

great prudence and propriety, and that the institution is in as prosperous a state, as under its present organization, could be expected.

That the penitentiary system, as ours is at present organized, has failed in a great degree as a means of reformation, both here and elsewhere, is undeniable. Notwithstanding which, every effort should be made to perfect it, and to ascertain whether our disappointed hopes have proceeded from any defect in the arrangement of those establishments, or from the settled depravity of human nature—defying the insinuations of man, and to be operated on by the force of religion only. The system itself is a benevolent one. Let us then make the experiment of solitary confinement, as recommended in the report of the committee, and which has been resorted to by some of our sister states with sanguine hopes of success. Solitary confinement at night, after a day of *silence* and labour, is most painful to those without mental resources; more especially when the mind is destitute of the recollection of any actions but those of wickedness.

Should the legislature approve of the experiment being made, a sufficient number of small cells could be provided, by means to be derived from the penitentiary itself.

We would further recommend to the general assembly the propriety of so amending the law, as to increase the punishment in all cases of second convictions, and that some other punishment than confinement in the penitentiary be provided for a third, and every other subsequent offence.

By virtue of the act, entitled, "A supplement to the act, entitled, An act to establish state warehouses for the inspection of tobacco in the city of Baltimore," which authorized and directed us "to contract upon the best terms for building a fire proof warehouse or houses for the inspection of tobacco in the city of Baltimore, or to purchase, and build the same, which ever we, in our opinion, should deem most conducive to the public convenience and interest," &c. we caused notice to be given of the provisions of the said act, and invited proposals for the sale of warehouses and suitable lots on which to erect them. And having received sundry proposals, both for the sale of warehouses and of vacant lots; upon deliberate consideration, we on the 17th day of June last, determined to accept the offers of Williams and O'Donnell, Cumberland Dugan, and Moses Sheppard, herewith submitted. Williams and O'Donnell and Moses Sheppard have complied with their respective contracts, and conveyed the property offered by them to the state; but Mr. Dugan has declined to fulfil the contract for the property offered by him. We submit for your consideration the correspondence that has passed between Mr. Dugan and us relative thereto, that you may have a full understanding of the whole subject, and determine whether the contract shall be abandoned, or legal proceedings instituted against Mr. Dugan to enforce his compliance—no hope being left to settle the business any other way.

Under the act making it our duty "on or before the first day of August next, (now last,) to procure and deliver to the levy courts of each of the several counties in this state, a standard of each of the several kinds of weights and measures, used at the custom