

curred on that day,) whereby their property was left in an unprotected state on Sundays, and partly by a want of proper discipline on the part of the officers of the Institution, by which the convicts were enabled to obtain access to the shops and commit the incendiary act; and the memorialists plead that as the loss was by no act of their own, but was indirectly caused by the officers of the State, as above stated, that the Legislature should grant them relief by reimbursing in whole, or in part, the loss sustained.

The magnitude of the claim, and the importance of it to the memorialists, who were entirely ruined by the fire, as well as to the State, whose finances are not in a condition to bear any burdens that are justly avoidable, demanded of the Committee the most careful and thorough examination of the case, it was conducted and argued by eminent counsel on both sides. Numerous witnesses were examined, whose evidence will be found in the proceedings of the Committee, pages 1 to 53, herewith submitted; and while deeply sympathising with the memorialists in the heavy loss they have sustained, the Committee have been unable to arrive at the conclusion that the case presents any just grounds for a claim on the State, the allegation that the Directors refused to permit the presence of a private watchman on Sundays, was not sustained by the evidence, and although it was proved that the shops were fired on Sunday by some of the convicts, yet it did not appear to have arisen from any lack of ordinary discipline on the part of the officers, it being utterly impossible with few officers and many prisoners, strictly to carry out the prison rules which requires a prisoner to be always under the eye of an officer, neither have the Committee been able to arrive at the conclusion that a loss by fire, even if proved to have been caused by negligence on the part of the officers, would afford just cause for a claim on the State.

The second portion of the investigation was the memorial of Charles Murdock, asking a modification of his contracts with the Directors and the arbitration of a disputed account between them.

It appears that Mr. Murdock for some ten years past has rented work shops and employed the convict labor of the Institution, principally in the manufacture of cedar ware, and at the time of his memorial, had in his employment one hundred convicts whose time would expire July 1, 1861, and fifty, whose time, under his contract, would expire January 1, 1865. Mr. Murdock deemed himself justified in asking relief from his contracts on the ground that the existing war and blockade of the Southern States had seriously embarrassed him in the prosecution of his