

Edition), title "Crimes and Punishments", sub-title "Department of Correction", and to add a new section to said Article to be known as Section 788A, regulating the sentencing of persons convicted of crime; the transfer of such persons from one penal institution to another; and the establishment, maintenance, preservation and disposition of case and institutional records concerning each inmate.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 788 of Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Department of Correction", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

788. When any person is convicted, before any Circuit Court of any County, or the Criminal Court of Baltimore, of any crime, committed on or after June 1, 1943, and punishable by any imprisonment whatsoever or by fine and imprisonment (other than imprisonment in default of fine), said Court may, in its discretion, sentence such person to imprisonment in jail or in the Maryland House of Correction or in the Maryland Penitentiary. The term of such imprisonment in any of said institutions shall be in the discretion of the Court, unless a maximum term of imprisonment is prescribed by law, in which event the imprisonment imposed shall not exceed the maximum so fixed; provided, however, that no sentence to the Penitentiary or House of Correction shall be for less than three months; except that any sentence under Section 537 of this Article may be imposed in accordance with the provisions of said Section 537. Whenever the Board of Correction shall determine that prison discipline will be furthered by transferring from the Maryland House of Correction to the Maryland Penitentiary, or the Maryland State Penal Farm, or from any one of the three of said institutions to the other, any person sentenced to either of said institutions for a crime committed after October 1, 1916, and shall issue its warrant to the Warden and Superintendent or Wardens of said institution directing such transfer, then the said sentence of the Court shall operate to authorize such transfer by virtue hereof. The power of transfer conferred upon the Board of Correction by this section shall authorize the said Board to transfer any person confined in any of said institutions to any other of said institutions at any time the said Board may, in its discretion, determine that such transfer will improve discipline or aid in the safekeeping, treatment, training, employment or rehabilitation of such person.

It is expressly provided, however, that nothing in this section shall be construed to add to, alter or change the class of