

partment of Correction may prescribe, ~~provide~~ PROVIDED that any such order shall direct the return of such prisoner to the institution in which he was confined as soon as the state of his health will permit. Such order of removal shall be the authority of the officer in charge of the penal institution to remove the prisoner in accordance with its terms, and the prisoner shall be regarded during the time of such removal as remaining in custody of the penal institution to which he has been sentenced for the purpose of determining the time when he shall be released from such sentence. If any prisoner temporarily removed in accordance with the provisions of this section escapes, he shall be deemed guilty of the crime of escape and subject to the penalties prescribed by Section 139 of this article.

The expenses of the accommodation, maintenance, and medical care of the prisoner whose temporary removal has been authorized, in accordance with this section, shall be paid by the prisoner or his relatives or friends, or from any funds that are available for the hospital expenses of prisoners in the institution in which he is confined, or, if not otherwise available, shall be a charge upon the county, city, or town from which such inmate was committed, and collectible by the officer in charge of such institution, in accordance with the procedure prescribed by Section 44 of Article 59.

699.

If a representation is made to the officer in charge of any penal institution that a woman confined in such penal institution is pregnant and about to give birth to a child, a reasonable time before the anticipated birth of such child, the officer shall make careful inquiry and, if the facts so require, recommend to the Governor through the Department of Correction the exercise of executive clemency. The Governor, without notice, may parole the convict, commute the sentence, or suspend its execution for a definite period or from time to time as he deems proper.

If the sentence is suspended, the officer in charge of such institution, a reasonable time before the anticipated birth of such child, shall cause such woman to be removed from such institution and provided with comfortable accommodations, maintenance, and medical care elsewhere under such supervision and safeguard to prevent her escape from custody, as he may determine, and subject to her return to such institution as soon after the birth of such child as the state of her health will permit. The expenses of such accommodation, maintenance, and medical care shall be paid by said woman or her relatives or friends, or from any fund that is available for the hospital expenses of such inmate within the institution, or, if not otherwise available, shall be a charge upon the county, city, or town from which such inmate was committed to such institution, and collectible by such officer in charge of such institution. A child so born may be returned with its mother to the institution in which the mother is confined, if the Department of Correction, in its judgment, deems it will be for the best interest of the said child; but if the Department of Correction, in its judgment, decides that it will not be for the best interest of the child to be returned to the institution with its mother, then, upon UPON proof being furnished by the father or other relatives of their ability properly to care for and maintain such child, the said Department shall MAY order that the child be given into the care and custody of the father or other rela-