

penitentiary. To sentence an individual who has committed some minor offence, for which this punishment is prescribed, and who has never given other evidence of moral turpitude, to a confinement for two years with the most profligate of human beings, is certainly defeating one of the primary objects of penal law, the reformation of the offender. He who may in the opinion of the court before whom he is tried, merit only confinement for a short period, and made to suffer sufficiently to deter him from repeating his crime, is often after a confinement for two years, turned loose upon the community an adept in all the arts of vice. The courts have all the facts before them, and are best qualified to assign the proper duration of punishment. We therefore particularly invite your attention to the propriety of repealing the law imposing this restriction.

The ill-advised exercise of the pardoning power, may also produce most serious consequences. It is only from recommendations and representations in behalf of the convict, the individual invested with that power, can act. And if misapplied sympathy or ill-directed feelings should procure an interference by the Executive, without regard to the merits of the case, criminal offences can never be diminished.—It is only the discreet exercise of this most delicate power, which can have a salutary effect. But whenever a belief shall be entertained of repentance and unfeigned reformation on the part of a convict, and a representation of the fact should be made by those who are best acquainted with all the circumstances in relation to his case, before and after conviction, an interposition of Executive clemency becomes a duty. And we are satisfied no Executive under such circumstances would ever refuse to extend that pardon to an unfortunate fellow being, which we all expect to receive from a just and merciful Providence.

The Penitentiary here, has been a considerable burthen to the State, but, from the judicious management of its internal concerns, it is now capable of supporting its own expences, and may be a source of revenue to the State. But there never was a greater error in Legislation than to look to a Penitentiary for pecuniary profit. It is true, the most judicious economy should be observed in its management, and the convicts should be made so far as practicable, to relieve the State from the burthens imposed by their crimes. The great object should be, and to which the attention of every legislator should be directed—to punish crime—to deter by example, and to produce reform. The expense of an institution that would effect these objects, would be trifling indeed in contrast with the permanent benefits arising