

to the act of incendiary convicts. If my watchman had been on duty as previously to the order of Mr. Roberts, the fire could not have occurred in my judgment.

*Question.* Are you acquainted with the rules and regulations of the Maryland Penitentiary, and especially in relation to convicts, and the course pursued to them on Sundays, and state what they were? Also state if such rules and regulations had been pursued on Sunday, the 23d December, 1860, would or would not, in your judgment, the fire at your shop on that day have been prevented?

*Answer.* I know of no rules and regulations except the published ones, a copy of which was handed me soon after my contract. I have no information in regard to the management of prisons on Sundays, except from what I have derived from observation. It is usual for a portion of the negro convicts, some fifteen or twenty in number, to be employed in cleansing the dormitories and carrying off the filth to the pen; in doing which they have to pass through a large portion of the yard and around most of the shops. If properly supervised by an officer, they could not enter the shops without the knowledge of the officer. I think the fire would have been prevented if the rules and regulations had been enforced.

The Committee here adjourned until to-morrow morning at 10 o'clock.

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BALTIMORE, JULY 6, 1861.

The Committee met pursuant to adjournment. Present, Messrs. Sangston and Ford.

*The examination of Mr. Duwall resumed.*

*By Mr. Gill.*—The particular rule to which I refer, which, if observed, would have prevented the fire, is to be found in the Code of General Laws, Art. 73, Sec. 82: "The Warden must not permit any prisoners to be together at any time without the proper supervision of an officer."

*Question.* Were there or not any fires in and about your shop at the Maryland Penitentiary immediately prior to the fire of the 23d December, 1860, or on the premises connected therewith? How did the fire which destroyed your property occur as you have been advised, and what were the circumstances thereof? State all of them? What precautions might have been and ought to have been taken to prevent the convicts from getting into your shop on that day, and if taken, what would probably have been the effect thereof?

*Answer.* We were running our engine the day before (Saturday) with the usual fire, and on the same day some