

1809.

NOVEMBER.

L A W S O F M A R Y L A N D.

C H A P.
CXXXVIII.

when occasion shall require, and they shall, at their first meeting, and at each quarterly meeting thereafter, appoint two of their number to be acting inspectors, and it shall be the duty of the acting inspectors to attend the said penitentiary at least once in each week, and shall examine into and inspect the management of the said penitentiary, and the conduct of the keeper and his deputies, and shall do and perform the several matters and things directed by them to be done and performed.

XXXIX. AND BE IT ENACTED, That the board of inspectors, at their quarterly or other meetings, shall make such other and further orders and regulations for the purpose of promoting the objects of the institution, as they may deem proper, so that the same be not inconsistent with any law of this state, and such orders and regulations shall be hung up in at least three of the most conspicuous places in the said penitentiary; and if the said keeper, or any of his deputies or assistants, shall obstruct or resist the said inspectors, or any of them, in the exercise of the powers and duties vested in them by law, such person shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt, at the suit of the state, in any court of competent jurisdiction, and applied to the benefit of the penitentiary, and moreover be liable to be removed from office; and the governor of this state for the time being shall always be considered as one inspector, in addition to the number herein directed, whenever he shall think proper to meet and act as such; and the said board of inspectors shall annually, at their first meeting, and whenever thereafter a vacancy shall happen, appoint a physician to attend the sick in the said penitentiary, who shall render his account quarterly to the said inspectors at their quarterly meetings, who shall decide thereon, and the said inspectors may allow the said physician a reasonable compensation for his services.

XL. AND BE IT ENACTED, That the keeper of the penitentiary shall have power to punish all such prisoners guilty of assaults within the penitentiary, when no dangerous wound or bruise is given, profane cursing and swearing, or indecent behaviour, idleness, or negligence in work, or wilful mismanagement of it, or of disobedience to the orders or regulations which the board of inspectors are herein authorised to make, by confining such offenders in the solitary cells of the penitentiary, and by keeping them on bread and water only for any term not exceeding ten days; and if any prisoner shall be guilty of any offence within the said penitentiary, which the said keeper is not authorised to punish, or for which he shall think the said punishment is not sufficient, by reason of the enormity of the offence, he shall report the same to a board of the inspectors, who, if upon proper inquiry shall think fit, may order such offences to be punished by moderate whipping, or by repeated whippings, not exceeding thirteen lashes each, or by close confinement in the said solitary cells, with bread and water only for sustenance, for any time not exceeding thirty days, or by all the said punishments.

XLI. AND BE IT ENACTED, 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 said keeper shall make use of in his own family, or such as may be required for any prisoner in a state of ill health, and for such purpose prescribed by an attending physician, and delivered into the hands of such physician, or other person appointed to receive them, such person shall forfeit and pay the sum of twenty dollars, one moiety to be paid to the person warranting, and the other to the inspectors, for the benefit of the institution, to be recovered before any justice of the peace in and for Baltimore county.

XLII. AND BE IT ENACTED, That the keeper of the penitentiary shall, from time to time, with the approbation of any seven of the inspectors, provide a sufficient quantity of stock and materials, working tools and implements, for such offenders, and the said inspectors, or any seven of them, shall make report thereof to the governor and council, specifying in such report the quantity and nature of the materials, tools or implements wanted, with the amount and costs of the same, which shall be paid in the manner hereafter to be provided for by law, for which materials and implements, when received, the said keeper shall be accountable; and the said keeper shall, with the approbation of any seven of the said inspectors, have power to make contracts with any person whatever for the cloathing, diet and other necessaries, for the maintenance and support of such convicts, and for the implements and materials of any kind of manufacture, trade or labour, in which such convicts shall be employed, and for the sale of such goods, wares and merchandise, as shall be there wrought and manufactured.

XLIII. AND BE IT ENACTED, That every inspector and keeper of the said penitentiary, before he acts as such, shall take an oath, or affirmation, as the case may be, that he will not receive, either directly or indirectly, at any time during his acting as such, any profits arising on any agency or contract for the supply or victualling the said penitentiary, and the certificate of the said oath, so as