

34. AND BE IT ENACTED, That in order to prevent the introduction of contagious disorders, every person who shall be ordered to hard labour in the penitentiary, shall be separately washed and cleaned, and shall continue in such separate lodging until, in the opinion of the inspectors, he or she is fit to be received among the other prisoners, and the clothes in which such person shall then be clothed, shall either be burnt, or, at the discretion of two of the said inspectors(a), be buried, baked, fumigated, or carefully laid by, until the expiration of the time for which such offender shall be sentenced to hard labour, to be then returned to him or her.

Persons sentenced to the penitentiary to be separately washed, &c.

(a) See note to section 38.

35. AND BE IT ENACTED, That the walls of the cells and apartments in the said penitentiary shall be whitewashed with lime and water at least twice in every year, and the floors of the said cells and apartments shall be washed once in every week, or oftener, if the said inspectors(b) shall so direct, by one or more of the said prisoners in rotation, who, at the discretion of the said keeper, shall have an extra allowance of diet for so doing; and the said prisoners shall be allowed to walk and air themselves for such stated time as their health may require, and the keeper shall permit; and if proper employment can be found, such prisoners may be permitted, with the approbation of one of the inspectors(b), to work in the yard, provided such airing and working in the yard be in the presence, or within the view of the keeper, or his deputies or assistants.

Walls to be whitewashed twice in every year, and floors to be washed once or more every week, &c.

(b) See note to section 38.

36. AND BE IT ENACTED, That one or more of the apartments in the penitentiary shall be fitted up as an infirmary, and in case any such offender, being sick, shall, upon examination of a physician, be found to require it, he or she shall be removed to the infirmary, and his or her name shall be entered in a book to be kept for that purpose, and when such physician shall report to the said keeper that such offender is in a proper condition to quit the infirmary, and return to his or her employment, such report shall be entered by the said keeper, in the book kept for that purpose, and the keeper shall order him or her back to his or her former labour, so far as the same may be consistent with his or her state of health.

One or more apartments to be fitted up as an infirmary, &c.

37. AND BE IT ENACTED, That the governor and council for the time being of this state shall, and they are hereby required, to appoint a suitable person to be keeper(c) of the said penitentiary, who shall, however, be removed whenever occasion may require, in which case another shall from time to time be appointed in like manner, who shall receive such compensation for his services, and in lieu of all fees and gratuities by reason or under colour of the said office, as the legislature from time to time shall direct, to be paid in quarterly payments, to be drawn from the treasury of the western shore, and also five per centum on the sales of all articles manufactured by the said criminals; and such keeper shall have power to appoint a suitable number of deputies and assistants, who shall also receive such allowances as the legislature shall think just, which allowances shall be paid quarterly in like manner; and before any such keeper shall exercise any part of the said office, he shall give bond to the state, with two sufficient sureties, to be ap-

Governor and council to appoint a keeper of penitentiary, and a suitable number of deputies.

(c) By 1817, ch. 72, the keeper is to be appointed by the directors of the penitentiary.