

institution, as they may deem proper, "so that the same be not inconsistent with any law of this State," and by the authority derived from the several laws, in relation to the Penitentiary, the directors were empowered to appoint all the officers of the institution except the Warden, and Executive Committee, who, like the directors, receive their appointment from the Governor and Council.

The Warden assigns the tasks of the convicts, and is charged with conducting the "Police" of the prison, in which are implied all such regulations as are not connected with its commercial transactions, or the internal management of the hospital, which latter is confided to the exclusive direction of the attending physician. The various manufacturing departments are conducted by appropriate superintendants, and these, as well as the police officers, turnkeys, and guards are under the direction of the Warden.

The original penitentiary law—act of 1809, ch. 138,—provided for the appointment of alternate monthly committees of the directors, to act as supervisors of the institution, in the intervals between the meetings of the Board, and report to that body any neglects or violations of duty on the part of any of the officers. Subsequent to the appointment of the Executive Committee, and until a few years past, the members of that committee were excluded from the monthly committee, as being ministerial agents, and properly subject to the control of the Board.

The Executive Committee are required to make all contracts and purchases of supplies, and to vary the patterns and regulate the prices of the goods, which are chiefly disposed of by commission merchants in the city. (See testimony, pp. 14, 25.) They have nothing to do with the police regulations—(See p. 81, testimony of T. Shepard.) They superintend the pecuniary affairs of the institution—countersign the checks drawn by the clerk, endorsement of notes, &c.

The clerk is required, in addition to his duties as book keeper to make collections and payments, and to keep a correct journal of the meetings of the board, attendance of the members at the same, and their proceedings, and to present to the board, at each regular monthly meeting, a summary account of all the transactions of the institution, showing the amount of notes received, and the disposition made of them in detail, the checks drawn, and for what purposes, and of all the moneys paid at the institution, and on whose or what account," which shall be examined by the Executive Committee previously to being presented to the Board, and by them countersigned.

The female department is superintended by a matron, under the care of the Warden.

Such is a brief statement of the organization and government of the Penitentiary, and, in so far as it retains its original composition we deem it to be well designed. The directors, as their title imports, have a supervisory control over all its affairs. The Warden