

of punishment for public crimes,) that, Convicts shall be put to hard labor every day in the year, except Sunday and Christmas day". Sickness alone exempts a convict from the operation of this rule, under the directions of the Physician. Secondly, the policy of the law, as frequently expressed by legislative authority, is, also, to make the Penitentiary, as far as practicable, a self-sustaining Institution. To that end, a manufacturing system has been established with a single eye to productiveness. It is well known that the Legislature has only incidentally extended relief, and not by regular Annual appropriations, to this Institution. From the avowed and settled policy of the State, therefore, as well as the express statutory provisions, it is manifest that no such interference with the regular hours of labor, by the Chaplain, as that to which you call my attention, could be justifiably allowed. (Without designing to pass upon the views, which may have heretofore been entertained by you or your predecessors, I feel it to be my duty to express the very decided opinion that, you have no right to establish, nor, if now established, to tolerate the longer continuance of any such custom, to the prejudice of the financial or disciplinary interests of the Institution.

At the same time, it is your duty to make such regulations, for the benefit of the Convicts, in this important regard, as, in your judgment, will not conflict with the spirit and intention of the law. If therefore Dr Wyatt's claim (as set forth by you) was even predicated upon his rights as a regular Chaplain, his case would nevertheless be within the principles I have laid down. But, by the act of 1841, Chap: 215, the office of Chaplain is abolished. Dr Wyatt, therefore, stands upon the same platform precisely with all other Clergymen. It is perfectly evident that it would be utterly subversive of the discipline, as well as ruinous to the general interests of the Penitentiary, were the numerous Clergymen of the various denominations, in Baltimore City, permitted to have unrestricted intercourse with, and to call off from their daily labor, the three hundred prisoners, or any portion of them, whenever they pleased, during the week.

As every Clergyman, of good repute, who is willing to conform to the rules of the establishment, has an equal right with all others, to enjoy any privileges granted; and as such a privilege, as the one which you say is contended for by Dr Wyatt, could not be granted to all, without serious detriment to the Institution; it is your duty to grant it to none. At all events, it must be distinctly understood that you can grant no privilege to one, which you deny to another. Unless your regulation, in this particular, can be made capable of accommodating all, who may seek the special privilege asked