

acted in strict observance of the law. If there be hardship in the case, it can only be remedied by the Legislature. The Legislature can remodel the system. The Executive can only inhibit abuses, perpetrated in violation of the letter or spirit of the law as it stands. He cannot extend or abbreviate its provisions. Inasmuch as the policy of the law, therefore, seems to contemplate the adoption of such regulations, as have been enforced by the Board, in regard to the hours of religious exercises in the Prison, and since all such matters have been committed to the discretion of the Board, I cannot discover my authority to interfere. Neither do I perceive that the Board could have acted otherwise. Should the Legislature, by a liberal and permanent annual appropriation, relieve the Penitentiary from its long-standing difficulties and thereby modify the financial policy of that Institution, so as to admit of the introduction of an enlarged system of religious and other instruction, for the reformation (if possible) of the unhappy inmates, no one would more rejoice than myself. But, since a philanthropic scheme of this kind could not be accomplished, as the establishment is now constituted by law, without departing from the policy of the law, I cannot blame the Board for having sacrificed to a sense of public duty, the feelings and sympathies which I am satisfied they entertain as individuals. Their private views of what ought to be, cannot control their official action in the midst of things that are.

In regard to the other point, touching your being placed under the surveillance of an officer of the establishment, when paying Clerical visits to the Prisoners, allow me to express the deepest regret at its having been made a part of this controversy. The Board have assigned their reasons for this threat made by their President, as you will perceive by reference to the enclosed papers, to which I respectfully call your attention. Of course, if the statement, given by the Board, of your deportment toward the officers, and in the presence of the Prisoners, be correct, the argument, so far as it applies personally to yourself, is at an end. I most sincerely hope that the Board are mistaken; and that the matter can be amicably and satisfactorily explained. Be the statement correct or incorrect, it is not to be expected that the Board will make it the reason or excuse for extending the restriction.