

With respect to the matter of controversy between Dr. H. W. Baxley and Dr. Bond, Jr., the present Physician, the undersigned Directors do not think it necessary to make many remarks. Dr. Bond is fully competent to his own defence. We think it, however, due to him to say, that his duties have been performed in a manner entirely satisfactory to the Board of Directors. In the particular instance in which his conduct and practice have been called in question by Dr. Baxley, the undersigned Directors have seen no ground of censure whatever, and they consider the imputations of Dr. Baxley wholly unfounded.

In his deposition, taken by the Committee of the House of Delegates last winter, Dr. H. W. Baxley speaks of a *vegetable* garden as one of the perquisites enjoyed by the Warden; and again, in his answer to the sixth interrogatory in the present investigation, he says, "a portion of this space (i. e. the ground not covered by buildings) is used for a marble yard, and the remainder for the Keeper's gardens—no vegetables are raised therein for the benefit of the prison."—Now it is a fact, not only that there is no vegetable kitchen garden within the walls of the Penitentiary, of which the Committee themselves must be perfectly aware from their own observation, but that, as can be proved by every officer of the Penitentiary, as well as the Directors, there has been none within its walls for several years—We allude to this charge against the Warden, chiefly in further proof of the utter recklessness with which Dr. Baxley allows himself, even under oath, to make assertions intended to criminate the authorities of the Penitentiary.

Dr. Baxley alleges, in his answer to the 14th interrogatory, that for a number of years, and until his recent connexion with the Board, the Directors themselves, at the cost of the Institution, introduced various kinds of spirituous liquors for their own use, contrary to the act of Assembly of 1809. He adds that, in pursuance of his intention, as a member of the Monthly Committee, to abolish the custom, he requested the co-operation of a colleague of the Board, J. G. Proud, which he declined to give; and that then, on his individual responsibility, he caused all the liquors to be removed from the Directors' room. Now the real facts of the case are these: In the first place, the law referred to does not prohibit the introduction of spirituous liquors into the office, or Board room of the Directors. The act of 1809 provides, (sec. 46,) "that if the keeper, or any other person, shall introduce into, or barter, give away, or sell, within the said Penitentiary, any spirituous or fermented liquors, except only such as the Keeper shall make use of in his own family, such person shall forfeit and pay," &c. The law prohibits the introduction of spirituous liquors *into the Penitentiary*, as a prison regulation, but surely cannot be wrested to prevent the use of such liquors as a refreshment, in the private room of the Directors, which is, strictly speaking, not within the walls of the prison, but in a building dis-