

TWENTY-NINTH

ANNUAL REPORT

OF THE

EXECUTIVE COMMITTEE

OF THE

Prison Association of New York,

AND

ACCOMPANYING DOCUMENTS,

FOR THE YEAR 1873.

TRANSMITTED TO THE LEGISLATURE APRIL 25, 1874.

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April 25, 1874.

TWENTY-NINTH ANNUAL REPORT

OF THE

EXECUTIVE COMMITTEE OF THE PRISON ASSOCIATION
OF NEW YORK.

PRISON ASSOCIATION OF NEW YORK,
58 BIBLE HOUSE, ASTOR PLACE,
NEW YORK, April 25, 1874. }

To Hon. JAMES W. HUSTED,

Speaker of the Assembly :

SIR—In accordance with chapter 163, of the Laws of 1846, we have the honor to present herewith the Twenty-ninth Annual Report of the Prison Association of New York, and respectfully to request that you will lay the same before the Legislature.

Yours respectfully,

THEODORE W. DWIGHT,

President.

SINCLAIR TOUSEY,

Chairman of Exec. Com.

ELISHA HARRIS,

Corresponding Secretary.

OFFICERS OF THE PRISON ASSOCIATION OF NEW YORK, 1873.

PRESIDENT.

THEODORE W. DWIGHT.

VICE-PRESIDENTS.

JOHN T. HOFFMAN, New York.
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WILLIAM LAW LEARNED, Albany.

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CEPHAS BRAINERD, 48 Pine street.

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WM. C. GILMAN, 48 Pine street.

ELECTED MEMBERS OF EXECUTIVE COMMITTEE.

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WILLIAM T. BOOTH, 100 Wall street.
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W. W. HOPPIN, Jr., 69 William street.
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MOSS KENT PLATT, Plattsburgh.
ADAM T. SACKETT, 34 Liberty street.
Z. STYLES ELY, 28 West 23d street.
HENRY S. TERBELL, 32 West 23rd street.
RENSSELAER N. HAVENS, 18 Pine street.
JAMES H. TUTTUS, 34 Liberty street.
JOHN D. CRIMINS, 1067 Third avenue

STANDING COMMITTEES.

Committee on Finance.

WILLIAM C. GILMAN,
ANDREW H. GREEN,
Z. STYLES ELY.

WILLIAM T. BOOTH,
ADAM T. SACKETT,
STEPHEN CUTLER.

Committee on Detentions.

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JOHN H. ANTHON,
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CHARLES H. KITCHEN,
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CEPHAS BRAINERD,
ROBERT E. MCBURNEY,
R. L. DUDGALL,
THEO. W. MORRIS,
THEO. W. MORRIS.

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F. LAW OLMSTED,
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WILLIAM C. GILMAN,
CEPHAS BRAINERD,
GAYLORD B. HUBBELL,
W. W. HOPPIN.

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W. L. LEARNED,
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GAYLORD B. HUBBELL,
RENSSELAER N. HAVENS,
JOHN H. ANTHON.

GENERAL AGENT.

COL. A. W. SHELDON, Office 18 Centre street.

LIFE PATRONS, CORRESPONDING AND HONORARY MEMBERS.

I. LIFE PATRON.

By the contribution of \$500 at one time.

JOHN DAVID WOLFE.*
Miss C. L. WOLFE.

II. CORRESPONDING MEMBERS.

M. Charles H. Lucas, Member of the Institute of France.
M. Auguste Frederic Demetz, Director of Mettray, 92 Rue de la Victoire, Paris, France.*
John Stuart Mill, Esq., Blackheath Park, Kent, England.*
M. A. Gorne, Douai (Nord), France.
Sir John Bowring, Claremont, Exeter, England.
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Matthew Davenport Hill, Esq., Bristol, England.
Frederic Hill, Esq., London, England.
Rt. Hon. Sir Walter Crofton, C. B., "The Close," Winchester, England.
W. L. Sargant, Birmingham, England.
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Hon. Geo. W. Hastings, L. L. B., London, General Secretary Social Science Association.
Samuel G. Howe, M. D., Principal of the Institution of the Blind, Boston, Mass.
Dr. Varrantrapp, Frankfurt-on-the-Main.
Mary Carpenter, Bristol, England.
Miss Dorothea L. Dix, Boston, Mass.
Hon. Charles Sumner, Boston, Mass.*
F. B. Sanborn, Springfield, Mass.
Z. R. Brockway, Detroit, Mich.
Rev. Fred. H. Wines, Springfield, Ill.
Hon. Andrew Shuman, Chicago, Ill.
John G. Lytle, Philadelphia, Penn.
Cridley J. F. Bryant, Boston, Mass.
Baron Franz Von Holtzendorff, Prof. Law in the Royal University, Berlin, Prussia.

* Deceased.

LIFE PATRONS, CORRESPONDING AND HONORARY MEMBERS. 7

Mons. Bonneville de Marsangy, Counselor of the Imperial Court of Paris, No. 7 Rue Penthièvre, Paris, France.
Signor Martino Beltrani Scalia, Inspector-General of Prisons in the Kingdom of Italy, Florence, Italy.
E. A. Meredith, Esq., Ottawa, Dom. of Canada.
Hermann Adami, LL. D., Bremen.
Alfred Field, President Chamber of Commerce, Birmingham, England.
Rev. Sidney Turner, Inspector of Reformatories, London, England.
Florence Hill, Bristol, England.
Joanna Margaret Hill, Bristol, England.
Fr. Bruun, Director of Prisons, Denmark.
Lt.-Col. G. Hutchinson, C. S. L. Inspector-General of Police in the Punjab, India.
A. M. Dallas, M. D., Inspector-General of Prisons in the Punjab, India.
Florence Nightingale, South street, London, England.
Edwin Hill, Esq., 1 St. Mark's square, Regent's Park, London, England.
J. Angus Croll, Esq., Southwood, Highgate, London, England.
Fr. Ad. Roepstorff, Extra Assistant Superintendent of the Penal Settlement, Port Blair, India.
William Tallack, Secretary Howard Association, London, England.
Hon. W. Soldatenkoff, Director of Prison Commission, St. Petersburg, Russia.

III. HONORARY MEMBERS.

1. By Election.

Hon. John W. Edmonds	.....	New York.
Rensselaer N. Havens	.....	do
Peter Cooper	.....	do

2. By Contribution of \$100 at one time.

George B. Archer	.....	New York.
William H. Aspinwall	.....	do
William B. Astor	.....	do
J. J. Astor, Jr.	.....	do
William T. Booth	.....	do
James Brown	.....	do
H. K. Bull	.....	do
John Caswell	.....	do
Samuel B. Cadwell	.....	do
Edward Cooper	.....	do
A. B. Conger	.....	do
William B. Crosby	.....	do
H. K. Corning	.....	do
William E. Dodge	.....	do
William Butler Duncan	.....	do
Winthrop S. Gilman	.....	do
William C. Gilman	.....	do
Horace Gray	.....	do
Meredith Howland	.....	do

* Deceased.

8 LIFE PATRONS, CORRESPONDING AND HONORARY MEMBERS.

Mark Hoyt.....	New York.
M. K. Jessup.....	do
John Taylor Johnston.....	do
James Lenox.....	do
Miss Lenox.....	do
Miss Lenox.....	do
Peter Lorillard.....	do
Alan McLane.....	do
Samuel F. B. Morse.....	do
George D. Morgan.....	do
Adam Norrie.....	do
R. M. Olyphant.....	do
Daniel Parish.....	do
George D. Phelps*.....	do
John A. Pullen.....	do
W. C. Rhineclander.....	do
C. R. Robert.....	do
C. V. S. Roosevelt.....	do
Theo. Roosevelt.....	do
Adam T. Sackett.....	do
Joseph Sampson.....	do
J. F. Sheafe.....	do
Mrs. Mary Sheafe.....	do
C. H. Shipman.....	do
Henry M. Schieffelin.....	do
R. L. Stuart.....	do
Alexander Stuart.....	do
James Stokes.....	do
Jonathan Sturges.....	do
Mrs. Catharine L. Spencer.....	do
H. S. Terbell.....	do
Alex. Van Rensselaer.....	do
George C. Ward.....	do
Salem H. Wales.....	do
R. W. Weston.....	do
Samuel Willets.....	do
Rev. E. C. Wines.....	do
John David Wolfe*.....	do
J. Walter Wood.....	do
William Wood.....	do
Dr. Elisha Harris.....	do
James S. Seymour.....	Auburn, N. Y.
Joseph Howland.....	Mattawan, N. Y.
Mrs. Joseph Howland.....	do
Rev. N. S. S. Beman, D. D.*.....	Troy, N. Y.
Rev. Dr. Darling.....	Albany, N. Y.
Thomas W. Olcott.....	do
Erastus Corning.....	do
Mrs. C. L. McClanahan.....	do
Sinclair Tonsey.....	New York.
Francis George Shaw.....	West New Brighton, S. Isl.

* Deceased.

LOCAL COMMITTEES OF CORRESPONDENCE.

Albany county: residence, Albany—MAURICE E. VIELE, Hon. IRA HARRIS, Hon. WILLIAM LAW LEARNED, Rev. RUFFS W. CLARK, EDWARD SAVAGE, Rev. CHARLES REYNOLDS, *secretary*.

Allegany county: Angelica—Hon. J. S. GREEN, Dr. Wm. M. SMITH.

Broome county: residence, Binghamton—S. C. HITCHCOCK, Dr. JOHN G. ORTON, SABIN MCKINNEY, B. N. LOOMIS, E. M. NOYES, Rev. W. A. HITCHCOCK, E. K. CLARK.

Cattaraugus county: residence, Little Valley—EUGENE A. NASH; residence, West Randolph—Rev. F. A. C. EVERETT, Dr. A. B. PARSONS.

Cayuga county: residence, Auburn—MILES PERRY, JAMES S. SEYMOUR, Dr. S. WILLARD, Mr. FORD, Dr. J. W. WILKIE, Rev. J. B. CONDIE, Hon. W. B. WOODIN, BYRON C. SMITH, Dr. J. D. BUTTON, DENNIS R. ATWOOD, Mrs. MILES PERRY, Mrs. WILKIE.

Chautauque county: residence, Mayville—Rev. Mr. BENTON, J. H. MILLER, WILLIAM CHACE; Fredonia—M. S. MOORE; Westfield—ALFRED PATERSON; residence, Jamestown—Hon. J. C. PRESTON, D. H. WAITE.

Chemung county: residence, Elmira—Hon. LUCIUS ROBINSON, Dr. W. C. WEY, Rev. F. C. HOSKINS, E. S. PALMER, Rev. Dr. KNOX, Rev. G. K. McNIGHT, Dr. T. H. SQUIRE, Dr. J. F. HART, D. ATWATER, F. G. SURBRIDGE.

Chenango county: residence, Norwich—ISAAC NEWTON, Dr. H. K. BELLOWS, Dr. H. H. BEECHER, Rev. S. SCOVILLE.

Clinton county: residence, Plattsburgh—Hon. M. K. PLATT, HENRY ORVIS, Hon. G. M. BECKWITH; residence, Keeseville—Hon. HENRY KINGSLAND, 2d.

Columbia county: residence, Hudson—A. S. PEET, THOMAS TELLEY, FULTON PAUL, G. W. TOMLINSON.

Cortland county: residence, Cortlandville—Hon. HORATIO BALLARD, FRANK PLACE, Dr. FREDERICK HYDE, LEWIS S. BOUGHTON; residence, Homer—Hon. G. W. BRADFORD, Dr. CALEB GREEN, THOS. S. RANNEY.

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- Greene county: residence, Catskill—GEORGE H. PENFIELD, JOHN HORTON, Rev. W. C. MCCARTHY, SAMUEL HARRIS.
- Hamilton county: residence, Wells—G. B. MORRISON.
- Herkimer county: residence, Herkimer—Hon. EZRA GRAVES, DAVID M. DAVENDORF; residence, Hion—E. REMINGTON, CHARLES P. MOSS.
- Jefferson county: residence, Watertown—RICHARD G. KEYES, JESSEE M. ADAMS, M. CONGDON, Dr. CHARLES M. JOHNSON, JOHN P. MOFFATT, JOSIAH B. MOULTON; residence, Antwerp—Rev. J. A. GANFIELD.
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- Lewis county: residence, Lowville—Dr. F. B. HUGH, Rev. G. L. ROOF, CARROLL HOUSE, DAVID R. WATSON; residence, Croghan—AMOS RICE.
- Livingston county: residence, Genesee—F. DE WITT WARD, D. H. BISSELL, Prof. MILNE, Dr. W. E. LAUDERDALE, G. N. SPRAGUE, G. W. PADDOCK.
- Madison county: residence, Morrisville—D. D. CHASE, H. P. MEADE, LUCIUS P. CLARK; residence, Oneida—W. R. WILLIAMS.
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- Tioga county: residence, Owego—E. W. WARNER, H. L. BEAN, Hon. WM. SMYTH, Hon. T. I. CHATFIELD, Rev. M. CLARK, G. B. GOODRICH, A. CORBUN, H. D. PINNEY, J. W. LAMOREAUX.
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- Warren county: residence, Caldwell—Dr. CROWWELL, M. ARCHIBALD.
- Washington county: residence, Salem—R. G. ATWOOD, JAMES BLASHFIELD, E. P. SPRAGUE, C. R. HAWLEY; residence, Fort Edward—L. G. OLMSTEAD.
- Wayne county: residence, Lyons—Dr. H. D. VOSSBERG, JOHN L. COLE, WM. VAN MASTER, CHARLES ENNIS; residence, Palmyra—ISAAC BRONSON, L. LYONS, Mrs. PLYN SEXTON, CHAS. McLOUTH; residence, Walworth—Hon. LUCIEN T. YEOMANS.
- Westchester county: residence, White Plains—Dr. H. E. SCHMID, M. PRUDHOMME, Rev. Dr. VAN KIEEK; residence, Pelham—Misses GRACE and HARRIET SCHUYLER; residence, Sing Sing—HENRY LOUISBERY, Dr. G. J. FISHER, Mrs. CATHERINE E. VAN COMBLANDT, L. G. BOSTWICK, S. G. HOWE, C. C. NORTH.
- Wyoming county: residence, Warsaw—Hon. AUGUSTUS FRANK, Hon. WILLIAM E. MERRILL, C. P. BUXTON, J. E. NASSAU, J. V. STRYKER.
- Yates county: residence, Penn Yan—MYRON HAMLIN, Hon. D. A. OGDEN, F. HOLMES, EBEN JONES.

TWENTY-NINTH ANNUAL REPORT

OF THE

PRISON ASSOCIATION OF NEW YORK.

The Twenty-ninth Annual Report of the Prison Association of New York is respectfully submitted to the legislature, and renewed attention is earnestly invited to the condition of prisons and prisoners, and to the interests of society which are represented in them in this State.

In no previous year has this Association succeeded in reaching so large a proportion of prisoners of all grades, or been so greatly aided by co-workers throughout the State. The prisons and jails of every class have been under the frequent and unobstructed observation of accredited representatives of the Association. The state prisons and penitentiaries have been steadily open to such visits and inspection, while the methods of intercourse having in view the guidance and welfare of prisoners upon their liberation, have been maintained with studious care and beneficial results by members and agents who have undertaken this duty. The systematic visitation of the county jails and other prisons has continued during the year to be the means of discovering the most neglected and important sources of criminal and disorderly life; while in numerous districts this system of efforts by the local committees of the Association has induced a deep and practical concern to prevent the flagrant causes of crime, and especially to extend the benefits of common education, and of such moral and industrial training as shall tend to save the children of poverty and misfortune from vicious and criminal courses of life. In all sections of the state, the fact is obvious that these laborers are tending to repress crime and to arouse the people to take action to diminish and control its preventable causes.

In the summary of the labors of the general agent at the central office in the city of New York, it will be observed that the efforts to place discharged prisoners in suitable employments, and to disperse them far away from the city's temptations, have resulted favorably in a great proportion of instances, and that in this duty, as well as in that of looking after the interests of youth and friendless persons in the detention prisons of New York and Brooklyn, COLONEL A. W. SHELDON has successfully performed the duties of his office. He reports that "the Association, in its efforts to encourage and assist discharged convicts in their endeavors to lead an upright life and

earn for themselves an honest livelihood, has accomplished much during the year just closed, and hundreds have entered upon a different life with renewed hope and new incentives to industry and virtue, whose condition, had it not been for the kindly influences of the Association, constantly and earnestly directed, would have been pitiable indeed. This department of its labors is now conducted in such a manner that all of the convicts in our state prisons and penitentiaries, and the majority of those confined in the county jails throughout the state, are in a manner its beneficiaries, and owe much to its favorable influences on their feelings, hopes, aims and purposes, and we can point with pride to numbers who are reaping the rewards of well-doing and who enjoy the confidence of their employers, the respect of the community, and of all with whom they are associated. The extent and magnitude of this branch of the work in which the Association is engaged, may the more readily be seen and appreciated by a glance at the accompanying table, where the number aided each month in the year, together with the name of the prisons from which they were discharged, is shown.

"From this it will be observed that there is not a state prison or penitentiary in the state but what has added in a degree to these labors, while detention prisons and county jails have contributed largely to swell the total.

"The manner in which each man of the twelve hundred and fifty-seven was aided, is shown in the following summary:

"Four hundred and twelve were supplied with clothing suitable for the occupations in which they were about to engage.

"Three hundred and ninety-seven were provided with temporary lodging and board, until placed in a permanent situation where they could sustain themselves.

"One hundred and sixteen were furnished with tools in order that they might be able to ply their trades or vocations.

"One hundred and eighty-four were forwarded to their homes or friends at a distance; in each instance the association being assured that their relations and friends to whom they were sent would provide for their wants until they were permanently situated.

"Eight hundred and ninety-three were furnished with employment at the kind of labor to which they were the best adapted, and the majority of situations secured were at places remote from the city, away from old companionship and bad associates, and where every inducement was held forth to the discharged man, and where his employers were willing to co-operate with him in his effort to reform.

Abstract of the records of the general agent in New York, showing the number of discharged prisoners aided each month during the year, by the association, at its office in New York, and the prisons from which they were discharged.

1873.	FROM STATE PRISONS.			FROM PENITENTIARIES AND REFORMATORIES.							FROM DETENTION PRISONS.		Totals.					
	Sing Sing.	Albany.	Canton.	Other states.	Blackwell's Island.	King county.	Albany.	Frie county.	Rochester.	Syracuse.	Blackwell's Island work-house.	House of refuge.		Schoon ship.	City prison.	Ludlow street jail.	Raymond street jail.	Other jails.
January.....	20	2	1	1	53	19	1	1	1	1	3	1	1	1	1	1	1	109
February.....	35	3	3	3	47	18	2	2	2	2	1	1	1	1	1	1	1	129
March.....	33	4	4	4	55	23	2	2	2	2	1	1	1	1	1	1	1	137
April.....	14	1	1	1	55	23	2	2	2	2	4	1	1	1	1	1	1	111
May.....	33	1	1	1	39	11	1	1	1	1	1	1	1	1	1	1	1	85
June.....	18	1	1	1	40	15	1	1	1	1	1	1	1	1	1	1	1	81
July.....	19	1	1	1	40	19	1	1	1	1	1	1	1	1	1	1	1	79
August.....	18	1	1	1	45	25	2	2	2	2	1	1	1	1	1	1	1	87
September.....	22	1	1	1	60	13	1	1	1	1	1	1	1	1	1	1	1	105
October.....	22	1	1	1	59	10	1	1	1	1	1	1	1	1	1	1	1	115
November.....	23	1	1	1	59	10	1	1	1	1	1	1	1	1	1	1	1	115
December.....	27	1	1	1	44	14	1	1	1	1	1	1	1	1	1	1	1	122
Totals.....	286	28	28	9	639	185	18	6	6	6	14	2	4	20	6	6	5	1257

"In this connection, it should also be mentioned that, besides the relief given to the accused, convicted, and discharged, aid more or less extensive has been afforded to many persons connected with the families of prisoners.

"In the detention department of its work, the association seeks to impart needful advice and aid to detained prisoners who are unable to provide themselves with counsel, and who are friendless before the courts, and who, without its intelligent and kindly interposition, would be compelled to suffer without redress, while society at large would also feel the effects consequent upon the education in crime and villainy afforded, and indeed we may say almost necessitated, by the surroundings in any of the penal institutions in the state; and children detected in petty misdemeanor—often their first offense—or found in evil company, it may be unintentional or by accident, would, but for our interference, be thrown into the common receptacle of the city felon, and subjected during their entire term of imprisonment to all its polluting and debasing influences. The innocent would frequently be condemned through inadvertence or mistaken testimony, and the technically guilty made to suffer punishment which might be properly mitigated if the circumstances in extenuation were brought properly to the attention of the court.

"Some conception of the amount of labor performed in this department of the Association's work, and the great good accomplished, may be gathered from the following table, which is arranged with regard to the prisons in which friendless persons were committed or detained, and the courts before which they were tried:

Abstract of the General Agent's Records, showing the number visited in the detention prisons of New York and Brooklyn, and the manner in which they were aided by the Association:

	City Prisons.	Second District Prison.	Third District Prison.	Fourth District Prison.	Leiflaw street Jail.	Raymond street Jail.	Totals.
Visited and advised.....	3201	441	421	340	123	21	4011
Complaints examined.....	441	115	121	10	10	1	593
Complaints withdrawn.....	75	15	12	10	10	1	131
Discharged on recommendation of agent.....	8838	467	271	135	34	13	4735

	First District Police Court.	District Police Court.	Second District Police Court.	Third District Police Court.	Fourth District Police Court.	Special Sessions.	General Sessions.	Cora & Tenmber.	United District Court.	Total.
Advised and defended.....	28	10	5	2	112	40	4	3	3	204

"It will be seen from the above that 4011 were visited and advised, as their several cases seemed to require, the direction and assistance offered by the Association being imperatively required, and where the lack of its friendly offices would result in much wrong and suffering to the persons arrested and those dependent upon them.

"Five hundred and three cases were carefully examined, the majority of the investigations being very full and complete, and affecting, to a greater or less extent, the disposal of every case, much attention being given to the circumstances of their detention, with a view to their protection from malicious prosecutions.

"One hundred and thirty-one complaints were withdrawn at the instance of the Association as being of a frivolous or trivial character, or preferred from passion or prejudice, or under the promptings of revenge.

"One hundred and eight were discharged upon the recommendation of the agent, and consisted of those who had been arrested for intemperance or disorderly conduct, or committed for those offenses to the city prison or to the island, for terms varying from ten days, and whose families would suffer from their absence; or, being those of a class of juvenile delinquents before referred to, had, for some trivial offense, been brought into prison for the first time.

"Two hundred and four have been advised and defended in the courts, and were, in nearly every instance, those charged with their first offense, and destitute of money or friends, and utterly unable to help themselves.

"This gives a grand total of 6,959 cases, in which relief of some kind has been extended at the general agent's office to persons who have been arrested and imprisoned on a charge of crime; and while many may have derived but temporary relief from our benefactions, scores, through the timely assistance thus rendered, have been prevented from entering upon a career of vice, and have been saved to themselves and society."

MILES PERRY, Esq., of Auburn, the representative of this Association's duties at the state prison in that city, reports as follows:

"The number of convicts discharged from this prison during the year 1873, according to the lists furnished by the officers, is 350, distributed as follows:

January.....	35
February.....	41
March.....	30
April.....	29
May.....	25
June.....	31
July.....	38
August.....	31
September.....	32
October.....	23
November.....	26
December.....	19

Total..... 350

"Of this number, all but three (owing to my temporary absence) have been seen and counseled with privately from one to three times during the month preceding their release. One hundred of them wanted no assistance, expressing themselves as quite able to protect their own interest, some of them declining to give any account of their previous lives or future intentions.

"One hundred and thirty-three had friends to go to who would welcome them home, and aid them in beginning a new life; eighty of this number embrace those who, from physical disability, confirmed criminality, or the lack of demand for labor, could not be placed in any situation; of the thirty-seven for whom employment was found, reports, in most cases, are quite satisfactory."

The duties undertaken by the Association in connection with the Clinton prison, have been directed by Hon. MOSS K. PLATT, who, in addition to his stated visits for interviews with prisoners at Dannemora, has received and advised the released prisoners, as they pass through Plattsburg on their way to employment and homes. At this place, such released prisoners as need are favored with lodging and food, and such aid as is necessary for transportation to their places of employment. In his report for the year Mr. Platt says:

"I have visited the prison frequently and at the first of every month, and have uniformly been treated with kindness and courtesy. Every facility has been given me for private conversation with the prisoners that were to be liberated during the month. I have found the convicts

generally glad to see me, and free to converse. They would often make a full confession of their crime, and promise most earnestly to lead a new life. The offer to aid them in obtaining employment and thus start them in a life of virtue and usefulness, has been generally accepted, and it has often inspired a hope which would show itself in the eye and countenance, that was truly encouraging. I have been in many instances amply rewarded by information received of the faithful discharge of the duties required of those whom I have aided, by their employers. I find that the larger number are young men, and mostly from the cities. During the past year, but one with whom I had previous conversation has been returned to the prison.*

The three state prisons have become so excessively crowded, and the utilization of the industry of convicts is so incomplete and unsatisfactory, that the reformatory influences which ought to surround every convict while serving out his sentence are far less effective than they would be in smaller prisons; but notwithstanding the pernicious effect of prison life, and the evil communications of the prisoners with each other, the experience of the prison officers and the agents of this association agrees in showing that the mere knowledge of the fact among the convicts that plans are formed to enable them to be employed and do well when released, stimulates their desires and purposes to cease from evil and learn to do well, even before release, as well as after.

The uniform courtesy and cordial helpfulness of the chief officers of the state prisons, in all their intercourse with this association the past two years, afford ample evidence that these duties of the association do not interfere with the prison discipline. All experience shows that the influences which awaken and fortify good purposes, and the hopes of a better life, most eminently conduce to personal self-respect and good conduct.

The six county penitentiaries continue to serve the mixed and double purpose of local work-houses for prisoners sentenced for misdemeanors and disorderly conduct, and as state prisons for female felons of all ages, or for male state prisoners sentenced for a less term than five years, when under 21 years of age. Convicts discharged from these six minor prisons receive whatever aid or guidance the association can give. Much of the time of the general agent in New York is bestowed upon this class of released prisoners.

From the two penitentiaries of Brooklyn and New York there were 4,263 convicts discharged last year, and from the work-house on Blackwell's Island 21,211 were discharged. The Albany penitentiary admitted 1,614 convicts and discharged 1,621 during the year, and a local committee of the Prison Association, with Rev. CHARLES REYNOLDS as its representative at the penitentiary, has done good service for the discharged prisoners and for society.**

Both at Albany and Syracuse an excellent evening school is maintained by the penitentiary officers, greatly to the encouragement of

* "The Albany branch of the Prison Association of New York has been organized during the past year, and is, in a quiet way, affording such assistance to discharged convicts as it can furnish. I can say, confidently, that this penitentiary is to me a most hopeful and interesting field of labor, and no effort ought to be spared to exert reformatory influences upon all its inmates. It requires no argument to show that punishments alone will not reform criminals, nor protect society from crime; and if those committed to prison are discharged more hardened and abandoned, prisons become schools of vice, a curse to society, and a disgrace to Christian legislation." (Twenty-fifth annual report of the Albany Penitentiary, page 31.)

prisoners who wish to do well. In these and the other penitentiaries the efforts to save from criminal life justify this association in greatly increasing its resources for the guidance and instruction which such prisoners need; and, as far as resources go, the welfare of these as well as of convicts at the three state prisons, will be carefully looked after.

The plan adopted by the association, for securing comprehensive inquiry and interest upon every line of its duties, depends largely upon the co-operation of Prison Association Local Committees in every county and city.

Nearly three hundred good citizens and several influential Christian women are at present co-operating in the duties of this association throughout the state. Without this kind of aid the inmates of the county prisons would not be suitably visited and the association be kept informed at all points and of all wants, and the distribution as well as judicious care of discharged prisoners would not be possible.* But with such co-workers, every jail and prison in the state is ever under observation without interference with justice, and every prisoner, whether friendless and awaiting trial, or under sentence of penal labor, can now understand the fact that all good citizens feel some concern for the personal welfare of those whom the laws thus punish.

The gratitude of a truly reformed criminal is strikingly exhibited in the willing compliance with the advice of the person who becomes the agent of such reformation, and in the great desire to help save others from criminal life. A discharged young convict, at the expiration of his first year of release from Sing Sing, inclosed ten dollars at a distant town as a thank-offering, with the following note to the agent who became his adviser and placed him with an employer:

"Will you not grant me a special favor, and hand over this sum to the first convict who comes to you released from prison? Perhaps when he is told that it was honestly earned, it may strengthen his resolutions and induce him to lead a better life."

In the report of this Association last year, the failure of the convict labor to produce self-supporting results, and the evidences of the financial failure of the prison system of the state, claimed special attention. This subject now receives the earnest consideration of the state-prison authorities, and they find the market price of convict labor has depreciated just in proportion to the defects of discipline and the increased subordination of prison keeping to partisan behests.

The present depressed state of the prison industries, the acknowledged necessity for comprehensive and radical improvements in the

* "The methods and results of labors performed in each county by the local committees are full of importance to the prisoners, though of the nature of voluntary co-operation in a general plan. The annexed report from one of the river counties shows this for all:

YEAR ENDING SEPTEMBER 30, 1875.	
Average number of prisoners constantly in the jail.....	84
Number sentenced to state prison.....	4
Letters received from prisoners.....	12
Letters written to state prisoners.....	16
Number of state prisoners discharged, returned, and furnished with employment.....	3
Number of prisoners who have received special advice and aid.....	25
Number of printed pages of reading supplied, 3831, besides 70 Bibles and Testaments.....	
* One of our prisoners who was sentenced to state prison writes, recently: "The advice you gave me I will endeavor to live up to. I am well cared for; the officers treat us kindly, and show us a good example. When I came here I was utterly humiliated, lost to the sympathy of my fellow men. "	
* A released state prisoner, months out of prison, writing at —, in the back country of W. — county, says, in a recent letter: "I am getting \$3 a day; have bought a house and paid \$50 down, and have my old father and mother with me."	

prison system of the state, the sincere devotion of the prison authorities to the amendment of such evils as they can control under existing laws, and especially the awakened public sentiment concerning the duties which society owes to itself as well as to prisoners, in regard to more prompt and effective reformatory and preventive measures against the causes of criminal life, seem to require the special presentation of the facts which bear directly upon the improved discipline and organization of the prisons, as the only means of preventing their enormous and wasteful cost, the only means of preventing their being — as they have been for years past — dangerous schools of crime and abandoned wickedness, the only way to repress and diminish criminal life in our midst to its minimum proportions. The present report will be chiefly occupied with facts bearing upon this subject, and showing that the time has come for action by the people.

The great duty of making sure of the adoption of the proposed amendment of the state constitution, soon to be submitted for the popular vote, will be presented (as respects the article relating to prisons) in one of the chapters of this report; and in the succeeding sections are given the results of the latest observations and experience respecting prison discipline and the questions that most concern the public and this Association in regard to prisons, prisoners, and the prevention of crime.

THEODORE W. DWIGHT,

President.

SINCLAIR TOUSEY,

Chairman Executive Committee.

STEPHEN CUTTER,

Chairman Committee on Discharged Prisoners.

DORMAN B. EATON,

Chairman Committee on Detentions.

JOHN W. EDMONDS,

Chairman Committee on Prison Discipline.

CEPHAS BRAINERD,

Recording Secretary.

WILLIAM C. GILMAN,

Treasurer.

ELISHA HARRIS,

Corresponding Secretary.

OFFICE OF THE PRISON ASSOCIATION OF NEW YORK,
58 Bible House, New York, January 31, 1874.

ANNUAL REPORT OF THE TREASURER.

*The Prison Association of New York in account with WM. C. GILMAN,
Treasurer.*

1873.		Dr.	
Jan. 8.	To balance due Treasurer, as per last report....		\$73 49
1874.			
Jan. 8.	cash paid for expenses of prison visitation and inspection, at Sing Sing, Auburn, Clinton, New York, Brooklyn, and county jails, including salaries	5,074 95	
	cash paid for relief of discharged prisoners..	1,216 75	
	cash paid for fuel, rent, stationery, printing, clerk hire, and other office expenses..	1,808 79	
		\$8,173 98	
	Balance on hand to new account	3,184 02	
			<u>\$11,358 00</u>

1874.		Cr.	
Jan. 8.	By donations to date, as per list.....	\$3,358 00	
	appropriation from State Legislature, per Hon. N. K. Hopkins, Comptroller.....	5,000 00	
	appropriation from Board of Apportionment, per Hon. A. H. Green, Comptroller.....	3,000 00	
		<u>\$11,358 00</u>	
1874.			
Jan. 8.	By balance from old account	\$3,184 02	

E. E.
NEW YORK, January 31, 1874.

WM. C. GILMAN, *Treasurer.*

PRISON ASSOCIATION OF NEW YORK.

Donations, 1873.

Aspinwall, Wm. H.	\$50	Murray Fund	\$50
Abeel, J. H.	25	Munn, O. D.	25
Arnold, Constable & Co.	10	Maghee, Mrs. S. P.	25
Alsop, J. W.	10	McCurdy, R. H.	10
Brown, James.	100	Naylor & Co.	25
Brown, Stewart.	50	Owen, Thomas.	25
Brown, James M.	25	Olyphant, R. M.	25
Blanco, B.	15	Oelrichs & Co.	10
Boker & Co., H.	10	Opydke, George.	10
Burr, Miss.	10	Prosser & Son, Thomas.	50
Badger, Jacob.	10	Potter, Howard.	50
Bradford, H. T.	10	Poppenhausen & Konig.	25
Claffin, H. B.	50	Pavenstedt & Co.	20
Cary, Wm. F.	25	Perkins, Mrs. H. R.	10
Clark, Hull.	20	Parsons, J. E.	10
Congreve, C. M.	10	Rhinelaender, W. C.	100
Caswell, Mrs. M. H.	10	Spencer, Mrs. C. L.	100
Cruikshank, James.	10	Sheafe, Mr. & Mrs. J. F.	100
Coulter, Samuel.	10	Shaw, Francis George.	100
Crosby, John P.	10	Steward, John.	50
Dunham, James H.	5	Sturges, Jonathan.	50
Fellows, Hoffman & Co.	10	Seymour, J. S. (Auburn).	50
French Consul General.	5	Schieffelin, H. M.	25
Gilman, Wm. C.	200	Singer Manufacturing Co.	25
Gray, Horace.	100	Stamford Manufacturing Co.	5
Gilman, Winthrop S.	50	Skidmore, S. T.	5
Gelston, Miss.	20	Tousey, Sinclair.	100
Graves, R. R.	10	Talbot, C. N.	25
Groesbeck, C. E. (G't Barr'g't'n)	5	Titus, James H.	25
Harris, M. D., Elisha.	200	Tiffany & Co.	25
Howland, Joseph.	50	Varnum, J. B.	5
Hoe & Co., R.	20	Victor & Aehelis.	5
Hartley, M.	10	Wolfe, Miss C. L.	500
Humersley, J. W.	10	White, A. M.	50
Hendricks Brothers.	10	Wheeler & Wilson Manuf. Co.	25
Harper & Brothers.	10	Waite, C. C.	10
Irvin, Richard.	25	Wyckoff, H. A.	10
Iselin, A.	10	Wheelwright, B. F.	10
Johnston, John Taylor.	100	Wright, J. E.	1
Lenox, James.	100	Young, Henry.	25
Leshar, Whitman & Co.	15	Anonymous, July 7, 1873.	5
Langdon, Walter.	10	L. E. H. (per A. W. Sheldon)	2
McLanahan, Mrs. C. L.	100	An ex-convict of Sing Sing.	10

APPENDED STATEMENTS,

BY THE CORRESPONDING SECRETARY.

THE STATE PRISONS.

At the close of the year 1873 there were 3,040 prisoners in the three state prisons, 86 in the Asylum for the Criminal Insane, and 3,233 in the six penitentiaries. The total number of state prisoners, or convicts for felonies, in the six penitentiaries was, at that period, about 250. The aggregate number of state prisoners was but little short of 3,350.

The numerous acts by which the legislature has provided for reception of state prisoners into the local penitentiaries have, in some degree, prevented such overcrowding of the three felon prisons as would, in any conspicuous way, arouse public attention to the necessity for enlarged state prison accommodations. But with that slight revival of activity in criminal courts which has occurred during the past year or two in several districts of the state, the local penitentiaries, as well as the state prisons, have experienced such an increased demand upon their capacity and accommodations that they are all alike overcrowded at the present time. This crowded state of the prisons is the first fact to be considered concerning them and their inmates.

ABSTRACT
Of State Prison Statistics of the three State Prisons in the State of New York for the year 1873.

SPECIFICATIONS.	State Prisons.		Auburn.		Clinton.		Totals.		Percentage upon the total number of males in the State.
	1,249*	1,241	550	3,040	550	1,500	3,040	81	
Total number of prisoners remaining from previous years.....	804	513	183	1,900	183	1,500	3,040	81	
Total number of prisoners admitted during the year.....	494	396†	158	978	158	978	978	25	
Total number of prisoners pardoned.....	16	17	.....	33	.....	33	33	1
Total males admitted in the year.....	751	513	183	1,447	183	1,447	1,447	37	
Total females admitted in the year.....	53	.....	.....	53	.....	53	53	1
Total colored persons admitted in the year.....	49	.....	9	58	9	58	58	1
Total persons who were discharged in the year.....	503	354	143	1,000	143	1,000	66.27	17	
Total foreign born admitted in the year.....	381	270	100	651	100	651	53.33	14	
Total who read and write admitted in the year.....	685	470	145	1,298	145	1,298	72.45	18	
Total who cannot read and write admitted in the year.....	119	103	40	263	40	263	22.55	6	
Total under 20 years of age admitted in the year.....	286	73	32	341	32	341	23.73	6	
Total between 20 and 30 years of age admitted in the year.....	395	288	106	789	106	789	53.60	13	
Total between 30 and 40 years of age admitted in the year.....	105	90	24	219	24	219	14.60	4	
Total 40 years old and upward admitted in the year.....	68	62	21	151	21	151	10.07	3	
Total married persons admitted in the year.....	?	?	61	155	61	155	10.87	3	
Total prisoners who confess intemperance admitted in the year.....	106	181	59	346	59	346	23.07	6	

* 18 female convicts.

† 18 escaped.

‡ 1 escape, captured.

§ Not including the Asylum for Criminal Insane.

The Prison at Sing Sing.—This prison contains 1,200 available cells, $3\frac{1}{2} \times 6\frac{1}{2} \times 7\frac{1}{2}$ feet, or 137 cubic feet for each cell. In this prison, the day previous to that in which we write this page, the total number of prisoners, male and female, was 1,498. This fact illustrates the crowding in the Sing Sing prison. The evils which attend such an aggregation of convicts, young and old, are enhanced enormously by the indolence and the irregularity of the employment of from 30 to 40 per cent of the prisoners. The commingling of all ages, classes and kinds of criminals is witnessed in an extreme degree in this prison. Sing Sing prison is a vast school of crime; the practiced, the adroit, the professional and abandoned contrivers and leaders of crimes against property and against morality and peace are so numerous, so active and so unconsciously proud in the ignoble leadership and prowess of criminal life, that they have a destructive influence upon a great number of younger and less hardened convicts.

