

hereby appointed on behalf of the Commonwealth, to make sale of the powder magazine and buildings belonging thereto, with the lot or square on which they are erected, and are hereby authorized to convey the same, reserving the use and possession thereof, until a magazine or magazines shall be erected, to which the powder may be removed, agreeably to the provisions hereinafter mentioned; and out of the money arising from said sale, or as much thereof as may be thought necessary, shall purchase one or more lots of ground, and cause to be erected thereon, two or more magazines and other necessary buildings for the deposit and safe-keeping of gun-powder, constructed in such manner as shall render them most secure against accidents by fire, and shall pay any money that may remain, into the State-treasury, first deducting a reasonable compensation for the attendance of the commissioners, and the said commissioners may, if they deem it necessary, erect a magazine to accommodate the traders of the city for the purpose of supplying the daily demands of customers, which shall not be less than one mile from Philadelphia, and shall not be of capacity to contain more than ten tons of powder, and shall erect one or more magazines to store or deposit powder in large quantities, which shall not be less than four miles from the city, reserving to the state the right at all times to deposit any powder belonging to the public therein.

SECT. II. *And be it further enacted by the authority aforesaid,* That as soon as the said magazine or magazines shall be completed, it shall be the duty of the superintendant or keeper of the magazine, to cause all the powder at that time deposited in the present magazine, to be removed therefrom at the expence of the owners of the powder, to the magazine or magazines hereby directed to be built, and all gun-powder thereafter manufactured in the county of Philadelphia, or imported or brought into the same, shall be deposited and kept in the said new magazine or magazines, under and subject to all the regulations and penalties now in force, with regard to the inspection and deposit of gun-powder in the present magazine.

SIMON SNYDER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER LXXXV.

A further SUPPLEMENT to the Penal Laws of this state.

ed to sell and convey the powder magazine of Philadelphia and the lot on which the same is erected.

And with the proceeds of such sale to purchase ground, and to erect other magazines. Surplus how paid.

Compensation to commissioners.

Commissioners may

erect a magazine for traders, &c.

And one or more magazines to store

gun powder in large

quantities.

Keeper to remove the powder from

the old to the new magazine.

Courts may sentence to confinement at hard labour for any term not exceeding seven years, in certain cases, in which by a former law the power was limited to two years. But not to extend to certain enumerated offences.

Convicts may be removed from other counties, to the gaol of the city and county of Philadelphia and there maintained.

Proceedings as to persons who escape being charged with felony, &c.

Penalty on neglect or refusal of gaolers to give notice, and to furnish the commissioners with lists of persons committed.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That instead of two years imprisonment, to which the power of the courts of this commonwealth is limited, in, and by the fourth section of an act, entitled "An act to reform the penal laws of this state," the said courts respectively shall hereafter be invested with the power of extending the confinement in such cases, to a period not exceeding seven years in their discretion, according to the circumstances of the case before them: *Provided always,* That the power thus conferred on the said courts shall not extend to offences enumerated in the said section, of bigamy or of being an accessory after the fact, in any felony, or of receiving stolen goods, knowing them to have been stolen.

SECT. II. *And be it further enacted by the authority aforesaid,*

That any person convicted in any county in this state, other than the county of Philadelphia, of any of the offences al- luded to in the foregoing section, for which he or she shall be sentenced to hard labour for the space of two years or upwards, may at the discretion of the court in which such person shall be convicted, within three months after such conviction, be removed to the gaol in the said county of Philadelphia, therein to be confined, fed, clothed and employed at hard labour, according to law, for the remaining part of the time for which by such sentence he or she shall be liable to imprisonment.

SECT. III. *And be it further enacted by the authority aforesaid,*

That where any person charged with having committed a felony in the city of Philadelphia, or in any county in this state, shall go or escape into any other county of this state, or into the city aforesaid, it shall and may be lawful for the president or any judge of the court of common pleas in the county where the said person may be found, to issue his warrant authorizing and requiring the sheriff of the said county to take the said person, and conduct him or her to the proper county or city where the said felony is alleged to have been committed, the expences of which shall be paid to the said sheriff by the county or city to which the said person is conducted.

SECT. IV. *And be it further enacted by the authority aforesaid,*

That if any gaoler shall neglect or refuse to give notice, or furnish a complete calendar or list of all persons committed under sentence of servitude, to the commissioners of the proper county, as is directed by the thirtieth section of the act to which this is a further supplement, if the courts of quarter sessions shall have ordered the gaoler so to do, he shall forfeit and pay for every such neglect or refusal, the sum of one hundred dollars, and if the said commissioners of any county alter the receipt of such notice or calendar, shall neglect or refuse to procure sufficient

articles and materials of labour and manufacture, or otherwise neglect the duties enjoined upon them by the said thirtieth section, such commissioners or any of them so neglecting or refusing, shall forfeit and pay the sum of one hundred dollars, for every such neglect or refusal; and if by the report of the commissioners of any county to the court of quarter sessions, it shall appear that there is not sufficient room or conveniences in and about the common gaol of any county for the employment and punishment of the convicts, as is directed by the said section, it shall be the duty of such commissioners with the consent and approbation of the court and grand jury of the proper county, to cause to be erected such additional buildings as may be necessary for that purpose, and if need be, to purchase ground proper and convenient for the erection of such additional buildings at the expence of the proper county.

And upon commissioners for neglect of duty.
Commissioners may cause to be erected additional buildings where the gaol of any county shall be found to be insufficient.

SECT. V. *And be it further enacted by the authority aforesaid,* That if any gaoler shall sell or suffer to be sold to the prisoners, or other persons, any spirituous liquors, or shall suffer any spirituous liquors under any pretence whatever, except in cases of sickness, to be given to any of the said prisoners in any quantity or measure, such gaoler so offending upon conviction thereof, shall forfeit and pay the sum of fifty dollars for every such offence, and shall be moreover removed from being the keeper of such gaol or prison, and it shall be the duty of the court of the proper county to examine into the conduct of the gaoler in this respect at each court of quarter sessions, and if necessary, to send for and examine witnesses in this behalf.

Penalty on selling spirituous liquors in the gaol, except in cases of sickness.

SECT. VI. *And be it further enacted by the authority aforesaid,* That if any gaoler shall be convicted of having by his negligence suffered any prisoner committed to his custody to escape, he shall forfeit and pay for every such offence, a sum not exceeding three hundred dollars.

Penalty on gaolers suffering prisoners to escape.

SECT. VII. *And be it further enacted by the authority aforesaid,* That all penalties inflicted by this act, shall be recovered upon conviction for the offence, in the court of quarter sessions of the proper county, by indictment or information.

Penalties how to be recovered.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the thirty-fifth section of an act, entitled "An act to reform the penal laws of this state," passed the fifth day of April, one thousand seven hundred and ninety, be, and the same is hereby repealed.

Repeal of part of the former law.

SIMON SNYDER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.