

have found prisoners in the Penitentiary convicted of common larcenies, who had been sentenced for longer terms of confinement than had been imposed upon others for the commission of some of the worst crimes known to the law. This has happened where the act, though single in fact, and in morals, had been multiplied by the operation of a technical rule of the law which supposed the commission of as many distinct offences as there were owners of the property stolen. A careful revision of the criminal code, and of the various Acts of Assembly relating to pardons and the remission of fines, forfeitures and penalties, will disclose a wide field for investigation and improvement.

Before I leave this subject I feel it to be my duty most earnestly to press upon your attention the imperative necessity that exists for some change in the present mode of conducting public executions. Strange as it may appear in the midst of the civilization of the nineteenth century and the boasted enlightenment of our republican Society, it is nevertheless an humiliating fact, that every public execution gives rise to scenes of callous and profane debauchery which would disgrace a barbarous nation. Even the great majority of those, to whom the preceding remarks could not be justly applied, are hurried to the revolting spectacle by no other motive than one of idle curiosity. The tender sensibilities of woman are indurated, and the impressible nature of the child is distorted by familiarity with such exhibitions. If it is the theory of the law that a public execution is necessary to enforce the example which stern justice exhibits for the terror of evil-doers, then indeed the experience of the past has abundantly shewn that the very opposite effect is produced. In my judgment, it would be better to abolish capital punishment altogether than to continue the present abominable system. Executions should be private; but, at the same time, provision should be made to secure the attendance of a sufficiently large number of citizens of respectable character and matured age, as witnesses to the proper fulfilment of the sentence of the law. That should be expressly regulated by Statute; although the management of the details may be entrusted to the discretion of the Court or its proper officers.

In reply to a communication addressed by me to the President of the Chesapeake and Ohio Canal Company, I am informed that the Canal has been in good navigable condition during the past year, with the exception of occasional interruptions, in the busiest season, caused by low water in the river, and by defects in dams Nos. 4 and 5, which accordingly require considerable repairs, and for which measures are now in progress. The President expresses the opinion that, but for the accidents to those dams (which, it seems, were originally defective, and had been already injured by successive floods) and the prevalence of the Cholera at Cumberland and along the line of the Canal, the revenue for the last year would have largely exceeded \$200,000; and would probably have reached \$400,000, if it had not been affected by the accidents of 1852. I am gratified to learn that those parts of the work which were so extensively damaged by the extraordinary freshet of that year have been repaired and improved in such a manner as to secure them, as far as practicable, from similar disasters hereafter. It is estimated that it will now require an expenditure of forty or fifty thousand dollars to put dams Nos. 4 and 5 in complete order; which will make the Canal navigable even in dry seasons, until the additional waste of water, occasioned by an augmented trade, shall render it