The number of convicts admitted to this prison during the year amounted to 813. From this vast number, Auburn prison received during the year, 400, by transfer, and the prison at Dannemora received 86. The peculiar relations that Sing Sing has to the reception, commingling and subsequent distribution of convicts are pernicious in a high degree. More than fifty per cent of the convicts of felonies in the entire state are received into this prison. Few, if any, who enter can fail to be harmfully influenced by the hardened criminals whom they meet there; the vast congregation that permanently remains at this prison becomes thoroughly informed, day by day and month by month, concerning the increase, the movement and the distribution of the convict classes, and thus the state is practically maintaining most pernicious facilities for the effectual organization of criminal classes. This feature of Sing Sing as the prison which is the rendezvous for distribution of a great proportion of the felon convicts, and particularly of those who most need to be restrained from the presence and knowledge of habitual criminals, is, perhaps, the very worst feature of it, and it renders important every question respecting the prison structures, cellular and industrial classification, the industries themselves, and the discipline of the establishment.

Under the truly paternal and benign personal influence of the present agent and warden, Gaylord B. Hubbell, Esq., the individual prisoners have whatever benefit such a philanthropic mind can impart. But that officer has no power over the evil system itself, nor over the ever increasing influx of prisoners. It seems to be considered impracticable in that vast assemblage of convicts to classify and separate the various grades and groups of criminals, or even to give special treatment and moral seclusion to the youthful and first term prisoners. As originally constructed and organized to be conducted upon the *congregate* plan, this prison continues to be the common receptacle for the criminals of the city and the southern district of New York, and now from the conditions attendant on overcrowding, has ceased to be administered upon the silent system. The personal familiarity of the inmates of the prison as well as the predominant influence and leadership of the great numbers of habitual criminals here gives to it the most unfortunate character of a criminals' training school for the reception and distribution of newly convicted prisoners, for it is from

this prison that convicts from the metropolitan counties are distributed to the two other State prisons.

Had the congregate system of penal treatment in our State been restricted to the two other prisons and to the quarries and linklines of this one, the organized numbers and strength of the criminal class might have been less than they now are, and the problem of wholesome discipline, classification and distribution would be brought within the possibility of a proper solution. But now the prison at Sing Sing is the open gateway to ruin, the open door to the widest introduction to the crime class. Against the destructive power of this evil the labors of the warden, the efforts of the chaplain, the rules and regulations of the State prison inspectors, and the yearly amendments of statutes, which do not revolutionize and reverse the fatal system itself, will continue to prove unavailing.

Regarding Sing Sing prison as the type of the existing penitentiary system in the State, and the strong citadel of the evils and fallacies of this system, it deserves the most vigilant and unsparring inspection and study by the friends of prison reform. But while under such inspection and the most fearless criticism by the State officials charged with its care by this Association and by the public generally, the humane and untiring efforts of faithful officers of the prison merit the gratitude of their fellow citizens. By those efforts many a convict is restrained from yielding to the flood of evil influences.

THE INDUSTRIES AT SING SING.

In the male prison 905 convicts are employed in the marble and lime works; 197 are employed by the contractors in the shoe manufactory; 145 in the saddle and harness hardware work; 32 in the brass-turning business; 85 in the cabinet shop; 68 in cigar making; 59 in the laundry. The residue of the average 1,200 men and boys in this prison are variously employed or idle in the common drudgery of the so-called "State shops" and of the docks and yard gangs.

The most injurious tendencies and evil results of the contract system of convict labor have reached a dreadful kind of maturity in the workshops of Sing Sing. The inspectors and the present warden are sensible of the great injury and loss which are resulting from the defective organization of industries in this prison. Warden Hubbell makes the following statement upon this subject:

" * * * There are many trades that I think could be conducted in prison which would be remunerative and give agreeable employment to young prisoners, and at the same time teach them how to earn an honest living when they gain their freedom. Miss Mary Carpenter has the laws so arranged that she may put out any girl whenever she, in her judgment, thinks the girl qualified to earn her own living by industry, coupled with good conduct. This I think the true policy for all young offenders. They must learn a kind of employment and receive a kind of training at the same time, that will make it more easy and natural to be good than bad. This is a work of time, but it may be accomplished much sooner with some young men than with others.

"In my intercourse with boys I have found that, to make them industrious, you must arrange their employment so as to come as near

the motions they go through with when at play as possible, and try to make the labor agreeable. I once employed a large number of boys in a factory where there was much carrying of iron goods from one department to another, and it was with great difficulty that this work could be secured day by day. At length some small carts were prepared, and then the boys would struggle with each other for the first chance to draw the cart. We had some disagreeable work to do, the fingers would get sore, and the boys would get indolent and shirk all they could. Finally machines to run by power were prepared to do this work, and then the boy who tended one of these machines considered himself quite a dignified character; he was proud of his work and of taking care of his machine. Nothing will make a prisoner feel so degraded as to know that he is kept at a kind of work that will teach him nothing nor produce any useful results to any other person.

Col. Monticenas, of the Valencia prison in Spain, introduced 40 or more different trades into his prison, and the young man, when he entered, was allowed to take his choice. The result was every one of them learned a useful trade, and at the same time shared in his earnings; so that every excuse to relapse in crime was removed far from the prisoner, and all of them left the prison a wiser and better man, besides having a liberal sum of money to aid him to begin a useful career.

"Among other trades, the following could be added: Making baskets, all kinds, tackle blocks, pumps, carriage and other bolts, small hardware, bronzed ware, brooms, brushes, small leather goods, glass ware, children's carriages, combs, twine, all kinds blank books, galvanized hardware, lamps, gas fixtures, cutlery, mats, all kinds, oakum picking, tinware, razor straps, fancy boxes, paper boxes, wooden ware, weaving, trunk makers, umbrellas, wire work.

"One of the prominent features in the Macconochie system is the credit marks that the prisoner is sure to receive for good conduct, diligence in labor and attention to study, and that he will be degraded by a loss of the same if he fails to comply with the rules. These marks are made conspicuous so that all may know the standing of each prisoner; the loss of any of these marks is made a very serious matter. We need travel but a short distance to learn the effect of any thing that is done for us by a friendly hand, all we need do is to exchange places with the prisoner and we will receive an important lesson in the management of prisoners. We must follow nature, if we undertake a contrary way the work will be gaarly and crabbed. We must work to bring to the front all the better qualities of the man.

"In my humble opinion the commutation and degree of standing of every prisoner would be profitable, in all respects, if badges of merit were worn, and I think a share of the prisoner's earnings should be put to his credit in proportion to his credit-marks and degree of commutation earned. I think the effect would be magical in the maintenance of discipline, the reward would be great and the penalty for any violation of rules equally great. The laws might be so arranged that even a life prisoner should gain his freedom by strictly observing all the rules for a certain term of years."

THE PRISON AT AUBURN.

This prison has 1,300 cells and it continues to fulfill its original design of giving a practical illustration of the working and results of

a very large congregate penitentiary. Though when the structures of this prison were commenced, and the first company of convicts were received, the plan of idle seclusion in separate but contiguous cells was adopted, and the accommodations of the old Greenwich street prison, of the city, were soon experienced in that small penal company. The decision to adopt a new system of absolute and perpetual silence, rigorous rules and most literal obedience and congregate hard labor in workshops created a new and untried condition of things in this prison.

The rule of *force* which for years, under the expert management of the inventors and first advocates of the system (Capt. Elam Lynde and Judge Gershom Powers — respectively warden and inspector), operated so successfully in the more matter of covering submission, was based upon the singularly brutalizing proposition that it should be the first duty of the silent system to teach every convict in a forcible way, how utterly powerless and subjugated he or she necessarily is, or is to be, while in prison.

Silence was at that time accepted as being equivalent to separation.

* The construction of the state prison at Auburn was commenced in 1816, the south wing and central front edifice being first erected. Occupation of that portion of the prison began in 1819. The south wing then comprised twenty-eight large rooms and sixty-one cells. Each of the twenty-eight rooms was made to accommodate from eight to twelve prisoners. The experience of the first years of occupation of these new cells and apartments by idle convicts, was so unsatisfactory that the legislature ordered an inspection and report, and "in April, 1819, and before the building of the other half of the prison was commenced, the legislature authorized the inspectors "to alter or change the interior plan originally adopted, so far as to render the same more suitable for confining each prisoner in a separate cell."

"In pursuance of this authority, the then agent commenced building and nearly completed the north front, upon the new plan of solitary cells, but before finished, it was fired by some of the convicts, and pretty much destroyed; for the rebuilding of which an appropriation of \$25,000 was granted by the legislature.

"Such was the state of the prison when, in 1821, the present board of inspectors (the present agent being a member) was appointed. This board appointed a new agent.

"The legislature passed an act, April 3, 1821, directing the inspectors to select a class of convicts to be composed of the oldest and most heinous offenders, and confine them constantly in solitary cells. At this period the legislature and public at large had become so disaffected and discouraged with the existing mode and effects of penitentiary punishments, that it was generally believed, that unless a severe system was adopted, the old sanguinary criminal code must be restored. In dread of such a result, the legislature ordered the experiment of exclusive solitude without labor, and it is now believed that in avoiding one extreme another was fallen into.

"In pursuance of this law, after a sufficient number of cells were completed, on the 25th of December, 1821, there were selected eighty convicts and put into solitary cells.

"These convicts were kept remote from the rest, and where visitors were not allowed to go, but where day and night, as well as well it proved against the possibility of mischief or accident, as to enforce a perfect silence in the cells.

"They were not allowed to speak, except to the chaplain, and to inform the officer: they were sick; on which the physician was sent to examine them, and, if necessary, they were removed to the other convicts brought their food to their cell-doors under the eyes of an officer, and carried away what was necessary. Great care was taken by whitewashing and cleansing, to keep their cells and clothing pure and wholesome, and they were prevented from lying down in the day-time.

"For a considerable time we had great confidence in the success of this experiment.

"A report was made to Governor Yates, and in the summer of 1823, he visited the prison, personally examined the solitary convicts; and, after consulting with the inspectors and agent, determined to pardon them all gradually, as their names should be sent to him by the inspectors, except some whose sentences would soon expire, and a few others to be put to labor, and which was done accordingly.

"The said act of April 15, 1823, authorized courts, at their discretion, to sentence con-

The marked physical improvement of the prisoners that were released from their close confinement in cells to the enjoyment of bodily activity in the shops. The mental and moral state of those convicts evinced equal improvement with that of their bodily condition. The

victs for second offenses to solitary confinement, not exceeding two years; but there is not a convict now in the prison thus sentenced.

"By the close of the year 1823, the solitary convicts were principally released, and a majority of them by pardon, since which exclusive solitary confinement has been discontinued.

"A number of those convicts became insane while in solitude; one so desperate that he sprang from his cell when his door was opened, and threw himself from the fourth gallery upon the pavement, which nearly killed him, and undoubtedly would have destroyed his life instantly had not an intervening stove-pipe broken the force of his fall. Another beat and mangled his head against the walls of his cell, until he destroyed one of his eyes. Another cut the veins in his arm with a piece of tin to bleed himself to death.

"Nor was the effect of this constant confinement more favorable to reformation than to mental and bodily health. Of those who survived its shock upon their constitutions, twelve have been reconvicted and returned to the prison, whose average confinement in solitude was about twenty months. It is proper to observe that several convicts of the solitary class are still in prison, who were released from solitary confinement and put to labor.

"One of those pardoned committed a burglary in this vicinity the very first night after being released from a long confinement, but escaped conviction on some technical ground.

"Some others are known to have so conducted as to be a terror in their neighborhoods, who have not been reconvicted of crimes, and not one instance of reformation among that class has been known.

"The diversion and exercise arising from labor which the convicts now enjoy, are certainly no more than is indispensable to mental and bodily health; and their earnings should have some consideration with the government.

"There is no doubt that uninterrupted solitude tends to sour the feelings, destroy the affections, harden the heart, and induce men to cultivate a spirit of revenge, or drive them to despair, although such may not always be the effect upon martyrs and patriots, whose devotion to liberty or religion may sustain their bodies and minds in health and vigor, while suffering in a righteous cause. Yet solitude, to a certain extent, is indispensable in prison discipline. A degree of mental anguish and distress may be necessary to humble and reform an offender; but carry it too far, and he will become either a savage in his temper and feelings, or sink in despair.

"With all the privileges enjoyed by the convicts in this prison, insanity is no uncommon occurrence. There are several now more or less insane, who uniformly behaved well before their derangement, and who have never incurred any corporal punishment since their confinement.

"We have thus frankly acknowledged and fully exposed a dangerous error, which, we believe, has fallen into in carrying the doctrine of solitary confinement entirely too far. It is deemed proper to add that a majority of the commissioners, who examined this and the New York prisons, and whose report will be hereafter alluded to, were entirely against solitary confinement without labor, on the ground of health, expense, reformation and unnecessary severity, and they give their reasons at length and with great force." (Quoted from Reports of the Auburn State Prison.)

The methods and results of government and discipline are described as follows by Judge Powers in his report in 1838:

"The assistant keepers are masters of the respective trades at which the convicts, of whom they have the care, are employed. Each of them is always with his men when they are at work, and he sees them taken into and from their cells at night and morning. He walks among them in the shop with a stick or rattle in his hand; keeps them steady at labor; preserves silence and order, and compels them to do their work faithfully and diligently. In all those cases where instant correction is necessary to enforce obedience, or prevent mischief, it is administered on the spot; but, in general, the power of suppressing the very beginning of disorder, prevents any disorder at all; and in point of fact, while the rod of correction in this prison is always at hand, its use is seldom resorted to."

industries of the prison were happily adapted to awaken the interest and occupy the attention of the men. Those trades were about equally divided into workers in wood, in iron, and in weaving and shoemaking. Careful religious instruction, strict discipline, a certain kind of classification, and the awakening of new desires and hopes in the individual prisoners to live virtuously when released, certainly wrought out such good results as to warrant the belief that was entertained that the new system at Auburn, and which soon became to be known as the "Auburn system," would yield the best possible results and perhaps would supersede the other systems then in practice. Happily it did completely supersede the horrible system of the old Greenwich street Newgate of New York.

The absolute silence and non-intercourse which gave to the Auburn discipline its peculiarity, still left every prisoner conscious of and in some measure probably the better for the visible presence of fellow beings. The absolute rigor of the rule of silence and submission, the semi-military method and exactness of all bodily movement, the incessant manual employment in the shops, and the cellular separation of prisoners when unemployed, brought the new prison at Auburn into extreme contrast with the old Newgate of the city, where hope and self-respect had rarely survived a month in the minds of state prisoners. Auburn, under the new regime—"the Auburn system"—was in contrast with its misjudged and badly administered experiment with the mixed or associate, and with the separate system of imprisonment in utter idleness. In a certain sense, the new prison fairly won the fame it enjoyed for thirty years following the development of its new system. But to busy and useful industries in great variety, and its superior official supervision and careful introduction and help of voluntary moral instructors, this prison was indebted for its success. In all these things it enjoyed advantages over any other penitentiary in the State. To all these aids, too, was added the facility of obtaining employment by well-disposed prisoners when discharged, a fact that was so well known to the convicts in this prison thirty-five years ago that it inspired and preserved healthful hopes in their minds, and did more to strengthen virtue and good purposes than all the expectations of pardon.

To the vigorous policy and devoted efforts of the leading friends of prison improvement and reformatory treatment at that period, the merits of the Auburn prison and its system were due. Judge Gershom Powers, Hon. Senator Samuel M. Hopkins, Hon. Stephen Allen, Hon. Cadwallader D. Colden, C. G. Haines, Esq., and Capt. Elam Lynde, the first master and warden of the new system, contributed largely to the development of the Auburn prison as a penitentiary that should make the entire treatment of convicts reformatory. However severely the present system of State prison management in New York may be criticised, the noble designs and efforts of the men who secured the reorganization of this great prison are worthy of lasting honor. The failure of that system which they founded is simply the failure of most carefully devised methods to produce the large reformatory results which were hoped for in this compact massing and working of convicts of all grades and conditions of criminal character.

The abandonment of all congested idle cell treatment during the first three years experience of the prison, then the solitary cellular

experiments and disastrous results from unwise management; next the construction of new and reconstruction of old cells for occupation as solitary work cells, and the incendiary burning of these by convicts, conspired to induce the officials then (in 1821-1828), to make a new and very wide departure from the commonly accepted methods of prison keeping.

But this manifest improvement of the new over the old prison, the happy results of active industry and invigorated health, and the reformed lives of a greatly increased number of prisoners, did not prevent timely thought and suggestions on the part of numerous judicious and philanthropic men who recognize the fact that the success and utility of any reasonable system must depend largely upon the skill, devotion and fitness of the prison officials. In an introductory report upon the code of reform and prison discipline proposed for the state of Louisiana, Hon. Edward Livingston, in 1838, remarked:

" * * * In New York there are two penitentiaries, and a third one is now constructing. One of them, in the city, is, from its construction, and the numbers confined in it, necessarily conducted on the old vicious plan, which is to be abandoned as soon as the third prison

* The sincerity and depth of the personal conviction that the "Auburn system" would prove to be the best penitentiary system ever devised, and that its merits would, as they thought, speedily come to be recognized by all civilized nations and, consequently, would supersede the solitary system and certainly supersede any method of incarceration which consigned men to idleness. In the special report made by the state commissioner, Messrs. Stephen Allen, Samuel M. Hopkins and George Tibbitts, who were appointed to examine into the condition of all the prisons in the state in 1824, 1825, those commissioners state their final conclusions as follows:

"That the Auburn prison, combining the construction of the prison with the discipline enforced in it, presents the following advantages:

"That the sentence of the law can be enforced with almost absolute certainty, since escapes must be nearly impossible, and conspiracy quite so; and an attempt at insurrection, therefore, hopeless.

"Consequently, that the prison is governed with great comparative safety to the lives, both of keepers and prisoners, which, in cases of insurrection, are necessarily in danger.

"The separate cells by night, and the silence preserved always, entirely prevent all communication among the prisoners; thus, at once, is excluded the great question of the classification of convicts, which has so much engaged the attention of benevolent men in Europe and America.

"By this system, every prisoner forms a class by himself; and to all moral and social purposes, he is isolated.

"The novice in crimes may work for years by the side of the most expert felon, without making any progress in the mysteries of criminality.

"The prisoners are compelled to work diligently and profitably, and are deterred from spoiling their work.

"That the sentence of the law may be thus certainly, safely, and economically executed, without leave asked of the prisoners, or favor gained from them; whence all the benefits of an unfeared execution of the law.

"And we now add, as an important feature of this system, that if any human means can, as it were, enforce repentance and amendment, it is this.

"The entire separation from all criminal associations, the sobriety of feeling consequent upon temperance and labor, and most of all, the sadness of solitude, must frequently make serious impressions. We have seen manifest proofs of such impressions among the prisoners, and only wish there was reason to expect they would be permanent.

"From the observations already made, it has appeared, that with respect to the laboring prisoners, the discipline and government of the Auburn prison, with the exception of unremitted solitary confinement in a cell, unites most of the qualities which we have recommended in a state prison. Time and experience may suggest further improvements in matters of detail, but we do not expect to see any thing more perfect than the general system of that prison, nor do we know what more can be reasonably looked for."

is finished. The other, at Auburn, a village in the interior of the state, is the model for the new penitentiary, and, by the partisans of the system on which it is managed, is declared to be one that ought to serve as a pattern for all others. That system is briefly this: Absolute solitude during the night; joint labor during the day, but without any communication with each other by word or sign; meals taken at the same table, but so disposed as not to see the faces of those opposite to them; religious instruction on Sundays, received in a body; and a Sunday-school in the same manner twice a day; both in church and school the same prohibition of intercourse; a full diet of meat, bread and vegetables; comfortable bedding in narrow, but well aired, well warmed cells, and the utmost attention to cleanliness in every department of the prison. Visitors are admitted, but without permission to speak to the convicts who, on their discharge, receive a sum not exceeding three dollars, without any relation to their earnings. Their work is uninterrupted during the day, except by their meals, and is generally contracted for by mechanics, who find the materials. This enumeration is not one of what is required, but what is actually done. And the strictness with which these rules have been enforced is such that it is asserted that among thirty or forty workmen together for years in the same shop, no two of them know each others' names. Mr. Elam Lynde, a gentleman who formerly served in the army, has the credit of introducing this order. It was begun with his appointment as keeper of the Auburn prison, and he has executed it with most astonishing success in superintending the building of the new prison at Sing Sing, where he has had two hundred convicts employed, with no other place of confinement than a wooden shed, in which they slept, and with only eight or ten tender keepers and guards, and yet the same industry, order and obedience were preserved as there was within the walls of the prison. Nothing can be more imposing than the view of a prison conducted on these principles. Order, obedience, sobriety, industry, religious and literary instruction, and solitary reflection, all seem to promise beneficial effects on the convict, while important points of secure detention and economy are attained for the state. Yet, with all these advantages, I cannot offer this system for adoption; and my chief objection arises from the means employed to procure them.*

* The remarks of John Howard upon the necessity for a superior supervision of prisons are applicable in all countries. That renowned and most accurate observer said: " * * * The care of a prison is too important to be left wholly to a gaoler; paid, indeed, for his attendance, but often tempted by his passions or interest to fail in his duty. To every prison there should be an *inspector* appointed, either by his colleagues in the magistracy or by parliament. (B) Sheriffs and magistrates have, indeed, this power already; and prisoners are their immediate superiors, and themselves free from detention. It is, on this part of their duty on account of the short duration, expense and trouble of their office; and these gentlemen, as well as gentlemen in the commission of the peace, have no doubt been fearful of the consequence of looking into prisons. But the danger from such inspection is, in great measure, removed, and it may be expected that sheriffs will now engage in this business, and that among justices and town magistrates there may always be found one man generous enough to undertake this important service. Or if

(D) The vagrant act, 17th, George II. requires that two justices visit the houses of correction " twice, or oftener if need be, in every year, and to examine into the estate and management thereof, and report," and that the justices of quarter-sessions impose fines and penalties on the governors or masters who do not keep their prisoners to hard labor, and punish and correct them according to the directions of the warrants, etc.

Thus far was the "Auburn System" commended, and in terms and for reasons like these expressed by Mr. Livingston before any serious defect was visible, the inherent sources of evil and imperfect penitentiary results were clearly pointed out. That the system has advantages in the several particulars we have mentioned is unquestionable, and there is good proof that now, after it has been in operation for half a century, the prison and prisoners are found to be under better discipline and in a more hopeful, moral and bodily condition than were the convicts that filled the prison during the first five years of its occupation, prior to the year 1824, before the complete development of the congregate silent system.

But it cannot be said that the management of the industries of this prison has improved during the half century. Step by step the contracting parties for the convict labor have intruded upon the domain of official supervision and discipline, and within the past few years the demand for the more beneficial kinds of convict labor has not found adequate entrance to the prison, so that at the present time large numbers of able-bodied convicts, youthful and old together, are employed in the juvenile business of cigar-making, while still larger numbers are practically idle.

INDUSTRIES AT THE AUBURN PRISON.

The industries at present comprise cigar-making, shoemaking, the making of hames and horse-collars, tool-making, machinery and axles. With an average of about 1,300 prisoners at a mean age of less than twenty-seven years, and more than four-fifths of the whole number under thirty years of age, the nature and relations of the manual employments of these young men are matters of momentous importance to them individually, and to the communities where they were sentenced, and whether they may return, and to the State that professes to repress crime, while it supports the penitentiaries. Yet "there is no complete trade taught in this prison" is the official statement on this subject.

The prisoners who work in wood and iron have opportunities for acquiring such portions of several trades, from wood turning to iron molding and forge work, that they can make them available for their future subsistence when released from imprisonment. One of the most instructive facts in the early history of this prison is that which relates to the immediate practical use which the convicts, when discharged, have made of the skill in trades they have acquired while prisoners therein. In the earlier period of this history numerous trades were taught. For instance, in 1827, the warden reported that the convicts were employed as follows: In the coopers' shop, in the

the constant trouble be thought too much for one person, it may proceed by annual, quarterly or monthly rotation. The inspector should make his visit once in a week, or at most in a fortnight, changing his days. He should take with him a memorandum of all the rules, and inquire into the observance or neglect of them. He should gas in some of our hospitals look into every room to see if it be clean, etc. He should speak with every prisoner, hear all complaints, and immediately correct what he finds manifestly wrong; what he doubts of, he may refer to his brethren in office at their next meeting. A good gaoler will be pleased with this scrutiny; it will do him honor, and confirm him in his station."

tool manufactory, in shoemaking, in the tailors' shop, in the weaving in blacksmithing, in machinery, in gunsmiths' shop, in cabinet shops and at basket and ax-helve making.

It was the pride of Judge Powers, the agent and warden, who brought the industries and discipline of this prison to their greatest excellence during the period next succeeding Capt. Eiam Lynde's wardenship, to be able to point to the substantial reformation and prosperity of the majority of convicts discharged from the prison. And in 1829-30 MM. De Tocqueville and De Beaumont reported to the French government that they found that "at Auburn and Baltimore a very great variety of arts is pursued;" also, that "these two prisons offer the sight of vast manufactories which combine all useful occupations."⁹

There appears to be abundant evidence that, with the growth of the influence and power of the contractors for the convict labor—a power incident to large financial interests of individual contractors—and with the relaxation of a discipline of brute force which inflicted stripes and blows without remark or warning for every infraction of minute regulations, the "Auburn system" of discipline and labor has in some very obvious particulars failed to maintain its early popularity and *eclat*. Yet it is reasonably doubted that the restoration of the old methods of discipline would either produce as favorable results at the present period, or would even be tolerated by the more enlightened opinions of the people of the state. Were it possible to organize the industries upon as favorable a basis as they had forty years ago, the moral and public benefits of the prison would be more satisfactory than in the former period.

The relaxation of the arbitrary and crushing discipline as it was practiced by Capt. Lynde—a discipline of force which aimed at such a tension upon speech, sight or bodily movement, as would produce the full results of a moral seclusion of every convict from his fellow, necessarily vitiated the theory and practice of the rule of mutuality and humiliating subjection to mechanical constraint. Hence, there has arisen a necessity for such a degree of classification and a degree of separation as may be found necessary to prevent criminal conversation and bad influences that arise from any intercourse of hardened or professional criminals with young and plastic minds. This important precautionary measure has never been adopted by the authorities in charge of the prisons in this State, though urged for years by this association and the ablest judicial minds. Even the provision of the statute of 1847 for constructing a limited number of separate work cells, upon the plan of the Eastern penitentiary of Pennsylvania, as a necessary means for separating the professional instructors in crime and the leaders in evil influence in the State prisons, remains a dead letter. We will conclude this statement concerning Auburn prison by quoting the following remarks upon this first requirement for the improvement of that institution as a penitentiary, which its present efficient warden, Major L. E. Carpenter, has communicated to this association, and

⁹ In the report of those two able foreign inspectors and students of this prison, they remark that "it is contemplated that the convict, while he is at work, shall learn a business which shall support him when he leaves prison. The prisoners, therefore, are taught useful trades only, and among these care is taken to choose such as are the most profitable and the products of which are the easiest sale. Report of MM. De Beaumont and De Tocqueville on the American penitentiary system.

which the board of prison inspectors have joined in discussing with reference to immediate action.

Major Carpenter states:

"I cannot let this opportunity pass without making a suggestion that I believe to be the grand *trunk* of moral improvement to criminals, and which consists in giving both physical and intellectual protection to the well disposed. No person possessing any of the *finer* feelings of humanity could possibly occupy the position I have had the honor to fill during the past year without forming views of his own relative to the reform of criminals.

"Classification is without doubt the first move toward effecting this object, while this of itself is the very thing we are the least prepared to do with the present constructions of our penal institutions. Solitary cells for the incorrigible desperadoes should be provided for each prison in the State. With us (as is doubtless the case with the other prisons) an appropriation would be required for the erection of a suitable building, disconnected from all others, expressly for this purpose.

"This part of classification would do much more for the improvement of discipline than moral amendment, still it is the first important step toward the latter, which your noble association are so ardently and zealously striving to effect.

" Hoping to have an opportunity soon to converse with you relative to the other points in question.

"Respectfully yours,

"L. E. CARPENTER,

"Agent and Warden."

CLINTON PRISON AT DANMORA.

This prison has, from its first organization, been an important and instructive experiment in our system of State prisons. As a penitentiary upon the congregate plan, without that degree of enforced silence which characterized the other prisons in this State, the results of its discipline and industries upon the moral and physical condition of the prisoners compare more favorably with the experience of the other prisons than the advocates of the vigorously silent system would readily believe.

The special peculiarities of the industries of this prison, mining, breaking, roasting, forging and rolling of the magnetic iron of the mountain and the manufacture of nails, give to the convicts many of the mental and physical advantages of free life. In the midst of these intense toils there unquestionably is less indulgence in criminal conversation, criminal thought and morbid mental brooding than in the ordinary shop industries of the lighter trades.

The severe demands upon muscular strength and the endurance of bodily exertion must be regarded as a favorable characteristic of the industries of this penitentiary.

The evils which a few convicts may suffer in consequence of their physical incapacity are obvious, and these are kindly mitigated by the discretion of the warden and the physician of the prison.

The secluded locality, the healthful altitude (1700 feet above the sea, and between 1300 and 1400 feet above lake Champlain), the absence of outside annoyances, and the business-like discipline of this prison, are advantages which the other prisons do not enjoy. They more than counterbalance the unfavorable influence which such seclusion and loneliness of situation may exert upon a limited number of the convicts. The salubrity, sublimity of scenery, and remarkable extent and beauty of the outlook of the prison grounds afford moral as well as physical advantages to the prisoners at Clinton. The growth of a village of grog-shops just outside the stockaded premises of the

prison, cannot wholly neutralize these local advantages. The prison officials and all who are engaged upon the business of the state in Dannemora could bring moral influence to bear against the dram-shop nuisances that at present abound in that little hamlet at the prison gate.

PRESENT CAPACITY AND POPULATION OF THIS PRISON.

There are 538 available cells, adapted for one prisoner in each. The number of convicts in this prison at the last official return, was 564, and of these there were 69 under 21 years of age. Though crowded as regards their lodging in cells, the prisoners have suffered less from this cause than have those at Sing Sing. A few cells have two prisoners each. But it is from the inevitable association of men and boys in the various working gangs—the companionship of miners in the ore beds and of workers in the different branches of labor in which mutual assistance is necessary, that the chief perils of fresh instruction in the arts and thought of crime occur. As we have had occasion to mention in a former report, the severest branches of these labors in the iron works, at the bloom forges and in the rolling mills, more completely than any other kind of toil, seem to divert the habitual criminal and perverse man from his evil and morbid courses of thought and feeling.

When temporarily resting from their sweltering toil, as these laborers must at brief intervals, the writer has found them most cheerful, hopeful, and in earnest with good purpose.

It is creditable to the warden and all other officials at this prison that, notwithstanding the practices which steadily prevail, in drafting from Sing Sing, the most unpromising of the convicts who are from time to time subject to such transfer, according to law, the discipline and good conduct of the prisoners in the Clinton prison compare favorably with the result witnessed in the other prisons.

By referring to the Abstract of Returns from all Prisons in the United States, the fact will be noticed that 71 of the total number (364) prisoners at Clinton, have been once, or oftener, in a prison previously; that 13 had been trained in juvenile reformatories; that 143 were unable to read and write at the time of admission into this prison (35 per cent); and that 263 (46 per cent of the whole number) had not a fair common school education. These are obvious points of observation and departure in the study of sources and circumstances of crime.

THE INDUSTRIES.

The manufacture of iron from the ore that is mined upon the prison premises, and the making of a greater portion of it into cut-nails of all sizes, afford a large variety of occupations. The docile and tenacious quality of the iron from the veins that extend under the prison grounds originally determined the establishment of nail manufacturing as a leading branch of the prison industry. Fortunately the nature of the work in manufacturing nails by ingeniously contrived machinery, requiring nice and agreeable attention of the workmen, has proved to be an excellent kind of disciplinary labor. The present warden informs us that the best disciplinary result (in the sense of orderly and obedient conduct of the convicts), are experienced in this branch of labor. But the largest pecuniary profits of convict labor are found in the manu-

facture of the ore into the crude "blooms" and "bars" of iron that are made for shipment to distant places for further manufacture.

As the ore from these veins of the prison (or "Skinner") bed are not as rich in metallic iron as those of the beds to the southward, (especially the "Palmer" and "Arnold" beds) the process of roasting and separating are necessary, and these labors are particularly important as branches of the prison industries.

DISCIPLINARY AND MORAL RESULTS.

The large proportion of professional or obdurate criminals, and an extremely large percentage of life-sentenced convicts in Clinton Prison, necessarily impart some peculiarities to the moral and disciplinary state of the prisoners. There are 28 life-prisoners (5 per cent of the whole number) and 271 (12 per cent) of criminal *recidivists* or old revolving convicts now in this prison. Yet, notwithstanding these less favorable aspects of the average hopefulness of the prisoners, the actual results of efforts to guide discharged convicts to useful employment and an honest course of life have been quite as satisfactory the past year and a half as at either of the other prisons. General MOFFATT, the present warden, and Hon. Mr. PLATT, the inspector of prisons, who has given a great amount of personal attention to these prisoners before and after liberation, testify that the rude branches of the great iron industry of the prison open good facilities for obtaining employment for the discharged prisoners. On page 49 of the present report, we have already quoted important remarks from Mr. PLATT's statement on this subject. We here quote still further from his statement:

* * * It has occurred to me, that if the prison had an intermediate place, * * * where the convict could be placed to work the last year or two preparatory to his going out into the world, he could be restored to self-respect and saved from temptation. The great difficulty with which we have to contend is to inspire confidence in the community, so that the discharged convict can receive immediate employment. This, I think, may be accomplished by placing the convict where, by meritorious conduct, he could be relieved of his prison dress, and the last six months appear in citizens' attire; this, I apprehend, would restore him to self-respect, and prepare him to better meet the duties and responsibilities of free manhood. It gives me pleasure to say that the Clinton prison, so far as my observation has extended, has improved in its moral aspect during the last year, and I believe the warden and officers, generally, are striving to second the efforts of the Prison association. There has been no insubordination during the last year, and occasion for punishment seldom occurs. * * *

"Yours truly,

"(Signed) MOSS K. PLATT."

The fact that Clinton now is and can always be fully supported by the avails of its own industries, and that notwithstanding it is eighteen miles distant from the lake port of Plattsburgh, and consequently subjected to enormous expenses for the transportation incident to its subsistence and its products, bears testimony to the superiority of comparatively small prisons, and of these heavier and rude industries, in which even debased and criminal men may earn honest subsistence, and receive some inspiration of manly hopes and purposes of a better life.

THE SIX PENITENTIARIES.

These local prisons have grown into such importance that their interests, industries, discipline and experience are in all respects equal to those of the three state prisons.

The statistics of the penitentiaries for the past year are presented, in abstract, upon the opposite page. The chief points that are comparable and trustworthy in the records of these institutions are here shown. The same points have here been assumed for comparison as were taken in the tabulation of the statistics of the three state prisons. But there is such a wide variation in the grades of crimes and offenses for which the convicts in penitentiaries are imprisoned — ranging reveling and vagrancy to burglary, forgery and manslaughter — there is abundant reason for us to study these records separately from those of the state prisons. There are, however, many points at which these and the other prison records should be compared.

There were 4,069 inmates in these penitentiary work-houses at the end of the previous year; 33,710 persons were committed to them during the past year, and 32,430 were released (including the deaths). Omitting the records of the work-house on Blackwell's Island, in order to bring the average value of this class of statistics into closer approximation to the special significance of the state prison records, as respects the grades of criminal offenses, we should find that in the six penitentiaries, with inmates convicted of felonies and of all kinds of misdemeanors, there were 2,614 prisoners at the close of the previous year and 11,158 admissions of new convicts during the past year. The exclusion of the records of the work-house on Blackwell's Island from the general statistics of these local prisons gives a fair average to the significance of the residue of these figures. Yet it will remain true that, with that *quasi* penal establishment counted out, the average of the grades of crime, and of the period of imprisonment of convicts in the penitentiary on that island, will be higher than in the five other penitentiaries. It will also be found that, notwithstanding the penitentiary of Erie county has a large percentage of the convicts whose crimes are of the grade of felonies, there is so great an influx of short-term or merely work-house convicts that the average of the grades of crimes and terms of imprisonment there are lower than in the five other prisons of this class.

ABSTRACT
Of Penitentiary Statistics of the Six Penitentiaries in the State of New York, for the last fiscal year of each respectively.

SPECIFICATIONS.	Albany.		New York Island.		West's Island.		Kings county (Brooklyn).		Queens county (Gravesend).		Monroe county (Chester).		Erie county (Duff).		Totals.	Percentage upon the total number admitted to the institutions these five records respectively.
	1887.	1888.	1887.	1888.	1887.	1888.	1887.	1888.	1887.	1888.	1887.	1888.	1887.	1888.		
Total number of prisoners available during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners admitted during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners released, discharged, died or pardoned.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who died during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were pardoned during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were discharged during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were released during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were committed to the institutions during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were committed to the institutions during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were committed to the institutions during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
Total number of prisoners who were committed to the institutions during the year.	1061	1034	1002	1002	476	476	7	7	209	209	582	582	1237	1237	1472.9	33.2
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Total number of prisoners who were committed to the institutions during the year.	1061	1034	1002	1002	476	476	7	7	209	209						

In the report of this association last year, the history and characteristics of each of these penitentiaries were given. Another year has now augmented the average daily population of these houses of correction, and with this increase of numbers and the deplorable commingling of the innocent, the ignorant and the youthful that have been drawn into disorderly acts with the vicious, the debased, the filthy, the habitually criminal and the depraved contrivers and instructors in crimes, the moral and disciplinary condition of these local prisons has not improved, nor will it be improved. The great evil that has become an organic part of this class of prisons will be removed only by re-organization. The system itself is wrong. It presents its worst features in each one of the six penitentiaries, whatever the discipline and the moral instruction of the convicts. The child and the practiced contriver of crimes, the sensitive and friendless and the obdurately depraved and vile, the vagrant and the restless and hopeful, are intermingled together, and unless treated with exceeding prudence and very strict discipline, they suffer a kind of moral and mental damage that must far exceed the importance of all the benefits which the community at large receives from such prisons.

The mixed and extremely wide variation of degrees and kinds of criminality of penitentiary prisoners naturally calls for most discriminating methods of discipline, instruction and classification. But in only two of these institutions, namely, in those at Albany and Syracuse, is such discrimination and care observed. And in all of them the methods of discipline that are necessary for the most hardened and irremediable have almost inevitably become the standards. This cannot be regarded as reformatory discipline.

In the present transitional state of our prison system these evils may be unavoidable, but they and the pernicious system under which the distribution of convicts and the partial State control of their discipline is conducted need not be any longer neglected by the people. The remedy must be applied by the popular vote upon a much needed amendment of the State constitution to obtain a re-organization of the penal institutions.

In no less than *thirteen separate acts* of the legislature during the last twenty years has the State expressed its concern for these local penitentiaries. But the aggregate result of all that legislation has simply converted these institutions into State prisons for young felons, and still has left them under the fluctuating and capricious management of elective county officers. They enjoy no supervision from the State. There is no department or office in the State that contains a register of the felons which the courts have sentenced to the penitentiaries. The State of New York has no department, bureau or office that can exhibit a correct and complete statement showing the number, ages, nationality, occupation and prison distribution of the prisoners whom the courts have convicted of felonies and sentenced to imprisonment at hard labor.

In the presence of so great obstacles to wholesome discipline and reformatory influences, we turn with pleasure to bear witness to the excellent results which flow from whatever efforts are put forth for the rescue of the mental and moral nature of the younger convicts from the destructive effects of ignorance and debasing companionships.

In the penitentiaries at Albany and Syracuse, the superintendents

and other responsible officials have succeeded in giving entire success to a system of class room instruction in night schools directed by the chaplain and taught by educated young convicts. Our allusions to this subject in this association's report last year are now substantially illustrated by the following statements from the officers of those institutions.

