

Punishment
for breaking
prison or out
of cell, &c.

27. Every prisoner in any penitentiary who, at any time, attempts to break prison, or who forcibly breaks out of his cell, or makes any breach therein with intent to escape therefrom, whether successful or not, shall, on conviction thereof, be punished by an addition not exceeding one year, to the term of his imprisonment, besides forfeiting the whole of the period of remission of sentence earned by him, and being again confined as in the next preceding section mentioned.

For assault-
ing any
officer.

28. If any convict, confined in any penitentiary, assaults any officer or servant employed therein, he shall be guilty of at least an aggravated assault, and shall also forfeit the whole of the period of remission of sentence which he may have previously earned, and shall be again confined, as in the twenty-sixth section mentioned.

Rescuing or
attempting to
rescue any
prisoner.

29. Every person who rescues or attempts to rescue any prisoner, while being conveyed to any penitentiary, or while being imprisoned therein, or while passing to or from work at or near any penitentiary, and every person who, by supplying arms, tools or instruments of disguise or otherwise, in any manner aids any such prisoner in any escape or attempt at escape, shall be guilty of felony.

Keepers, &c.,
allowing
prisoners to
escape ;

30. Every person having the custody of any such prisoner as aforesaid, or being employed by the person having such custody, as a keeper, turnkey, guard or assistant, who carelessly allows any such convict to escape, shall be guilty of a misdemeanor, and, on conviction thereof, shall be liable to fine or imprisonment, or to both, at the discretion of the court : and every such person as aforesaid, who knowingly or willingly allows any such convict to escape shall be guilty of felony.

Felony.

Allowing
money,
spirits, let-
ters, &c., to
be brought
into the
penitentiary.

31. Every officer, guard or servant of any penitentiary, or any other person who brings in or carries out, or endeavours to bring in or carry out, or knowingly allows to be brought in or carried out to or from any convict, or carries to any convict while employed outside the prison walls, any money, clothing, provisions, tobacco, spirits, letters, papers or other articles whatsoever not allowed by the rules of the said prison, shall, if an officer or servant of the prison, be guilty of a misdemeanor, and may, if thought fit by the Warden or Deputy Warden, be apprehended and carried before a Justice of the Peace,—who is hereby empowered to hear and determine any such offence in a summary way ; and every such officer, guard or servant or other person, upon conviction of such offence before a Justice of the Peace, shall be liable to pay a penalty not exceeding one hundred dollars, or, in the discretion of the Justice, to be imprisoned in the common gaol, there to be kept at hard labour for any term not exceeding three months.

Misdemeanor.

Punishment.

TRANSFER.