judge before whom such convict has been tried, or of the warden of the penitentiary. 10 15

Place of execution.

“**1065.** Judgment of death to be executed on any prisoner shall be carried into effect within the walls of the penitentiary in which the offender is confined at the time of execution. 20

Persons who shall be present at execution.

“**1066.** The officer charged with the execution and the warden and medical officer or surgeon of the penitentiary, and such other officers of the penitentiary and such persons as the officer charged with the execution requires, shall be present at the execution. 25

Persons who may be present at execution.

“**1067.** Any relatives of the prisoner or other persons as it seems to the warden of the penitentiary or to the officer charged with the execution proper to admit within the penitentiary for the purpose, and any minister of religion who desires to attend, may also be present at the execution. 30