The local inspectors of the Albany penitentiary say :

"Our school is held on two evenings in the week during nine months of the year, and the undersigned are most happy to inform your honorable body that it continues to be a success far beyond what, at the outset, we had ventured to hope. Admission to the school is a reward for general good conduct, and there is no lack of occupants for all the seats and desks at our command. We continue to find that the school, apart from all other advantages, is a valuable element in the maintenance of discipline; and the earnestness of its pupils has a most gratifying illustration in the fact that several who have attended the sessions for six months, commencing with the alphabet, are now well advanced in arithmetic, can compose and write creditable letters to their friends, and have education enough to transact the business of common life."

The chaplain and director of this night school states that "during the past year the evidences of mental and moral progress among the prisoners have been peculiarly gratifying. From the tone of their correspondence, their general good behavior, and many incidents which have come under my observation, I am satisfied that great and good results are being accomplished under the combined systems of labor and instruction which this institution provides. Many prisoners are striving hard to conquer the bad habits and evil thoughts of their former lives; many have been induced to begin a religious life, and many express a hope of pardon and reconciliation to God. How well they may be able to withstand the temptations of the world when beyond prison walls will be known to God only.

"The Albany branch of the Prison Association of New York has been organized during the past year, and is, in a quiet way, affording such assistance to discharged convicts as it can furnish.

"The penitentiary school, held on Monday and Thursday nights, has been marked with satisfactory progress. Pupils who have regularly attended its sessions during two terms, and who began with the alphabet, are now well advanced in arithmetic, can compose and write creditable letters to their friends, and have education enough to transact the business of common life. Indeed, a large number are afforded the best educational advantages of their lives, and a few have declared their intention to become teachers upon the expiration of their terms of service."

At the Syracuse Penitentiary the Prison Association found willing friends in the superintendent, keeper and chaplain, who arranged a simple and effective system of class-room instruction for convicts who need and desire instruction. The inspectors unitedly recommended and sustained the undertaking. In the last annual report of these officers they say :

"It is the policy of those having its oversight and management to make our penitentiary, so far as possible, reformatory in its character; and while we recognize the fact that it is a difficult task to maintain

good discipline without sometimes resorting to severe measures, we are convinced that, by a judicious use of kindness, and by throwing around the unfortunate inmates of the prison a proper degree of moral and religious influence, much can be done to save them from disgrace and a renewal of their former criminal conduct after they shall have served out their term of punishment.

"The last board of supervisors, upon our recommendation, made a small appropriation for the purpose of establishing a night school for the prisoners by way of experiment. We feel fully justified in endorsing the recommendations of the superintendent and chaplain in regard to a continuance of the same, and respectfully suggest an appropriation that shall be sufficient for the maintenance of a school at least during the fall and winter months. The result of the experiment has satisfied us that the labors put forth in that direction have proved not only a personal benefit to the prisoners, but furthermore a positive aid in promoting discipline and good order in the prison."

Capt. Williams, the superintendent, reported that "one year ago it seemed expedient to establish an evening school for the benefit of the prisoners, especially the younger portion of them. This was a new feature, and, to a certain extent, an experiment in the prison discipline of the institution, and the honorable board of supervisors made an appropriation for that purpose. It must be generally known that young boys and girls in large numbers are received at this institution, who are mostly, if not entirely, from those ranks and that condition in life where little or no attention or opportunity has been given them to obtain even the rudiments of an education, and who have been reared and instructed in crime, rather than in those matters which operate as a safeguard to the commission of offenses.

"As a rule, crime is a growth of ignorance, and those means which will touch the nobler impulses and open up a new life are, in my judgment, the most powerful agents of reform incident to prison life, and true reformation of criminals I deem to be the true object of prison discipline.

"And I am most happy to say that, in this and in all respects, the school established one year ago, under the management of the chaplain, has satisfied my most sanguine expectations; large numbers availed themselves of its advantages and a marked good is the result, and I feel justified from past results in recommending the continuance of the school, and respectfully ask that an appropriation for the coming year be made therefor."

NEW EFFORTS FOR THE BENEFIT OF PRISONERS.

THE STUDY OF EACH CONVICT'S CHARACTER AND NECESSITIES.

The method adopted by the corresponding secretary, approved by official action of the State prison inspectors two years ago, continues to develop and improve the field in which the people may contribute effectually to the prevention of crime and the reformation of offenders. This branch of the Prison Association's efforts continues to have the cordial support of the prison officials, and has turned out to be an efficient aid to discipline, a promoter of cheerfulness, hope and the desire for a better life throughout our prisons.

Fortunate in the hearty co-operation of a judicious representative and agent in this branch of duty at each prison, the association has succeeded in becoming acquainted with each prisoner's character and wants, previous to liberation, sufficiently to render suitable aid to the needy, and to give permanently useful counsel and guidance to such as are found disposed to forsake evil ways. The system, and its simple, but earnest, and very direct method of dealing with convicts, works well and produces no unfavorable impressions. One of its best practical influences has been that which has silently pervaded every prison, and made known the fact that it is the wish of the people that every offender should "cease to do evil and learn to do well;" and, further, that in every county in this state there is an opportunity for the released prisoner to begin a better life, and enjoy the just rewards of his efforts to pursue a useful and honest course.*

* The annexed memorandum card is substantially the pledge of honor, upon which the offer and the acceptance of employment and friendly support are given.

To.....

You are requested to preserve this card, and to write to the undersigned as often as once in two months. It is desired that you should have constant and profitable employment, and a good chance to do well.

Please establish the habit of depositing in savings bank, or in your employer's hands, from twenty-five to seventy-five per cent of your wages every pay-day, at six per cent interest.

Bad associates may bring any man to prison or to beggary. "A man is known by the company he keeps." If you are troubled by bad associates, keep clear of them, and apply to us for another place of employment.

Keep your own counsels, and be prudent in speaking of yourself and others.

Keep up a habit of useful reading. Keep the mind full of useful thoughts, and be so busy in useful work that you will have no time to be tempted into evil.

Let your sleep, your food and your habits be regular and good; then you will not be tempted to use intoxicating drinks nor neglect your duties.

To keep a good place and rise to a better one, perform the work in the one you have better than the average workman; also study the wages, salaries and wishes of your employer, and ask his advice and assistance when you need.

In your letters to us please mention your names, wishes and whatever we can do to be useful to you.

Never too late to mend, is a true proverb. The friends who offer you the means of amend-

During the month of January (1874) the board of prison inspectors and all the wardens expressed entire willingness to institute whatever improvements they consistently can to encourage the best purposes, thoughts and hopes of the convicts in the prisons. At one of the friendly interviews, in which the inspectors invited the presentation of points for the beginning of such improvement to reach the minds and mainly feelings of convicts, the following outlines were submitted after a conference of a special committee of the association. We present these outlines precisely as sketched at the time by the ready and practiced hand of Judge Edmonds, the chairman of the committee on prison discipline.

POINTS SUBMITTED BY PRISON ASSOCIATION, AND AGREED UPON IN CONFERENCE WITH THE BOARD OF PRISON INSPECTORS.

GENERAL PRINCIPLE.—To ameliorate, as much as possible, a government of force, and extend in its stead one of justice and kindness; and to that end, consider the following topics:

I. *Classification of prisoners.*—This cannot be carried out in full without a rebuilding of our prisons, but such attention can be paid to the subject as will do a good deal toward preventing contamination of the young, by too free intercourse with the old offenders.

II. *Education.*—By establishing it as a fixed and invariable rule, that no prisoner shall leave the prisons without being able to read.

III. *Out-pit.*—(1.) Adopt such an arrangement as will give to all the same opportunity for this as is now enjoyed by the laborers from contractors.

(2.) To have it under the control of the officers and not left to an arrangement between the contractors and the prisoner.

(3.) To have the time of its payment to the prisoner to be entirely under the control of the prison officers, so that the contractors shall never pay directly to the prisoner.

ing past errors and obtaining useful employment, believe that you will do well if you adhere steadily to your good resolutions and to habits of diligence, temperance, good society, useful reading, regular savings, and a fixed trust in God and the Right.

Employers of labor in all sections of the country have made generous offers of employment for such persons as the officers and committees of the association send to them. Believing that these persons will endeavor to do well and avoid evil influences and bad associations.

The employers and the undersigned expect and request that the person thus aided will promise to

- (1.) Live prudently and honorably;
- (2.) Labor faithfully and be punctual;
- (3.) Abstain from intoxicating drinks;
- (4.) Maintain self-respect;
- (5.) Deserve the respect of others, and
- (6.) Agree with the employer concerning the method and proportion of monthly or weekly savings.

In regard to each of these six points, let there be an agreement in which your personal honor is pledged.

Whenever a change of residence or of the employer is made, please inform the undersigned.

Dated.....

For the Association.

IV. *Commutation.*—(1.) To have this, in all cases, the result of a formal and deliberate judgment, and not the result of a mere examination of the conduct and punishment reports.

(2.) To see if some mode may not be devised by which life prisoners may enjoy the benefit of this measure.

V. *Miscellaneous.*—(1.) Seats and tables in cells.

(2.) Gas-light for reading in cells.

(3.) Bodily exercise on Sundays.

(4.) Such provision that no one shall be idle, especially in the female prison.

VI. *Inquiry into the condition and discipline of State prisoners in local penitentiaries.* To have some measure devised whereby they shall be placed under the supervision of the State officers.

It seems proper and desirable that the public should be generally informed concerning these efforts to bring the most humanizing influences to bear in the prisons, while the Prison Association at the same time is urging that the general discipline shall be strict and impartial. It is not the pardon but the reformation of the criminal which this Association endeavors to secure. The present Board of Prison Inspectors have been so fully in accord with this view of the subjects that come under the head of moral influences and personal improvement in the prisons, that they have heartily endeavored to give practical effect to every one of the foregoing propositions. The adoption of the more important of these improvements cannot be well carried into effect without certain amendments of the prison laws. But the requisite steps have been taken for giving full effect to each one of the improvements here defined. Whatever can be done under existing laws the Inspectors and wardens are endeavoring to do.

Strict discipline, constant and profitable labor by the convicts, and an augmented market value of such labor will be conspicuous among the incidental results of the improvements thus introduced for the personal benefit and moral good of the prisoners.

During the past year the convicts in the local penitentiaries have received such attention as the government and condition of those quasi State prisons would admit. At Albany, Brooklyn (Kings county), Buffalo and Syracuse, the wardens and local committees have co-operated successfully to maintain and improve the means of personal instruction and reformation, and at the New York county penitentiary on Blackwell's Island, the chairman of the Executive Committee and the General Agent have endeavored to induce the authorities to introduce trade industries and some degree of convict classification. The pressure to secure official attention to these vitally important reforms will not be relaxed by the Association until the faulty system and pernicious discipline and management of the institution give place to true penitentiary methods of administration of its industries, discipline and affairs.

The condition and influence of felon convicts in the six penitentiaries justly gives anxiety to the thoughtful citizens of each county that sends youthful offenders and petty criminals to these penal work-houses. An inquiry in relation to this subject has been pursued for some time, and the report based thereon will be in readiness for the next annual report of this association.

Connected with the duties and inquiries which are mentioned in the foregoing pages, certain investigations of the condition and treatment

of juvenile delinquents in the different counties have been pursued, with reference to some suitable and adequate plan for reaching as many as possible of the young stock from which the criminal classes in the state are reinforced. The local committees of this association have become deeply interested upon this subject, and will expect to see as well as contribute to a report relating to it during the ensuing year.

The steady diffusion of information and practically useful suggestions, concerning the improvement and moral as well as penal care and safe-keeping of prisoners in the jails and various classes of prisons, continues to be an important and increasing duty of the Prison Association. It is largely by the constant and world-wide exchange of information, and the fruits of study and experience in this field, that the committees of the association are enabled to accomplish their own labors as successfully as they do.

The duties to society, the fulfillment of the purposes designed for this association by the state, the improvement and moral aid of the prisoner, and the effectual repression of crime, are the leading objects which the officers and agents of this association seek to promote, and in this service the sentiments of pity and of good will to men will inevitably have some sway. But success, and the best results in all these duties, depend so necessarily upon the principles of mental and physical control or cure of disorderly and evil courses of life, and upon definite methods based upon such principles that all dealings with the crime classes, and even with merely vicious and disorderly classes, ought to be directed with scientific accuracy, seeking to produce results that flow from the definite and effective application of scientific principles. In short, the care and treatment of criminals, whether with penal intent or for reformatory and preventive ends, must be pursued upon scientific principles. The reformatory treatment and discipline of criminals is a department of social science.

With these views ever before them, the representatives of the Prison Association, work in the field assigned to it, sober results rather than emotional or pathetic impressions mark the degree of success in dealing with prisoners, and until the administration of public justice and the duties of prison-keeping shall be so conducted as to repress crime and reform offenders, the kinds of duty which are now performed by this Association will have to be offered in the name of the state by the hands of its citizens. But it were better that by a judicious system of obligatory education of every child, and of industrial and moral training, the growing young stock of public offenders were effectually reduced and kept at a minimum; better that a simple and effective system of preventive and criminal police joined to a wisely administrative system of public justice prevailed throughout the Commonwealth, and made the commission of criminal acts very difficult and odious, and their detection certain and speedy; and it were also better than any mere voluntary service of citizens, that the prisons placed upon the high footing which the present stage of civilization and justice demand, and prison-keeping and all penal discipline, were in the hands of broad-minded and enlightened experts, free from embarrassing relations to political strife, and the selfish aims and dictation of partisan leaders. These ultimate aims and ends of the workers for penitentiary improvements and the reform of the Penal System are frankly confessed by all who intelligently co-operate with the Prison Association throughout the state.

THE COUNTY JAILS.

The awakening of public concern and inquiry in regard to the condition and uses of the common jails, has produced beneficial results in numerous counties. The reports which this Association has received from its local committees the past year, evince the most earnest purposes of beneficent endeavor to bring within the precincts of these local prisons such moral influences as shall prevent them from being the centers of moral pestilence. The systematic visitation of the jail prisoners by the members of our county committees, is every where justly regarded as the precursor of a general reformatory movement against the existing plan of the county prisons, which with a single exception (that of the Monroe county jail), are occupied by a commingled assemblage of petty convicts of misdemeanor, revelling drunkards recovering sobriety, children and vagrants, and all grades of accused persons detained for further examination or for trial.

The disharmonizing circumstances under which any efforts, personal or concerted, are now necessarily put forth by the citizens in the respective counties to ameliorate the moral and physical evils of these local prisons, do not deter the local committees from their duty. The various causes which now render their efforts so discouraging, the faulty methods and administration of the police and magisterial authorities, the capricious application of penalties, and the inconsistent commingling of all kinds of offenders and accused persons in jail, utterly regardless of the causes, grades and growth of crime and vice, do not fail to invite our committees to a deliberate and vigorous inquiry into the sources of these very evils, and of preventive crimes and misdemeanors.*

IMPROVEMENT OF JAILS.

In the last two annual reports of this Association it has been clearly shown that the first improvement to be demanded in the county prisons themselves, is to order their arrangement and administration in strict compliance with the statute of 1847 in regard to them. Whether needed reform of the prisons and the penal system of the state, shall be inaugurated within five or after another quarter of a century of effort, the well-devised law, here referred to, should be faithfully enforced by every sheriff and jail-keeper in the state. Whenever the time comes that our jails shall be occupied simply as deten-

* The following extracts from the printed notes which this Association has addressed to its local committees during the past two years, present the topics to which special attention has been directed in every county.

tion prisons, it will be found that whatever alterations and improvements have been made in any jail in order to comply with the statute here mentioned, will be needed and timely for the proper keeping of detained persons. Nothing would be lost to the counties in which such necessary remodeling and improvements shall be immediately ordered by the supervisors.

In Otsego county a new jail is about to be erected under the supervision of a committee who have taken great care to examine into the requirements of a county prison.

In Chenung county a new jail, of costly and very imperfect construction, has just been completed. The new jail at Little Valley, Cattaraugus county affords no adequate facilities for compliance with the jail laws. At Maysville, Chautauqu county, there have been some additions and alterations made that will facilitate such compliance.

Richmond county has at last separated the female department from the gaze and conversation of male prisoners, but that is all, and the cells for females continue to be in a remote *cul de sac* of the western gallery of the common jail. Westchester county has constructed a separate series of cells and apartments for female prisoners.

In several counties, to the number of thirty and upward, there is evinced a greatly increased carelessness in the duties of the jail-keeper. Even in the Kings county jail (Raymond street, Brooklyn), where all expectation of any improvements in cleanliness, classification and manners of the place had been abandoned. The present sheriff has wrought great changes for the better. Though compelled to crowd from two to five prisoners into one cell, the sheriff has required as strict a regard for classification as practicable, and a complete separation of boys and first offenders from all other prisoners, and he has successfully enforced the duties of cleanliness and decorum, where in past years the reverse of all these conditions prevailed unchecked.

ABSTRACTS OF COMMUNICATIONS FROM LOCAL COMMITTEES.

In the following paragraphs we quote passages from the letters and reports of county committees that will correctly illustrate the nature and results of duties performed by them in the local prisons:

CHAUTAQUA COUNTY JAIL.

Arrangements have been made with the Erie county board of supervisors, by which those that are sentenced to the county jail for a longer period than 90 days, at hard labor, are transferred to Erie county penitentiary. There should be some arrangements made by which prisoners in jail would be compelled to work, for now they usually leave the jail worse than when they came.

S. WILLIAMS.

COLUMBIA COUNTY JAIL.

We have no room to hold our service in, only an entry-way in summer and way down cellar in winter. We have service every Sabbath for one hour; three or four of us speak and pray with them. And

when any are sent to other prisons, we write to them, send religious tracts and papers. I send you a statement of our work, year ending September 30, 1873:

Average number of prisoners on each Sabbath	84
Secular and religious papers distributed here	1,046
Religious tracts distributed here, pages	3,854
Bibles and Testaments distributed here	70
Temperance tracts distributed here, pages	168
Sent to Clinton and Albany, tracts, pages	1,074
Names obtained to temperance pledge	9
Sentences	4
Letters received from prisoners at Clinton and Albany	12
Letters sent to prisoners at Clinton and Albany	16
Advice given to	20
Money help to	5
Prisoners released from Clinton and Albany and assisted by us with work	3

One of our prisoners, now at Clinton, writes: "The advice you gave me I will endeavor to live up to. I am in a good place, well cared for. Our officers treat us kindly, and I am sure this place will have a great tendency to reform us as the officers show us a good example. We have the word of God preached every Sabbath, so it is our own fault if we do not profit by the means used to reform us."

Another says: "When I came here I was utterly humiliated, lost to the sympathy of my fellow-men, all hope abandoned. I found consolation in one, and shall ever place my trust in Jesus."

A released prisoner * * * says: "I am getting \$3 a day; bought a house, paid \$50 down, and have my old father and mother with me. I try to keep my eyes fixed on Jesus."

Yours respectfully,

ABRAM S. PEET,

A. B. SCOTT,

JACOB CARL,

C. W. GEBHARD,

Visiting Committee.

CLINTON COUNTY JAIL.

PLATTSBURGH, N. Y., December 29, 1873.

"The report of the sheriff of Clinton county shows that the present number of prisoners in the county jail is six. Total number received during the year ending September 30, 1873, is 182. The average number of persons under care and subsistence daily is six. Aggregate expenses and costs of the institution, including subsistence, \$2,055. Nothing earned by the prisoners. I regret to say that the construction of the jail is such as not to allow that separation of persons awaiting trial which is desirable; consequently the young offender, that should be kept from the influence of the old criminals, is thrown into the society of the worst offenders and thus educated in crime. I am happy to state the jail has had the services of Rev. F. B. Hall regularly. Every Monday morning he spends from one to two hours in the prison, striving to persuade the inmates to lead a different life. In conversa-

[Assem. Doc. No. 150.]

tion with the recorder of this village on the subject of crime and its sources, I learned that about 100, since last June, have appeared before him, and about half have been boys under 18 years of age. In answer to the inquiry of him, What are the principal sources of crime? he replied, the sale of intoxicating drinks, and gaming places, such as billiard rooms, bowling alleys, where youth is enticed and led to partake in vice and waste of time and money. After this conversation I called upon the county treasurer, and on looking over the accounts paid courts, juries, constables, justices of the peace to be \$10,714.82. This does not include many items which might be found that would increase the amount \$2,000, all chargeable to crime. Indeed, when we consider the amount paid for supporting the poor in our county house, and all the attendant expenses, all or nearly all chargeable to the sale of intoxicating drinks, it is distressing indeed, and we may ask our law makers, Why hesitate to put a stop to this ruinous traffic?

Yours,
 (Signed) MOSS K. PLATT,
 Chairman of Local Prison Committee.

DUTCHESS COUNTY JAIL.

The general condition of administration of the jail does not differ materially from those of other counties where the same building is used for the miscellaneous purposes of a general lock-up for persons under arrest, detained witnesses, petty offenders sentenced for a few weeks, mingled with a yet larger number of drunkards to whom the State offers thirty day's board in which to recover from the last debauch, and as a premium for fresh indulgence. What this average condition really is may be inferred from the remark of our city recorder that he sometimes preferred to dismiss with a reprimand for a first offense, leaving thereby at least a possibility that the offender might reform and become a self-supporting citizen, rather than add one more to the permanent criminal population of the county, by committing to the county jail. Two years ago a strong effort was made to secure a reform in our county jail, or in other words, to secure the enforcement of the law of 1846, in the complete separation of the sexes, the introduction of labor, of evening instruction, of enforced cleanliness, and of some restriction upon the communication between the prisoners. That admirable law, which after twenty-eight years leaves almost nothing to be added to a complete jail discipline, has become so utterly a dead letter that its existence was at first denied even by lawyers and judges. A petition, however, rehearsing the leading points of the law and calling attention to the great evils arising from the neglect of its provisions, was presented to the board of supervisors. It received their earnest attention, and a committee strongly favorable to action was appointed to make investigation and report in the following year. During the intervening months several meetings of this committee were held, many inquiries instituted, and jails in other States visited; but at the conclusion of their labors the committee were not able to report to the county supervisors any plan for the enforcement of the law, which, in their own opinion, was wholly practicable, or likely to secure the favor

of our tax-payers, without some material changes in our criminal procedures.

The difficulties indeed in the way of an effectual reform in our jail administration, alone and by itself, seemed to them for the present insurmountable. In the first place there would be needed a considerable enlargement or reconstruction of the jail which the contemplated erection of new county buildings generally, would put out of the question at present.

2dly. The short term of average confinement even of those under sentence and the small average number of inmates, falling in summer to a half-dozen or less, would make the introduction of profitable employment exceedingly difficult.

3dly. The present arrangement of the jails by the sheriffs is intended to provide only for the safe confinement of the prisoners, and for their being fed and lodged with decent humanity, and makes no provision for the supervision and discipline incident to the introduction of labor and the other requirements of the law of 1846.

We have been compelled to join in the conclusion that a proper prison discipline cannot well be secured in the county jails as now constituted, but that we need imperatively a larger number of institutions of the grade of the Albany penitentiary, intermediate between the jail and the State prison, and connected with them a separate work-house department.

All sentences exceeding the lock-up for a single night should be for a period of not less than three months.

That drunkards are not in any proper sense criminals to be punished, but persons who have relapsed into the condition of minors, and that they, with all habitual vagrants, ought to be sent to the work-house, above mentioned, and compelled to labor for their own support, on sentences which shall be doubled at every fresh offense, and that the county jail should be used only for temporary confinement between arrest and conviction, allowing no communication between the inmates.

Under such an organization we believe that the expense of the county jails can be reduced at least one-half, the new district penitentiaries made fully self-supporting, and opportunities secured for reformatory influences upon the prisoners which, at present, are impossible.

EDWARD H. PARKER, M. D.,
 JOHN J. PLATT,
 J. H. LOOMIS, Jr.,
 Local Committee.

The Young Men's Christian Association committee which visits the prison every Sabbath has contributed to the Local Prison Committee the following valuable observations respecting the character and wants of prisoners at Poughkeepsie:

"Among the various crimes for which commitments have been made to our jail the past twelve months we find that in a majority of cases drunkenness has been the cause that has led to the crime committed. Many of the prisoners were young, from twelve to twenty years of age, and very few over forty. Most of the prisoners were males. The females were committed, most of them, for drunken and disorderly conduct, prostitution, etc. Quite a large number were com-

mitted to the jail by the recorder to serve out the time of their sentences, as they had no money with which to pay their fines, and some of this class were recommitted a number of times during the year, and this failing to reform them, they were sent to the penitentiary. We learned this sad and lamentable fact that, in a majority of these cases, the early religious training of these unfortunates had been almost entirely neglected, and in many instances, their parents were in the same moral condition, and where they had no parents they roamed about as they chose, receiving no instruction, either mental or moral, and thus it is very plain to us that a house of refuge or a reformatory institution of some kind is much needed near us along our river. The prisoners have had good food, and enough of it, but there was frequently an unbearable stench arising from some of the cells before the public water was introduced into the jail, and there is still room for improvement in this direction."

ESSEX COUNTY JAIL.

"Above you have the statistics of the Essex county jail, as near as I can get at them. There is no salaried officer connected with the jail. We are allowed by the board of supervisors so much per week for board and attendance, including washing and all expense of the jail. There is no work shop or any chance for the inmates to work connected with this jail. Nine-tenths of those that are committed to jail can charge it directly or indirectly to intoxicating drink. That is the chief cause of crime in this county."

Respectfully your obedient servant.

A. PERRY,

Under Sheriff and Jailor.

FULTON COUNTY JAIL.

"It is my opinion that kind treatment and cleanliness, healthy food, etc., will restore confidence. As it is my opinion that if you can gain the confidence of the criminal he will not betray you, so it is that we look to gain that which is most needed in all criminals. They are human and are entitled to kind treatment, or, if you choose, to be treated as human beings. I had the opportunity of seeing one of my prisoners converted in jail, and twelve-months ago he experienced that change in this prison. He has not been here since, and previously he was here once in a month at least."

Yours, etc.,

OLIVER GETMAN,

Sheriff and Jailor.

KINGS COUNTY PENITENTIARY.

"There is but one kind of employment for the prisoners in the Kings county penitentiary, *the making of women's shoes*. All the prisoners

able to work at this are so employed. The shoe factory is divided into shops, and each shop has its gangs. A prisoner is placed in one of these gangs and learns only one branch of the trade, and that perhaps which is of no advantage to him when liberated. It would be an advantage to the prisoners if two or more trades could be taught in the prison, or at least that the "long term men" should require a thorough knowledge of the trade at which he works. Among the trades which I think might be taught I mention chair-making, cabinet-making, printing, tailoring, and for the women, a laundry.

"It is an encouragement to the prisoner to know that by *good behavior*, i. e., *obedience to discipline*, he may earn commutation of time and shorten his term of imprisonment. I do not know whether "credit marks" would encourage him in *industry or faithful diligence*. In this prison the convicts can earn nothing but "commutation of time." They leave the prison after years of labor, however industrious and diligent their record, however much they have earned for the county or contractor, *peniless, in rags, to steal if may be their first meal out of prison.*

"For God and humanity's sake this should be remedied. If the prisoner knew that for every day of industrious, diligent toil a few cents were placed to his credit to be paid him on his liberation, it would encourage and excite the habit of industry."

MADISON COUNTY JAIL.

"In my opinion education will most *effectually* diminish crime."

MILTON DELANO,

Sheriff.

MONROE COUNTY JAIL.

"This prison is used simply as a place of detention, not for punishment. The keeper receives no salary, but gets his pay by boarding the prisoners, at, for the past year, \$2.75 per week, the county furnishing fuel and bedding for the prisoners. The whole cost per week for support of prisoners at this institution was \$3.15."

F. X. BECKWITH,

Jailor.

MONTGOMERY COUNTY JAIL.

"The Fonda jail has been well kept during the past year, as indeed it has been during all the superintendence of deputy sheriff Crouse. The prisoners have been frequently visited, and papers have been left with them every week. The prisoners are, as is usually the case, the victims of intemperance, and under the ordinary conditions of life would, no doubt, have been useful citizens."

Respectfully,

W. FROTHINGHAM.

ONONDAGA COUNTY JAIL AND PENITENTIARY.

In respect to obtaining employment for discharged convicts, it seems next to impossible to accomplish much in this region. This is a great desideratum, which I most earnestly desire may in some way be accomplished. In respect to the evening school in our penitentiary, it is universally regarded with great favor and as a great success. The supervisors appropriated double the amount this year, compared with last year, for its continuance. A full report was presented to the supervisors, which, as soon as printed, I will send to you, probably by the first of February.

Yours truly,

A. C. WASHBURN,
Chaplain O. C. Penitentiary.

ORANGE COUNTY—NEWBURGH CELLS.

Most of the arrests and confinements here are for drunkenness and vagrancy. The system adopted is as bad as it well can be, and tends rather to increase than to prevent the evil. In order to have any influence for reformation or prevention, the term of confinement of habitual drunkards and vagrants should be much longer, and they ought to be compelled to labor. I think there is nothing this class dreads much more than work. The penalty for drunkenness or disorderly conduct here is usually ten dollars fine or ten days imprisonment. The expense to the county is considerable, and the only person benefited is the jail-keeper (by his fees for board).

R. V. K. MONTFORT.

ORANGE COUNTY—NEWBURGH JAIL.

We do not have any workhouse to this jail. The prisoners are simply confined for the different crimes which are charged against them, and are sentenced by the court.

JAMES W. HOYT,
Under Sheriff.

ORLEANS COUNTY JAIL.

Drunkenness is the cause of most of the arrests, I think, in this county.

Yours, etc.,

D. W. FRYE.

QUEENS COUNTY JAIL.

No employment is furnished the inmates, consequently they earn nothing.

Respectfully,

HENRIETTA TITUS.

RICHMOND COUNTY JAIL.

[*Report of Committee on the Richmond County Prison.*]

The very efficient committee in Richmond county report as follows:

"In the address read at the meeting for the purpose of forming this association, the jail of Richmond county was described, and truly, as a disgrace to the county and to every citizen. It was stated that the male prisoners in their department, and the females in theirs, were herded together indiscriminately, without occupation; that the men and women kept up a constant communication with each other, through the imperfect partition; that such discipline as might exist was lax in every particular; that no attempt at reformation was made, and no religious services held within the walls: that the evils thus depicted rendered the jail a hot-bed of vice, a school for crime, to which the young should never be committed, and which they could not enter without contamination.

"We wish we could say that this had all been changed, and that our jail had become what it should be, a terror to offenders, a punishment for crime, a school of reform. This is not the case, and it would be too much to expect; but something has been effected.

"At the request of your committee, the board of supervisors have caused a thick brick wall, with double iron doors, to be erected between the male and female departments, thus destroying the possibility of intercommunication, and a great source of contamination. The Young Men's Christian Association has appointed a committee to visit the jail weekly, and every Sunday since June, with few exceptions, members of that committee have taken the long drive to Richmond, and held in the jail religious services, which have been listened to by the inmates with attention and respect. Some of our own committee, from New Brighton, have also visited the jail twice a month, and two ladies of Richmond, who will be added to the committee this year, have visited the women's department once or twice every week during the summer and autumn.

"On the 18th of June the board of supervisors of our county signed an agreement with the board of supervisors of Kings county, whereby all convicts sentenced in Richmond county for imprisonment for sixty days or more, should be sent to the Kings County Penitentiary, there to be kept at hard labor during their terms of sentence. The operation of this agreement, if faithfully carried out, would effect a large saving to our county in the cost of the board of the convicts; would provide for the latter constant occupation, and a trade by which they could support themselves when discharged; and would tend to deter from crime those to whom a temporary residence in a well-warmed jail, with good food and congenial associates, might be more attractive than a resort to honest labor.

"Some of our town and village magistrates, however, did not act upon this agreement, but evaded it by limiting their sentences to fifty-nine days; or, disregarding the law entirely, continued to send convicts to the jail for longer terms. Finding this to be the case, an appeal was made by the association to the district attorney, requesting him to call the attention of the county judge to the matter, in order that he might take such action as he should deem lawful and proper, with regard to a change in the custody of the convicts. Both the

District attorney and the judge responded with the greatest promptness; in two days, eight convicts were transferred to the penitentiary, two juvenile offenders were removed from the jail and sent to the house of refuge, and orders were given to the jailer not to receive convicts who, under the agreement, ought to be sent to the penitentiary; while, at the same time, the commissioners of police instructed the force under their command to aid in removing such convicts from the county.

"Much still remains to be done, and the difficulties to be overcome are very great. The location of the jail, far from the center of our population, is very disadvantageous, and the system under which it is conducted, in common with all other county jails in this state, is vicious in the extreme. The sheriff, who is also keeper of the jail, has no salary, his sole emoluments being his fees, and what he can make on the board of the prisoners; in fact, he keeps a cheap boarding-house, and depends upon the good will of his customers. When he has a good many boarders, he makes money; therefore, it is not for his interest either to attempt to reform the prisoners, or to keep them under such strict discipline as to render the jail an unpleasant place of residence.

"It is evident that, so long as the system prevails, our jail may continue to be, notwithstanding all our efforts, a pleasant refuge, and a haven of rest from the cares and troubles of life, and that no fear of a short confinement there can be expected to deter the vicious from the commission of crime. But, if the magistrates of our towns and villages will inflict upon all second offenders the maximum of penalty allowed by law, will send all juvenile offenders to the house of refuge, and other convicts to the penitentiary, when possible, much will be done to remedy the evil.

"The law requiring that persons detained in the jail for trial, or committed for contempt, or upon civil process, shall be kept separate from convicts under sentence, can and ought to be enforced, and we herewith present, for the signatures of the association, a letter addressed to the sheriff, requesting his attention to the same. If possible, some employment should be found for those committed to the jail for short terms; but your committee have sought in vain for some method by which this most desirable object can be attained. There is no yard to the jail, and, as yet, we have not been able to devise any profitable indoor handiwork. We will gladly receive any practical suggestions which may be presented.

"Respectfully presented on behalf of the committee,

"(Signed) JOSEPHINE SLAW LOWELL,
"Chairman.

"WEST NEW BRIGHTON, January 27, 1874."

SARATOGA COUNTY JAIL.

This jail has been visited often and always supplied with reading matter, consisting of Testaments, the book of Proverbs, the gospel of John, and a variety of tracts and papers which are always received with thankfulness, and, I am happy to say, the fruit is sometimes seen

after many days. I might mention some individual cases, but it would make this report too voluminous. We have always found the jail cleanly and in good condition.

Yours, with regard,

TITUS M. MITCHELL,
Chairman.

* * * * We have no work-house or anything for prisoners to do. A great majority of commitments, either directly or indirectly (8 out of 10), can be traced to alcoholic drinks.

Yours,

THOMAS NOXON,
Ex-Sheriff.

SCHUYLER COUNTY JAIL.

"One of the objects of the New York Prison Association is laboring to effect the prevention of crime, by ascertaining and removing its cause. This can only be accomplished by collecting and diffusing the information that will satisfy the public that the cost of crime is immense, and that its sources can in a great measure be removed. During the past year sixty-six persons have been committed to the Schuyler county jail, forty-three for intoxication, eleven for disorderly conduct and eight for petit larceny. Many of these were young men and youths, and although some have been members of respectable families, we have reason to doubt, from information we gather, whether any of them have been subject to good family training. It appears that a large majority are committed for intemperance. The efforts of forty years to suppress this evil by persuasion and by law have failed, and it is obvious that the only successful method of restraining drunkenness and its attendant crimes, must be found in the proper education of the young. The fact that so few who have received a good family training are ever convicted of crime is sufficient evidence of the value of a proper education to the young. I can confidently assert that in my experience of thirty years, I do not know of a single instance of a conviction for crime (even of intemperance), in the case of one who had received in youth proper social and moral culture. It is true that under our present system of public instruction, the pupil acquires a certain amount of proficiency in various branches of knowledge, but the science embodying the laws regulating the formation of character, which Mr. J. Stuart Mill has entitled "Ethology," is comparatively ignored in our common schools. It is certainly the duty of parents to educate their children to become good members of society, but this primary obligation is neglected by very many and especially by those of the pauper and criminal classes, and it at once becomes a question of social and political economy. Whether the state can afford to support so large a class of the morally ignorant. The uneducated youth are wronged, and whether by the parents or state, the cost and the penalty must be borne.

"If your Association can convince the public and the legislature of the necessity and economy of providing for the care and training of children neglected by their parents, and of introducing into schools a

system of social and moral culture, the foundation will be laid for a progressive reform (for the youth who is well-trained becomes seldom intemperate or a thief), and one that will amply compensate society in the decreased cost of maintaining prisons and correctional and punitive institutions."

C. T. BLISS, M. D.,
Chairman of Local Committee.

STUREN COUNTY JAIL—"LOCK-UP" AT CORNING.

"Our jail is a wretched affair, illy-ventilated, damp, noisome and abounding in all manner of smells offensive to the nostrils. There are no proper accommodations for separating boys from old hardened criminals, and as a consequence, every boy that comes out of the jail after a confinement of never so short a time, is worse than when he entered. Instead of being chastened he is contaminated, and we have come to look upon the county jail as one of "the neglected sources of crime." We have in our village no prison except a "lock-up" for the temporary confinement of prisoners. Two lads have been sent from here during the year to Western House of Refuge, both neglected waifs, wholly without proper parental restraint and accustomed to scenes of vice and infamy from their earliest years. Their imprisonment has had a salutary effect on their companions."

Yours,
(Signed) F. A. WILLIAMS.

SULLIVAN COUNTY JAIL.

"The majority of the above cases were for intoxication. Balance, grand larceny, petit larceny, assault and battery on peace warrants; two for murder in first degree, acquitted one; second degree, acquitted. Respectfully,

JAMES D. DECKER,
Sheriff.

TIOGA COUNTY JAIL.

"Over nine-tenths are committed for drunkenness. In reply to my inquiries as to the practicability of giving employment to county prisoners, the deputy sheriff thinks it is not practicable except in places of large population, as the few committed for a longer sentence than thirty days are sent to the workhouse at Rochester. During the year no females have been committed and but about twelve boys. I am informed that under existing laws the sheriff or jailor is authorized at his discretion, to employ prisoners outside the prison, though it is not done here. The prison is visited once a week regularly and the inmates comfortably kept and furnished with scriptures and appro-

priate reading. I regret that at present there is no prospect of furnishing employment for discharged prisoners; in the spring it may be otherwise."

Yours respectfully,
E. W. WARNER.

TOMPKINS COUNTY JAIL.

The chairman of the local committee, Prof. WM. CHANNING RUSSEL, contributes the following statement:

STATEMENT of commitments to the county jail of Tompkins county, under various charges, from January 1 to December 31, 1873.

	Males.		Females.	Race.					Total.
	Males.	Females.		Irish.	American.	German.	Swede.	Colored.	
Drunkenness	87	4	59	28	3	1	..	91	
Disorderly conduct	14	1	5	10	..	..	..	15
Assault and battery	16	2	11	6	..	..	1	18
Highway robbery	1	..	1	..	..	..	..	1
Blackmailing . . . . .	..	1	..	..	..	..	..	1
Counterfeiting	1	..	..	1	..	..	..	1
Forgery	4	..	1	3	..	..	..	4
Petit larceny . . . . .	..	..	2	7	1	..	1	11
Grand larceny	4	..	..	4	..	..	..	4
False Pretences	2	..	..	2	..	..	..	2
Not supporting family	2	..	..	2	..	..	..	2
Execution in civil suit . . . . .	..	..	..	..	..	..	..	4
Vagrancy . . . . .	..	..	1	..	..	..	..	1
Abduction . . . . .	..	1	..	1	..	..	..	1
Lottery law, violation of	1	..	..	1	..	..	..	1
Maiming	1	..	..	..	..	1	..	1
Excise law, violation of	1	..	..	1	..	..	..	1
			80	71	4	1	3	159	

"I have a class of students whom I have been interesting and instructing in prison discipline. They visit the jail here weekly, and are now preparing a memorial on the subject of the proper mode of conducting county jails. They will not, however, have any thing ready within a week.

