

purpose by a resolution of the general assembly, passed at November session, in the year eighteen hundred and four, so soon as the same is completed or put in order, shall be and the same is hereby appropriated for the reception of criminals that have been, or may hereafter be, condemned under the laws of this state, for such terms, upon such conditions, and under such regulations, as are herein, or may hereafter be, enacted and declared.

26. AND BE IT ENACTED, That the cells of the penitentiary shall be appropriated to the purpose of confining such males and females as shall be convicted of the offences above enumerated, as punishable with imprisonment and labour, but the males and females are hereby required to be kept separate and apart from each other, and all the prisoners shall be subject to the visitation and superintendence of the inspectors herein after mentioned.

Males and females to be kept apart.

27. AND BE IT ENACTED, That every person convicted in any court of this state, and sentenced to undergo a confinement in the penitentiary, shall, as soon as possible after conviction, be safely removed, by the sheriff of the county where such conviction took place, and at the expense of such county, to the penitentiary, and therein to be kept during the term of his or her confinement, in the manner, and on the terms, herein mentioned; and every sheriff who shall wilfully neglect to remove, and safely to deliver, at the penitentiary, such convict, shall forfeit and pay the sum of one thousand dollars, to be recovered by action of debt in any court of record, and applied, one half to the use of the county where sentence was passed, the other to the use of such person as will sue for the same.

Persons sentenced to penitentiary to be removed by sheriff.

28. AND BE IT ENACTED, That every person convicted of any crime, the punishment whereof shall be confinement in the penitentiary, shall be placed and kept in the solitary cells therefrom, on low and coarse diet, for such part or portion of the term of his or her imprisonment, as the court, in their sentence, shall direct and appoint; *Provided*, that it be not more than one half, nor less than one twentieth part thereof; and that the *inspectors*(a) of the said penitentiary shall have power to direct the infliction of the said solitary confinement, at such intervals, and in such manner, as they shall judge best.

To be kept in solitary cells, on low and coarse diet, for part of the term of imprisonment.

Provide.

(a) See note to section 38.

29. AND BE IT ENACTED, That all such convicts shall, at the public expense, during the term of their confinement, be clothed in habits of coarse materials, uniform in colour and make, and distinguishing them from the good citizens of this state; and the males shall have their heads and beards close shaven, at least once every week, and all such offenders shall, during the said term, be sustained upon bread, Indian meal, or other inferior food, at the discretion of the *inspectors*(b), and shall be allowed two meals of coarse meat in each week, and shall be kept, as far as may be consistent with their sex, age, health and ability, to labour of the hardest and most servile kind, in which the work is least liable to be spoiled by ignorance, neglect or obstinacy, and where the materials are not easily embezzled or destroyed; and if the work to be performed is of such a nature as may require previous instruction, proper persons for that purpose, to whom a suitable allowance

To be clothed in coarse habits, uniform in colour and make, to be sustained on bread, Indian meal, &c. and to be kept at hard labour, apart from each other if practicable.

(b) See note to section 38.