

aforesaid to be taken, shall be deposited with the clerk of the court of oyer and terminer and gaol delivery for Baltimore county, and to be by him recorded; and any inspector or keeper knowingly swearing or affirming falsely in the premises, and being thereof convict in due course of law, shall suffer as in the case of wilful and corrupt perjury.

XLIV. AND BE IT ENACTED, That the said keeper shall cause all accounts concerning the maintenance of such convicts and prisoners to be entered regularly in a book or books to be kept for that purpose, and shall also keep separate accounts of the stock and materials so wrought, manufactured, sold and disposed of, and the monies for which the same shall be sold, and when sold, and to whom, in books to be provided for that purpose, all which books and accounts shall be at all times open for the examination of the said inspectors, and shall be regularly laid before them, at their quarterly or other meetings, for their approbation and allowance.

XLV. AND BE IT ENACTED, That if any of the said inspectors, at their quarterly or other meetings, shall suspect any fraudulent or improper charges, or any omission in any of the said keeper's accounts, they may examine, upon oath or affirmation, the said keeper, or any of his deputies, servants, or any person of whom any necessaries, stock, materials or other things, have been purchased for the use of the said penitentiary, or any person to whom any stock or materials wrought or manufactured therein, or other things belonging to the same, have been sold, or any of the offenders confined in such penitentiary, or any other person or persons, concerning any of the articles contained in any such account, or any omission thereof; and in case any fraud shall appear in such account, the particulars thereof shall be reported by the said inspectors to the governor of this state.

XLVI. AND BE IT ENACTED, That the court of oyer and terminer and gaol delivery for Baltimore county shall, at each and every term, charge the grand jury attending to inquire into the conduct and management of the keeper, deputy and assistants, of the said penitentiary, and to make presentments of all offences and omissions of the said keeper, deputy and assistants, in and relating to the said penitentiary; and the said court shall, at the terms aforesaid, direct a number, not exceeding six of the said grand jurors, to visit and examine the said penitentiary.

XLVII. AND BE IT ENACTED, That it shall be the duty of the executive of this state, annually, during the first week of the session, to lay before the general assembly of this state a statement of the expenses, profits, loss, progress and concerns, of the said penitentiary; and if the said keeper shall be guilty of any fraud or misconduct, the governor and council shall immediately remove him from office, and cause suits to be brought on his bond for the recovery of any damage or loss that may be sustained, and another keeper shall be immediately appointed in his place, under the directions herein before mentioned.

XLVIII. AND BE IT ENACTED, That no person whatever, except the keeper, his deputies, servants or assistants, the inspectors, officers and ministers of justice, members of the general assembly, ministers of the Gospel, grand jurors, or persons producing a written license, signed by one of the said inspectors, shall be permitted to enter within the walls where such offenders shall be confined; and the doors of all the lodging rooms and cells in the said penitentiary shall be locked, and all the light therein extinguished, at the hour of nine, and one or more watchmen, if thought necessary by the keeper, shall patrol the said penitentiary at least twice in every hour, from that time until the return of the time of labour in the morning of the next day.

XLIX. AND BE IT ENACTED, That so soon as the said penitentiary-house shall be completed, or so far finished as to receive and securely to hold criminals who may be condemned to labour therein, according to the provisions of this act, the commissioners heretofore appointed to superintend the erection of the said building shall immediately report the same to the governor and council of this state; and if, upon viewing the said building, or upon good information, shall be satisfied that the said house is in sufficient readiness to carry the said penitentiary institution into operation, they shall immediately appoint a keeper and twelve inspectors of the said penitentiary, the inspectors to continue in office until the next annual appointment shall take place; and the said keeper and inspectors shall proceed immediately to appoint proper assistants, procure materials, and prepare all things for the reception and management of criminals, according to the directions of this act; and the governor shall thereupon issue his proclamation, and cause the same to be published in such of the public news-papers as he may think proper, declaring the said penitentiary-house ready for the reception of criminals who may be condemned to work and labour therein, and in thirty days from the date of the said proclamation, this act, and every part thereof, shall commence and be in full force and effect, until which time it shall be and is hereby suspended.