"In December, I had the curiosity to make an abstract of the cases in our jail during the year. Inclosed I send you a copy. You will see that our jail does not offer the opportunity for the information you sought when you were here. It is rare that any one is found in our jail for any offense not connected with intoxication. Out of the 159 commitments here reported, probably 124 come directly from that prolific source.

Yours truly,

"WILLIAM CHANNING RUSSEL"

A MEMORIAL UPON PENAL CORRECTION.

A Study of County Prisons by a College Class.

In the Cornell University the rare example is presented of a class of advanced students pursuing the study of the causes and treatment of crime, under the tuition of a professor. The following memorial answers the question, "What are our jails?"

To the Executive Committee of the Prison Association of New York:

A small number of the students of the Cornell University, who had banded themselves together for the better investigation of the living social questions of the day, early had their attention directed to the matter of prison discipline as enforced in the past and at the present time. A county jail being located in the town of Ithaca, a good field of investigation was at once offered. They, therefore began visiting this jail, having in view three main objects, namely: First, to bring a good influence to bear upon individual prisoners; second, to ascertain the most fruitful sources of crime; third, to learn the effects of the present system of prison discipline as administered in county jails, in order to be able to suggest some plan of rational reform.

The plan of visiting the jail has been steadily carried out. The results they propose to lay before you.

I. It is almost needless to assert that great good may be done to prisoners by coming in contact with them. The power of human sympathy is not more weak within prison walls than without; the natures upon which it operates are not the less susceptible to its influence, because a prison is their home; but, on the contrary, the morally degraded are more easily approached here, because all doubts of disinterestedness are effectually removed. The visitors found very little difficulty in obtaining the confidence of the prisoners. They found among them many cases of great interest, and by practical advice and assistance have enabled many of them, upon their discharge, to make a new and more promising attempt to lead a more upright and moral life. It is a matter of astonishment that in Christian communities, where there are in active operation Christian churches which profess to be built up upon the two great commandments of the Saviour; there should be so much indifference and neglect of this matter. A nobler field and grander results for the wonderful power of human kindness could not be found.

II. But a short time was needed to ascertain the main source of crime. By the statistics of the commitments to the jail, which have already been forwarded to you, it will be seen that nearly every commitment was caused by either the direct or indirect influence of intemperance. It is needless to repeat the old story. The evil is seen here in its worst consequences. The remedy must be found and applied elsewhere.

III. The county jail at Ithaca may be considered as a fair type of the county jails of the State of New York. It is situated in a healthy location, is clean, well kept, and the prisoners are furnished wholesome

food. The jail is divided into four compartments—two in the upper story and two in the lower. These compartments are long, narrow rooms, each communicating with six cells, which accommodate one prisoner each. In one of these compartments is the whole number of male prisoners; sleeping separately, but all meeting and constantly associating with each other in the common room. Here old criminals and young criminals—boys committed, perhaps, for the first time, and men, innocent of crime, but awaiting trial, are forced to become intimately acquainted. In perfect idleness they sit day after day, imbuing a deep-rooted enmity against society, and becoming more and more inclined to continue a career of crime, the details of which are gradually unfolded to them by their more hardened associates. A system better calculated to subvert the true end of prison discipline could not have been devised. The prison, instead of being a reformatory and serving to check the great tide of vice, which renders its existence necessary, is rather a school of crime, which sends forth its skilled graduates to work renewed mischief to themselves and to others. Under the present system it would undoubtedly be better for the criminals themselves, as well as for society at large, that they be discharged upon conviction, rather than be compelled to serve out their sentence in confinement. This statement may seem extravagant, but careful observation justifies it as only too true.

But, it will be asked, What can be done to remedy this system, which is represented as being so defective? The question is important, and one more easily asked than satisfactorily answered. But were nothing else done, it would seem that at least the prisoners should be separated into different classes, so as to obviate in part the evil of contaminating association; especially should those who are simply detained for trial not be compelled to associate with convicted criminals. Common justice, independent of any considerations of expediency, would dictate that this be done; but the division could be easily extended much further than this. Not only should the innocent be separated from the guilty, but those young in crime and prison experience should be separated from those who have followed a lifelong career of law-breaking.

But were the prisoners ever so satisfactorily divided, another evil equally as great remains untouched. They would still have to pass their time in complete idleness. The commonly accepted theory is that a state of idleness is a wholesome one for prisoners, because, affording them opportunity for calm and extended reflection upon the results of their crimes, they are deterred from repeating them when released. Very little study and observation will serve to show that the theory is faulty. Prisoners, in thinking over the events of their past lives, are very little disposed to dwell upon the real causes of their disagreeable situation. They avoid, as much as possible, attributing the evils which they suffer to their own conduct, and place the responsibility elsewhere; so that finally society at large comes to be regarded as the real author of all their ills. When a strong, active man is compelled to remain in idleness day after day, with nothing to occupy his mind but thoughts of self and companionship with others often worse than himself, and when the days lengthen into weeks and the weeks into weary months, can we wonder that the strongest of good resolutions give way, that the mind becomes morbid, the spirit

depressed, and that a prospect of reformation becomes fainter and fainter? Then the inevitable conclusion is, that the prisoners should be furnished something to do, and not only furnished with work, but compelled to work.

The problem of furnishing work is difficult of solution, for two reasons: First, because a large number of the prisoners are unskilled laborers; and, second, because the sentences of many of the prisoners are very short. But, in spite of these difficulties, much that is immediately practicable could be suggested. As a beginning, the simple branches of hand manufacture could be provided at a small expense that could be met with the proceeds of the labor; and very soon there could be introduced the simpler branches of manufacture suitable for unskilled laborers. The question of pecuniary profit in this connection should not be considered for a moment; were the expenses but barely paid, looking at the results from another point of view, they would appear rich indeed. Kept constantly at work, the prisoners would be prevented from brooding over wrongs, real or fancied, and the bad influences of their evil associates be either prevented or neutralized.

The opinions of young people upon a matter so vital and complicated as this may seem of little importance; but, feeling as we do, that the evils of the present system are so gross, and also feeling assured that the remedy, to a great extent, is practicable and easily applied, we feel it to be our duty to call attention to these facts, as they appear to us, with the hope that it may contribute to the reform of this system, which will be considered by the next generation as a relic of barbarism, and a disgrace to its framers and supporters.

Trusting that your efforts may be crowned with success, we remain

Respectfully yours,

WILMOT M. SMITH,
EVA M. PITTS,
CAROLINE S. TAYLOR,
CHARLES S. HARMON,
EDSON H. SCOFIELD,
THOMAS A. MURRAY,
WILLIAM L. CUDDENBACK,
JULIA J. THOMAS,
JOHN H. COMSTOCK.

CORNELL UNIVERSITY, ITHACA, N. Y.

ULSTER COUNTY JAIL.

"My own efforts for the prisoners in Kingston jail are confined to the weekly church service, which I have kept up during the past year, as heretofore, on Wednesday afternoons. There are from twelve to fifteen on an average present. They always join with apparent reverence in the liturgical worship which I provide for them, and listen attentively to the exhortation which follows. I do this because I love to do it, and then, though I see no visible fruits to speak of yet, it is not without hope that some good is done.

"The chief source of crime is here, as everywhere through our State,

intemperance, and very many of the committals are evidently for that, or itself, the crime.

"Nothing is done for those who are discharged. If they are not sent under conviction to the State prison, they are supposed to go to their respective homes.

"Would that means could be adopted for the *prevention of crime*, and the most important means for that, I concede to be, *stopping the dram shops, and early religious and moral education.*

"Respectfully yours,

"GEO. WAITERS."

WASHINGTON COUNTY JAIL.

"Nothing of special interest has taken place with the prisoners in a religious point of view. The prisoners have always treated me with marked respect, and given good attention to reading the word of God, and to exhortation and prayer. I have furnished them with reading matter as much as I could, but not to the amount I could have wished.

"Yours, etc.,

"E. G. ARWOOD."

JAIL STATISTICS AND STATEMENTS BY SHERIFFS AND JAIL-KEEPERS.

The following abstract exhibits the more important items of statistical information which have been received from sheriffs and jailers in regard to the mere census of prisoners for the year past and for the day on which the report was written at the respective jails. These returns come to us, of course, from those counties in which some records continue to be kept. But from several of the sheriffs who came into office at the beginning of the present year, the frank assertion to us that "no jail records were found on coming into office," affords ample proof of the fact which we have mentioned in the last two annual reports of this association, that there is no public care of the county prison records, and that in many counties they are utterly untrustworthy. But these records which we have received are given in a condensed abstract in this place for the purpose of showing what these few statistics fairly indicate for the entire state.

In the pages next following are presented the abstracts of such records as sheriffs and jail-keepers have kindly forwarded to the prison association, with comments appended; also such extracts from reports of local committees as will correctly exhibit the progress of efforts to improve the condition of the jails and their inmates in different counties.

JAIL-KEEPING AND JAIL LAWS.

The genuine sentiment of humanity which is evinced in several of the communications just quoted from sheriffs and jailers proves that jail-keeping may be rendered honorable and publicly useful by the right kind of man for such duty. But the price of the prisoners' subsistence, and the fees which accrue from the turnkey service in locking, unlocking and moving the prisoners, are the prerequisites of jail-keeping, and, in most instances, they become influential in perpetuating the most deplorable evils that characterize the jails and bridewells of all countries. In some counties our visiting committees have found that the coincidence of the jail-keeper's pecuniary interests and the capricious practices of police magistrates have seemed to warrant the opinion that coincidence of temptation to make sordid gains in the name and seal of justice had as much to do in keeping the jails crowded as all other causes had. Even in several of the cities in this state the writer has witnessed abundant evidences of the sordid interests which thus interfere with the purposes of penal justice, and even in a country village has he witnessed the farce of taking a youthful prisoner seven times before a police magistrate "for further examination" week after week. In numerous instances the local jails are found crowded with vagrants

and disorderly persons, who have received sentences for a period precisely one day less than the required minimum period for the commitment of such offenders to the penitentiary; that is, in various cities and counties in which the local laws consign to the district penitentiary such offenders when sentenced for thirty days or more, the police justice conveniently determines the sentence at twenty-nine days; and where local laws specify sixty days and upward for the penitentiary, the culprits are favored with a jail commitment for fifty-nine days; and such jail sentences become *resurred* in great numbers of these cases, so that our local committees find frequent instances in which offenders for misdemeanors and crimes more or less grave have again and again been sentenced to jail imprisonment for the longest term which the local laws permit in regard to jail sentences, that is, for a term one day less than the number of days sentence that would require the commitment of any such prisoner to the penitentiary of the district.

Though the penitentiaries are not conducted altogether as reformatories, they are *work-houses* wherein there are agencies, moral and physical, which induce serious reflection and some degree of repentance, while the prisoner is removed from the gaze and daily remarks of companions in familiar neighborhoods, and is also enabled in some measure to recover from physical evils connected with a disorderly course, thus gaining some moral strength by avoidance of debasing shame and the continued desires and conversation of pernicious associations. Some of the reports from local committees mention these facts, as the reader will notice in subsequent pages of this chapter. The beneficial results of the removal of county prisoners, under sentence for misdemeanors, to the penitentiary work-house of the district, as now provided by local statutes, are mentioned particularly in the reports from Richmond and Columbia counties; and in the following remark of the jail committee in the former county we find a key to the secret of the evil practice which fills the jails with idle convicts even where the commitment of them, instead, to the work-house penitentiary would be vastly more economical and convenient: "The sheriff, who is also keeper of the jail, has no salary, his sole emoluments being his fees and what he can make on the board of the prisoners; in fact, he keeps a cheap boarding house and depends upon the good will of his customers."

The defective discipline of the county jails is mentioned by nearly all of the local prison committees. The causes of this great evil are obvious, for there is an absence of official supervision over these and all other prisons excepting the three state prisons, and there is great temptation ever pressing upon the jail-keeper to administer his service upon the principle mentioned by the prison committee of Richmond county. The natural results of such a temptation, ever overshadowing all correct views of duty in jail-keeping, are truthfully set forth as follows, in the report from which we have just quoted: "When he" (the jail-keeper) "has a good many boarders he makes money, therefore it is not for his interest either to attempt to reform the prisoners, or to keep them under such strict discipline as to render the jail an unpleasant place of residence. * * * So long as the system prevails our jail may continue to be a pleasant refuge and a haven of rest from the cares and troubles of life, and that no fear of a short confine-

ment there can be expected to deter the vicious from the commission of crime."

The few exceptions to the prevailing practice of really bad jail-keeping are such as prove that, evil as the whole system is, it is not impossible to administer the affairs of a county jail wisely and well. The efforts of local committees have not been put forth in vain in any county, and in two or three counties the sheriff and jail-keeper have proved their fitness and concern for their duty to all persons committed to their safekeeping.

The laws of the State relating to the government and keeping of county prisons will not be generally complied with without a fearless and competent official supervision over the whole system of all classes of local prisons and lock-ups; and in order to provide for the necessary structural improvements to facilitate the proper observance of the statute of 1847, concerning the classification and keeping of jail prisoners, it will, of course, be requisite that the same competent inspectorial authority shall specify, and in some way cause to be enforced, such specified alterations and improvements of interior construction as particular jails shall be found to require.

JAIL RECORDS.

The official returns made by sheriffs to the Secretary of State have undergone no improvement, and were they as completely and promptly made as the statutes require, they still would fail to exhibit the number and causes of commitments. The falsity of the jail records in some counties has been proved before grand juries and courts the past years; the only records of the jail in particular counties consist in the filed papers of commitment and the jailor's board bill; while in all counties wherein there is such laxity and fraud in the public book-keeping there is usually a corresponding disregard of the duty of filing complete records of proceedings in minor courts with the county clerks for his official keeping and report.

Hon. Friedrich Wilfers, the present Secretary of State, has called attention to this subject in a recent report to the Legislature upon the criminal statistics of the State, and in the last (28th) Annual Report of this Association the practical importance of rigorously accurate and complete statistics of the courts and all classes of prisons was particularly presented. It seems useless to enter further upon arguments for a vigorous enforcement of needed laws and regulations for making this branch of public records as complete and perfect as practicable. The statute of 1847 was well adapted to secure trustworthy and useful records of all kinds of commitment and imprisonments, and of the course of judicial decisions. Various amendments, modifications and repeals of particular sections of that law in subsequent years have virtually destroyed its force, so that at last the sheriffs and county clerks barely make up an imperfect record of convictions and jail deliveries; and these of themselves as a fractional part of the records of official proceeding against offenders have but little value or significance.

The statute relating to the duties of jail keeping, enacted in 1847, is still in force, though the clauses relating to jail records have been frittered away to suit the convenience of the few shameless officials

who, in the absence of such accurate public registers, have perpetrated frauds of no small magnitude in making up bills against the counties for care of prisoners. The strict compliance with the requirements of this law would tend greatly to prevent the contamination of youth when cast into jail, and would save jail-keepers and sheriffs from the suspicion and appearance of evil designs which can be carried out only by a system of negligence and of fraudulent book-keeping.

This statute is in the following words:
 "SECTION 1. The common jails in the several counties of this State shall be kept by the sheriffs of the counties in which they are respectively situated, and shall be used as prisons:

1. For the detention of persons duly committed, in order to secure their attendance as witnesses in any criminal case;

2. For the detention of persons charged with crime and committed for trial;

3. For the confinement of persons duly committed for any contempt, or upon civil process; and,

4. For the confinement of persons sentenced to imprisonment therein, upon conviction for any offense.

§ 2. Each county prison shall contain:

1. A sufficient number of rooms for the confinement of persons committed on criminal process and detained for trial, separately and distinct from prisoners under sentence;

2. A sufficient number of rooms for the confinement of prisoners under sentence;

3. A sufficient number of rooms for the separate confinement of persons committed on civil process for contempt, or as witnesses.

§ 3. The keepers of the several county prisons shall receive and safely keep every person duly committed to their custody for safe keeping, examination or trial, or duly sentenced for imprisonment in such prison upon conviction for any contempt or misconduct, or for any criminal offense; and shall not, without lawful authority, let out of prison, on bail or otherwise, any such person.

§ 4. Prisoners committed on criminal process, and detained for trial, and persons committed for contempts, or upon civil process, shall be kept in rooms separate and distinct from those in which persons convicted and under sentence shall be confined; and on no pretense whatever shall prisoners detained for trial, or persons committed for contempt, or upon civil process, be kept or put in the same room with convicts under sentence.

§ 5. Male and female prisoners (except husband and wife) shall not be kept or put in the same room.

§ 6. It shall be the duty of the keepers of the said prison to keep the prisoners committed to their charge, as far as may be practicable, separate and distinct from each other, and to prevent all conversation between the said prisoners.

§ 7. Prisoners detained for trial may converse with their counsel, and with such other persons as the keeper, in his discretion, may allow; prisoners under sentence shall not be permitted to hold any conversation with any person, except the keepers or inspectors of the prison, unless in the presence of a keeper or inspector.

§ 8. Prisoners detained for trial, and those under sentence, shall be provided with a sufficient quantity of inferior but wholesome food, at

the expense of the county; but prisoners detained for trial may, at their own expense, and under the direction of the keeper, be supplied with any other proper articles of food.

§ 9. It shall be the duty of the keeper of each county prison to cause each prisoner under sentence, except such as are under sentence of death, to be constantly employed at hard labor when practicable, during every day except Sunday, and it shall be the duty of the county judge, or of the inspectors appointed by him, to prescribe the kind of labor at which such prisoner shall be employed, and the keeper shall account, at least annually, with the board of supervisors of the county for the proceeds of such labor.

§ 10. The keepers of the said prison shall respectively have power, with the consent of the supervisors of the county, from time to time, to cause such of the convicts under their charge, as are capable of hard labor, to be employed upon any of the public avenues, highways, streets or other works, in the county in which such prisoners shall be confined, or in any of the adjoining counties, upon such terms as may be agreed upon between the said keepers and the officers or other persons under whose direction such convict shall be placed.

§ 11. Whenever any convict shall be employed under the last section, they shall be well chained and secured, and shall be subject to such regulations as the keeper legally charged with their custody shall, from time to time, prescribe.

§ 12. The provisions contained in the twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh sections in the second article of the sixth title of the seventh chapter of the third part of the Revised Statutes shall extend to prisoners confined upon any criminal process, or for a contempt or under sentence, in like manner as for prisoners confined in civil cases.

§ 13. It shall be the duty of the keeper of each county prison to provide a Bible for each room in the prison to be kept therein, and he shall, if practicable, cause divine service to be performed for the benefit of the prisoners at least once each Sunday, provided there shall be a room in the prison that can be safely used for that purpose.

§ 14. The provisions in relation to insane persons contained in the thirty-second section of the act entitled "An act to organize the State Lunatic asylum and more effectually to provide for the care, maintenance and recovery of the insane," passed April 7, 1842, shall be construed to apply to all prisoners in a county jail other than those who are committed for contempt or on civil process.

§ 15. It shall be the duty of the keeper of each county prison to keep a daily record of the commitments and discharges of all prisoners delivered to his charge, which record shall exhibit the date of entrance, name, offense, term of sentence, fine, age, sex, country, color, social relations, parents, habits of life, cannot read, read only, read and write, well educated, classically educated, religious instruction, how committed, by whom committed, state of health when committed, how discharged, trade or occupation, whether so employed when arrested, number of previous convictions, value of articles stolen." (Revised Statutes, Part IV, chap. III, title I, art. 1.)

The law which was passed in 1847 to define the powers and duties of the inspectors of State prisons assigned to those officers the duty of inspecting all county jails systematically, and enforcing the require-

ments of this statute concerning jail keeping.* But the amendment of law which dropped that duty from the burden imposed on the State Prison board has left this law unenforced by any State authority. The prison association, however, is endowed with the same authority as the inspectors of county prisons possessed under the provisions of section 24, title I, chap. III, Part IV, of the Revised Statutes. In accordance with this statute, and with 6th section of the law creating this body, the reports of authorized representatives of the association are available for initiating the official action for the improvement of jails.

The local committees of this association, throughout the state, bear testimony to the fact that the common jail is the common school of crime. Their efforts may ameliorate the condition and prevent, in some measure, the debasing influences which spring into deadly activity whenever the jail-keeper's discipline chances to be relaxed, or his duties toward the prisoners' moral and social welfare are negligently attended to, but the common jail system is a loathsome relic of olden time. It is necessary to demand a new and safer system for these houses of detention and brief penance. The burning words of Miss D. L. Dix, the ~~prison~~ Elizabeth Frey of America, apply to our local jails at the present time quite as well as they did twenty years ago, when she penned her most useful "Remarks on Prisons and Prison Discipline in the United States." She said:

" * * * I cannot conclude these remarks without repeatedly urging the remodelling of, and the reformation of, the county jails in the United States. It is infinitely worse to arrest offenders, and lodge them in jails where safe custody is the only consideration to which weight is attached, than to leave them at large. It is worse for offenders, and worse ultimately for society. In the first instance, they inevitably become more corrupt. They have no escape, if they wish it, from vicious companionship; and when it is further recollected that these prisoners include the really guilty, the merely suspected, and those of both sexes and all ages, we cannot fail to see what is the imperative duty of the citizens of every county throughout the Union, in which this subject has not received so much deliberation and action as to have procured a remedy for neglects and abuses, worthy only of an age when vice was openly countenanced and crime was at a premium. Hundreds certainly, more probably thousands, have for some first and trivial offense been lodged in county prisons, exposed to the impure and contaminating influences of indiscriminate companionship. Here they have become hardened, here lost all self-respect, and have yielded day by day to the mind-poisoning moral miasm of these legalized receptacles.

*The second section of the act here referred to (see chapter 331, Session Laws of 1849) reads as follows:

" * * * "It shall be the duty of the clerk of the board of supervisors to present such report and suggestions (so indorsed by the county judge) to the board of supervisors at their next meeting, who are authorized and required to cause alterations to be made in the plan of prison of such county, and such additional rooms to be constructed as shall have been so suggested and approved by the county judge, and shall be necessary to remedy such deficiencies, and to levy and cause the expenses so to be incurred to be assessed upon the county or other county expenses are levied and assessed. In all cases where there shall exist any deficiency in room or apartments in such county jail or prison, as is required for the classification named in this act, it shall be the duty of the supervisors to cause such deficiency to be supplied without unnecessary delay."

"From these great evils society only can relieve the offender. If the offense is slight, or if suspicion alone attaches to the prisoner, there being no question of the justice of detention, the wrong is resolved into the injustice of compelling bad companionship, and making a jail a county free-school of vice. If the prisoner be already confirmed in vicious propensities and an evil life, it is manifestly very bad policy, all other considerations aside, to make him the teacher of what is mischievous and destructive to public safety to those not confirmed in the practice of vicious excesses and criminal misdoings. I have heard the observation that persons do not reach the jail till they are far on in paths of wickedness; this is a misapprehension resulting from want of correct information. I could adduce a very large number of examples to the contrary, especially of young persons and children. As such may be gathered in every county-town in the Union, not recently incorporated, it is quite unnecessary to enter upon details here.

"Let all prisons hereafter be constructed so as at least to admit classification, if not in greater measure of entire separation. This was secured in most of the old prisons to some extent; but in several new prisons on the Auburn plan, as at Lowell, Rochester, Buffalo, etc., these evils are greatly increased in the new jails."

THE AMENDMENT OF THE STATE CONSTITUTION IN RELATION TO THE PRISON SYSTEM.

Under the amended constitution of the state, as brought about in the year 1847, the management of the prisons has been subjected to partisan dictation and to all the evils of incessant rotation in office in a manner never experienced under the old system of appointed boards of state prison inspectors. Though the old system was defective, it was so independent of more partisan behests and personal obligations of its governing officials, that each of the prisons was enabled to retain a staff of trained subordinate officers and a steady system of discipline for years in succession unchanged.

Even the abuses that began and grew up with the several prisons, admitted of, and actually received, mitigation, simply by improving the ability and fitness of the membership of the boards of governing inspectors, as was exemplified in several periods under that confessedly defective system. Faulty as that system was, it compared favorably at that time with that of almost any other state or country. Each of our prisons then had a separate governing board, consisting of three or five members, appointed by the governor. The amendment of the constitution in 1847 made over the great duty of the prison government to the fickle and perilous caprices of the popular ballot, and, worse than this, it invited each dominant political party in succession to take possession of the industries and purveying of the prisons as spoils of partisan triumph. With certain notable exceptions, the financial management of the state prisons has been thus subsidized to such pernicious dictation these past twenty-five years; and whenever the best of men, of whatever party, have chanced to constitute the governing board, they have found that, upon attempting a reform in management, the way has been obstructed by enormous deficits, debts, fraudulent or neglected claims and the disputed accounts of the contractors for convict labor, while keepers and guards were, like the prisoners themselves, found demoralized and incompetent in all essential

respects, so that the thorough amendment of the prisons and the reformatory treatment of the convicts have seemed alike impossible in any one or two years that such competent and worthy inspectors have control.

The prison association regards the present a peculiarly favorable period for the citizens of the states to undertake the radical reform which must originate in that amendment to the constitution which shall divorce and protect the prison management from selfish dictation and the present causes of a fickle policy; for not only is there a preparation of the way toward a good prison system, but the honorable inspectors of prisons now in office, as well as the chief officers whom they have appointed in the prisons, are intelligently and heartily in favor of this great reform. Hence, it is ardently hoped that the proposed constitutional amendment, which has now reached its last stage of consideration in the legislature, will be successfully defended and adopted by the people, and be found well adapted to secure the wisest and most beneficial system of prison administration.

Whether the particular form of amendment which has been prepared by the constitutional commission would prove as effectual as the plan proposed by this association to the convention in 1867, and adopted by the legislature of 1872, for reforming the prison system, need not be discussed. Experience in Ohio and elsewhere has proved that a compact board of competent directors, free from partisan obligations, is safer in principle and practice than any other method of prison supervision.

In several of the succeeding sections of this report may be found numerous and cogent arguments and illustrations which show how necessary it is to secure a comprehensive basis for the re-organization and reform of our prisons, and how important it is to make prison government and prison keeping skilled vocations that shall command the highest talent, and be awarded the protection which such talent demands against the interference of intermeddling panderers to the power that official patronage gives.

All experience in the prisons and penitentiaries goes to show that, if wisely organized and classified, and placed under permanent and expert supervision, all these institutions would be self-supporting, and farther, that their reformatory discipline would be vastly promoted by the very causes that would thus render them independent of State aid. It is for these reasons, and for the best moral interests of society, as well as of the convicts themselves, that this Association has so long and persistently continued to urge the needed amendment of the State Constitution and the adoption of a comprehensive and effectual system of penitentiary and reformatory administration.

Year after year the successive Governors of the State, inspectors, wardens and chaplains of the prisons, distinguished jurists and other citizens have testified that it is vitally important to the best interests of society, as well as to the questions of economy connected with the prisons, that they should be wholly divorced from party patronage and abuses to which it leads.

Eleven years ago* this Association had occasion to call attention to this subject in the following words:

* Nineteenth Annual Report Prison Association of New York, p. 11.

"The grand defect of our State prison system, as at present constituted and conducted, is instability in the tenure of office, and want of permanence in the executive administration. This instability results from the controlling influence of partisan policies on that system. It is the bane of the system that it is made the foot-ball of that power. This lies at the root of most of the evils connected with our prison system, and, in our judgment, it is impossible to improve, and certainly impossible to perfect the administration of the system, until this evil is amended."

Those possibilities and fears of evils that would overtake the prison system, its industries and its disciplinary and reformatory influences, have for years past been fully realized. These evils were anticipated by many public men and thoughtful citizens a quarter of a century ago, when that pernicious change in the Constitution of the State was made. The annual election of a Prison Inspector by a dominant political party transformed every office and interest, and even the convict industries of our State prisons into abject and subordinate uses of partisan power. Constant rotation in the official staff, the presentation of low motives and views of duty to the prison officers and even to the convicts themselves, the overshadowing influence and power of the large capitalized interests represented in contractors for prison labor, together with the system of endless deficits accounts, have served to involve the whole prison administration in difficulties, and so to depreciate the disciplinary as well as the industrial and financial interests of these prisons that little hope of restoring them to their former self-supporting and reformatory character longer remains.

Radically wrong, because overshadowed and controlled by short-lived partisan behests, the State prison system has drifted so far into the whirlpool of party abuses that it must be wholly abandoned, as a system, for one that shall be so strong and the methods of which shall be so completely independent of any selfish interference that the general administration of the prisons in this State shall be unmoved by the agitations of partisan strife.*

What shall our penitentiary and penal system be, is a question which must soon be determined. The public concern in this matter has become so wide-spread, and the proper understanding of its merits has so well prepared the citizens of the state to vote upon the question of the proposed amendment of the constitution, that, if submitted to

* The following is the text of the *Concurrent Resolution* that was adopted May 3, 1872, and now awaits the action of the Legislature of 1874 or 1875, in accordance with the Constitutional requirement concerning the second concurrent vote of the Legislature having a new Senate:

Resolved (if the Assembly concur), That the following amendment to the Constitution be proposed for the adoption to the people of the State, to wit:

1. There shall be a board of managers of prisons to consist of five persons, to be appointed by the Governor, with the advice and consent of the Senate, who shall hold office for ten years, except that the first five appointed shall, in such manner as the Legislature may direct, be so classified that the term of one person so appointed shall expire at the end of each two years during the first ten years, and vacancies in the office of manager thus or otherwise occurring, shall be filled in like manner.
2. Said board shall have the charge and superintendence of the State prisons, and shall possess such powers and perform such duties, in respect to county jails and other penal and reformatory institutions in this State as the Legislature may prescribe.
3. The board shall appoint a secretary, who shall be removable at their pleasure, and

their decision upon a separate vote unembarrassed by other questions of amendment, that vote will not fail to decide that a better system of prisons must be devised.

As there is every reason to believe that the legislature of 1875 can and will take up the *concurrent resolution* that had its first approving vote by the legislature of 1872, it is proper that this association should at this time particularly invite attention to the arguments which were made in support of the same measure when it was before the constitutional convention in 1867, and, upon its merits, was almost unanimously adopted. The thoughtful discussion of this subject in that convention by Hon. John Stanton Gould, of Columbia, Judge Dwight, of Cayuga, Mr. Greeley of New York, and others, showed that the subject commanded able minds then and is worthy of the thought now given to it.

The present indisposition of the legislature to commit the entire responsibility and supervision of the prisons to a single superintendent, whose appointment and displacement must depend solely upon the governor of the state, plainly indicates the method proposed in the concurrent resolution of 1872 as being preferable and more nearly in accordance with popular thought concerning this subject.

Without any aid from judicial and expert bodies for devising and prosecuting a comprehensive plan of prison administration, without an existing basis or nucleus of a good system of prisons and penal discipline, and with the incubus of a very crude and inefficient method of dealing with our penal institutions, which the present method involved in the ceaseless agitations of party politics, there is no possibility that any one man could grasp and control the direction and government of the state prisons. Much less could one superintendent command all that local and general support which the governing authority of the penal institutions would need.

The entire field of penal administration, the details of prison discipline, the management and reformatory as well as economical use of the prison industries, the thorough inquiry into the condition and relations of all varieties of penal and preventive institutions, and a comprehensive grasp of all these and many allied subjects for study, deliberation, reorganization and administration, will necessarily require the concerted efforts of several expert and most practical minds. With a population amounting to nearly five millions of people, the state of

who shall perform such duties as the Legislature or the board may prescribe, and shall receive a salary to be determined by law.

4. The members of the board shall receive no compensation other than reasonable travelling and other expenses incurred while engaged in the performance of official duty.

5. The board shall appoint the warden or chief officer, physician, chaplain and clerk or financial officer of each State prison, and shall have power to remove them for cause after an opportunity to be heard on written charges. All other officers of each prison shall be appointed by the warden thereof, and be removable at his pleasure.

6. The Governor may remove either of the managers for misconduct, incompetency or neglect of duty, after the opportunity to be heard on written charges.

7. The amendment shall go into effect on the first Monday of January after its adoption by the people, from and after that date section four of article five of the Constitution shall be null and void.

Resolved (if the Assembly concur), That the foregoing amendment be referred to the Legislature, to be chosen at the next general election of senators, and that in conformity to section one of article thirteen of the Constitution it be published for three months previous to the time of such election.

New York will need the best services of at least five able and experienced citizens to reorganize and reform the prison system. The amendment which is proposed in the concurrent resolution would seem to be broad enough to secure the *great reforms* which are to be had only when the prison government has become divorced from partisan and corrupting alliances, and when the tenure of the prison directorship and the offices of warden, chaplain and keepers, shall not be held at the caprice of the successive political parties in power.

It will be observed that, in *section second* of the concurrent resolution, it is provided that the legislature may give to the proposed board of managers of prisons any authority and duties which shall be found necessary for the supervision and proper administration of the county jails and local penitentiaries, reformatories, etc. Though unpaid themselves, except as regards expenses, the managers will have power to employ expert subordinates. By referring to the discussions upon this point, respecting paid and unpaid official service, in the constitutional convention of 1867, it appears to have been decided in accordance with the views of citizens most competent to have a correct opinion in regard to the matter. The wish and purpose to secure the very best talent and the varieties of skilled experience with a reorganization of the prison system, are recognized at every step of the past seven years of inquiry and effort to begin the reform that is demanded. The proposed amendment is designed to command such talent in the several managers, and to provide for any needful degree of permanence in the official heads of the prisons.

THE WANT OF A PENAL SYSTEM.

REFORMATORY EXPEDIENTS: SUGGESTIONS FROM SIR WALTER CROFTON.

In the course of correspondence with Sir WALTER CROFTON, the founder of the graduated and classified penitentiary system which bears his name, that eminent master of both the principles and practice of penal treatment, recently submitted a brief series of suggestions to prepare the way for the adoption of some of the essential features of the Irish system in connection with the preparatory care and liberation of convicts. The question laid before him was, "How may the great principles of the Crofton system be so applied in the treatment of prisoners in the State of New York, which has no criminal constabulary force, that as many as possible of the felon convicts shall become enlisted in successful efforts for their own reformation and safe re-instatement in free life?"

As no *ticket-of-leave* system for prisoners will ever be made acceptable and proper in the United States, and especially in New York, the main question in regard to the Crofton methods in the treatment of our convicts relates to the good conduct or penitentiary credit record in prison, and the application of the "commutation" law, together with the guidance and aid offered by the Prison Association. Sir WALTER CROFTON's memoir, which here follows, has reference to this question. These suggestions of the memoir will be studied with interest.

"WINCHESTER, ENGLAND, }
"November 23, 1873. }

"MY DEAR SIR—I send you a brief memoir which may be of some use. I write it on the assumption that supervision will be accompanied by improvements in the prisons, for otherwise I fear there will not be much advantage.

"The plan I have sent you, although rude, is sound in principle, and will lead to better things. I commenced my own labors in overcrowded prisons, in some such simple way.

"I am, of course, not sufficiently acquainted with your police and other constabulary arrangements to be as good an adviser as I could wish, but I apprehend that you will be able to frame some scheme, similar in principle to what I have sketched, which will meet the case. It is very desirable to be simple at the commencement, and I need scarcely mention how much depends upon the energy, zeal and patience of the individuals who supervise the scheme.

"You are, of course, aware that our police are allowed to delegate

the receiving the reports of conditionally liberated convicts to *other competent persons*, such as agents for discharged prisoners, ministers, etc. Believe me,

"Yours very truly,
(Signed) "WALTER CROFTON."

MEMOIR.

I. In writing this memoir, I take it for granted that the convicts to be liberated, on certain conditions, before the expiration of their sentences, and placed under supervision, will be only so liberated as the result of recorded good and industrious conduct in prison; for without an improved prison treatment, very little if any advantage can be obtained by "supervision."

II. It is stated that in the six penitentiaries and three state prisons of New York there are 5,500* convicts, and that the crowding of some of these prisons is so excessive as to endanger both discipline and health.

III. So long as this state of things is allowed to continue, it will be clearly impossible to carry out improvement; and it will, therefore, be well to consider whether some steps might not be taken which would remedy the over-crowding and at the same time be the means of gradually introducing sound principles of prison treatment.

IV. The abbreviation of the sentences, when permitted, should be made to depend on well-tested and duly-recorded good and industrious conduct in prison; subject, of course, to exceptional crimes which for example's sake could not be so dealt with.

V. Now, in the state which the prisons are represented to be, the test of conduct and industry which should govern the earlier liberation of the criminals will, no doubt, in the first instance be crude. A certain number of long-sentenced prisoners would be selected by general prison good conduct, and informed that if within the *next six months*, or some other more convenient probationary period, they proved by well-tested and duly-recorded good conduct and industry, deserving of the privilege, they would be liberated (conditionally as to good conduct when at large) a year, or any other period decided upon, before the expiration of their sentences.

VI. †The probationary period of six months is, of course, a crude proposal caused by the gravity of the present state of things, in order to remedy the over-crowding. The same motive power to improvement should ultimately be made to apply throughout the sentence from its commencement, by a graduated scale of remissions arranged on a systematic plan.

VII. In adopting this course, it would be well to arrange to place the selected men in a special part of each prison, so as the better to be informed with regard to their individual circumstances. I believe that a sort of co-operation with the authorities would be the result, and the subsequent supervision of those liberated become more practicable and effective.

VIII. The prisoners should be liberated upon such conditions with regard to bad associates and their general conduct when at large, as would reasonably deter them from pursuing a criminal life. They should be obliged to report themselves monthly, and be prepared to prove their means of livelihood, etc. The prisoners should be thoroughly informed as to their liabilities previous to their liberation, and that a forfeiture of the conditions upon which they are released would cause a re-consignment to prison.

IX. If the constabulary are distributed in such a manner as to render supervision by them practicable, it would be better that special and responsible officers of the force should be selected for the purpose. Otherwise, special agents might be appointed, or advantage taken of the magistracy or of some minister in the locality willing to act for the purpose. It would be well to call on the prisoners before liberation to name persons in their localities likely to befriend them, and then to arrange with competent persons for a supervision of a *friendly character to the well-doer*, but at the same time of a nature which will restrain the evil-disposed by compelling them to observe the conditions upon which they have been liberated.

A SIMPLE PLAN. (A.)

Probationary test, supposing six months to be the period, entitling to remission of sentence; it is very simple, and will realize itself to the minds of the criminals.

Each day's work, if very satisfactory in amount, to entitle the prisoner to be credited with *one mark*.

If six months is the probationary period, he would have to earn one mark daily, or in all 182½ marks.

Each day that the *mark was missed* the prisoner would be delayed another day from his liberty.

The marks for industry to be only given on the assumption that the conduct is also good.

It will be observed that, even by this crude plan, a prisoner will realize that his progress to liberty will depend upon his own exertions.

Some care will be required in recording the "marks" which should not be given for *skill*, but for industry.

*There were 5,780 prisoners in the nine prisons and penitentiaries of New York at the beginning of January, 1874.

†See simple plan "A."

LIFE-SENTENCED PRISONERS.

