

Priests should be admitted. I expressed to Dr. Wyatt the hope and belief that he had misunderstood the meaning of Mr Lucas' language; and I took occasion to assure him, in very emphatic terms, that I would instantly rebuke any such attempt at religious discrimination. I told him that, as long as he conformed to the regulations of the establishment, he had a perfect right, in common with Clergymen of all other denominations, to attend such Courts as desired his spiritual advice; and that I would not permit the Board of Directors (even were they so disposed) to in any manner embarrass his Ministry or to deprive him of any privilege accorded to others. I do not here profess to give my exact words. But, I am quite certain that I correctly state the substance and intendment of my remarks. In fine, I meant to say, and did say, no more than this; that I would tolerate no partiality or exclusiveness, in a matter of conscience; because all denominations had a clear right to stand upon terms of perfect equality; and because the unhappy convicts themselves, (even though now paying the penalty of crimes committed against their State,) had the undoubted Constitutional right to choose the form of Religious Worship, of which their respective consciences approved. I intended to say no more than this; and I did not say more than this. Dr Wyatt made no mention of the special causes of difference between himself and the Board, as I now gather them from your communication; and, therefore, I cannot be considered as having expressed any opinion whatever in relation thereto. The interview, above mentioned, was the only one which ever took place between Rev Dr Wyatt and myself, upon any subject. No correspondence has passed since. So that, the impressions resting upon his mind, whatever they are, were made at that time. Having fully explained this branch of the case, I pass to the consideration of the other.

I have examined the laws, to which you have called my attention. The act of 1837 Chap 320, Sec: 25 Article 8, expressly provides, that, "the Chaplain shall conform to the general rules and regulations of the Prison, and be under the direction of the Warden." By this article, Sunday is the day specially designated for Religious Services; but, the Chaplain is directed to "avail himself of all proper times for giving the convicts Moral, Religious, and other instruction &c." He is not, however, vested with any discretion whatever as to the "times" which may be considered "proper" (other than Sundays) this being a matter necessarily under the control of the Board of Directors. The regulation of such hours of instruction must be made to conform to the established rules, and must not conflict with the general policy of the Institution. Now, what is that policy? It is, first, (regarding the Institution as a place of