

CHAPTER 878

(Senate Bill 547)

AN ACT to repeal and re-enact, with amendments, Section 645 of Article 27 of the Annotated Code of Maryland (1957 Edition), title "Crimes and Punishments", sub-title "Venue, Procedure and Sentence", sub-heading "Sentence and Punishment", relating to prison labor on farms in Anne Arundel County, allowing such at discretion of Sheriff of Anne Arundel County, and changing authority to permit such labor from County Commissioners to Sheriff.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 645 of Article 27 of the Annotated Code of Maryland (1957 Edition), title "Crimes and Punishments", sub-title "Venue, Procedure and Sentence", sub-heading "Sentence and Punishment", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

645.

(a) The [county commissioners] *sheriffs* of the respective counties shall have authority to assign able-bodied male prisoners in the respective county jails to perform farm labor, as hereinafter defined, upon the following terms and conditions:

(1) Such assignment may be made only after the written request of some person or persons desiring to employ farm labor, which request shall show to the satisfaction of the respective [county commissioners] *sheriffs* that such labor is not otherwise obtainable.

(2) All costs incident to such an assignment including the cost of transportation of such prisoners to and from the respective jails, a reasonable per diem wage for the prisoner or prisoners performing such farm labor and the cost of properly guarding said prisoners while performing said labor shall be borne by the person or persons making such request, and the respective [county commissioners] *sheriffs* may require such proof of financial responsibility, including a payment in advance, as they may deem advisable.

(3) All and any liability for injuries to such prisoners while being transported to or from such jails or while performing such work shall be assumed by the person or persons making such request.

(4) Such assignments shall be made on a daily basis only and such prisoners so assigned shall be returned to the respective county jails each night.

(5) Such other terms and conditions as the respective [county commissioners] *sheriffs* may deem advisable.

(b) [On the order in writing of the board of county commissioners of any county it shall be the duty of the sheriff or other officer having charge of such prisoners of that county to send, under a competent guard, such number of able-bodied male prisoners in the county jail undergoing punishment under sentence of a court or justice of the peace, as the county commissioners may require, to work on such farm or other similar place as they may designate;] [the] *The [said] respective county commissioners are hereby required to reimburse the sheriff [or other officer] out of the county*