In the state prisons of New York there were at the beginning of the present year, ~~168~~ 168 convicts under sentence for their natural life-time. These are distributed as follows:

At Auburn Prison, males	32
At Clinton Prison, males	23
At Sing Sing Prison, males	24
At Sing Sing Prison, females	7
At Asylum for the Criminal Insane, Auburn	10
Total	101

Thus it appears that 33.3 percentum of the convicts in our state prisons (including, in the total count, all the convicts in the Asylum for Criminal Insane) are under sentence for life. By referring to the statistical abstract of the state prisons in the United States, it will be observed that, while in a few of the states the proportion of the class under life-sentence is greater than this in the New York prisons, the percentum of life convicts in the felon prisons of the United States.*

In the state of New York there are only four crimes punishable by life-sentence, namely, murder in the second degree, manslaughter, rape and arson in the first degree. The number of death-sentences that have from year to year been commuted to imprisonment for life, has added largely to the total number of prisoners who now remain under the life-time sentence in our prisons. By referring to the table of prison statistics it will be seen that 168, or 23.14 percentum of our life sentenced prisoners are of this class. There are 3.01 of this class, or 7.36 percentum of the life-sentenced prisoners in the United States, reported at the beginning of the present year.

These life-sentenced prisoners constitute a remarkably interesting class of persons, considered with regard to the inherent characteristics of most of those who are guilty of crimes against life or the gravest crimes against the person. These convicts also present to us the clear and convincing results that are produced by the complete application of the principle of outlawry by the state. Even though some rays of hope for a return to free life linger in most of these prisoners, that

hope is in most instances so nearly extinguished that the mind suffers a shock which greatly modifies the character and manners of the convict. After a few years of imprisonment under the life-sentence the depressed tone of the moral and mental life so greatly affects the bodily condition that serious consequences are liable to occur unless special measures are adopted by the prison officers to ameliorate the heavy pressure that has resulted from the withdrawal of hope and the natural stimuli and guides to mental and moral progress.

Though as a fact in the experience of our life sentenced prisoners in New York, the average probability of the actual duration of the individual term of imprisonment is that it will be less than seven and a half years, it will be found true that the youngest and the best of this class of convicts suffer the most mental and bodily damage by the terror and pressure of the sentence.

The terror of the life sentence is unquestionably of great utility in deterring from certain acts of crime, or in duly impressing particular minds with the perils and penalties which will be incurred in a career of crime, or in yielding to the impulses of unbridled passions. This terrible sentence must remain and be pronounced in the halls of justice. It is claimed to be an alternation to the sentence of death. It is a fearfully impressive one. The table of prison statistics, in the next chapter in this report, shows that in the States that have abolished the death penalty this lifetime alternation of incarceration has already greatly augmented the proportion of life prisoners. Without taking exception to this fact, and with the evidence before us that the growing unwillingness of juries to find verdicts of murder in the first degree, it plainly appears that it already is a momentous question how the life-sentenced convicts should be treated.

It should here be stated that during the past two years the corresponding secretary of this association has carefully inquired into the condition of the life prisoners, and sought for the results of studious observations and suggestions from experienced prison officers. Fortunately these prisoners are the subjects of much official kindness, and of such careful observations that much of the information that is needed concerning them has already been brought into an available form.

Now, we have definite purpose to bring distinctly into view a few of the more important questions upon which judicious action should be had with reference to penal care of this class of prisoners, and especially in respect of the moral and social interests of these prisoners and of the communities from which they have been sent. The great and permanent interests of society at large and of these life sentenced convicts are in a special sense reciprocal. The fact that a thoroughly reformed and morally transformed criminal may receive clemency and pardon, and again be free, prudently made known and in a becoming manner invited, under sanctions of law, embodies the grand principle of reward for virtuous, and penalties for vicious character and wrong acts. Prisoners and people of every rank are ever ready to receive the saving lessons which the application of this principle teaches.

Left to the judgment of a single mind that is already burdened with the responsibilities of the chief executive of the State; left to the *ex parte* and special pleading of advocates who seek a selfish reward, and subject to the capricious preferences of prison house officers the nume-

* In order to give a special degree of accuracy to this comparison of percentages of the life convicts, we may omit the six local penitentiaries from the total. The percentum of the life class for all state prisons in New York will be found to be 3.21 of all the convicts.

rons life-prisoners who do annually appeal successfully for the Executive clemency do not, as we believe, fairly represent the most worthy and best prepared of the life convicts who might safely, and with public as well as personal advantage, be pardoned. The paroling power has been greatly misused, and it is a privilege and authority so delicate and difficult to exercise prudently that the great caution and wisdom with which Governor Dix, the present executive, has exercised this power, proves that he appreciates the truth,

"Mercy is not itself that oft looks so;
Pardon is still the nurse of second woe."

Every transaction relating to crime and the judicial or the penal treatment of criminals should, as far as possible, be a matter of formal judgment. When this is the case in our prison system it will be possible to obtain a basis for some wholesome and most merciful mode of clemency, and possible restoration to the morally transformed life-prisoner. A perfectly feasible and just scheme for effecting this does not seem to have been devised. But, as will appear in a subsequent part of this chapter, some approximation has been made to the solution of this difficult problem.

The duty and the cogent reasons which urge action upon this subject in the State of New York will be correctly understood by any intelligent citizen who peruses the following statements relating to the life-sentenced prisoners in a single one of our prisons, that at Auburn, in its two divisions, namely: that for the criminal insane and that for the ordinary convicts.

Dr. James W. Wilkie, the superintendent of the Asylum for the Criminal Insane, states that "a large proportion of those who are sentenced to long terms of imprisonment are young men, and that a comparatively large proportion of those who become insane in prison are from the young men depressed by the absence of hope by the length of their anticipated confinement.

"Fifty-five persons were received at Auburn prison from October 1, 1871, to October 1, 1873, whose terms of sentence were ten years and upward.

"Thus it appears that the crimes for which long terms of imprisonment are assigned are mostly committed in the earlier, more impulsive and less disciplined years of manhood. Many of the criminals are unmarried, boys or young men, not as yet subjected to that powerful promoter of social and civil order, the settled estate of the household.

"There have been received into the asylum from the prisons during the past year 27 patients; of these only seven are over 30 years of age. Of the remaining 20, four were sentenced for 20 years; two, both aged 20, for rape; and two, aged 21 and 28, for robbery. None of the seven, more than 30 years of age, had so long a sentence. Of the four insane convicts who were sentenced for 15 years each, two are 23 years old and a third 24 years of age. Of three who were sentenced for 10 years, one is 18 and another 26 years of age. Of four who were sentenced for five years, one was 24, one 25, and a third 26.

"These facts are sufficient to show that of those who become insane while in prison, and who are therefore sent to this asylum, a large number are young men on long terms of sentence.

"Criminals are incarcerated for the protection of society. The

prison, as a terror in prospect, prevents crime and removes from society those dangerous to its well-being. But the state does not cease to care for its children, though criminal. It seeks their good, so far as that end is consistent with the purposes of their imprisonment. It naturally feels a peculiar tenderness toward the young, who in the impulses of immaturity have transgressed its laws. Some, at least, of these youth are not incapable of reformation. Those especially who are under 25 years of age should be regarded with hopeful interest. A sentence of 10, 15 or 20 years breaks down often all hope and all ambition; hence the large number of this class who become insane. Most of those in the asylum afflicted with melancholia and dementia were sentenced as young men. The hope of enjoying the paternal home, or of forming one of their own, is destroyed, and the mind sinks down in many instances into hopeless lunacy or imbecility. It is submitted whether it might not be possible to hold out, especially before the younger offenders, the hope of an earlier termination of their imprisonment if their conduct shall sufficiently commend itself to an appointed board of observation. If it be possible, let even the criminal be borne up and saved from that despair which disorganizes and deranges the mind itself."

The records of the asylum for the criminal insane, from its organization in 1859, until the present time, the inquiries and observations of its superintending physicians and the experience in each of the prisons, unite in sustaining the opinions and suggestions here expressed by Dr. Wilkie.

The following statement is contributed from the highest standpoint and largest experience of the ordinary prison by Theodore Dimon, M. D., who has enjoyed a lifelong opportunity for medical and official inquiry upon this subject. Dr. Dimon says:

"There is a class of convicts confined in this prison, whose condition is so peculiar in view of the principle of the commutation law of the state, that I take the liberty of calling your attention to them. I refer to the men sentenced here for life. There are on the records of the prison 224 men, and three women, sentenced to imprisonment for life. The crimes for which they were sentenced are murder, manslaughter, rape, arson, burglary, forgery, counterfeiting, robbery, passing counterfeit money, sodomy, grand larceny and maiming. Two of the women were sentenced for burglary and the other for passing counterfeit money. One of the former died after an imprisonment of five years. I have at considerable pains gathered from our records the history in detail of these convicts and I give below an abstract of them:

There have died after an average period of four years and three months	34
There have been sent to the lunatic asylum after an average period of three years and nine months	8
There have committed suicide after an average period of four years and six months	2
There have escaped after an average period of one year	10
There have been pardoned after an average period of six years and six months	139
There are remaining for an average period of six years	24
There have been transferred to other prisons, history unknown ..	10

"The latest recorded sentence of this kind for the crime of passing counterfeit money, was in 1839, and for robbery was in 1848.

"Separating from the whole number those who have been sentenced only for the crimes now subjected to that penalty, viz., for murder, manslaughter, rape and arson, we have a total of 100 whose history under punishment can be given:

"Of these in an average period of five years, 28 per cent died.

"Of these in an average period of one year, 1 per cent committed suicide.

"Of these in an average period of three years and three and one-half months, 8 per cent sent to asylum.

"Of these in an average period of two years and seven months, five per cent escaped.

"Of these in an average period of seven years and one month, 44 per cent were pardoned.

"Of these for an average period of six years, 24 per cent are remaining."

The average percentage of deaths for the whole prison for a period of five years is 9 3-10; for these life men 19 per cent, including the suicide.

"Comparing the percentage of insanity among the whole number in the prison and the life convicts, and the latter is sixteen times greater, the former being a little more than one-half of one per cent. Death and insanity together amounting, in an average of four years in these cases, to 27 per cent, or nearly 7 per cent yearly; so that, if they were left to their fate in the prison, in 15 years the whole number would either die or become insane. While it is undoubtedly true that criminals, as a class, and especially those guilty of the most heinous crimes, are more likely to become insane than persons of honest and well-regulated minds, yet in the above comparison it can hardly admit of a doubt that long and especially life sentences directly induce insanity and death.

The entire subject of the proper dealing with crime rests primarily on the protection of the community from and against its commission. The particular I am speaking of precludes the consideration of those most important means of prevention of crime, included under the intellectual and moral education of the young, and the adoption of methods for giving an opportunity, and offering encouragement, for all to obtain support by an honest industry. I cannot, however, refrain from saying that it is daily becoming more and more evident, that the neglect of these means of protecting the possession of life and property is very poorly substituted by locks and bars and burglar-proof vaults, or by building prisons and erecting the gallows.

"According to my observation of the life-men in this prison, it appears that, after a few years of confinement, they become either desperate or despairing. In the former case, they attempt escapes; in the latter, they either die, become insane, or, settled in hopelessness, their minds become emaciated and childish. A painter would select, out of any body of men, these faces to represent the meekest and most guileless of his characters.

"I take the liberty of suggesting a rule that would bring these life-men under the principle of the commutation law, in the hope that this or some other better considered and wiser plan may be adopted for

these men without hope. It is this: That after a confinement of a term of several years under a life sentence, upon a report to the governor by the agent and warden of the prison that a man so confined should be calculated from the Carlisle Life Tables, and his sentence should be commuted to a period of years, equal to that these tables show at his age he might expect to live, and that for continued good conduct he should have the benefit of the same commutation from that term as the other convicts receive on their terms by the present law.

"So far as the commission of crime is concerned, many of these men are not only reformed, but they are changed into different men entirely. They are simple, half demented, incapable of committing crime. These men enlist the sympathies of every officer in our prisons and especially of the chaplains and physicians.

"I invite attention to them, not merely with the object of introducing interesting matter into this report, but with a view of making some suggestions in regard to them for the consideration of the legislature. The commutation law of this state established the principle of introducing into our punitive system, the idea of the reform of the criminal by a mitigation of his punishment. This law applies to all convicts except the life men. Is not this exception an illogical one? The community has all the security it can obtain as to any criminal when he is so reformed that he will never again commit crime. For what reason then shall all hope of release, all motive or benefit of reform be denied to one class of criminals only? It is not enough to answer that the governor can pardon.

"It may be said that even imprisonment for life has not sufficient terror about it to prevent men from committing murder, and that this is a proposition to mitigate even that punishment. But the community owes it to itself to consider well what it does in the punishment of crime. Even though the terror of long incarceration, because life itself is left, may not deter others from committing any given crime, yet shall we substitute for the real terror of capital punishment, which may be the most effective and at the same time most humane one to prevent murder, the slow and destructive process to both mind and body, of an imprisonment for life, when this does not even prove a preventive terror to others? We have seen since 1818 in this State, that the list of crimes punishable with imprisonment for life have been reduced from twelve to four, and there are now no advocates for adding again to it any of those stricken off, and it is believed that for laws that are inexorable to all cases of these crimes.

"I have gone over the records of the convicts transferred to the lunatic asylum from this prison. Previous to 1859, there are recorded but twenty-one as transferred to lunatic asylums. In 1859 the convict asylum was completed, and nineteen were at once transferred to it. Since that time an average of five yearly have been sent there from this prison. Since and including 1859, eighty-one convicts have been sent to the asylum from this prison. Of these

"Eight were sentenced for life.

"Twenty-one were sentenced for ten years and less than life.

"Twenty were sentenced for five years and less than ten.

"Thirty-two were sentenced for less than five years. "The average number in a thousand of convicts sentenced for less than five years to those sentenced for five years and more are as 578 to 422. Of those sentenced for less than ten years to those for ten years and over, the proportion is more than five to one, and of the others to the life men forty to one. Of those sent to the asylum nearly ten per cent were life men; not quite twenty-six per cent were for ten years and less than life; not quite twenty-five per cent were for five years and less than ten, and not quite forty per cent for less than five years. Thus, the number sentenced for less than five years constitute 57.8 per cent of whole number; insanity percentage of these to the whole number of insane, forty. Sentenced for over five years 42.2 per cent of whole number; insanity percentage of these, sixty per cent of whole number of insane. Number sentenced for ten years and less than life 13.3 of whole number; insanity of these nearly twenty-six per cent of whole number of insane. Number sentenced for life 2.65 per cent of whole number of convicts, and their insanity nearly ten per cent of whole number of insane. These are very conclusive facts as to the tendency of long sentences to produce insanity. It is true that there is a certain vicious habit which infests convicts especially, and is prolific in inducing insanity and phthisis, but as this vice extends equally to all classes of the convicts, so far as length of sentence is concerned, it is not, in my judgment, sufficient to account for the extent of the difference of the proportionate numbers of insane among the short and the long sentenced men. In my report of 1870 I have attributed to the vice alluded to, the principal efficacy in inducing insanity and phthisis. This opinion, as I have said before, I am compelled to modify by the force of the above stated facts as regards insanity. Not having gone so thoroughly through the labor of hunting out from our records the terms of sentence of those suffering from phthisis, and records the whose disease originated here, I am not prepared to say how far the whose disease originated might be modified in regard to this disease also.

"After recommending, as I have done, the application of the principle of "good time" commutation law to the deserving life men, and having shown in general the bad effects upon the health of long sentences, I should have myself to be misunderstood, if I should stop at this point only, when asking attention to this subject. For to afford the requisite protection to society in dealing with crime, it is but half the question to mitigate the sentences of those who are reformed or give evidence of a desire for it. The other half of the question is, what is to be done with the incorrigible? The same principle it seems to me that mitigates punishment for reform should extend it for failure to reform.

"The old laws were founded on the principle of obtaining absolute security against criminals by executing them all. The more humane rule now prevailing, in order to secure an equal protection requires that all sentences should be of indefinite termination. That under some well-digested rules a yearly examination of criminals under confinement in state prisons should take place, and the reformed be liberated upon report that satisfactory evidence was presented to the examiners that the reform was real and effectual."

Complex and difficult as the problem of mercy and restoration for the prisoners under a life sentence may be, it manifestly must comport

with the best and most permanent interests of society to adopt such a plan of dealing with the questions of probation and of pardon for the proper classes of these prisoners as shall save them from wreck of mind and body. The fact that a certain number of the "long term" and the "life-sentenced" prisoners are from birth, or by habit or disease, so depraved, so deformed, mentally and morally, that all hope and promise of their being sufficiently reformed to be safe and useful as members of society in free life must be relinquished, certainly must not preclude the beneficent operations of that mercy which offers safe conditions for its own operations. With judicious and discriminating care such an extension of the hand of mercy and forgiveness to the outlaid as shall fill the mind with desire and hope to be found worthy of it, could not fail to keep alive that spark of the spiritual nature which has power to light up and awaken a renewed moral life in every person to whom remains a visible and substantial basis of hope. Our holy religion of Christianity teaches no greater truth in its plan of salvation to sinful men. It is indeed this sublime truth which exalts Christianity above all other systems of spiritual renovation. The noted life-convict for murder, "Black Jacob," who was one of the first penitents pardoned in the early history of the Auburn prison, was saved from the destructive effects of long imprisonment through the influence of religious hope and love which sprang up in his darkened mind when in the prison; it had been enlightened by such rudimentary knowledge as reading and instruction in religious truth impart. And as regards this humble example of a penitent criminal safely liberated, the fact has passed into history in the counties of Cayuga and Ontario, where he spent the last years of a renewed life, that his was an example that taught all classes the important truth that a completely regenerated mind can prepare a once dangerous and repulsive criminal to be restored to freedom, from a life sentence in prison, and to spend the residue of his days in a most useful and becoming manner.

Baron von Holtzendorff, of Berlin, has recently said that "the idea of salvation, that men ought to be reclaimed, now prevails. The combined idea of labor and salvation led to the question whether life sentences should be abolished. If capital punishment and life sentences were both abolished, the worst cases of murder would undergo, perhaps, fifteen or twenty years' punishment. He would not, however, as a legislator, take the responsibility of abolishing capital punishment without retaining life sentences; the latter must remain as the substitute, at all events for 100 or 200 years. At present, whoever objected to capital was bound to maintain life sentences. Such a punishment, however, like other punishments, should have the elements both of fear and hope -- fear for the worst, in the actual enforcement of imprisonment for life, and the hope of release after ten or twelve years on proof of reformation. He would, therefore, maintain life sentences."

The Hon. Judge Haines has remarked that "Reformation demands hope; for, if the criminal had no hope, society could have no hope for him, and this was his objection to lifelong imprisonment. If hope remained, it was very uncertain and remote. Let the sentence cover the probable chances of life if one liked, but let there be the hope of restoration to liberty and friends."

Mr. G. W. Hastings, of England, has remarked that "In this country there is practically no such thing as imprisonment for life; for,

though such sentences are passed, hope always remains, the prisoner being uniformly liberated by the Home Secretary in the event of good conduct for a number of years."

The Hon. M. Stevens, director of the Louvain prison of Belgium, says: "It is admitted that imprisonment for life should be subject to the following conditions: Expiation and regeneration excited by hope; a prolonged period of cellular imprisonment; conditional liberation of prisoners who have undergone cellular imprisonment for the term fixed by law, and have given proofs of amendment, and by their preceding conduct and certain circumstances of offense are entitled to indulgence; collection in a common prison of prisoners not admitted to conditional liberation, and of those sent back to prison for misconduct."

Mr. M. D. Hill, a distinguished criminal justice in England, asserts that "the protection of the public demands that offenders condemned to imprisonment for life should be sent to a goal specially erected to receive them, from which escape should be made absolutely impossible, and discharge so difficult that it could rarely occur. I would advise that the Secretary of State for the Home Department should not advise the Crown to exercise its prerogative of mercy prior to an investigation of each case by the judicial committee of the Privy Council, or a sub-committee of that body, and that it should be only called into action upon their recommendation."

Mary Carpenter, who is undoubtedly the most experienced female student of penal treatment who has ever written upon the subject, has remarked in a recent paper on life prisoners, "It is the great aim of ordinary reformatory prison discipline to restore the offenders to society, and to obliterate, if possible, the memory of his crime by the entire change in his future life. In effecting this reformation *hope* forms a most important element of treatment, and the daily effort to attain the desired result of the remission of sentence, with other advantages to be enjoyed, especially the attainment of liberty, constitutes the most valuable part of prison training. But in the case of the life-sentenced prisoner, supposing the crime to be murder or some other horrible offense, the memory of it can never be effaced, though repentance may draw a veil before it; society will *never* receive him again, however penitent; no efforts of his can obtain his release; and hope, the grand spring of human action, is withdrawn from him. The condition of mind in which he is therefore necessarily plunged is one which must render him a burden to himself, and a dangerous associate for others. Then, again, the ordinary convict is probably not in general much tormented by the reproaches of conscience. It is not until he has made considerable progress in reformation that he can see, in its true colors, the evils of his past life and feel remorse for it. But the crimes which receive the award of confinement for life are usually of a kind at which human nature *revolts* when not under the *immediate* thrall of a violent passion. The secret anguish of remorse, so truly described by our own Shakespeare, in his *Lady Macbeth*, must constitute a source of life misery."

Hon. Edward Livingston, in his system of penal law, proposed that the convicts who are confined for life (on a third conviction for an offense which, had it been the first, would have been punishable only by a term of years) should be treated like the prisoners confined for a

term. But that murderers and convicts for rape should be wholly excluded from communication with other persons than the officials of the prison.

We present these facts concerning one of the branches of penal treatment and public duty in regard to the convicts of great crimes, with the design to guard against hasty and injudicious action that might tend to throw open the prison doors in such manner as to let loose the most *obdurate* depraved and *morally ungoverned* convicts now under life-sentence in our prisons. And, on the other hand, we have here presented conclusive evidence that there is abundant cause for attempting in a suitable way to apply the principle of "good time" commutation, or its fair equivalent to ameliorate the deplorable state of as many of the penitent prisoners under life-sentence as can with justice and public safety be made the object of clemency. In the words of the proposition which was submitted in the conference of the State Prison Board and the committee of the Prison Association, it is plainly a duty "to see if some mode may not be devised by which life-prisoners may enjoy the benefit of this measure or of the principle on which it is based."

RECORDS OF CRIME IN THE STATE OF NEW YORK AND IN THE UNITED STATES.

[As shown by the Ninth U. S. Census.]

The superintendent of the last census undertook the difficult task of presenting a tabulated summary of the number of criminals under sentence, and the total number of convictions for criminal offenses of the same grades during the year ending June 1, 1870.

The method for obtaining this class of statistics in such a comparable manner for the different states, never having been provided for in the plans for the national census, General Walker, the present superintendent of the census, wisely made this a special duty and sought the elements for a reasonably comparable statement of the amount of crime, having like grades and penalties, brought to conviction in one year in the several states and territories, and the total number of convicts of like grades of crime actually found and enumerated in prison in June, 1870. The returns of census marshals for the different states were revised with reference to results that would be justly comparable, and those results were revised and corrected by special official inquiry. The superintendent states that, "So far as it has been practicable to obtain the information at the census office by subsequent correspondence, it has been done without consideration of the amount of labor involved therein, and the following table has been corrected accordingly.

"Owing to the fact that the constitution of courts of record in the several states varies greatly as to the crimes over which they have jurisdiction, it has not been found practicable to make this table strictly one of convictions for crimes by courts of record. The effort has been, however, to make the returns for each state an equivalent for those of every other, and the results are now submitted with the remark that neither the statements of crime nor those of pauperism for the year are regarded as possessing any high degree of statistical authority. They are believed, however, to contain a very much larger amount of exact and of approximate information than it is in the power of any individual or of any other public agency to collect. The numbers reported respectively as receiving poor-support, and as in prison on the 1st of June, 1870, are regarded as quite accurately determined. Errors may be found to exist, but an extensive correspondence on the part of the census office has established their substantial accuracy and completeness.

"From the number in prison have been excluded the inmates of houses of refuge, houses of correction, and institutions of kindred character."

As crime and pauperism are products of the same soil, considered with reference to physical, social and moral causes, the statistics of these burdensome evils and misfortunes, are presented in corresponding columns in the following abstract, that they may convey a more complete impression of the important causes and preventive measures relating to them.

PAUPERISM AND CRIME IN THE UNITED STATES, 1870.

[From the ninth census—social statistics.]

STATES AND TERRITORIES.	POPULATION.			PAUPERISM.			CRIME.									
	Total.	White.	Colored.	Native.	Foreign.	Cost of annual sup- port during the year ended June 1, 1870.	RECEIVING SUPPORT JUNE 1, 1870.			NUMBER OF PERSONS IN PRISON JUNE 1, 1870.						
							Total.	Native.	Foreign.	Total.	Native.	Foreign.				
The United States	38,558,371	33,559,377	4,999,000	22,941,147	5,947,226	118,706	430,900	420,721	371,523	64,429	63,400	12,928	98,220	92,934	5,286	
Alabama	996,992	821,884	175,108	697,600	9,992	890	81,450	687	354	267	6	1,390	593	585	146	426
Arizona	6,616	6,351	266	2,649	5,866	0						29				11
Arkansas	684,471	592,116	92,355	479,449	5,900	620	74,037	538	460	230	46	865	323	322	127	418
California	556,247	496,424	4,472	399,419	200,821	2,311	272,147	691	554	861	627	1,377	1,574	668	662	6
Colorado	36,884	39,221	656	33,200	6,589	79	11,622	79	8	8	11	22	19	16	11	6
Connecticut	627,454	627,456	9,065	422,819	112,636	1,726	190,918	1,705	1,129	1,129	114	666	420	278	215	65
Dakota	14,351	12,857	64	9,269	4,816	0						6				2
Delaware	232,016	202,227	29,789	155,679	9,128	500	41,269	431	405	229	139	59	145	67	13	44
Dist. of Columbia	331,706	331,706	0	43,604	36,254	700	26,366	279	226	123	43	211	143	117	28	79
Florida	157,149	98,077	61,069	147,609	11,467	147	9,699	147	146	89	6	839	179	178	20	156
Georgia	1,184,100	838,656	345,444	548,142	1,172,682	11,267	339,776	4,369	1,771	1,670	507	26	175	157	123	120
Iahho	14,099	13,619	60	7,114	7,885	41	7,247	4	6	6	1	29	29	15	17	11

From the table here presented, the State of New York appears to have an excessive ratio of prison population. Massachusetts also shares this ignoble distinction in this table; while Tennessee, Texas, Nebraska, Utah and North Carolina bear off the palm of most remarkably low ratios of prison inmates to the total population in each of these States.

No one will deny that here are placed in contrast not only great extremes between the ratios of prison convicts in the two classes of communities, but, also, that in comparing these two groups of states the relative standards of social morality, regard for human life, and respect for the laws, is quite the converse of those indications which would be derived from this merely statistical statement respecting the prison populations and the convictions for crime.*

Viewed in their true relations to the conditions of social order, and the operations of wholesome laws for the protection of life and property, the large number of convicts in prison, and the still larger number of convictions found by the courts, would indicate that, on the one hand, society is determined to protect itself from its depredators and destroyers, and, that on the other hand, there are permanent attractions for the criminal classes which lead them to congregate very numerously in these older states; while, in regard to the statistics of the criminal population, in the states or communities in which the census records show but a small number in prison, or under conviction for crime, the inference that the proportion of the criminal population is actually small, is by no means warranted, but, the contrary rather, when we consider the pernicious influence of criminal outlaws and masses of the dangerous classes in a community or state, defying the laws and intimidating the courts, or having sway without motion or interference of justice or courts.

* In regard to the point we here raise concerning prison statistics and conviction records, we quote the following remarks from Dr. Francis Lieber, whose death has recently deprived the work of humanity and justice in penal institutions, judicial proceedings and state affairs, of one of the ablest advocates and expounders they have ever had since the days of Edward Livingston.

"The number of crimes, or to speak more accurately, of trials and convictions, because they are the only known crimes, proves, without farther consideration, actually nothing; so much so, that in some cases, the increase of trials and convictions may indicate the decrease of crimes.

"A minute knowledge of all co-operating circumstances is nowhere more indispensable, in order to arrive at just conclusions, than in the statistics of crimes. There are certain laws which experience touches us, and if we disregard them we shall continually be liable to draw false conclusions; for instance, that certain causes, as an unusually cold winter, famine, stagnation of business and poverty, caused by war, etc., never fail to effect a rapid increase of crimes, whilst the ceasing of these causes by no means effects a proportionally rapid decrease of crime. These considerations respecting the increase or decrease of crime, are not only important in regard to prison discipline, but also as to the progress of morality, or to the demoralization of mankind in general.

"Civilization certainly increases the number of tried crimes and offenses, for two very simple reasons: first, because it increases the opportunity of crime, since it increases the variety of pursuits and mutual relations between men; every progress in industry offers naturally to the wicked a new opportunity for abusing this industry, or the new relations which it creates between men; civilization, moreover, increases our wants and our ambition; second, because it increases, at the same time, the means and opportunities for prosecutions of crime."

COMPARATIVE VIEW OF ALL THE FELON PRISONS IN THE UNITED STATES.

The time for renewed efforts to secure comprehensive and thorough improvements in the prison system of New York being at hand, this association, through its corresponding secretary, entered into correspondence with all the chief officers of state prisons in the Union early in the present year (1874), and accompanied each letter with printed schedules, by which have been obtained the tabulated facts and comparative statements which are embodied in the abstracts that are here presented.

As it was the practice of this association years ago to maintain an interchange of inquiries and observations of this nature, it now seems desirable to compare the chief points in the experience and results which the responsible officials of each prison and penitentiary may deliberately certify for the same in the respective states of our country.

Following these tabulated abstracts we present a few quotations from the correspondence and latest reports of the superintending officers of the respective prisons. From these brief citations which appear in evidence upon identical questions respecting certain results of experience in the various prisons, we may derive some practical conclusions that will be useful to all who labor to improve our penal and reformatory institutions.

NAMES OF INSTITUTIONS.	What trades are taught in the institution?	Which of these industries finds the best of the best disciplinary remedy?	Which one best engages the attention and excites the ambition of the horse of the individual in order to distinguish?
California State Prison	Saddlery, harness, cabinet, wagon shoes and needle manufacturing.	Shoemaking, Shoemaking and ironing.	Shoemaking.
Connecticut State Prison	Boots and shoes, wire goods, manufacturing rules and try squares.	Shoemaking, Shoemaking and ironing.	Shoemaking.
Delaware	Bag carpet weaving.	Shoemaking.	Shoemaking.
Illinois State Penitentiary	Coopering, harness, shoes, clear, belt lining making, stone-cutting.	Stone-cutting, Coopering and stone-cutting.	Stone-cutting and coopering.
Indiana State Prison (South)	Railroad car works.	Car manufacture.	All seem to be liked by the men who care to do well.
Indiana State Prison (North)	Chair and wagon making, blacksmithing, coopering, tailoring, weaving.	Coopering. No difference.	Coopering.
Kentucky State Prison	Wagon, spinning and cotton work, blacksmithing.	Wagon work. None distinguished.	None distinguished.
Louisiana State Penitentiary	Chair-making, etc., mounding, transportation.	Chair-making.	Chair-making & mounding.
Massachusetts State Prison	Wagons, tools, cooperage, clear.	Chair-making.	Chair-making & mounding.
Michigan State Prison	Coopering, cabinet, cash, door and blind making, blacksmithing, tub and pump-making.	Tab and pump-making.	Coopering work and cabinet work.
Minnesota State Prison	Chair-making, etc., mounding, transportation.	Shoemaking.	Coopering work and cabinet work.
Mississippi State Penitentiary	Merchandise-making, coopering, tailoring, harness, etc.	Shoemaking.	Shoemaking.
Maryland State Penitentiary	Merchandise-making, coopering, tailoring, harness, etc.	Shoemaking.	Shoemaking.

Idaho State Penitentiary	Stone-cutting	Stone-cutting.	Stone-cutting.
Illinois State Prison	Shoemaking, stone-cutting.	Shoemaking.	Shoemaking.
New Hampshire State Prison	Manufacture of bedsteads.	Manufacture of bedsteads.	Neither.
New Jersey State Prison	Shoemaking and weaving.	Shoemaking.	Unknown.
New York, Auburn Prison	No complete trade. Each does a part.	Unknown.	Unknown.
Clinton Prison	Nail-cutting and iron-making.	Iron-making, nail-cutting.	Unknown.
Sing Sing Prison	Shoe, clear, harness and cabinet making, saddlery, harness, leather, saddlery, harness, ironing, bootmaking, manufacture of harness trimmings.	Shoemaking, iron-making, harness, bootmaking.	Shoemaking.
Elizabethtown Prison	Shoemaking, harness, shoes, clear, wagon shoes, blacksmithing, broder, painting.	Shoemaking.	Shoemaking.
Orange County Penitentiary	Shoemaking and chair-cutting.	Shoemaking.	Shoemaking.
Oregon State Penitentiary	Shoemaking, blacksmithing, broder, painting.	Shoemaking.	Shoemaking.
Pennsylvania Eastern Penitentiary	Chair and cabinet-making.	Chair-making.	Shoemaking.
Rhode Island State Prison	Cane-sewing, wire-weaving, furniture.	Wire-weaving. No difference.	Shoemaking.
South Carolina Penitentiary	Marble-work, shoes, weaving, carpentering, coopering, wagon work, wheelwright-work.	Marble-work.	Shoemaking.
Virginia State Penitentiary	Coopering, shoes, carpenter-work, wagon-work, coopering-work.	Coopering.	Shoemaking.
West Virginia State Penitentiary	Stone-cutting, coopering-work, cabinet, shoes, etc.	Stone-cutting.	Stone-cutting.
Wisconsin State Prison	Chair and cabinet-making.	Chair-making.	Shoemaking and coopering.
Texas State Penitentiary	Cloth-manufacturing, shoemaking, wheelwright, cabinet and railroad construction.	Cloth-making. No difference.	Cabinet-making.

NAMES OF INSTITUTIONS.	What kind and method of elementary instruction are adopted in the institutions?	To what agencies or institutions, and in what vocations, are prisoners discharged and to engage in useful employment in their own communities?	Do your workers have had daily instruction in the use of tools, and any allowances for their own improvement in their own trades or professions?	What part of the instruction is managed by contract?	Has your institution worked in any way to improve the health of the prisoners, and to give them what rules, regulations, and other things, that would result?
California State Prison	Reading, writing, and arithmetic instructed at cellular and elementary branches.	Agents of Prison Commissions.	Optional with the contractors.	All.	
Connecticut State Prison	Elementary branches.	Young Men's C. Association.	Yes. Yes. Good.	All.	None.
Delaware New Castle Prison	Instruction irregular.	Yes. Yes. Good.	Yes. Yes. Good.	None.	None.
Illinois State Penitentiary	Evening school three times a week under temporary teachers.	Yes. Yes. Good.	Yes. Yes. Good.	None.	None.
Indiana State Prison (North)	Sunday school classes in spelling and reading.	The well justified are re-empowered and obtain employment.	Yes. No. The system is evil.	All.	None.
Indiana State Prison (South)	Reading, writing, etc., under manual instructor.	No special agency, save that of prison officials.	Yes. Yes. Good.	All.	None.
Kentucky State Prison	Prisoners employed as teachers in the State Normal School, under direction of chaplain.	Have no articles and no statistics on the subject.	Yes. Yes. Good.	The prison is kept up by private enterprise.	None.
Louisiana State Penitentiary	Reading, writing and arithmetic.	Religious agencies.	Yes. Yes. Good.	To teach the trades and occupations.	None.
Massachusetts State Prison	Manual branch. See report on reforms, etc.	By the State agent.	Yes. No. Good.	All the work.	None.
Michigan State Prison	Primary branches.	None.	No. No. Good.	All.	None.
Minnesota State Prison	The prisoners are allowed on Sundays to visit the cells of their own family and to write.	A good set of clothes and \$10 is furnished, and the prisoner is allowed to take his own earnings.	Yes. Yes. Good.	All.	None.
Mississippi State Penitentiary	Regular Sabbath school.	About ten percent.	Sometimes. Yes. Good.	None within the walls.	None.

Maryland State Penitentiary	Prison aid association.	Tasks. Yes. All except the laundry and the shoe shops.	Yes. No. Good.	All.	None.
Nebraska State Penitentiary	All men find employment in Nebraska.	Yes. No. Good.	Yes. No. Good.	All.	None.
Nevada State Prison	Prison Aid Association.	No. No. Good.	No. No. Good.	None.	None.
New Hampshire State Prison	Under direction of chaplain.	No.	No.	All.	None.
New Jersey State Prison	Reading, writing and arithmetic.	Yes. In part. Yes. All.	Yes. In part. Yes. All.	All.	None.
New York Auburn Prison	Reading, writing and arithmetic.	Prison Association's agent.	Yes. No. Good.	None.	None.
Clinton Prison	Teachers at the cell-doors.	Prison Association's agent.	Yes. Yes. No. All, save some kind of farming.	None.	None.
Sing Sing Prison	Elementary branches, Sunday mornings and library.	Prison Association's committee and "Inglis" side.	Yes. Yes. Good.	Yes. (part).	None.
Essex County Penitentiary	None.	None.	No. No. The result would be the same.	All.	Yes. (part).
King County Penitentiary	Evening school for one-third Sabbath school and library.	Prison Association's committee.	Occasionally. Yes. Satisfactory.	Shoe manufactory.	None.
Ontonagon Co. Penitentiary	School, teachers and trade teachers.	Agent of Prison Society.	Yes. Yes. Good.	None.	None.
Pennsylvania Eastern Penitentiary	Elementary branches.	Voluntary Association.	No. Good.	None.	None.
Rhode Island State Prison	None, except by the Sunday school.	None. The convicts seem anxious to get home.	No. No. Good.	None.	Yes. Fairly good. Fairly good.
Virginia State Penitentiary	Reading and writing in cell daily P. M.	None.	Yes. Yes. Good.	None.	None.
West Virginia State Penitentiary	Sunday school.	None.	Ten hours. Small rewards.	None.	None.
Wisconsin State Prison	None.	Not all. No.	None.	None.	None.
Texas State Penitentiary	None.	None.	None.	None.	None.

CONDENSED ABSTRACT OF INFORMATION COMMUNICATED BY PRISON OFFICERS AS APPENDED STATEMENTS CONNECTED WITH THE PRISON STATISTICS.

ALBANY PENITENTIARY.

[*Convicts for felonies and for misdemeanors.*]

Concerning the influence of the night school, with from 80 to 100 pupils, taught systematically in five divisions, the inspectors state:

"Our school is held on two evenings in the week, during nine months of the year, and the undersigned are most happy to inform your honorable body that it continues to be a success far beyond what, at the outset, we had ventured to hope. Admission to the school is a reward for general good conduct, and there is no lack of occupants for all the seats and desks at our command. We continue to find that the school, apart from all other advantages, is a valuable element in the maintenance of discipline; and the earnestness of its pupils has a most gratifying illustration in the fact that several who have attended the sessions for six months, commencing with the alphabet, are now well advanced in arithmetic, can compose and write creditable letters to their friends, and have education enough to transact the business of common life.

"We are glad to know that the interest in this important source of prison enjoyment (*the library*), heretofore manifested by our own citizens, still exists; and donations of books and reading matter from distant points, whence convicts are sent to us, afford the grateful assurance that neighborly charity may impart some cheering light to the outcast's cell."

The chaplain states:

"The penitentiary school, held on Monday and Thursday nights, has been marked with satisfactory progress. Pupils who have regularly attended its sessions during two terms, and who began with the alphabet, are now well advanced in arithmetic, can compose and write creditable letters to their friends, and have education enough to transact the business of common life. Indeed, a large number are afforded the best educational advantages of their lives, and a few have declared their intention to become teachers upon the expiration of their terms of service."

CALIFORNIA STATE PRISON.

