

the convict to labor and provides for him coarse but wholesome food, and furnishing them with other food, and even "delicacies" by the Warden, or with his consent [see Testimony, pp. 148—220, 224—369,] is liable to censure.

The employment by the Warden, under the sanction of the Board of Directors, of convicts as domestic servants is without authority of law, and has led to improper intercourse among the convicts. [See Testimony, pp. 100—109—147—346—347—368.] It should be prohibited.

The system of "*espionage*" has in many instances been countenanced in the management of the Penitentiary, although not authorized by the Board or the Warden. It met with proper condemnation by the Committee of Directors who, in 1834, were appointed by the Board to prepare new regulations for the prison. In their report they say, "The system of espionage is radically wrong. One convict should never be set to entrap another. A part of their degradation should be to consider them unworthy of all confidence, and besides it may always be doubtful how far the convict may be relied on; but independently of these considerations, the custom is bad, as it tends to keep alive the elements of cunning, deceit and treachery; vices which it should be the object of this institution to reform, not to foster." The new work-shops having rendered this system even more objectionable than before, we confidently anticipate it may be abandoned altogether.

There are other customs which had been permitted to grow up within the institution, and which were improper, but the recent alterations and improvements in the buildings have effectually, we hope, eradicated them from the discipline. Such of them as are not now prohibited by law, we have included in the bill we herewith submit.

Embodied in the Testimony, on pages 382—3, will be found a copy of the will of a convict who died in the Penitentiary on the 24th of August 1834, bequeathing to the Warden a farm in Alleghany county in this State, and all other property to which he might be found entitled. This bequest appears to have been made unconditional—the keeper being simply "requested" to provide for the annual support of the wife of the convict during her life, by paying to her one half the yearly rents of the farm or otherwise.

It is very clear to us that the relations which ought to exist between the keeper of a prison and the convicts under his charge, are such as to forbid the acceptance of gifts which may be proffered to him by them, under any circumstances whatsoever. It is manifest that the practice, under a contrary principle, might lead to unbounded official corruption, and we are, therefore, of opinion that its action, in any form, should be wholly inadmissible. We are not aware that any improper means were used to induce the bequest to which we have adverted, but the fact of the Warden's not having renounced all benefit under the will indicates the propriety of a penal enact-