

**CHAP. 138.** shall be made, shall be provided by order of any three of the *inspectors*(a), during which labour the said offenders shall be kept separate, apart and from each other, if the nature of their several employments will admit thereof, and where the nature of such employment require two or more to work together, the keeper of the penitentiary, or one of his deputies, shall, if possible, be constantly present.

(a) See note to section 33.

To be kept at work every day, except Sundays & Christmas day, &c

**30. AND BE IT ENACTED,** That such offenders, unless prevented by ill-health, shall be employed in work every day in the year, except Sundays and Christmas day, and such days when they shall be confined in the solitary cells; and the hours of work in each day shall be as many as the season of the year, with an interval of one half an hour for breakfast, and one hour for dinner, will permit, but not exceeding eight hours in the months of November, December and January, nine hours in the months of February and October, and ten hours in the rest of the year, and when such hours of work are past, the working tools, implements and materials, or such of them as will admit of daily removal, shall be removed to places proper for their safe custody until the hour of labour shall return.

Industry, how to be encouraged in convicts having no property.

**31. AND BE IT ENACTED,** That in order to encourage industry, as an evidence of reformation, separate accounts shall be opened by the keeper, in the books of accounts to be kept by him, for all convicts who have no property, and are sentenced to hard labour for six months or upwards, in which such convicts shall be charged with the expenses of their prosecution, conviction, and removal to the penitentiary, and of clothing and subsistence, and of such proportional part of the expenses of the raw materials upon which they shall be employed, as the *inspectors* (b), at their quarterly or other meetings, shall think just, and shall be credited with the sum or sums from time to time received by reason of their labour; if the same shall be found to exceed the said expenses, the said excess shall be laid out in making restitution to the party injured, and if none is adjudged, then in decent raiment for such offenders at their discharge, or otherwise applied to their use and benefit, as the said *inspectors* (b) shall upon such occasion direct; and if such offender, at the end or other determination of his or her term of confinement, shall labour under any acute or dangerous distemper, he or she shall not be discharged, unless at his or her own request, until he or she can be safely discharged.

(b) See note to section 33.

Offenders escaping, to suffer additional confinement and hard labour, and also corporal punishment.

**32. AND BE IT ENACTED,** That if any such offender, sentenced to undergo a confinement in the penitentiary, shall escape, he or she shall, on conviction thereof, suffer such additional confinement and hard labour, agreeable to the directions of this act, and shall also suffer such corporal punishment, not extending to life or limb, as the court of oyer and terminer and gaol delivery for Baltimore county shall adjudge and direct.

Keepers, deputies, and others, aiding an escape to be confined.

**33. AND BE IT ENACTED,** That if any keeper, deputy, assistant, or other person, shall wilfully and corruptly aid and assist in the escape of any offender confined in the penitentiary, every such keeper, deputy, assistant, or other person, upon being duly convicted thereof, shall be sentenced to undergo a confinement in the penitentiary for a term of time not more than fifteen years.