[*Felons only.*]

The last report of the director states:

"It is difficult in the extreme to know just how to enforce prison discipline, and at the same time to encourage the culprit to attempt a different and better life. There are comparatively but few who do not appreciate that kind of treatment which recognizes and appeals to their manhood. Let a prisoner feel that he is treated with injustice, and a defiant, dogged spirit is roused within him, which will put an effectual

bar to all hope of amendment upon his part. But give him facilities for improvement, commend him kindly for duties well performed, hold out the possibilities of a better life, and there are but few who will not begin by wishing to amend. Let the officers of a prison be only those who believe that, however abased or hardened a criminal may be, it is yet possible for him to reform, and another great point is gained. Such an officer will not readily abandon his efforts to rouse into life the dormant spark of right feeling which, let us hope, exists in every breast, however deeply steeped in crime its possessor may be."

CONNECTICUT STATE PRISON.

[*Felons only.*]

From report of the commissioners on state prison matters to the general assembly of Connecticut:

"We believe that the law allowing commutation is a good one, so far as the quiet of the prison is concerned. It seems to us, however, that marks might be given for positive rather than for negative good conduct, accompanied with such privileges and helpful conditions as to affect favorably the character of the prisoner as well as his time of sentence.

"The prisoner is apt to consider the term of his sentence as the penalty society inflicts upon him, and to think that when he has suffered it he is quits with the world; any motive for a change in his character or intentions is therefore wanting, except that of avoiding the repetition of the sentence, and experience shows that this is not sufficient to deter him from crime again. If he were committed to prison and labor until he showed signs of reformation, and with the knowledge that a second offense would decrease the probability of an early release, he might begin at once to resolve upon a life which should not be a prolonged perspective of prison discipline."

Partisan interference denounced. "The state is to be congratulated that its prison administration has been so far removed from what are called political influences. No prison can be well managed, nor is any system capable of proper administration, which is subject to the perturbation of such influences and incident changes, and the greed of gain and power. The example is before us of the disorder and cost of the prison system of the state of New York, where the judiciary is despotic, the state prison inspectors are chosen by popular vote, the wardens and officers of prisons are changed as often as there is a change in the party in power, places are made the reward of political service, and prison contracts are matters of favor. It needs only to select the inmates of the prisons by ballot to make the system complete."

The directors of the state prison at Wethersfield report that:

"There is a fund in our state known as the 'Watkinson fund,' from which an annual income of three hundred dollars (\$300) is derived for the aid of discharged prisoners. Each convict, as he leaves our prison, receives ten dollars (\$10) in cash and a working man's suit of clothes; but this is by no means all the prisoner needs, and we would suggest

that your honorable body make some provision whereby newly-discharged prisoners be provided with temporary homes, and receive encouragement until some permanent employment opens to them. In this way they will be kept from many strong temptations they meet while wandering about alleys in cities and villages, they will be strengthened to hold fast to the good resolutions they made upon getting outside of prison walls. Some help of this kind is felt as a need.

"We would also refer to the families of the prisoners, and would call attention to the dire suffering many of them endure while their providers are in confinement. Would it not be a pleasant charity for the state to distribute, to some of the most needy and deserving of these, a part of the money earned by the prisoners that is paid into the state treasury, over and above the prison expenses?"

ERIE COUNTY PENITENTIARY, BUFFALO.

[*Felons, Misdemeanants and Police prisoners promiscuously.*]

The local committee of the prison association make the following statement to the supervisors of Erie county:

"BUFFALO, October 24, 1873.

"To the Honorable Board of Supervisors:

"GENTLEMEN—The local committee of the New York State Prison Association have the honor to make this their annual report to your honorable body, of the religious services held during the year in the chapel of the penitentiary, on the return of each Sabbath day, from 9 to 10 A. M., and we trust with beneficial results to the large number of our fellow-beings confined in the prison. The testimony is uniform among those having charge of our prisons throughout our country as to the beneficial results upon the prisoners of similar religious services, in many instances awakening purposes of reformation and prompting to manly efforts toward that end. In the feeble efforts put forth on the part of the local prison committee to benefit those 'in prison,' while we can not point to as much good accomplished as we could wish as the results of our labor, yet we are assured of many gratifying results. These religious services are looked forward to with earnest solicitude on the part of the convicts, anxiously awaiting the return of the holy day when they may assemble in their beautiful chapel and engage in these pleasant religious services. And we can not indulge the belief that these christian services to this class of our fellow-men can but result in great good, bringing many under the sound of the precious gospel probably for the first time in all their lives, and touching, we trust, a chord that may awaken to repentance and a new life. Under these pleasant christian services, resolves are made, and in some instances kept, to break away from a life of vice and enter a new life that leads up to that higher life of God. If but one such during the year now closing, we are paid for our humble efforts.

"During the year the female prison has been visited regularly each Sabbath from 3 to 4 P. M. by two faithful christian ladies, whose efforts

to reclaim and benefit the inmates by personal conversation has resulted in great good, in seeking out the young in crime, interesting themselves in their personal welfare, and by calling for them at the expiration of their sentences and furnishing them with a home, and providing with funds those who desire to return to their homes, where a broken-hearted mother is made glad at the return of her lost one.

"We hope during the coming year to arrange for a more thorough visitation of the male prison, and by personal contact with the convicts be able to benefit them more largely.

"The crowded state of the male prison is a serious drawback, not only to proper discipline, but also to the morals of the convict, two and three being crowded into one cell, where there should be but one, which we hope may soon be remedied by more room.

"Your committee desire to express the great obligation we are under to the clergy of our city, for their uniform readiness to aid us in these services, by attending with us and preaching the gospel. We also gladly bear our testimony to the very courteous and kind attention of the superintendent and his deputies in rendering us aid to the extent of their ability, always ready and willing to oblige us.

(Signed)

SETH CLARK,

"Chairman of Local Committee."

LILLINOIS STATE PENITENTIARY.

[*Felons only.*]

The report of the commissioners of the penitentiary states:

"The purpose of our penitentiary is two-fold: first, the safety of society; and secondly, the reformation of the criminal. Neither can be properly neglected or lost sight of. The neglect of the latter would be an injury to the criminal, and the neglect of the former a public calamity. However philanthropic the mind may be formed, philanthropy must give way to stern necessity. A prison is not a place of ease and comfort, and if you strip from it every vestige of terror, it would deprive us of much of the protection now afforded by our criminal laws. The punishment of crime ought to be prompt and decisive, and we believe that industrious labor is the very germ of industrious reformation. Discipline is the life of a prison; without it neither profitable labor nor reformation can be secured. The prisoner must obey every lawful and reasonable requirement; when he refuses to do so, there is a conflict between him and the state; one or the other must yield."

"The good-time law which took effect on July 1st, is of great benefit to the convicts, particularly to those who are sent here for a term of years. Under the old law a convict lost all his good time previously made for one violation of the rules. There are instances in our prison where men, by one misdemeanor, lost more than a year of good time. It is out of our power to restore this time; it can only be done by executive clemency. We have collected the individual cases, some of them really of great hardship, and would respectfully call your attention to them."

[The library for convicts in this institution exceeds 2,000 vols.—H.]

INDIANA PRISON (NORTH).

[Felons only.]

The warden states that:

"It is a matter of congratulation that I am able to report favorably in regard to the discipline of the prison. With but few exceptions the conduct of the prisoners has been good, and the rules of the prison have been generally closely regarded. All of the prisoners seem, as a general thing, as cheerful and contented as possible under the circumstances. For any matter relating to them, our books are open to any one who takes an interest in them."

IOWA STATE PENITENTIARY.—1873.

[Felons only.]

The warden states:

"The diminution of their sentences as a reward for good conduct, provided by law, is one of the most successful agencies in preserving good order and questioning obedience to prison regulations. This 'good time' statute is at once a most powerful and happy element of discipline, the reward for well-doing being found in both the diminution of their terms of sentence and their consciousness of good behavior. In the operation of this law 42 days of the first year are taken from the sentence, and 48 from each subsequent year. So strong an incentive to good behavior is this rewarding statute that more than ninety-nine hundredths of the convicts are its beneficiaries."

* * * "Deprivation of the privileges of the reading-room would be a punishment without cruelty, but which the men would greatly dread to incur. It would be infinitely more salutary than the horrible lash or dungeon. It is said that 'corruption wins not more than honesty.' Certain I am, after long experience and the most careful observation, that cruelty wins not more than kindness, even with those supposed to be more than all others beyond the reach of humane influences. Here, as elsewhere, the great rule whereby power is given is the rule of kindness; a rule that is overruled too much everywhere, and hence much the largest proportion of the misery of mankind even outside of institutions where men undergo the punishment of penal codes. It is believed that the constant good behavior of the convicts in this prison is not surpassed in any similar institution in our country. We still have punishments for the unruly, and these are necessary, but the rule is that of kindness, and it is generally efficacious."

KANSAS STATE PENITENTIARY.—1873.

[Felons only.]

The warden states:

"The better we understand each prisoner individually, the more successfully we can manage them. We endeavor to surround them with such influences as tend to elevate, and discourage wrong in every shape where it shows itself. Make a man such as he can and will truly respect himself, and he is sure to gain the respect of those around him. Man may suddenly resolve that he will do better, but that resolution must be continually supported by practice. The fruit it bears is of slow growth and needs constant and careful cultivation to thoroughly ripen into true manly living. It is impossible to eradicate in one or two years habits that have taken many years of constant practice to form."

"We can not hope to benefit the present generation only by deterring them from again committing crime. Proper home influences and teachings are the only reliable sources of a true remedy for the wrongs that now exist in society, and until the fountain is purified we must not expect the streams to be pure. We see the defects of home training more plainly marked in the children running at large on the streets of our cities and towns. This truancy continues the year round, and a correction of this prevailing evil seems to urge the adoption of compulsory attendance at school during a portion of the year."

MINNESOTA STATE PRISON.—1873.

[Felons only.]

The inspectors state:

"We call attention to the valuable suggestions made by the warden of this institution in regard to the compensation, to some extent, to the convicts for a portion of their labor. The law allows a certain amount of *good time* to convicts for good behavior, which shall be counted in diminution of their term of sentence. This has a most beneficial effect in maintaining good order, but it will be seen that *life convicts* cannot avail themselves of this provision. What we would recommend is, that a strict account of the good time earned by life convicts be kept, and that such convict be paid for each day's good time he has earned the same wages that the state receives for his labor. This sum could be sent to the convict's family, or allowed to accumulate, and in the event of his pardon would afford him means to commence life anew, and be a great incentive to good conduct while in prison. These institutions should be reformatory as well as penal; something should be done to keep hope and self-respect alive in every heart. Let the convict feel that he is still able to do something for his family or himself, and you help him to be a better man."

The warden reports to the governor of the state:

* * * "Let me again call your attention and solicit your co-operation in the passage of a law which shall give to the convict—*as another great incentive to well doing*—a portion of his earnings—say one-sixteenth, or one-eighth if you please."

"Most of these convicts are soon to go forth from prison and become citizens, and what is a trifle to the state, in such a time, is much to them, and many a poor fellow has gone forth from prison with strong resolutions to do right, but has fallen for the want of a friendly hand, or a few dollars. Nothing can be done for the establishment and elevation of manhood in these unfortunate, but its beneficial results will be felt in society.

"Hope of reward is a ten-fold more powerful stimulus to good action, than fear of punishment."

The prison chaplain reports that: "One of the principal sources, tending to reformation in life and conduct, and also to intellectual improvement, is found in the facilities afforded the men for reading, the prison now being furnished with a good selection of books. As there is a distribution of the books once in every two weeks, the eagerness with which they are sought after by the men, gives pleasing evidence that they read with interest, and at least, to some extent, with profit. It is not only historical works and miscellaneous works that are sought after by the men, but in many instances, the religious works, sermons and religious narratives and productions of good men in the different ages. The cells being furnished with Bibles and testaments, many of the men, I learn, have commenced the study of the scriptures for the first time in their lives. The Sabbath-school services, which are held in the chapel of the prison every Sabbath afternoon, have already been productive of much good, and are participated in by the convicts with evident interest. I will here give the statement of the superintendent, Judge J. M. Beck, from whom I procured the following statistics. I have been astonished at the progress the men have made. One man I call to mind who did not know a letter, in seven months learned to read well, and was put into the Bible class. Many of the others who could read a little imperfectly have become good readers, and have been put into the Bible class. The success of teaching the prisoners is no longer a question. They learn with a rapidity that is astonishing."

MARYLAND PENITENTIARY.

[*Felons only.*]

The warden states that: "The passage of a state law such as is now in force with regard to United States prisoners, which abridges the term of sentence by taking off one month for each year, if the prisoner's conduct merits it, would have a beneficial tendency in the matter of discipline.

* * * "In our judgment the commutation of a prisoner's sentence must have a salutary effect upon discipline. It has been demonstrated in our prisons, with the prisoners sent us by the United States courts. However their natural predilections to viciousness and insubordination, a restraining tendency is produced by the reflection, that their time will be abridged by the authorities if the prison certifying that their general conduct has been unexceptionably good.

* * * "Wherever this law of commutation prevails, it has been shown that the incentive to good conduct has been productive of good results, and the discipline has been more easy of enforcement."

MICHIGAN STATE PRISON.

[*Felons only.*]

In the last report of the state inspectors of prisons they say: "A canvass of our prison population reveals the fact that a large proportion of the inmates are young men who have tramped away from home and when no longer under its restraints and influences, and for want of business, have fallen into bad company, and habits of idleness and dissipation, and thus early paved the way to the prison. Idleness is the most fruitful source of crime. The great mass of offenses is against property, and to obtain property without work, means with toil. Men resort to all sorts of vice from petty theft up to deliberate and most bloody murder, so, just as idleness produces crime, industry serves to repress it. The diligent and skillful laborer is rarely a criminal. With plenty to do, the mind and body occupied, there is no desire or time to indulge in habits that lead to criminal practices, and this is true in the prison as well as out of it. We have no sympathy with that mawkish sentiment that is always crying out against enforced labor in the prison. Convicts are sentenced to hard labor, and, within proper bounds, it is for their best good that they should be required, systematically and thoroughly, to conform to the provisions of the sentence. This very labor is one of the most effective agencies for the reformation of convicts; it breaks up habits of idleness, and forms those of usefulness, trains, gives self-command, and prepares the prisoner to earn his own livelihood when released; it promotes health, secures discipline and subordination, diminishes the expense of maintaining the prison and promotes economy."

The agent of this prison states:

"I regard it as a matter of economy in labor and discipline that men in prison should have little breathing spells. For this reason, if for no other, we would not forget the holidays; for this reason have I read to them one or twice a week all sorts of well-written articles, instructive or humorous. It is for the same reason that I have allowed every man that would do it, to have in his workshop window a plant or a vine to care for, and through which he might catch a blink of the blue sky far away. It is for the sake of keeping alive the instincts of human care and love that little houses have been provided and placed on our higher buildings for the martin, swallows and blue-birds, these little visitors who never cease their chatter despite prison rules. It is a good thing for every body to have some kindly occupation at times, something to call out our sympathy and hospitality.

"The most prominent men in prison are the bad ones, their offenses against discipline have to be dealt with, and are mostly talked of, but there is a better side to prison character, which none but officers have a good chance of observing, and many are the evidences of affection returned for kindness, to an officer who is disposed to screen from punishment, for trivial offenses, or who will listen to some story in their sad or impulsive moments, of a desolate home, a mother, a sister or a fair haired child they loved once; of this inner life, the best reports never utter a word. While I do not attempt to probe too deeply into all that seems strange here, nor believe that sorrow and repentance are always real when pretended, still I must not in all cases, doubt the truth and honesty of those under lock and key."

MASSACHUSETTS STATE PRISON.

[*Felons only.*]

The warden states: "Our discipline is founded on divine laws, a system of rewards and punishments. It is enforced without partiality, with the aim of doing justice to all, justice to the law-abiding and outraged community on the one hand, and justice to the convicted law breaker on the other. The full penalty of the law is exacted, while each convict is secured in all rights and privileges that an enlightened and humane age demands that incarcerated criminals should have, not inconsistent with the aim to be accomplished by imprisonment for crime. Hope and encouragement are held out for all to cultivate feelings of manhood and self-respect, to seek improvement and reformation. All violation of prison rules are surely punished; certainty not severity, strict but kind, is the rule here. No rewards are offered, no punishments inflicted, but such as are authorized by law.

"God is as near the convict in his cell as the sinner in the church. Labor is a powerful auxiliary in the good work of criminal reformation. Most of the convicts, when received, come with soft hands, without trades, and from a dissipated life, with shattered constitutions. Here they are compelled to learn a good trade. This gives them self-reliance, self-respect, independence and a feeling of security against want when discharged. The ignorant and illiterate are taught a common English education, and all are encouraged in a laudable desire for knowledge by having the privilege of a large and well selected library, an opportunity to attend Sabbath school prayer meetings, with religious instruction in cell and chapel, and kind and hopeful words from all.

"Our present system of educating ignorant convicts is very defective, and a much needed improvement can be accomplished here. We have now two evening schools a week, held during six months of the year, in a school room located in the dome of the prison, sixty feet from the ground, under the charge of three officers."

MISSISSIPPI STATE PENITENTIARY.

[*Felons and Misdemeanants promiscuously, and their labor leased to employers in different places.*]

(Superintendent Loomis' Annual Report, January, 1874.)

"The system of leasing convicts is, in my opinion, detrimental to the public interest. Granting the lessees to be actuated by just and humane motives, yet when it is considered that they pay stated sums for the labor of the convict, they will tax the convict to his utmost capacity. The sentence of the court condemns the convict to the penitentiary at hard labor, but such sentence does not import or imply that the prisoner is to be exposed to the burning rays of the sun, the drenching rains, nor to the piercing winds of winter.

"There are at this moment a large number of criminals sentenced to the penitentiary, confined within the jails of the different counties, and I am without the necessary available means to effect their removal."

NEBRASKA STATE PRISON.

[*Felons only.*]

The report of the inspector states: "Of the commutation law and its results, we can speak in the most decided terms. The prisoner is soon educated to know that this is his own law, enacted for his benefit; he may curtail or prolong his imprisonment at pleasure. It is the simplest idea of reward that can be offered to a prisoner. Incentives to good conduct are: diminution of sentence, kindness and appeals to manhood and benevolence. During the past year, both instrumental and vocal music, together with an evening school and bible class, have been introduced and established in the prison, in all of which the prisoners take a very lively interest, and are very much improved thereby."

NORTH CAROLINA PENITENTIARY.

[*Felons only.*]

The report of the board of directors states:

"The board of directors would respectfully suggest that their short experience in the management of the penitentiary satisfies them that the interest of the state and the convicts would be greatly promoted if the general assembly would so modify the existing law that the term of imprisonment and the pardon of the executive shall depend, to some extent at least, upon the conduct of the prisoner and the recommendation of the officers and directors of the penitentiary. Such a law would doubtless have a most salutary effect upon the minds and conduct of the prisoners, and render the enforcement of the rules and regulations of the prison a comparatively easy matter.

"It is not to be hoped for that criminals will be well-behaved or industrious without the hope of reward or some personal advantage. Fear alone cannot produce these desirable results. It does so in no case among those of better classes. It has been found of great advantage in penal institutions to make an appeal to the hope of reward. It has been crowned with eminent success, so far as discipline is concerned. Nearly all states prisons are now allowed to commute the sentence of convicts for good conduct and industry. An accurate record is kept of the good behavior and industry of each convict, except those sentenced for life, by the prison officers, and for each month of good behavior a fixed number of days are deducted from the term of sentence; and the deduction increases with the continuous and lengthened good conduct. This hope of shortening the duration of imprisonment works wonders in the government of a penitentiary, and fills the expectant free man with hope and energy."

OHIO STATE PENITENTIARY.

[Felons only.]

The report of the directors states:

"By a wise provision of our law a convict, by good behavior and fidelity and diligence in the performance of his work,* may diminish his sentence five days in each calendar month and receive a portion of his earnings, not exceeding one-tenth. For a violation of the rules he not only forfeits all gained time and earnings for the month in which the delinquency occurs, but, according to the aggravated nature or frequency of his offenses, the board may deduct a portion or all of his previously-earned time and money, or either of them.

If the convict passes the entire period of his sentence without violating the rules and discipline, he is restored to citizenship. If he is prevented from labor by reason of sickness or other infirmity not intentionally produced by himself, he is entitled by good conduct to two and a half day's deduction from his sentence each month. These provisions exert a very strong influence on most of the prisoners. The reduction of the sentence is by far the most influential. Great care is taken to administer this provision with impartiality, and the names of the offenders, with the penalties, are read in the presence of the prisoners every month."

"The provision in our law under which the payments are made is liberal, and at the same time, when properly administered, is a strong incentive to good behavior on the part of the convict. An arbitrary sum, given absolutely and without the exercise of discretion, might be liberal, but it would be more likely to be pernicious in its consequences than beneficial. Such favors should always be bestowed as a reward for meritorious conduct, and withheld for vicious behavior. If it is given as a matter of right, and not as a reward, it will not produce any effect in the way of reformation. The present provision is sufficient for the purpose, and is productive of beneficial results. We have not yet found it expedient to give the full amount authorized, though the sums given have been increased from year to year. The aggregate for each year, since the law went into effect, is as follows: 1868, \$1,872.45; 1869, \$2,890; 1870, \$3,704; 1871, \$5,598."

"From a purely punitive institution, it has become both punitive and reformatory. Cruel and degrading punishments are not countenanced. That convicts have rights, and may assert them, has been acknowledged and acted upon; a spirit of manhood, responsibility and self-respect has been cultivated; and that which was revolting to both bond and free has been discontinued as fast as practicable.* In endeavor-

*The statute, which in Ohio has greatly helped in the reformatory treatment of its felon convicts, makes the following excellent provision for encouragement in well-doing: *Records for good behavior, etc.—§ 20.* In order that good behavior may be properly rewarded, it shall be the duty of the board to provide, in its rules and regulations, for a correct daily record of the conduct of each prisoner, and his fidelity and diligence in the performance of his work; and each one who is sentenced for a definite time, shall be entitled to diminish the period of his sentence, and receive a portion of his earnings, and to citizenship, under the following rules and regulations:

1st. For each calendar month, commencing on the first day of the month next after his arrival at the penitentiary, during which he shall not be guilty of a violation of the discipline or any of the rules of the prison, and shall labor with diligence and fidelity, he shall

oring to produce reformation, we have kept in mind the primary cause of crime, and have endeavored to supplant vicious and erroneous ideas of life by those Christian truths which are the basis of all our morals and our superior civilization. There are many in as well as out of the penitentiary who are proof against such influences, and there is about the usual proportion in both situations whose minds and consciences may be reached, and who can be influenced to forsake the wrong and cleave to the right. This branch of the public service is but just commenced."

[The net excess of cash earnings in this prison, over all expenses and salaries, in 1873, was \$8,175.66. The total amount of net earnings, over all expenditures and improvements in the past seven years, amounts to \$68,653.34. The total amount of earnings over and above self-support in the past seven years is \$227,956.37. — E. H.]

OREGON STATE PENITENTIARY.

[Felons only.]

The superintendent remarks, in his report to the governor:

"Kind words and good deeds are not lost, even upon prisoners. Your excellency, eighteen months ago, forbade any corporeal punishment inflicted on prisoners. I have the satisfaction of reporting its good working, and think I can say that, notwithstanding we have some of the most troublesome and dangerous men the institution has ever known, the rules and regulations have never been better obeyed, nor the discipline more perfect, than at present."

ONONDAGA COUNTY PENITENTIARY — SYRACUSE.

[Felons and Misdemeanants.]

Captain J. C. Williams, the superintendent, in a communication to us, states:

"I would say, emphatically, that we need an industrial reformatory school in every county in the state for vicious and disorderly children under 17 years of age."

he allowed a deduction of five days from the period of his sentence, and a portion of his earnings, not exceeding one-tenth of the average price of convict labor.

2d. For every violation of the rules and discipline, or want of fidelity and care in the performance of work, the convict shall not only forfeit all gained time and earnings for the month in which the delinquency occurs, but, according to the aggravated nature or frequency of his offenses, the board may deduct a portion or all of his previously-earned time and money, or either of them.

3d. If a convict shall pass the entire period of his sentence without any violation of the rules and discipline, he shall be entitled to a certificate thereof from the warden, and on presenting it to the governor he shall be restored to citizenship.

4th. If he is prevented from labor by sickness or other infirmity, not intentionally produced by himself, he shall be entitled, by good conduct, to two and a half day's deduction from his sentence each month.

5th. If he is unable to earn any thing, by reason of sickness, or infirmity, during his confinement, and his conduct

The inspectors make the following statement in their last report: "There are two classes of prisoners confined in our penitentiary that are strictly state prisoners: 1st, All females convicted in the fifth and sixth judicial districts of crime punishable in state prisons, are required by act, chapter 574, laws of 1869, to be sentenced to our prison, and provision is made for paying the county for board of such female prisoners from the state treasury; 2d, Under act, chapter 158, laws of 1856, all male convicts in any judicial district in which a penitentiary is located, under the age of 21 years at time of conviction, may in the discretion of the court, be sentenced to such penitentiary. The act above referred to makes no provision for the board of such prisoners, and no payment has been made to this county for such service. The number of persons sentenced to our penitentiary under the act above referred to, has steadily increased from year to year since 1855."

The chaplain of this penitentiary makes the following interesting statement concerning the influence and practical effects of the night-school for convicts, which was organized in this prison by request of the corresponding secretary of the association:

"In respect to the school for which provision was made last fall, I am happy to say that the experiment has been fairly tried, and, by those qualified to judge, it is deemed a satisfactory success. Some 60 or 70 of the younger convicts, on condition of good behavior, enjoyed the privilege of attending school. The influence was apparent, not only in the happy tendency of intellectual culture and refinement on that class of persons, but is essentially aiding the disciplinary measures of the institution. As attendance in the school was eagerly sought, and was predicated on good behavior, keepers have assured me that they saw its good influence even in the workshop. On the day before the evening when the school was to commence, a boy asked of his keeper permission to attend the school. The keeper hesitated and reminded him of his past neglect. Well, said the boy, 'Please try me.' The boy worked in the chair-shop. He had bottomed a chair and a half, and sometimes two chairs in a day. That day he bottomed well six chairs and afterwards did it habitually, and made as good proficiency in the school as he did in the workshop. Another boy about 15 years of age came in. I asked him if he could read. 'No, sir.' Have you ever been to school? 'No, sir.' Where is your home? 'Hain't got any.' Where have you lived? 'Just where it happened.' Have you any friends? 'Not that I know of.' What has been your employment? 'Nothing particular.' Why do you wish to learn? 'Because I think it is time for me to try to be somebody.' Several who did not know the alphabet learned to read intelligibly, and some who scarcely knew one figure from another, became quite well skilled in the ground rules of arithmetic. There were some who went nearly through the common school arithmetic. Some who could not write a word learned to write a fair intelligible hand, though for want of conveniences they could only practice upon the blackboard and with slate and pencil.

"I found no difficulty in obtaining, among the convicts, assistants who were more than willing to engage in the enterprise."

EASTERN PENITENTIARY OF PENNSYLVANIA—PHILADELPHIA.

[*Felons only.*]

The inspectors of this renowned penitentiary remark that: * * * "The system of penitentiary discipline administered in this institution is not of the 'solitary,' sad, gloomy, dungeon-like character which the uninformed have so long persistently applied to vidual treatment system, because it admits of the direct personal application to each prisoner of all the influences and instrumentalities which science and experience recognize as best adapted to secure the interests of the prisoner, and of society, and dignify practical benevolence.

"If reform is possible in the convict, if he has enough moral constitution to bear special remedial treatment, if he desires to become a good citizen, learn a handicraft occupation, if he desires to support himself in honesty, improve his mind, elevate himself to the standard of rectitude in life, then, by this system, he can be so treated as at least to foster all such aspirations. He is not degraded by association with the guilty of all crimes, in a community of criminals, suffering punishment for offenses which this community of his prison associates were separated from society for committing. * * *

"Under the individual treatment system, reformation is attainable; under the associate system, it is—possible.

"There may be differences of opinion as to systems of prison discipline. Improvements may be made in any existing system. The worst may be improved, the best may deteriorate through its bad administration— but there is no absurdity so great, as to believe it possible to make by a mixture of two utterly opposite systems, one, which at best must be but a hybrid, liable to all the infirmities of such a creation.

"The individual treatment system addresses itself to the prisoner, in his ascertained needs, either moral, mental or physical. It seeks by personal and direct application of the best means his particular case requires, to improve, restore, reform, cure him. The spirit of this system is separation from all criminals. The letter of this system is separation from all association which retards, prevents, or puts in jeopardy the acceptance of those proposed means for the prisoner's future benefit, and the real, true, substantial interests of society."

STATE PENITENTIARY FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

[*Felons only.*]

In the last report it is stated:

"Only 60 prisoners received during the year, out of 173, report themselves of temperate habits. Of the number received, 17 were returned for a second term, and six for a third term, and two for the fourth term."

The chaplain is teacher of the night school. He says:

"For the sake of convenience in assembling the prisoners in the [Assem. Doc. No. 150.] 15

school-room by the overseers, and returning them to their cells, all the classes have been made up of those occupying the same sections of the prison. As a large portion of the inmates were illiterate, and therefore in the greatest need of instruction, the privileges of the school have been in large measure confined to this class.

"The number under instruction during the year has been 101.

"Among the ameliorating influences of the prison few, perhaps deserve a higher position than this of the school. It tends to change the current of the prisoners' thoughts, besides giving them something to think of. We hope it may not only prove a comfort here, but be a help to them in getting along when their time is out."

RHODE ISLAND STATE PENITENTIARY.

[*Convicts for felony and for drunkenness in same prison.*]

The inspectors state that:

"The warden has been obliged to put four, and in some instances as many as six persons, each, in the cells of the old jail. This indiscriminate herding together of prisoners—for it is nothing less—of all degrees of cleanliness and of all kinds of character, can have no other than an injurious effect upon the *morale* of the institution. Drunkenness is the prevailing offense, 1,300 having been committed from the city for that alone.

"In this connection, the inspectors would again call the attention of the general assembly to the need of an agency for furnishing employment to discharged prisoners. There is no question of the good reformatory influence of continuous employment. Idleness almost invariably ensures to the discharged prisoner a relapse into crime."

TENNESSEE PENITENTIARY.

[*Felons only; industries farmed out to lessees.*]

The superintendent of prisons reports that:

"The success of our branch prisons, rendered necessary by the rapid increase of convicts, is a source of gratification to the state. Good order and discipline prevail at all of them, the convicts are well cared for, provided with suitable books, work cheerfully, and punishment is almost unknown. They are conducted under the regulations of the penitentiary; the same sanitary measures have been adopted at all of them, each prison being furnished by the company or contractors in charge with medicines and a physician.

TEXAS STATE PRISON.

[*Felons: The prisoners farmed out to lessees.*]

The lessees are experimenting with the convicts employed on the Great Northern Railroad by a system of money gratuities, by giving

to every convict, whose behavior is good, the sum of \$2 per month, which is either given to him at the expiration of his time of sentence or sent to his family, as he may prefer. The result, so far, of this system has not only superseded the use of the stocks at one camp, but their presence on the works. The lessees believe that they can adopt the same system in the work-shops of the prison as soon as the labor is better systematized, with both good moral and pecuniary results.

"During the two years ending December 31, 1872, there have been received in the prison 983.

"The number discharged by expiration of sentence or by pardon, with the number of deaths and escapes, give the present now on hand as 944.

"Since the lessees took possession of the prison, one year and a-half ago, the number has increased from 607 to 944. This alarming increase in our prison population should admonish the legislature of providing, at an early day, suitable accommodations."

VIRGINIA STATE PENITENTIARY.

[*Felons only.*]

The warden of the Virginia Penitentiary, in a communication to this association, states:

"I believe in strict discipline, but, at the same time, in kind and humane treatment. We must treat convicts as human beings, and not as brutes, and show to them that, by behaving themselves, they will insure kindly treatment."

VERMONT STATE PRISON.

[*Felons and Misdemeanants.*]

The last report of the directors states that "Most of those who fall into crime are prone to idleness, and, consequently, to evil thoughts and purposes; and to train them to habits of industry, while in confinement, is essentially to train them to virtue and rectitude. Many of them have never been taught so much as to read and write, and some have received literally no religious instruction."

The foregoing extracts from the reports and correspondence last received from the prison officials of our own country convey much information that will prove useful. But it will be noticed that few of these officers seem to be pleased with the system of discipline which they are required to administer. They exalt the law of kindness and good will to a supremacy over the rule of force, while in every one of these forty prisons, in which methodical instruction in common knowledge has been introduced, this schooling of the mind and discipline of the inner life of prisoners is unhesitatingly pronounced the

best aid to penal discipline and the reformation of criminals. To this fact it becomes us to give special attention. For, while the subject of prison industries, rewards, punishments, pardons, and the methods of internal administration of the prisons in different states are yet all unsettled, and only a few—very few—really expert and soundly philosophical men are yet concerned in the administration of prisons, all officials who have tried the value of useful instruction and the law of well-guarded kindness, bear testimony to their disciplinary and moral importance.

In our estimate of the necessity which exists among the criminal classes for elementary and practical instruction in common knowledge, we need to observe the enormous preponderance of the uneducated classes in our prisons.

Imperfect as the prison statistics are in many of the states, the fact appears in the abstract we have compiled for forty prisons, that of all convicts admitted to them in the year 1873, upwards of 27 per centum could not read and write, and more than 31 per centum had not received the benefits of common schools. In the state of New York the statistics show that 25.70 per centum of the penitentiary convicts and 17.47 per centum of state prisoners could not read and write when admitted.

The simplest mode of stating the arithmetical fact concerning the relative rates of crime in the educated and uneducated classes may be put into the following formula:

One-third of the criminals in the United States are uneducated.

One-sixth of the total population of the United States at the ages of the convict classes were found by the last census to be illiterate.

Hence it appears that as the one-sixth of our population gives one-third and upwards of all the crime, the ratio of criminals is more than twice as great in the uneducated as in the educated; rudimentary education being the limit of the latter term, this ratio being expressed by the arithmetical statement of proportion:

$$\frac{1}{3} (\frac{2}{3}) : \frac{1}{6} :: \frac{2}{3} : 2\frac{2}{3}$$

That is, in any large equal numbers of each class—the uneducated and the educated—there are liable to be five crimes committed by the illiterate classes to every two crimes by the reasonably educated.

By referring to the statistical abstracts of the prisons and penitentiaries of New York, it will be seen that if the illiterate class of convicts is compared with the educated, and both with the last census of population, the ratio of crime to illiteracy is even greater than this which we find reported for the entire country.

In the statistical and other abstracts we have here presented in relation to the prisons of the United States, it will be noticed that important facts are presented concerning the youthfulness of the crime class, the great number of life-sentenced prisoners in certain States, and the absence of that class of convicts in certain other States, and the confession in numerous prisoners that from fifteen to twenty-five per cent of the convicts relapse into crime upon discharge from imprisonment.

A mass of fresh and useful information from all of these prisons has reached us, and will, in due time, be analyzed and presented to the public.

STATEMENT CONCERNING THE PRISONS OF NEW YORK AND NEIGHBORING STATES. BY MARY CARPENTER, OF BRISTOL, ENGLAND.

The visit of Miss MARY CARPENTER to the United States during the summer of 1873 for the purpose of examining the penal and reformatory institutions of our country resulted in a deep conviction in her mind that the interference of selfish and partisan interests in the internal administration of prison affairs is fatally opposed alike to the reformatory and the disciplinary treatment of convicts.

Upon the eve of this distinguished lady's departure to England she communicated the following statement to the Prison Association:

In compliance with requests I beg to submit to you the following observations upon prison discipline suggested by my recent visit to the United States:

The State has a right, for the protection of society, to deprive of liberty any person, man or woman, who is doing an injury to it by breach of the laws. But, in thus depriving him of his liberty, the State has no right to inflict upon him any unnecessary pain, and is bound to provide for his well-being, physical, intellectual, moral and religious, in every way consistent with the object of his imprisonment, which is the protection of society and the minimizing of crime. This object is inseparably connected with the reformation of the offender and the prevention of his future criminal conduct, which may therefore be regarded as the immediate object of his imprisonment. If the shortness of his sentence of detention renders the first (reformation) impossible, the nature of his imprisonment should at once assume a character, in accordance always with his real welfare, as to warn him from a repetition of his offense. The State, that is to say the Legislature, representing society, is responsible for the true development of this principle and for the right treatment of all the persons whom it has deprived of liberty. In order to carry out in each State this general principle, which should be at the foundation of all treatment of criminals, the following conditions appear essential:

That a board of commissioners, selected by the Legislature for their fitness for such a duty, and responsible to it, shall be appointed in every State to superintend and regulate the condition of all places of legal detention, and the treatment of the prisoners. The members of such board shall not be removable, except for due cause. Two of the board shall retire annually in rotation, but shall be eligible to re-election.

That the board shall have power to enforce the adoption, in all places of detention (jails, police stations and reformatories), of the general conditions appointed by the State for such places.

That the board shall have power to appoint the chief officers of all the State institutions, subject to the approval of the Governor and all council of the State; such officers (warden and religious and moral instructors) being irremovable except for misconduct or inability; and that it (the board) must sanction the appointment, by local authorities, and of such officers in county jails or reformatories, and all places of legal detention under voluntary management; such officers being irremovable as above.

That the board shall appoint inspectors, who shall visit from time to time, at least twice a year, and whenever it may appear desirable, all jails and other places of legal detention, all persons in detention having the power of laying any grievance before them; and that the inspectors shall lay a monthly report before the board. The inspectors of all female jails and institutions to be ladies, who shall recommend to the board for approval all the chief female officials.

The board should present annually a complete report to the Legislature.

Until some such boards as this are established, with the powers here briefly specified, there will be no security for the due protection of persons whose liberty has been forfeited by the State from serious injury, physical and moral, arising from bad system, improper treatment and misconduct or neglect of officials. The following regulations should be made into law in each State:

1. Every prisoner to have a separate sleeping cell, which must be light, airy and well ventilated and warmed, and at least seven feet by twelve in dimensions.

2. Provision to be made for the religious, moral and intellectual instruction of each prisoner reading the Scriptures, and prayer being properly conducted every morning, with two hours' instruction or intellectual exercise from six to eight every evening, under an efficient schoolmaster.

3. All jail buildings to be constructed so as to carry out the object intended. They should be secure, commodious and healthful, with workshops and suitable chapels and schoolrooms; and, if possible, lead adjoining and belonging to the premises. There should be provision for daily bodily exercise.

4. No persons to be employed with the prisoners who are not engaged by the warden and under his control. Persons who teach trades to the prisoners should be made regular officers of the prison.

5. No contracts ever to be made for the labor of the prisoners. Contracts made for the work produced must be in accordance with the labor market.

6. All prisons for women to be entirely separate from those for men, and under female officers only.

7. All prisoners, on first entering the prison, to be kept in strictly separate confinement; those in State prisons not less than six months, and those in county jails not less than one month.

The police prisons and police stations should be under the same regulations; great evils arise from the disregard of proper separation of untried prisoners.

Whenever prisons are not properly constructed, it is impossible for officers, however able and devoted to their work, to develop a reformatory system. In ill-constructed prisons the prisoners are exposed to great demoralization. Severity, and even great cruelty, has been exercised on prisoners in the vain attempt to enforce necessary discipline under such conditions, and excellent wardens are unable to carry out their plans or even to exercise a beneficial influence, as they might otherwise do.

The condition of the large cities of this country is evidently most dangerous, with an increasing criminal population and the continual immigration of thousands of persons, many of whom are very liable to

fall into crime. The existing jails* are insufficient both in size and number, and the overcrowding of the prisoners necessarily causes great demoralization among them.

I have not visited the county jails of New York and Massachusetts, but the official reports of the condition of their prisons show that most absolutely demoralized. The female prisoners are in many cases, grated from the males, nor are they under proper supervision. It is impossible to calculate the constant increase to the criminal population arising from this source alone.

Innumerable instances might be found where prisoners convicted of some minor offense, but otherwise having a tolerable character, have been ruined for life by such contact with confirmed villains. I have not been able to learn that there is at present any sufficient authority made to inspect these prisons; and it seems that where there is an attempt to introduce a better system it is always liable to be neutralized by the constant changes of officers which at present occur from political causes, and which are a radical evil.

The bad condition of many of these county prisons also leads to the commitment of many persons to the State prisons whose offenses would not require more than a short imprisonment in a well-regulated county prison, with separate confinement, labor and a somewhat severe dietary. An efficient prison board, with authority to enforce proper regulations in every county, would at once remove this evil, of which a very painful illustration.

There are in this prison four large wards, three of which are for men. There is no arrangement for exercise or for moral or religious improvement. I saw in the cells two or three prisoners together, without anything to prevent them spending the whole day in idleness and injurious conversation. A van of prisoners arrested on the preceding day arrived to add to the evil. Although such prisons are intended for short sentences only, two life-sentenced prisoners were there confined in separate cells. One said that he had worked at shoemaking for seven years in a cell until his eyesight became impaired, and he had been five years alone in this. Should any one be so treated in a Christian country? There were also lunatics in some cells. How is it possible for the good and devoted warden and the truly benevolent directors, who have charge of that prison, to alter the condition of prisoners in a place so constructed, or prevent it from being a school of vice?

The fourth ward for women, which was separated from the others, presented a different aspect. It had formerly been in the same state, with two or three women in a cell together, and 200 or 300 always there. A short imprisonment in association with their companions in crime had no terror for them. But a sufficient number of new cells were added; every prisoner had a separate cell, and the well-conducted ones were allowed to work in a cheerful wash-house in the prison garden, under proper supervision. A reformatory influence was at once experienced, and the number of prisoners is now less than one-half of what it formerly was.

* Miss Carpenter here employs the word jail or goal interchangeably for the word prison.

What present cost to a city or to a State is too great, if made to diminish crime? Who can calculate the evil arising to a city from ill-constructed jails, necessitating a bad system, and day by day increasing the crime in its midst?

I visited the State penitentiary at Sing Sing, which has been notorious for the barbarities practiced in it, and permitted, because not prevented, by the State. I was aware that some years ago a warden of benevolent heart, and acquainted with enlightened principles of prison discipline, had commenced reforms in it, but that these had been suspended by political changes. I had read in the English prints of the renewal of the atrocities. I now learned that the humane warden was again in charge, and I wished to learn the effect of the system he had adopted. In six months only he had succeeded in obtaining a moral influence over the prisoners, whom he treated like men. He had succeeded in making them understand that he desired their welfare, while his duty compelled him to enforce strict discipline. He had won their confidence, and he had obtained their obedience without the employment of any corporal punishment whatever. But the structure and existing regulations of the prison prevented his developing any good reformatory system. The cells were small, three and one-half feet wide, and without a window, solely a grated door, opening into a partially-ventilated corridor, so that it was impossible to confine prisoners there during the day, in addition to twelve hours at night. Even in some of their small cells there were two convicts. The smallness of the cells compelled the congregation of the large mass of prisoners, 1,150 men, in one room at breakfast and dinner, a system which is evidently attended with much danger. There was no worship except on Sunday morning; the remainder of that day, which should be devoted to moral and religious improvement, as well as to religious instruction, was passed by the convicts in the mournful seclusion of their narrow cells.

In this jail, as elsewhere, I heard of the great evils caused by the present contract system. On the morning of my visit, a prisoner escaped through the connivance of the employees of the contractor. I understand that a new jail is in contemplation. It will, I trust, be built on a plan which will permit the full development of the methods so successfully adopted in the Irish convict system. I need not enter into the principles of that system, having fully explained them in my work, "Our Convicts," and in the smaller book entitled "The Crofton System."

A close study of the East Pennsylvania prison inspires me with admiration of the benevolent intentions of those who constructed it, and of those who are now devoting much time and thought to the management of it. But it failed to convince me of the soundness of the principles on which it is built and conducted.

Through the overcrowding of this jail, also, there were two prisoners in many of the cells, and there were two lunatics under confinement in it.

The State prison at Charlestown, Massachusetts, has not the faults of construction which were so injurious at Sing Sing. The cells are generally light and airy, and the general arrangements good. But through the omission of the first stage, of separate confinement, and the non-introduction of other principles of the Crofton system, there did not

appear to be that ground for hope in the reformation of the convicts which might otherwise exist.

In the new prison which is in contemplation, it is to be hoped that arrangements will be made fully to develop the three stages of seclusion, association and comparative liberty by which the Crofton or Irish system is characterized.

Before concluding, I would beg to make a few remarks on juvenile reformatories or refuges. I have carefully visited those in New York and Philadelphia. That at Westborough, in Massachusetts, is, I believe, on the same general plan, namely, large associated institutions, which, being inclosed in walls, must be regarded rather as juvenile prisons. The reformatory nature of the institutions has been much impeded by the admission to them of young men and women from sixteen to eighteen years of age, who were likely to exercise a most injurious influence on the younger ones. The general experience of reformatory managers in England would lead me strongly to recommend the adoption of agricultural schools on the family system, without walls, for all children under fourteen years of age. The children now in the institutions being removed into these, the buildings might be adapted to the purpose as juvenile prisons, on the Crofton system, for young persons under twenty, who are now, to their very great injury, associated with adult criminals.

I shall gladly lay before you, sir, the reports of a certified industrial school in Bristol, and a small work of my own on the management of reformatories and industrial schools, which will give you some idea of the nature of our agricultural reformatories. The Connecticut State reformatory and that in Ohio admirably develop the same principles. * * *

Respectfully yours,

MARY CARPENTER.

PROGRESS OF THE WORK AND PURPOSES OF THE PRISON ASSOCIATION.

The progress of thought and inquiry in every department of knowledge and human duty is nowhere more significant and promising than in respect of the preventable causes of waste and misfortune. The destructive and injurious agencies of evil which war against the welfare of society are sought out and brought under preventive control. After long delays this view of public duty is being adopted in regard to crime and criminals. The prevention of crime is henceforth to be regarded as a department of public economy.

Convicts in prison, as well as the offenders that yet go unpunished and elude apprehension, are now recognized as a class in the State representing its social and moral diseases which demand vigorous and rational treatment. Physical and mental, as well as moral conditions, are powerful agencies in the causation of crime. Consequently, the repression, reformation and prevention of criminal tendencies and offenses are no longer predicated upon brutal force and mere bodily and mental suffering. The Draconian code has been superseded by the Christian system, though some of the abhorrent usages and beliefs of the heathen philosophy still survive.

To be the *saviors of men* is to save communities and the State. The prison houses of the State of New York keep constantly locked within their gloomy walls more than one in every 825 of the population. To these convicts in prison, and to as many of the detained persons as may be properly addressed for moral ends before conviction or trial, the prison association of New York is directing its efforts. The objects kept in view by all persons who labor in its name throughout the State are:

To aid in repressing crime.

To promote and make sure the ends of justice.

To search out and publicly expose causes of crime.

To organize and give efficiency to the most practicable measures for preventing the increase of crime.

To aid in devising measures for the correctional treatment of vagrancy and voluntary dependence by the necessary instruction and enforced industry.

To extend to the convicts in prison and upon their release such influences, guidance and aid as shall best enable to avoid evil courses and to pursue a virtuous, peaceful and industrious life; and,

To visit the prisoner while under detention, and by simple and direct methods begin this humane service for his welfare in every jail and minor prison in the State.

The total number of persons who commit crime and offenses that are punishable by imprisonment in New York is vastly greater than the total number of convicts in all the prisons and penitentiaries. How great the number is will not be known until the State has an effective system of criminal police, and of criminal and court records. Estimating the number of actual criminals in the State of New York who to-day are at large out of prison to be in the same ratio to those apprehended and convicted as the same classes in all England and Wales, which is not an unfair comparison, it would be found that the 6,000 convicts of all grades in the penal institutions of our State represents barely an average of crime classes whose total number exceeds 20,000 persons. Sir John Bowring has shown that in England and Wales for every 100 crimes only fifty-four offenders are apprehended, and only twenty-nine convicted. The police forces and judicial tribunals of New York will hardly present so favorable a result as that, though the ratio of crime to population may be more favorable than in Europe.

Worse than *misfortunes is crime*. But the dependent classes, the pauperized children of families of misfortune, especially, are on the way to self-extinction, and must perish with family and name, ere the third and fourth generation have passed. The crime classes give birth in turn to a progeny of criminals and paupers. Hence to prevent or arrest the course of crime and replace or even restrain the offending persons in society is to break up and utterly sever the earliest and worst of the hereditary sources of prolific pauper life. The latter must ever be a burden borne reluctantly, and willingly buried at public expense. But the paupers in the State scarcely number 20,000, and they cost the people \$100 each yearly, while the criminal class taxes and destroys the property of the people to an extent that upon an average exceeds \$1,500 for each criminal annually; and if the cost of the individual criminal proceedings in law are estimated correctly, this bill

of expenses for crime in every successive year would not be paid with \$30,000,000.

Withdrawn from public view, the criminal offenders against peace and property are mostly unnoticed by the busy and peaceful citizen; but their vast number and the disordered and dangerous tendencies of the offending classes, the morally weak, tempted and plastic nature of youthful offenders who become entangled in the nets of the panderers and capitalists of crime, and the despairing sorrow and penitence of many who in prison listen to the voice of conscience, and look up for friendly and safe guidance, incite the members and friends of the Prison Association to earnest efforts to rescue and save, as well as to watch and to instruct, wherever the causes of crime can be reached and repressed or removed.

The enormous cost of crime cannot be estimated except by moral standards, though no other evils impose so great pecuniary burdens. *Thirty millions* of dollars annually in the State of New York is too great a burden for five millions of people to bear. Yet it would be entirely practicable to so expend \$1,000,000 annually in reformatory, educational and criminal police duties, that the amount and cost of crime would be reduced fifty per cent. Public attention is now being directed to these facts in all portions of the State.

The education and necessary training of all the children in the State, the prudent repression of juvenile delinquencies, and the inculcation of habits of industry and temperance are duties of the family, the neighborhood and the State, by which the chief sources of crime can be restrained. For such care of its own interests, the family and the community reap sure rewards in the blessings of virtue, peace and competence. The cash value of these benefits may not be estimated "on changes," but their worth far exceeds the enormous sum of the crime bills. Who will estimate the value and actual gain to the State, to a family and to the erring fellow being himself, of a *man saved*, and made a good and industrious citizen?

This is the inspiring view which animates all who are co-operating with the Prison Association throughout the State. The work of humanity and instruction in prisons is a duty of citizens in the cause of morality and public economy. In this duty to erring men and to the State, there is at present a broader and more earnest co-operation among thoughtful men and women throughout the different counties than at any former period. To this duty is now added that of an unceasing watchfulness against the beginnings of vicious and criminal life.

E. H.

ANNUAL REPORT OF THE GENERAL AGENT.

To the Executive Committee of the Prison Association of New York:

GENTLEMEN—It again becomes my duty as general agent of the Prison Association to submit to you the annual report of my labors for the year ending December 31, 1875.

It is not necessary, nor even desirable, to weary your patience with a lengthy or detailed statement of all the particular transactions of this office for the past year, but I would respectfully refer you to the very comprehensive tables and documents herewith submitted for full and complete information as to matters pertaining to the departments with which I am connected, and which are under the immediate supervision of the committees on detentions and discharged convicts.

The duties of these two most important committees of the association are as expressed in its By-Laws:

"VIII. It shall be the duty of the committee on detentions:

"1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge, or providing for the defense, of such as shall appear to be entitled thereto.

"2. To visit frequently the prisoners under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

"IX. It shall be the duty of the committee on discharged convicts:

"1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view to making the best arrangements for his future employment.

"2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

"3. To procure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

"4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention."

Our object then as well as our duty, as seen by the above, to the detained prisoner, is not to shield the criminal from the just punishment due to his crimes, but to aid the unfortunate and those who have stumbled into crime, not so much from an innate depravity as from mere accident and thoughtlessness; to help the young and inexperienced, the guilty but penitent, the friendless and penniless, and to lift

up and encourage, as far as possible, those who have fallen into and are trying to abandon a vicious life.

There were many met with in our detention prisons not included in the above, whom we have conversed with and who doubtless were poor and friendless, but not strangers to prison life—men who rotate as regularly as the seasons between the cities and the island penitentiary, spending by far the largest portion of their time in the latter, and are no sooner discharged than they commence again their deprivations. With this class of men we have not considered it within the province of the association to deal, but rather to direct its efforts toward the amelioration of the condition of those young in crime and who had seen the inside of the prison walls for the first time—those who were not thoroughly depraved and of whom there was still a hope of returning to paths of honest usefulness.

The class above referred to have not, however, been wholly neglected, for whenever they have manifested a desire to amend their lives and have exhibited signs of penitence, their cases have received careful attention and an effort made to turn them into the right way; for in conducting the labors in this department it has not been forgotten that the innocent and the guilty are alike entitled to justice, human sympathy and charity, and while seeking to relieve the one from the consequences of indiscretion, we have not forgotten our duty to the other.

There is in this department of our work one great evil to which we desire to call the attention of the committee, in the hope that ere long it may be rectified. In our visits to the different detention prisons, we daily find men who are arrested on suspicion, locked up for weeks and then discharged, and, after having suffered from loss of situation and character, have no redress. This should not be so and calls for a remedy.

To the discharged convict, as will be seen, our duties are various as well as arduous.

The prisoner, thrown upon the world penniless, without name or friends, is in a sad condition, and it is a source of great consolation to him to know where to apply when released; to know that when he leaves the door of the prison, a degraded but perhaps a penitent man, that his physical wants will be supplied; that those exigencies of his nature, which may have goaded him to crime, will be provided for temporarily; that he will be furnished with employment, and so much confidence extended to him as will prove his fidelity, and test his professed willingness to lead an honorable life.

The association does not consider him in the light of an ordinary claimant upon charity, and content themselves with merely supplying his present necessities, but they recognize the fact that without employment he must return to the haunts of ruin, for he will not beg or starve.

The labor connected with these duties is, as you are aware, performed by the general agent and his assistants, and we are gratified in being able to say that never before in the association's history have efforts looking to the amelioration of the condition of the two classes with which the association is called upon to deal been better rewarded. The amount of work done largely exceeds that of any previous year, and has been pressed forward with constantly increasing success in

every state prison, penitentiary and county jail in the state; and while many from each of these several institutions have come under our care and supervision, our efforts have been mainly directed to the detention prisons of this city and Brooklyn and to the state prison at Sing Sing, and the penitentiaries of Blackwell's Island and Kings county.

DETENTION DEPARTMENT.

In the detention department of its work the Association seeks to impart needful advice and aid to detained prisoners who are unable to provide themselves with counsel, and who are friendless before the courts, and who, without its intelligent and kindly interposition, would be compelled to suffer without redress, while society at large would also feel the effects consequent upon the education in crime and villainy afforded, and indeed we may say almost necessitated, by the surroundings in any of the penal institutions in the state; and children detected in petty misdemeanor—often their first offense—or found in evil company, it may be unintentional or by accident, would, but for our interference, be thrown into the common receptacle of the city felon, and subjected during their entire term of imprisonment to all its polluting and debasing influences. The innocent would frequently be condemned through inadvertence or mistaken testimony, and the technically guilty made to suffer punishment which might be properly mitigated if the circumstances in extenuation were brought properly to the attention of the court.

Some conception of the amount of labor performed in this department of the association's work, and the great good accomplished, may be gathered from the following table, which is arranged with regard to the prisons in which friendless persons were committed or detained, and the courts before which they were tried:

Abstract of the General Agent's Records, showing the number visited in the detention prisons of New York and Brooklyn, and the manner in which they were aided by the Association:

	City prisons.	Second District Prison.	Third District Prison.	Fourth District Prison.	London street Jail.	Raymond st. Jail.	Total.
Visited and advised	3,201	421	240	122	27	5	4,011
Complaints examined	44	24	6	10	1	1	523
Complaints withdrawn	116	15	12	2	2	1	108
Discharged on recommendation of agent	3,838	467	271	135	34	13	4,753

	First District Police Court.	Second District Police Court.	Third District Police Court.	Fourth District Police Court.	Special Sessions.	General Sessions.	Over and Underminer.	United States Dist. Court.	Total.
Advised and defended	28	10	5	2	112	40	4	8	204

It will be seen from the above that 4,011 were visited and advised, as their several cases seemed to demand, the direction and assistance offered by the association being imperatively required, and where the lack of its friendly offices would result in much wrong and suffering to the persons arrested and those dependent upon them.

Five hundred and three cases were carefully examined, the majority of the investigations being very full and complete, and affecting, to a greater or less extent, the disposal of every case, much attention being given to the circumstances of their detention, with a view to their protection from malicious prosecutions.

One hundred and thirty-one complaints were withdrawn at the instance of the association, as being of a frivolous or trivial character, or preferred from passion or prejudice, or under the promptings of revenge.

One hundred and eight were discharged upon the recommendation of the agent, and consisted of those who had been arrested for intemperance or disorderly conduct, or committed for those offenses to the city prison or to the island, for terms varying from ten days, and whose families would suffer from their absence; or, being those of a class of juvenile delinquents before referred to, had, for some trivial offense, been brought into prison for the first time.

Two hundred and four have been advised and defended in the courts, and were, in nearly every instance, those charged with their first offense, and destitute of money or friends, and utterly unable to help themselves.

In the duty of ameliorating the condition of prisoners, the association has ever taken the business-like and humane view that the object of all imprisonment should be to secure obedience to law, protection to innocence, and repentance in the criminal. No sickly sensibility, or mere sentiment without principle, is allowed to enter into the counsels of the association. It is always dealing with stern facts that are of great importance to public order and morality. In words found in the first document ever issued by this association, the executive committee now calls attention to the fact, that "to the innocent we owe it that they should be protected against the contamination of vice, and, above all, against the dire necessity which oftentimes compels to crime as the only refuge from starvation; to the irreclaimable, we owe it that they should be deprived of the means of preying upon society, and of spreading the contagion of their evil example. * * * The third class, however, is that most deserving the regard of such a society, not merely because most numerous, but because here it is to be found the germ from which, with proper cultivation, the green tree shall spring.

To such let a new chapter in human life be opened. When the suffering which must follow the evil lives they have led shall

awaken in them a due sense of their fall, and of the duty which they owe to themselves and society, let them be helped on in the path of reform, and let us, by our timely aid, convert the convicted felon into the honest man and the good citizen. To this class, particularly, let instruction be directed while in prison. * * * To give them some training which shall furnish food for their minds, and open to them new views of life, and of their duty to themselves and their fellow-men, which shall, by proper instruction, awaken in them new aspirations for virtue, is a high and solemn duty which society owes to itself, as well as to those its erring members."

The condition of the detention prisons of both cities has been materially improved during the past year, and their present condition, as regards cleanliness and order, is, perhaps, all that could be desired or secured with the present facilities and structures, which, in one or two instances, are entirely inadequate and wholly unfit for the purposes for which they were originally designed, and for which they are now used. The city prison, or, as it is familiarly called, the "Tombs," has an average population of nearly 300, while in this cell accommodations for only about half that number; but it is not necessary to detail its defects, the outside wall, it is all wants, and if there is a dreary, vice-engendering, corrupting spot in the city of New York, it is within the walls bounded by Centre, Elm, Franklin and Leonard streets. For this the officials are not to blame; the fault lies in the construction, general design and location of the edifice, which is the great reservoir of our city's criminals.

The several district prisons have been greatly improved during the past few months, and all that is possible with the present structure has, perhaps, been accomplished, but much remains to be done before the association can have said that its labors in that direction, prison architecture, are completed.

The subject of classification in these detention prisons has never received that attention from the association which it deserves, although some progress has been made in that direction of late, and it would perhaps be well to defer any systematized effort until it has been successfully established in the different penal institutions of the State.

The most marked improvement in this class of prisons is seen in the county jail of Kings county, known as the Raymond Street Jail, and to the present sheriff, A. G. Williams, Esq., great credit is due for the manner in which he has conducted its internal affairs. Upon his assuming charge of this institution, it resembled in many respects, the highly colored descriptions of the Black Hole at Calcutta, as the following, from the report of the committee appointed to visit and report upon this jail in 1870, will show:

Employment.—There is none, except in cleaning and whitewashing the jail, which is seldom done.

Means of Intellectual Culture.—There is no library. The prisoners are furnished with no books or papers by the prison authorities. No secular instruction is imparted.

Religious Instruction.—The inmates are not supplied with Bibles. There is no preaching on the Sabbath. No laymen exert themselves for their benefit.

Sanitary Condition.—We did not see the physician to the prison, but have reason, from other inquiries, to believe that not much disease

is engendered there. Like all other prisons, the ventilation is deficient, and when the orifice in the cell door is closed, the odor becomes stifling and offensive.

Cleanliness.—The water from the Ridgwood reservoir is introduced within the jail. Each cell is furnished with a wash basin and soap, but no towels, combs or razors are furnished. The prisoners wash their own clothes, or hire their washing; the county never does it for them. The bed clothes are dirty. The visitors of the association complained last year of the dirtiness of the beds. We think this has not been reformed. We observed much to complain of in this respect, when we visited the jail. The whole aspect of the prison was decidedly unclean. There are no means provided for bathing the whole person.

Lighting.—The corridors are not sufficiently lighted, and the cells are somewhat dark. The prison is lighted with gas all night.

Separation of the Sexes.—Is quite imperfect.

Classification.—There would seem to be very little attempt at classification. Those accused of high crimes are confined in one gallery, while those accused of minor offences are confined in another. As many as four or five persons are sometimes confined in one cell, which is of course demoralizing. In the women's prison, they all herd together in the corridor during the day, and have the most ample opportunities for mutual corruption.

Prison Building.—The main building is of brown stone, facing on Raymond street. It is 125 feet front by 55 feet in depth. From this two wings extend, at right angles with the main building. One is of granite, 135 feet long by 50 feet in width, and contains 42 cells for males. It is traversed by a corridor through its whole length on the left hand, having the cells on the right. There are three tiers of cells one above another, having fourteen cells each. The lower tier never being used on account of dampness, there remain but twenty-eight cells for use. The wing for females is of brick, 135 feet long and 25 feet wide. It contains fifty-four cells, twenty of which are not used, leaving only thirty-four in actual use.

Since then great and important changes have taken place, and many reforms have been introduced, until it is now one of the most carefully kept and well disciplined jails in the State; the building, while secure, is in many respects unfit for its purposes and unworthy the city of Brooklyn.

Religious services are now held in the jail every Sabbath by that earnest christian worker, Rev. J. G. Bass, the chaplain of Kings county penitentiary, and all who have attended will, we have no doubt, agree with us that a more attentive and interested congregation can nowhere be found. They listen with a deep and earnest attention and often with deep emotion, and an indication of impious levity or an instance of apparent contempt for religious ordinances is never seen.

A library of several hundred new volumes, embracing a wide field of general reading and information, has also been added to the jail through the untiring efforts of a benevolent lady, Mrs. F. Hibbard, of Milwaukee, Wisconsin. All these kind and humane provisions for the comfort and welfare of our prison population are, without doubt, greater preventives of crime than the bolts and bars which confine them there, and we believe that the education of the ignorant among our prison population is soon to become one, if not the most prominent agency in

prison reform. Its good results are not alone realized by the prisoners themselves who are being instructed, but all are correspondingly benefited by it. In the same proportion as the minds of these men are educated and enlightened and they are made to feel the inspiration of new and more elevated thoughts and ideas, and wider and loftier views of manhood open to the mind, self-respect returns or is created, and good order and better discipline are secured.

FORM USED BY THE PRISON ASSOCIATION IN REGISTERING DISCHARGED CONVICTS.
Register of Discharged Convicts.

DATE. NAME		Age.		Nationality.		If foreign born, No. years in U.S.		Nationality of parents.		Read.		Read and write.		Well educated.		Protestant.		Catholic.		Hebrew.		Temperate.		Intemperate.		Habitual drunkard.		Clerk or book-keeper.		Laborer.		Trade, and what.		SOCIAL CONDITION.		Parents living.		Parents dead.		If living, where to- ward.		Single.		Married.		Number of children.		If married, where residing.		How employed 6 months prior to arrest.		Where residing same length of time.		Causes which led to first offense.		Offense.		Date of arrest.		Date of conviction.		Length of sentence.		Where in prison.	
How employed in prison.		Number of punishments.		Amount of commutation.		Date of discharge.		Amount received from state.		Amount received for over-work.		How engaged since discharged.		Where, and by whom.		Ever before in prison, and if so, for what offenses.		For what offenses, where, and how often.		Whether slaves, or other relatives living who take an interest in his welfare.		If so, where residing.		Any friend to whom he may apply.		If so, whom said where residing.		Home training, moral, religious, or no.		Ever a regular attendant at church or Sunday school.		Any satisfactory promises or plans.		Ever applied to or been relieved by association. If so, when and how often.		DISPOSITION MADE OF THE INDIVIDUAL.		REMARKS.																											

PRISON ASSOCIATION OF NEW YORK — (Continued).

DISCHARGED CONVICT DEPARTMENT.

The association, in its efforts to encourage and assist discharged convicts in their endeavors to lead an upright life and earn for themselves an honest livelihood, has accomplished much during the year just closed, and hundreds have entered upon a different life with renewed hope and new incentives to industry and virtue, whose condition, had it not been for the kindly influences of the association, constantly and earnestly directed, would have been pitiable indeed. This department of its labors is now conducted in such a manner that all of the convicts in our State prisons and penitentiaries, and the majority of those confined in the county jails throughout the State, are in a manner its beneficiaries, and owe much to its favorable influences on their feelings, hopes, aims and purposes, and we can point with pride to numbers who are reaping the rewards of well-doing and who enjoy the confidence of their employers, the respect of the community, and of all with whom they are associated. The extent and magnitude of this branch of the work in which the association is engaged, may the more readily be seen and appreciated by a glance at the accompanying table, where the number aided each month in the year, together with the name of the prisons from which they were discharged, is shown.

From this it will be observed that there is not a State prison or penitentiary in the State but what has added in a degree to these labors, while detention prisons and county jails have contributed largely to swell the total.

The manner in which each man of the twelve hundred and fifty-seven was aided, is shown in the following summary:

Four hundred and twelve were supplied with clothing suitable for the occupations in which they were about to engage.

Three hundred and ninety-seven were provided with temporary lodging and board, until placed in a permanent situation where they could sustain themselves.

One hundred and sixteen were furnished with tools in order that they might be able to ply their trades or vocations.

One hundred and eighty-four were forwarded to their homes or friends at a distance; in each instance the association being assured that their relations and friends to whom they were sent would provide for their wants until they were permanently situated.

Eight hundred and ninety-three were furnished with employment at the kind of labor to which they were the best adapted, and the majority of situations secured were at places remote from the city, away from old companionship and bad associates, and where every inducement was held forth to the discharged man, and where his employers were willing to co-operate with him in his effort to reform.

Abstract of the records of the general agent in New York, showing the number of discharged prisoners aided each month during the year, by the association, at its office in New York, and the prisons from which they were discharged.

1873.	FROM STATE PRISONS.				FROM PENITENTIARIES AND REFORMATORIES.							FROM DETENTION PRISONS.				Totals.	
	Sing Sing.	Albany.	Clinton.	Other state.	Blackwell's Island.	Kings county.	Albany.	Life saving.	Rochester.	Syracuse.	Blackwell's Island work-house.	Houses of refuge.	School ship.	London street jail.	Raymond street jail.		Other jails.
January	30	1	1	53	19	1	1	1	1	3	1	1	1	1	1	1	359
February	31	1	1	47	23	1	1	1	1	1	1	1	1	1	1	1	339
March	31	1	1	44	23	1	1	1	1	1	1	1	1	1	1	1	337
April	14	1	1	55	23	1	1	1	1	1	1	1	1	1	1	1	311
May	33	1	1	49	15	1	1	1	1	1	1	1	1	1	1	1	316
June	18	1	1	40	15	1	1	1	1	1	1	1	1	1	1	1	318
July	12	1	1	46	16	1	1	1	1	1	1	1	1	1	1	1	314
August	19	1	1	40	15	1	1	1	1	1	1	1	1	1	1	1	318
September	28	1	1	46	16	1	1	1	1	1	1	1	1	1	1	1	321
October	24	1	1	63	19	1	1	1	1	1	1	1	1	1	1	1	377
November	25	1	1	70	19	1	1	1	1	1	1	1	1	1	1	1	335
December	37	1	1	66	19	1	1	1	1	1	1	1	1	1	1	1	345
Totals	288	28	28	620	183	18	5	6	6	14	8	4	20	6	6	5	1257

In this connection, it should also be mentioned that, besides the relief given to the accused, convicted, and discharged, aid more or less extensive has been afforded to many persons connected with the families of prisoners.

Willingness to work, and a desire and determination to live honestly, of the association whatever aid and friendship it has applied at the office mand, in the way of employment and social protection.

If prisoners, after their discharge, were strengthened in their good resolutions and kept free from evil associates and temptations, in very many cases their reformation would be permanently secured. Few vicious habits and avoid all that leads to evil doing; but just at friendly aid are so much needed, he finds himself an outcast, without one sympathetic friend who has an interest in his future welfare. It cannot be wondered at, that the confidence of the community is withheld from them until there has been some decisive exhibitions of moral condition is repelled, it is evident that something should be done, some provision made to counteract these unfavorable circumstances which surround him. The first to meet and greet a man, upon his discharge, have much to do in shaping his future course; and these facts certainly should appeal to all good citizens, to render such aid and encouragement as to lead those who have made up their minds to mend their ways in the future, as would strengthen them in such determination.

As a large proportion of these men are sent into the country, it is impossible to estimate the number who are leading industrious, sober and honest lives, yet the very fact that they never return to their former haunts and old associates, and are never heard from again as convicts, is, to a great extent, evidence that they have ceased to be such.

The wisdom of sending discharged prisoners into the country, and whenever practicable to places remote from where the crime for which they suffered was committed, will at once appear. Otherwise, many would in a very short time return to prison, as may be seen in the case of some who refuse to leave the city when released.

And, however well disposed the discharged convict may be, if he remains about his old haunts, he is liable to be found and preyed upon and exposed by his former companions in crime. In this way many a weak and irresolute person has fallen again, who left prison with the strongest determination to a virtuous life.

The association has already within the past year done much in this direction, and hope ere the close of the present to have extended their arrangements with the large employers of labor throughout the State, so as to enable them to send each man to some place of employment far away from the point where he was convicted, and where he will learn lessons of forbearance and self-control.

The system of personal inquiry, commencing several weeks prior to the convict's discharge, has proved of great benefit to the prisoner. The chief object of this painstaking is to ascertain, if possible, what influences can be brought to bear upon these men, and to enable the association more better to provide for them upon their release. It gives us an opportunity to learn the man's desires and intentions for the future, to judge of his capacity and fitness, and assists us in selecting the employer to whom he is afterwards sent. Each man, before he leaves the prison, is handed a card similar to the following, and advised by the officials to present himself to the officers of the association immediately upon reaching the city.

(FRONT.)

Introducing to A. W. Sheldon, 19 Centre street, New York, General Agent Prison Association of N. Y.

(BACK.)

THE PRISON ASSOCIATION OF NEW YORK.

Incorporated May 9th, 1846.

One of the principal objects of the Prison Association, as expressed in its Constitution, is: "The counsel and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reform."

Employers of labor in all sections of the country have made generous offers of employment for such persons as are sent to them by the association, believing that the liberated man will endeavor to do well and avoid the evil influences and bad associations that lead to imprisonment.

Prisoners who sincerely desire and intend to amend their lives, to live honorably and uprightly in the future, will do well to call upon the Agent of the Association, at its office, No. 19 Centre street, New York, immediately upon liberation, where such counsel and guidance will be given as seems best suited to their requirements.

A. W. SHELDON,
General Agent.

When the man starts for his new home he is given a memorandum card, as follows:

To : You are requested to preserve this card, and to write to the undersigned as often as once in two months. It is desired that you should have constant and profitable employment, and a good chance to do well.

Please establish the habit of depositing in savings bank, or in your employer's hands, from twenty-five to seventy-five per cent of your wages every pay-day, at six per cent interest.

Bad associates may bring any man to prison or to beggary. "A man is known by the company he keeps." If you are troubled by bad associates, keep clear of them, and apply to us for another place of employment.

Keep your own counsels and be prudent in speaking of yourself and others.

Keep up a habit of useful reading. Keep the mind full of useful thoughts, and be so busy in useful work that you will have no time to be tempted into evil.

Let your sleep, your food, and your habits be regular and good; then you will not be tempted to use intoxicating drinks nor neglect your duties.

To keep a good place and rise to a better one, perform the work in the one you have better than the average workman; also study the interest and wishes of your employer, and ask his advice and assistance when you need.

In your letters to us please mention your wages, savings, wishes and whatever we can do to be useful to you.

On the reverse of the card is the following:

"Never too late to Mend" is a true proverb. The friends who offer you the means of amending past errors and obtaining useful employment, believe that you will do well if you adhere steadily to your good resolutions and to habits of diligence, temperance, good society, useful reading, regular savings, and a fixed trust in God and the Right.

Employers of labor in all sections of the country have made generous offers of employment for such persons as the officers and Com-

mittees of the Association send to them, believing that these persons will endeavor to do well and avoid evil influences and bad associations.

The employers and the undersigned expect and request that the person thus aided will promise to

- (1) Live prudently and honorably;
- (2) Labor faithfully, and be punctual;
- (3) Abstain from intoxicating drinks;
- (4) Maintain self-respect;
- (5) Deserve the respect of others, and
- (6) Agree with the employer concerning the method and proportion of monthly or weekly savings.

In regard to each of these six points, let there be an agreement in which your personal honor is pledged.

Whenever a change of residence or of the employer is made, please inform the undersigned.

.....

For the Association.

Dated

[FORM OF THE REPORTS FROM PRISONS AND PENITENTIARIES, FORWARDED TO PRISON ASSOCIATION A MONTH BEFOREHAND.]
List of Convicts to be Discharged from

DATE.	Name.	Nativity.	Age.	Crime.	Sentenced from what county and court.	Term of sentence.	Place of Confinement.
<i>During the Month of</i>							
Former habits.	Former occupation.	Employment in prison.	Social, relations, and friends.	Present physical and mental ability to labor.	Amount of money prisoner on his creation.	Record and remarks.	

period of release from prison, this fact concerning homelessness and the want of safe friendships is highly important.

"The unfixed and wandering habit of life that preceded the conviction and imprisonment of the greater proportion of the convicts that need the association's guidance, is a leading fact that helps in deciding the kind of aid and advice and the course of distribution that can most usefully and justly be given to the homeless and badly befriended classes of discharged prisoners.

"The great numbers, the varied social circumstances, the restless desire for free life and adventure, and the existence of some remaining hope, in a great proportion of cases, of the convicts upon liberation and especially the absence of any state laws or local authority for maintaining any kind of guardianship or surveillance over them, wherever they may please to go when released from prison, fully warrant the adoption of methods like those described in the preceding pages for distributing such convicts as this association shall feel justified, through its proper representatives, in placing with good employers.

"The importance of avoiding the sources of previous temptation and crime, and especially the personal habits or fault by which the offense or habit of offending came, has to be studiously considered.

"The peace and security of which the convict shall go, have to be considered; and it is believed this is more satisfactorily accomplished by the simple method of reposing the secret of the candidate and employe solely with the employer.

"In the absence of preparatory and graduated methods in a penal system, by which the convict might be tested and fitted for the privileges of free life, it has been necessary to seek, in the carefully selected employers who undertake to receive liberated prisoners under the guidance of the Prison Association, all the good influences, friendly counsels and faithful admonitions, as well as saving encouragement and instruction, which can possibly be secured at their hands; the appeal to employers for such co-operation in the purposes of this association has not been in vain.

"The duty that has now been undertaken at the prisons and among employers, in the name of the Prison Association, depends so largely upon the hearty co-operation of enlightened and public-spirited employers and numerous local committees, that, from the first, the methods in this duty have clearly in view the careful instruction and advising of the prisoners in regard to the common obligations and duties and personal safeguards and self-care which each individual convict most needs to understand when liberated; and for this purpose great effort has been made not only to reach the convict's mind and to awaken substantial hopes and resolutions, but also to secure in each chosen employer a true and earnest helper in this branch of duty as well as in his generous stage of testing or preparation would be possible.

"As no immediate effect of employment for the discharged prisoner is in dealing with liberated convicts from New York prisons, and as it is all important that they be usefully employed, from the day of liberation, and, as far as possible, be dissuaded from going into the larger cities, except under rare circumstances, and definite stipulations concerning suitable and constant employment, it is not too much to say

concerning the helpful interest and efforts of the best employers who have lent us their aid in this duty, that theirs is the noblest share in it. Modify and improve the present method of this duty as we may, and, indeed, as events and progress in it must require, still the employer who continues to offer both the friendly counsel, and the means for honorable and supporting industry and a replacement in the ranks of honest citizenship for the liberated convict, will continue to be the source of chief dependence in all this difficult task."

The following is a copy of a circular signed by the executive committee and placed in the hands of every large employer of labor in the State:

PRISON ASSOCIATION OF NEW YORK,
58 BIBLE HOUSE, ASTOR PLACE, 1874.

The executive committee of the Prison Association of New York beg leave to invite the attention of employers of labor to the vital importance of giving useful employment and friendly advice to all needy and well disposed persons who are discharged from prison in this State. The urgent request to citizens to extend an offer of employment and needed encouragement to such persons is renewed by this committee and its agents. Your favorable response to it will confer a great benefit upon society, as well as upon individuals, who will thankfully accept your kind offers.

By a system of local committees, in all the counties and cities of the State, this association is successfully guiding into steady industry and reformed life many of the liberated prisoners who desire to do well. Under the immediate operation of the new law the terms of sentence of all, except "life prisoners," have been abbreviated (*commuted*) nearly 33 per cent., thereby releasing large numbers of convicts during the first weeks of summer. This sudden demand upon the agents and friends of the Prison Association can be suitably met only by numerous and early offers from the employers of such labor as is adapted to the abilities of those who are to be liberated. The satisfactory experience of agents of this association the past two years; the greatly increased influence of the agents upon the character and conduct of those whom they aid, and the importance of being now prepared to guide as many as can prudently be introduced directly to employers, warrant the undersigned in requesting every citizen to whom this circular may be presented, to ascertain what kind and amount of employment will be given by them and other employers to persons selected, and sent forward according to the description of employments.

Employers and directors of labor will have the kindness to send their offers, requests and information, at their earliest convenience, to the general agent, Col. A. W. Sheldon, 19 Centre street, New York; and, if in districts west of Albany, please also to send special duplicate notice and information to Miles Perry, 16 Grover street, Auburn; and, if in the ten northeastern counties, which send convicts to Clinton prison, let such notice be given to Henry Orvis, at the U. S. Custom House, Plattsburgh.

The prisons and penitentiaries now contain nearly six thousand prisoners. The men are mostly under thirty years of age, able-bodied and capable of doing full days' work. More than half of them are

* Twenty-ninth Report of Prison Association, pp. 43-46.

better suited to common labor, as farm hands, teamsters, mill hands, and common work, than to skilled trades; but in the trades to which many are accustomed, are manufacturers and workers of iron in all branches, workers in wood in all branches, shoemakers, masons, and stone-cutters.

The agents desire to know the wants and preferences of employers, and, on their own part, they will endeavor to give all needed information and guidance. The employer will, it is believed, find his own reward, and have the satisfaction of benefitting his fellow men by aiding in this system of friendly care, by which younger persons may be effectually repressed from evil courses and saved to lead a useful life.

N. B.—Any employer who cannot now offer a place for work, will please accept and remember this appeal, and when he has an available place have the goodness to send notice to the proper agent of this association.

The inclosed card shows the conditions under which each man is introduced to employment and the offer of timely help.
Respectfully submitted on behalf of the executive committee.

TABLE No. 1.

Showing the number of discharged prisoners aided each month during the year by the association, at its office in the city of New York.

MONTH.	PRISONS.			Total.
	City prison and county jails.	Penitentiaries.	State prisons.	
January	4	80	25	109
February	1	76	43	120
March	3	71	33	107
April	4	87	30	111
May	2	56	38	96
June	1	60	30	81
July	2	62	14	78
August	6	67	24	97
September	2	72	31	105
October	5	82	28	115
November	5	81	30	116
December	7	69	46	122
	42	863	352	1,257

It will be seen, from the above table, that the number who depend entirely upon the association for employment, aid and guidance averages something over 100 each month of the year, exclusive of women,

of whom no record is kept at this office. This number, viewed in one light, is small; in others, it is simply enormous, and we very much doubt if the labor connected with placing this small army of men is appreciated by the committee, and the difficulties during the latter portion of the year have been greatly increased, owing to the financial troubles through which the country has been passing within this period. The number of people out of work in this city is appalling, and the demand for labor of all kinds is light, while the supply is enormous. This lack of employment has also much to do with the overcrowded condition of our prisons. Hundreds of men thrown out of work, without family or property, shifting from place to place, searching for something to do, and finding nothing, are tempted to the commission of crime, who, under other circumstances, might have lived lives unstained by any charges that would subject them to imprisonment in a penal institution. A canvass of our prison population reveals the fact that a very large proportion of the inmates are young men, who, without home or friends, moral influences or restraints, and without business qualifications, have fallen into bad company, and habits of idleness and dissipation, and thus early paved the way to prison.

TABLE No. 2.

Showing the different prisons in the State from which the prisoners thus aided were discharged and the number from each:

STATE PRISONS.	
Sing Sing	288
Auburn	32
Clinton	28
From other States	9
	357
PENITENTIARIES.	
Blackwell's Island	630
Kings county	185
Albany	18
Eric county	5
Rochester	8
Syracuse	6
Blackwell's Island, work-house	14
REFORMATORIES	
House of Refuge	3
School ship	4
	863

Crime among youth is almost always more an impeachment of the parent than of the child, and their neglect and evil example ought not to relieve them of a natural and legal duty, as it does at present, when the child is committed to a reformatory. Three-fourths of our criminal population are boys and young men, who can attribute their downfall to the lack of all moral or religious restraint at home, who have been suffered to grow up in the streets, and whose first petty theft or misdemeanor was winked at, excused, or it may be encouraged. These early teachings, or impressions and habits, exercise a controlling influence on their future, and pave the way to a prison cell.

TABLE No. 5.
Showing the nationality of those aided each month by the Association.

	NATIONALITY.												Total.			
	United States	Ireland	Germany	England	France	Scotland	Sweden	Denmark	Spain	Italy	Austria	Switzerland		Poland	Cuba	Armenia
1872.																
January	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
February	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
March	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
April	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
May	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
June	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
July	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
August	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
September	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
October	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
November	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
December	10	15	11	10	10	10	10	10	10	10	10	10	10	10	10	10
Totals	500	811	133	88	15	86	0	4	10	4	3	0	0	0	4	1267

TABLE No. 6.

Showing the nationality, and the prisons from which they were discharged.

	NATIONALITY.		Total.
	American born.	Foreign born.	
City prisons and county jails . . .	17	20	37
Penitentiaries	397	466	863
State prisons	190	167	357
	604	653	1,257

TABLE No. 7.

Showing the nationality of the parents of the prisoners aided each month by the association at the New York office.

	NATIONALITY OF PARENTS.													Total.			
	United States.	Ireland.	Germany.	England.	France.	Scotland.	Sweden.	Denmark.	Spain.	Italy.	Austria.	Switzerland.	Poland.		Wales.	Russia.	Cuba.	America.
January	33	29	11	1	1	1	1	1	1	1	1	1	1	1	1	1	100
February	38	21	10	1	1	1	1	1	1	1	1	1	1	1	1	1	139
March	35	20	10	1	1	1	1	1	1	1	1	1	1	1	1	1	137
April	24	24	11	1	1	1	1	1	1	1	1	1	1	1	1	1	111
May	23	23	11	1	1	1	1	1	1	1	1	1	1	1	1	1	111
June	24	24	11	1	1	1	1	1	1	1	1	1	1	1	1	1	111
July	23	23	11	1	1	1	1	1	1	1	1	1	1	1	1	1	111
August	23	23	11	1	1	1	1	1	1	1	1	1	1	1	1	1	105
September	24	24	11	1	1	1	1	1	1	1	1	1	1	1	1	1	115
October	23	23	11	1	1	1	1	1	1	1	1	1	1	1	1	1	116
November	23	23	11	1	1	1	1	1	1	1	1	1	1	1	1	1	116
December	23	23	11	1	1	1	1	1	1	1	1	1	1	1	1	1	116
Totals	338	511	177	83	12	28	10	3	4	7	1	2	5	3	1	3	1,257

TABLE No. 8.

Showing the degree of education of the prisoners aided each month by the association.

	EDUCATION.				Total.
	Neither read nor write.	Read.	Read and write.	Well educated.	
January	4	22	75	8	109
February	10	37	64	9	120
March	13	23	65	6	107
April	20	16	71	4	111
May	4	12	65	15	96
June	8	19	53	1	81
July	12	12	51	3	78
August	14	20	60	3	97
September	1	8	89	7	105
October	8	8	86	13	115
November	8	15	73	20	116
December	4	20	72	19	122
	106	212	831	106	1,257

TABLE No. 9.

Showing the degree of education and the prison from which they were discharged.

	EDUCATION.				Total.
	Illiterate.	Read.	Read and write.	Well educated.	
City prison and county jails,	3	9	90	5	37
Penitentiaries	91	123	570	79	863
State prisons	12	91	228	26	357
	106	223	818	110	1,257

It may be safely stated that a large majority of those confined in our penal institutions have erred through want of proper education, and many from having no education, having been neglected and allowed to run wild on the streets, a prey to all the temptations, to ignorance, vice and crime so prevailing among the baser sort in towns and cities, and even throughout the country. This being the case, should we not employ all the means in our power to add to the education of the convict while in prison? Vice and ignorance go hand in hand, or it may be said, that ignorance is the parent of vice and crime. This being so, is not the State under obligation to dissipate the ignorance of those under its charge? All appear to be impressed with the importance of knowledge and are anxious to improve the limited means already at their command, and the influence for good upon this class created by the limited educational facilities of our institutions leads us to inquire if these facilities cannot be extended until all will feel its influence, and until no man is discharged from our prisons within this State who does not possess what is generally known as a common school education.

Look at the above table. One hundred and six wholly illiterate, two hundred and twelve who could read only, while out of the entire number only one hundred and six were possessed of an ordinary English education, and that no doubt limited, and see if compulsory education should not form a part of the laws upon our statute books and be a portion of the discipline of our penal institutions. By this means they could not only be fitted in a considerable degree for the higher duties of good citizenship when their sentences shall have expired, but their minds while in prison would in a large measure be diverted from the stolid brooding over their hard lot, which idleness naturally suggests.

The subject of compulsory education as a means of preventing numerous evils connected with our civilization, is now most justly attracting more than usual attention. The statistics of this Association may throw some light on the subject, and in the future may contribute still more. A majority of the persons who pass under the review of this Association are able to read and write, but very few have had any thing of what is called the higher education. The disparity of this class may be readily accounted for, not by the intellectual and moral cultivation merely which the one has received above the other, but by causes more remotely connected with these agencies.

By far the greater part of the convicted criminals have never been educated in any branch of useful industry. They therefore start in the competitive strife of life in a demoralized and unequal condition. These employments and ways are both fortuitous; without skill in handicraft or profession, they become necessarily the hewers of wood and drawers of water, serfs and menials to the other classes, subject to such compensation as their necessity compels them to take. Their wages seldom if ever exceed their daily demands. The marts of the world's industries are overcrowded with incapable applicants for work, while at the same time there is work enough for skilled labor. The consequence is that the crowds of incompetents are forced to accept whatever the hand of capital chooses to dole out to them. They are like a horde of beggars struggling for a few odd pennies thrown by some passer by. A few get them, the rest are pushed empty-handed to the wall. Left without employment, without money, they have no alternative but to beg, steal, swindle or starve. From all of which it is ap-

parent that not the, "higher education" as wrought out in scholastic attainment, laying up in the mind classical lore, is the sole antidote for the crimes of society. It is proper to remember that usually our men of liberal education have professions which shield them from temptations to common crimes, and that where they do offend the law, they are usually better defended than the uneducated common criminals; that the ruling classes in society have more sympathy and put forth more effort in behalf of their own than they do for fellows of the baser sort. It is wholly unnecessary to define the legal tricks by which criminals of this class are screened and allowed to escape. It is enough to assert the fact, which is patent to every one who views with open eyes the proceedings of the courts. In making up our verdict as to the criminality of classes, we must accept this fact. It is an old saw that "the law is a net with meshes so constructed that the large fish escape and the small ones are caught." Of this we have daily exemplification. The careful analyzer will discover that there are two factors in this problem of compulsory education as a prophylactic for crime. The first of them is such an education as will enable the subject to apply the educated powers successfully to the work of compelling, directly or indirectly, subsistence from the primary elements. The second is such an adjustment of the productive forces as shall give to each worker ample opportunity for employment in some adapted useful industry. It is a well known fact that by far the larger portion of the most moral and orderly part of society have had nothing beyond the education of the common schools, supplemented by the acquirement of some trade or calling by which they have been enabled to compel a living from the earth, or by the trade of useful handicrafts. This class is really the wealth producing classes, although its individual members seldom grow rich, rarely are in more than comfortable circumstances. While it may be the duty of the State to compel the education of all its children, it cannot be less its duty to make that education contribute to the development of the capacity of self-support, as well as such distribution of the several industries contributing to human support; the accumulation and proper and equitable distribution of the surplus imperishable products commonly called wealth.

The true theory of the highest civilization is the most equitable distribution of the surplus products, so as to prevent want and to allow the complete and harmonious culture and gratification of the aesthetic capacities and tastes. Notwithstanding all theoretical teaching to the contrary, the practical result of our present state of society is that no man has any rights which any other man has any obligation to respect except under compulsion.

A true education must include a true theory of relations and rights, and the most complete system of compulsory education with both the factors noted, will fail to prevent crime if the culture element is omitted. If our educated youths go forth from the schools of the State with the idea impressed on their minds that every other person is their lawful prey, the compulsory education will accomplish little more than our present system. A true moral treatise must underlie any method or the method will fail. The State must either anticipate abnormal immorality by this means, or it must lay its hands firmly on excessive acquisitiveness, or society will never reach its great ideal. These are the practical and logical deductions from the facts constantly brought

before this Association. In vain we labor to eradicate vice by lopping off the branches; the axe must be laid at the root of the tree. In vain we seek to destroy it by pumping at the stream; to the fountain head we must go or labor forever on like Sisyphus, rolling the huge round stone up the high hill only to see it roll back with increased force and accelerated speed.

TABLE No. 10.

Showing the religious belief of those aided each month by the Association at the New York office.

	RELIGION.				Total.
	Protestant.	Catholic.	Hebrew.	Pagan.	
January	44	64	1	.....	109
February	59	69	1	.....	129
March	48	60	.....	1	107
April	54	57	.....	.....	111
May	59	57	.....	.....	96
June	45	45	.....	.....	81
July	35	45	1	.....	78
August	43	45	.....	.....	77
September	45	65	.....	.....	105
October	45	65	.....	.....	115
November	51	65	.....	.....	146
December	51	65	.....	.....	122
	326	716	14	1	1,257

TABLE No. 11.

Showing the religious belief of those aided by the Association, and the prisons from which they were discharged.

	RELIGION.				Total.
	Protestant.	Catholic.	Hebrew.	Pagan.	
City Prisons and County Jails	15	21	1	.....	37
Penitentiaries	267	461	.....	.....	663
State Prisons	114	254	9	1	357
	396	736	14	1	1,257

While, perhaps, but little reliance can be placed on the above tables, they serve to show the early religious training, or the lack of it of those who fill our prisons. The large majority, perhaps, have no religious belief or opinions, yet they have certain inclinations and convictions that, were they to change their mode of life, they would doubtless follow out; and while it may be said that answers to questions like the above are given without knowledge or thought, it is sufficient to know that they are at least fully understood.

TABLE No. 12.

Showing the habits of those aided by the Association, and the prison from which they were discharged.

	HABITS.			Total.
	Temperate.	Intemperate.	Habitual drunkards.	
City Prison and County Jails	17	10	.....	37
Penitentiaries	163	682	.....	825
State Prisons	149	303	.....	357
	329	911	14	1,257

The above table tells its own story, and needs no comments, for it demonstrates as clearly as anything can, that the majority of the vice and crime in our land is occasioned by strong drink, and the great obstacle in the way of the reformation of many is their slavish appetites. With very many it is a habit, too firmly fixed to be easily eradicated, and, if as many believe it is a disease, it should be regarded and treated as such. Of course the above statistics must necessarily be taken from the convicts themselves, but our experience is, that three-fourths of the whole number have found their way into prison through the influence, either directly or indirectly, of strong drink.

TABLE No. 13.

Showing the occupation, before conviction, of discharged convicts relieved during the year by the association.

Accountants	8	Carriage trimmers	2
Architects	1	Carmen	9
Book-keepers	29	Chair-maker	1
Bakers	13	Circus rider	1
Barbers	5	Clerks	148
Bartenders	5	Cigar-makers	5
Bell-hangers	1	Cooks	11
Blacksmiths	7	Confectioners	2
Boiler-makers	2	Coopers	14
Boatmen	5	Drivers	11
Brass moulders	1	Druggist	1
Brewers	8	Engineers	4
Brick-makers	2	Farmers	13
Brick-masons	2	Gardeners	3
Burnishers	2	Glass-blowers	1
Butchers	8	Gas-fitters	5
Cabinet-makers	4	Gilders	2
Carpenters	11	Gunsmith	1

[Assem. Doc. No. 150.]

Hackmen	4	Porter	1
Harness-maker	1	Printers	23
Hatters	4	Sailors	13
Horse-shoers	2	Sail-maker	1
Hostlers	2	Salesmen	4
Japanner	1	Silverplater	1
Jewelers	5	Stewards	4
Lawyer	1	Soap boiler	1
Laborers	710	Shoe-makers	21
Lithographers	2	Tailors	1
Machinists	7	Tobacco stripper	1
Masons	11	Tanner	1
Mattress-makers	2	Teacher	1
No employment	13	Teamsters	14
Paper ruler	1	Tinmiths	4
Painters	14	Upholsterer	1
Pattern-makers	3	Varnishers	4
Peddlers	4	Waiters	14
Plasterer	1	Weaver	1
Physicians	4		
Photographer	1		1,357
Plumbers	9		
Packer	1		

TABLE No. 14.

Showing the occupation of those aided by the association, and the prison from which they were discharged.

	OCCUPATION.			Total.
	Clerks and Bookkeepers.	Trades.	Laborers.	
City prisons and county jails	5	9	23	37
Penitentiaries	118	210	540	868
State prisons	68	147	147	362
	181	366	710	1,257

The above tables show that idleness or the want of a trade or some useful occupation, is a most fruitful source of crime. The great masses of offenses are against property, and to obtain property without work means without toil. Men resort to all sorts of vice from petty theft up to deliberate and most bloody murder; so, just as idleness produces crime, industry serves to repress it. The diligent and skillful laborer is rarely a criminal. With plenty to do, the mind and body occupied, there is no desire or time to indulge in habits that lead to criminal practices, and this is true in the prison as well as out of it.

The large number of clerks and bookkeepers in the above list shows how great is the desire among the most young men to engage in "light and genteel employment," when they are obliged to work at all; and this field is constantly overcrowded, and will be until the end of time, or until they find that it is much better and more respectable to be a good mechanic than a poor clerk, and that the road to wealth or fame is not in that direction.

While the above table shows that over one-fourth possessed trades, it is not probable that one-half or even one-third, who represented themselves as such, were skilled mechanics.

As convicts are sentenced to hard labor, it is for their best good that they should be required systematically and thoroughly to conform to the provisions of the sentence. This very labor is one of the most effective agencies for the reformation of convicts; it breaks up habits of idleness and forms those of usefulness; trains, gives self-command and prepares the prisoner to earn his own livelihood when released; it promotes health, secures discipline and subordination, diminishes the expense of maintaining the prison, and promotes economy.

TABLE No. 15.

Showing the parental relation of the prisoners aided by the General Agent of the Association, and the prison from which they were discharged.

	One or both parents living	Both parents dead.	Total.
City prisons and county jails	30	17	37
Penitentiaries	523	340	863
State prisons	170	197	367
	703	554	1,257

TABLE No. 16.

Showing the social condition of those aided by the Association, and the prison from which they were discharged.

	SOCIAL CONDITION.			Total.
	Single.	Married.	Widowed.	
City prisons and county jails	23	11	3	37
Penitentiaries	540	270	53	863
State prisons	158	190	9	357
	721	471	65	1,257

TABLE No. 17.

Showing the home training of those aided by the association at the New York office, and the prison from which they were discharged.

	HOME TRAINING.			Total.
	Moral.	Religious.	Neither.	
City prison and county jails.....	17	10	10	37
Penitentiaries.....	226	223	384	833
State prisons.....	151	86	150	387
	407	396	554	1,257

Neglect of early training and disobedience to parents are two great causes of crime, as is seen by the statistics. Insubordination and idleness are evidently primary sources of crime, and so long as present indifference to these parent vices shapes and tempers the actions of parents and of the public mind, every common interest will suffer, and crime will brand with shame the victims of these insidious vices. It is almost puerile to ask, "How shall crime from these sources be stopped?" But we answer, let the State compel a regular attendance at school, where thorough discipline and a course of mental training are enforced.

TABLE No. 18.

Statement of offenses of which those who applied to the association were convicted.

Assault to kill.....	1
Assault and battery.....	58
Attempt to commit burglary.....	18
Attempt to commit grand larceny.....	7
Bigamy.....	4
Burglary.....	107
Carrying concealed weapons.....	1
Counterfeiting.....	5
Cruelty to animals.....	1
Disorderly conduct.....	52
Embezzlement.....	26
False pretenses.....	20
Felonious assault.....	33
Forgery.....	27
Grand larceny.....	314
Highway robbery.....	7
Horse stealing.....	3
Indecent assault.....	1

Intoxication.....	19
Keeping disorderly house.....	1
Larceny from person.....	31
Manslaughter.....	4
Malicious mischief.....	1
Opening letters.....	1
Petit larceny.....	503
Perjury.....	1
Rape.....	3
Robbery.....	3
Running away from home.....	1
Receiving stolen goods.....	5
Vagrancy.....	9
Total.....	1,257

One hundred and three of the above were for crimes against the person and disorderly conduct, nineteen only were for intoxication and nine for vagrancy, while the remainder, of over one thousand, were for crimes against property; over seven hundred were for misdemeanors and five hundred for felonies, while nearly one hundred, who had committed State prison offenses, were sentenced to the penitentiaries.

TABLE No. 19.

Showing the number of convictions of each prisoner aided by the Association, city office, and the prison from which he was last discharged.

	NUMBER OF TIMES IN PRISON.					Total.
	Once.	Twice.	Three.	Four.	Five and over.	
City prison and county jails.....	221	6	4	2	2	37
Penitentiaries.....	427	319	83	14	11	863
State prisons.....	221	27	22	10	7	337
	671	412	224	30	20	1,257

In accordance with a long established usage, we append the following tables of statistics from the report of the honorable board of Commissioners of Charities and Correction. These, to a careful observer, will throw much light on the subject of crime in New York, and conclusively demonstrate that the objects, aims and consequent labors of the association must be, if well performed, a task of no small magnitude nor of an agreeable character.

*Commitments to District Prisons, Penitentiary and State Prisons,
New York City, for year 1873.*

TABLE A.

	White males.	White females.	Black males.	Black females.	Total.
FIRST DISTRICT PRISON, HALLS OF JUSTICE.					
Remaining January 1st, 1873.....	428	111	8	5	552
Number received during year.....	19,457	13,506	301	254	33,968
	19,885	14,017	309	259	34,540
Discharged during the year.....	8,570	2,332	290	174	11,016
Deceased.....	19	4			23
Executed.....	10				10
Eloped.....	10				10
Sent to Blackwell's Island by courts.....	2,087	1,003	113	73	3,276
Sent to Blackwell's Island by commissioners.....	7,556	10,467			18,023
Sent to State prison.....	856	28	38	9	741
Sent to House of Refuge.....	177	11	18	2	188
Remaining in prison December 31, 1873.....	385	102	18	2	519
	19,865	14,017	309	259	34,540
In addition to the number received at First District prison, viz.:	19,457	13,506	301	254	33,968
There were discharged from Second District.....	4,333	2,654	295	133	6,015
Sent to Blackwell's Island.....	302	209	8	17	536
Discharged from Third District prison.....	5,445	1,754	17	3	7,219
Sent to Blackwell's Island.....	6	1			7
Discharged from Fourth District prison.....	2,501	453	1	5	2,960
Sent to Blackwell's Island.....	54	98	1		153
Discharged from Fifth District prison.....	716	147	6	1	870
Total number of commitments during the year 1873.....	29,753	18,590	596	415	52,354

TABLE B.

Showing nativity, social relations, habits of life, and degree of education of all prisoners committed to city prisons.

NATIVITY.	Males.	Females.	Total.
Number received who were of native birth.....	13,496	5,259	18,955
Number received who were of foreign birth.....	19,063	15,736	34,799
	32,559	18,995	52,354
SOCIAL RELATIONS.			
Number received who were married.....	13,725	8,334	22,119
Number received who were single.....	18,082	6,877	24,959
Number received who were widowed.....	1,089	3,397	4,486
Number received whose social relations were unknown.....	463	397	860
	33,359	18,965	52,324
HABITS OF LIFE.			
Number received who were of temperate habits.....	16,518	7,745	24,263
Number received who were of intemperate habits.....	16,041	11,217	27,258
	32,559	18,965	52,324
EDUCATION.			
Number received who could not read.....	4,807	3,203	8,010
Number received who could read only.....	3,205	6,025	9,230
Number received who could read and write.....	24,152	9,212	33,364
Number received whose degree of education was unknown.....	965	548	1,513
	337	128	505
	33,359	18,965	52,324

[Assen. Doc., No. 150.]

TABLE C.

Showing the crimes committed by the prisoners who were committed at the First District Prison, in which are included all prisoners, either sentenced or committed for trial, at the First, Second, Third, Fourth and Fifth District Prisons.

FOR WHAT OFFENSE COMMITTED.	FIRST DISTRICT PRISON.		
	Males.	Females.	Total.
Abandonment	118		118
Abduction	12	1	13
Arson	15	3	18
Assault	19	10	29
Assault and battery	1,033	172	1,205
Assault and battery, felonious	288	16	304
Attempt to commit burglary	10	10	20
Attempt to commit grand larceny	29	10	39
Bastardy	12		12
Bigamy	4		4
Burglary	389		389
Conspiracy	3		3
Contempt of court	3		3
Delirium tremens	5		5
Disorderly boys and girls	147	9	156
Disorderly conduct	3,513	4,237	7,750
Embezzlement	45		45
Escaped convicts	11		11
Felony	70	10	80
Felonious assault	27		27
Forgery	46		46
Fugitives from justice	6		6
Gambling	14		14
Grand larceny	894	199	1,093
Homicide	4		4
Indecent assault	22		22
Indecent exposure of person	10		10
Inebriety	159	255	414
Intoxication	7,674	8,068	15,742
Juvenile delinquency	49		49
Keeping disorderly house	15	28	43
Levity	4		4
Larceny from the person	105		105
Malignous mischief	4		4
Mayhem	2		2
Misdemeanor	200	11	211
Obtaining goods by false pretenses	65		65
Perjury	10		10
Pettit larceny	2,469	453	2,922
Rape	31		31
Receiving stolen goods	1		1
Robbery	125		125
Seduction	4		4
Sodomy	4		4
Vagrancy	404		404
Violation of corporation ordinances	38		38
Totals	19,828	14,100	33,928

TABLE D.

FOR WHAT OFFENSE COMMITTED.	SECOND DISTRICT PRISON.		
	Males.	Females.	Total.
Abandonment			
Assault	20		20
Assault and battery	5		5
Assault and battery, felonious	256	26	282
Attempt to commit burglary	4		4
Attempt to commit grand larceny	6		6
Burglary	11		11
Bastardy	13		13
Disorderly conduct	1,565	1,044	2,609
Disorderly boys and girls	31	3	34
Embezzlement	31		31
Felony	3		3
Felonious assault	8		8
Forgery	31	1	32
Fugitives from justice	1		1
Gambling	2		2
Grand larceny	15		15
Indecent assault	75	28	103
Indecent exposure of person	2		2
Keeping disorderly house	1,056	113	1,169
Larceny	16	47	63
Larceny from person	10		10
Malignous mischief	2		2
Mayhem	1		1
Misdemeanor	1		1
Obtaining goods by false pretenses	166		166
Perjury	9		9
Pettit larceny	2		2
Receiving stolen goods	65	16	81
Rape	1		1
Robbery	1		1
Seduction	1		1
Violation of corporation ordinances	5		5
Vagrancy	29		29
Totals	4,788	2,295	7,183

TABLE E.

FOR WHAT OFFENSE COMMITTED.	THIRD DISTRICT PRISON.		
	Males.	Females.	Total.
Abandonment.....	3	1	4
Arson.....	82	3	85
Assault and battery.....	9	14	23
Bastardy.....	9	2	11
Burglary.....	30	2	32
Disorderly conduct.....	2,077	3	2,080
Embezzlement.....	1	1,110	1,111
Grand larceny.....	47	1	48
Felonious assault and battery.....	2	1	3
Felony.....	3	2	5
Forgery.....	1	14	15
Grand larceny.....	1,853	552	2,405
Intoxication.....	49	19	68
Keeping disorderly house.....	183	9	192
Misdemeanor.....	5	5	10
Obtaining goods by false pretenses.....	149	13	162
Petit larceny.....	3	3	6
Rape.....	13	1	14
Receiving stolen goods.....	2	1	3
Robbery.....	3	3	6
Suspicious persons.....	49	10	59
Vagrancy.....	6	10	16
Violation of corporation ordinances.....	53	7	60
Witness.....	1	1	2
Totals.....	5,698	1,798	7,496

TABLE F.

FOR WHAT OFFENSE COMMITTED.	FOURTH DISTRICT PRISON.		
	Males.	Females.	Total.
Assault and battery.....	177	18	195
Assault and battery, felonious.....	22	1	23
Abandonment.....	16	16	32
Bastardy.....	19	1	20
Burglary.....	9	9	18
Burglary.....	684	170	1,054
Disorderly conduct.....	7	7	14
Embezzlement.....	7	7	14
Felony.....	1	1	2
Forgery.....	18	2	20
Grand larceny.....	1	1	2
Homicide.....	1	1	2
Insanity.....	885	217	1,102
Intoxication.....	29	3	32
Juvenile delinquency.....	3	3	6
Keeping disorderly house.....	46	7	53
Misdemeanor.....	3	6	9
Obtaining goods by false pretenses.....	2	1	3
Petit larceny.....	70	7	77
Rape.....	9	1	10
Receiving stolen goods.....	5	1	6
Robbery.....	44	7	51
Vagrancy.....	27	1	28
Violation of corporation ordinances.....	1	1	2
Totals.....	2,354	464	2,818

TABLE G.

FOR WHAT OFFENSE COMMITTED.	FIFTH DISTRICT PRISON.		
	Males.	Females.	Total.
Assault and battery.....	110	.....	110
Assault and battery, felonious.....	38	.....	38
Abandonment.....	20	.....	20
Bastardy.....	4	.....	4
Burglary.....	28	.....	28
Disorderly conduct.....	213	74	286
Felony.....	1	.....	1
Forgery.....	16	2	18
Grand larceny.....	1	.....	1
Homicide.....	1	.....	1
Insanity.....	262	69	331
Intoxication.....	12	1	13
Juvenile delinquents.....	30	.....	30
Keeping disorderly house.....	13	2	15
Misdemeanor.....	3	.....	3
Petit larceny.....	29	.....	29
Rape.....	3	.....	3
Robbery.....	2	.....	2
Reduction.....	2	.....	2
Vagrancy.....	4	.....	4
Violation of corporation ordinances.....	3	.....	3
Totals.....	716	148	864

TABLE H.

NATIVITY OF PRISONERS COMMITTED IN 1873.	Males.	Females.	Total.
Ireland.....	33,513	11,575	45,088
United States.....	28,687	5,259	33,946
Germany.....	2,431	693	3,124
England.....	1,156	740	1,896
Scotland.....	44	189	233
Canada.....	155	86	241
Prussia.....	1,104	341	1,445
France.....	52	62	114
Italy.....	140	12	152
Russia.....	1	3	4
Sweden.....	37	3	40
Switzerland.....	43	2	45
West Indies.....	29	6	35
Spain.....	49	2	51
Norway.....	41	.....	41
Denmark.....	41	.....	41
Wales.....	33	4	37
Austria.....	18	.....	18
China.....	234	62	296
South America.....	6	.....	6
Cuba.....	50	3	53
Belgium.....	39	.....	39
Holland.....	1	1	2
Africa.....	16	1	17
Unknown.....	10	6	16
Poland.....	48	.....	48
Portugal.....	1	.....	1
Totals.....	33,359	18,965	52,324

TABLE I.

Classification Table of the Ages of the Male and Female Prisoners received during the year 1873.

AGES.	Males.	Females.	Total.
Under 15 years.....	1,927	274	1,561
From 15 to 20 years.....	4,179	1,849	6,028
From 20 to 25 years.....	4,423	4,423	8,846
From 25 to 30 years.....	3,448	4,426	7,874
From 30 to 35 years.....	2,972	2,536	5,508
From 35 to 40 years.....	2,972	1,993	4,965
From 40 to 45 years.....	2,910	650	3,560
From 45 to 50 years.....	1,874	323	2,197
From 50 to 55 years.....	747	111	858
From 55 to 60 years.....	360	108	468
From 60 to 65 years.....	226	108	334
From 65 to 70 years.....	70	76	146
Over 70 years.....			
Totals.....	33,350	18,965	52,315

While the great purpose of the Prison Association is to modify discipline and adapt it to the reform of the criminal as well as to provide employment for prisoners when their terms expire, so that those who are well disposed may have the means of preventing a relapse into old habits, it is evident that these agencies are only dealing with effect, and that to a limited extent.

While we are doing good to the victims of social disorder, the causes of that disorder are busily at work and rapidly increasing — they are at work with all the certainty of the laws of nature, yielding an annual crop more than proportioned to the increase of the population. As this increase, the inability of the society to meet the legitimate demands on its resources, especially in finding places for men willing to reform, if only a chance is given them, and the fact that only a small proportion can be saved and restored to the full measure of good citizenship; nay, the fact that a great proportion of our criminals never have been and never, under the existing state of society, can be good citizens, naturally forces the consideration of method of prevention rather than of cure, a theory which seems to be attracting the attention of the best thinkers. It is very evident that society is wrong in its philosophy or practice, most likely both. For if the theory be wrong, the practice will be wrong. It is therefore clear, that an intelligent application of remedies makes a knowledge of causes imperative. Now we have no well defined accepted theories of the causes, degrees and penalties for the violation of the Civil Code. Until we attain to a true theory, our work must often blunder and often fail. How much is due to constitutional organization, and how much to the influence of society, we have failed to determine, because of our ignorance of causes.

Whether, then, we are to act at all upon the new theory, that crime is a disease, is a question of the greatest moment. It is a well established fact, that certain substances have the quality so to operate on the nervous system as to paralyze, or so far derange it as to destroy

that control which is deemed necessary to responsibility. It is a well-established opinion, that drunkenness is the most fruitful source of crime; that it first deranges the muscular and nervous health by destroying the integrity of the material is at least reasonable. But it is now contended by some, that drunkenness itself is a disease.

Some years ago, a lady who had had her attention called frequently to the care of drunkards, having become convinced that this theory was correct, started, in Boston, an institution for the treatment of all from intemperance as disease.

This person, often operating with over two hundred persons, and with great success, maintains her original conviction, that intemperance is a disease, may be constitutional, or the result of habit; that when the tissues of the body have over changed and adapted themselves to the passion of alcohol, the system is chemically diseased; that this diseased condition affects the whole nervous system, and, per consequence, the control and expression of the mental and moral forces of any particular individual. Persons of large destructiveness are thus excited to deeds of violence by a small quantity, while persons with good moral tendencies require longer time and larger portions to the destructive faculty. Then if we accept the theory, that a foreign agent may change the condition of the human body and brain so as to destroy the self-control, there is only a short step to the primary principle that body and mind may be so constituted by inheritance as to negative the efforts of the unfortunate person to obey moral and civil law. In support of this view may be adduced the idiosyncrasy known as "kleptomania." Instances of this kind have so multiplied, as to leave no doubt that these persons are born with natural inherited tendencies to dishonesty and untruthfulness. A lady, respectively connected and without any necessity, stole gloves and pocket handkerchiefs whenever opportunity offered. Another, whose husband was a wealthy merchant, indulging her in every whim for her *menage and toilette*, would shop-lift. An old bachelor in West Virginia, would steal stockings and undershirts of children, with which to ornament his cabin. For these garments he had no use, and he never offered them for sale. Numerous other instances might be adduced of the same general character.

If all this is true, we shall have to look deeper for the causes of crime, as well as change our methods.

The collection of facts, the examination of criminals in regard to organization, education, habits, character of ancestor, etc., would probably throw some light on this abstruse problem.

The psychological force of the precept and example of society would come in for examination in connection with the subject. It is not imagination, but a painful fact that society makes paupers, drunkards and criminals, and then punishes them for its own misdeeds. This it does by tolerating — for a price, and by private drinking. These external influences, added to inherent tendencies, make the paupers and criminals which are the bane of society this day.

May not the defection of so many of our prominent public men be traced to the unwholesome influence of our social atmosphere? The excessive cultivation of acquisitiveness is one of the fundamental objects of education. All the powers of the mind are kept on the keen jump to acquire vast wealth without corresponding labor. Why?

Because society gives wealth, position and power, which it denies to honest poverty. It is not the theory of our civilization that labor is dishonorable, idleness honorable, and wealth the basis of standing and character. The tendencies to extensive wealth and extreme poverty shows that we have failed in the science of society. It may be that we shall have to look to such facts as we have named for better guidance in the future. As a matter of economy, prevention is better than cure; but while it may be said that this duty pertains to society in its general organic capacity, rather than to aid association instituted for a mere specific purpose, we are so confident of the necessity of a better understanding of the causes of crime, in order to remove the effects, that we are ready, if sustained by the friends of reform, to make diligent inquiry, and report results, from time to time, as to the basis of better and more practical treatment of those abnormal manifestations.

In concluding this report, we feel it our duty to acknowledge the courtesy of those connected with the administration of criminal justice, the judges, district attorneys and their assistants, and to the different officers connected with our courts, to the members of the bar and the authorities generally, from all of whom we have received cheerful assistance and valuable advice.

To the gentlemen of the executive committee we return our sincere thanks for their uniform kindness and forbearance toward us in the performance of our duties, and for the valuable aid and suggestions rendered us in our labors.

All of which is respectfully submitted.

A. W. SHELDON,
General Agent.

DEATH OF HON. JOHN W. EDMONDS.

JOHN W. EDMONDS died on the 5th day of April, 1874. He was justly recognized as the founder of the Prison Association of New York. His eminent services for the interests of humanity which distinguished his life, his noble and inspiring leadership in the duties of this Association for repression of crime and the prevention of its causes, and his pre-eminence judicial ability and practical wisdom in dealing with penal questions, imparted inestimable value to his services and counsel in the Prison Association.

As Judge Edmonds had been connected with the study of our prisons since 1842, and had spent his valuable life in judicial practice and researches, a suitable memoir of his life and labors in connection with the Prison Association will be prepared by a committee that has been appointed for this purpose.

In Judge Edmonds' posthumous papers are found historical records of a new beginning, and persistent effort to reach and repress preventable sources of crime, and to supplant the degrading and debasing methods of penal treatment by a system of penitentiary and reformatory training. The last as well as the earliest contribution of his pen and his thoughts upon this subject evinced the exalted and earnest grasp with which his mind seized upon whatever was found necessary and practicable for the welfare and reformation of criminal classes. We have quoted upon pages 44 and 45, the last suggestions from his gifted pen upon this subject; and in his first public address upon the same theme, in the city of New York in 1844, the opening anniversary of this Prison Association, he spoke the following words:

"The further reforms demanded, and which would require legislative aid, are CLASSIFICATION and INSUBJECTION; not the imperfect classification attempted in some of the British prisons, according to the crimes committed, nor insubjection confined merely to their moral and religious duties, but that which would separate the hopeful from the incorrigible, and elevate the mind and improve the understanding.

"Two errors prevail in regard to prisoners: One, is the harsh notion of regarding the hardened and irreclaimable, as characterizing the whole class, and condemning all for their sakes to enduring degradation; the other, that sickly sensibility, which, because of a few distressing incidents, looks upon all as deserving compassion only. * * * * *

"Our duty to each class is widely different. To the innocent we owe it, that they should be protected against the contamination of vice, and above all against the dire necessity to which oftentimes compels to crime as the only refuge from starvation. To the irreclaimable we owe it, that they should be deprived of the means of preying upon society, of gratifying their vicious propensities at the expense of the virtuous and the good, and of spreading the contagion of their evil example. And while to them the way to repentance should always be open, however faint the prospect that they would ever travel it, above all things it is due to them and to humanity, that vindictive punishments should never be inflicted upon them. Vengeance belongs to the Creator, and not to mere mortal man, and can never be dealt out by us without arming for the conflict on both sides, the worst passions of our nature."

Inspiring thoughts and great truths like these live forever, while we mourn that the hand which inscribed them in the records of good will to man is now in the grave.

E. H.

CONTENTS.

	PAGE.
OFFICERS OF PRISON ASSOCIATION	5
PATRONS, CORRESPONDING AND HONORARY MEMBERS	6-8
LOCAL COMMITTEES IN COUNTIES	9-13
REPORT OF EXECUTIVE COMMITTEE	11-20
REPORT OF TREASURER	21-22
REPORTS BY CORRESPONDING SECRETARY	23-123
REPORT OF GENERAL AGENT	124-169

INDEX BY TOPICS.

REPORT OF EXECUTIVE COMMITTEE:

Progress of the Association's efforts	13-15
Summary of records of aid by agents	15-19
Practical workings of plans	19-20
Results and conclusions	19-20

SPECIAL REPORTS BY THE CORRESPONDING SECRETARY:

The State Prisons—statistics	23-25
The State Prison at Sing Sing—industries	25-27
The State Prison at Auburn; its history, etc.	28-35
The State Prison at Clinton (Dannemora); its history, etc.	35-37
The local penitentiaries—statistics	38-39
The local penitentiaries; their condition and wants ..	39-42
New efforts for the benefit of prisoners	43-47
County jails	47-68
Chautauque County Jail	48
Columbia County Jail	48-49
Clinton County Jail	49-50
Dutchess County Jail	50-51
Essex County Jail	52
Fulton County Jail	52
Kings County Jail	52-53
Madison, Monroe, Montgomery County Jails	53