

TWENTY-EIGHTH ANNUAL REPORT

OF THE

EXECUTIVE COMMITTEE

OF THE

Prison Association of New York,

AND

ACCOMPANYING DOCUMENTS,

F O R T H E Y E A R 1 8 7 2 .

TRANSMITTED TO THE LEGISLATURE FEBRUARY 18, 1873.

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IN ASSEMBLY,

March 19, 1873.

TWENTY-EIGHTH ANNUAL REPORT

OF THE

for 1872

EXECUTIVE COMMITTEE OF THE PRISON ASSOCIATION OF NEW YORK.

PRISON ASSOCIATION OF NEW YORK,
58 BIBLE HOUSE, ASTOR PLACE,
NEW YORK, *February 18th, 1873.* }

To Hon. ALONZO B. CORNELL,

Speaker of the Assembly:

SIR.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present herewith the Twenty-eighth 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.

ELISHA HARRIS,

Corresponding Secretary.

1872
OFFICERS OF THE PRISON ASSOCIATION
OF NEW YORK, 1873.

PRÉSIDENT.

THEODORE W. DWIGHT.

VICE-PRESIDENTS.

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

J. STANTON GOULD, Hudson.
CHARLES J. FOLGER, Genes.
DORMAN B. EATON, New York.

CORRESPONDING SECRETARY.

ELISHA HARRIS, M. D., Office 58 Bible House.

RECORDING SECRETARY.

CEPHAS BRAINERD, 46 Pine street.

TREASURER.

WM. C. GILMAN, 46 Pine street.

ELECTED MEMBERS OF EXECUTIVE COMMITTEE.

SINCLAIR TOUSEY, 119 Nassau st., Chairman.

W. F. ALLEN, Albany.

FRED. LAW OLMSTED, 228 Broadway.

JOHN H. ANTHON, 271 Broadway.

CHARLES K. KITCHEL, 115 Broadway.

WILLIAM T. BOOTH, 100 Wall street.

STEPHEN CUTTER, 228 East 12th street.

RICHARD L. DUGDALE, 270 Bleeker street.

JOHN W. EDMONDS, 271 Broadway.

ANDREW H. GREEN, 1 Fifth avenue.

W. W. HOPPIN, JR., 69 William street.

GAYLORD B. HUBBELL, Sing Sing.

R. R. MCBURNEY, cor. 4th ave. and 23d street.

THEO. W. MORRIS, 27 Chambers street.

SAMUEL OSGOOD, P. D., 154 West 11th street.

MOSS KENT PLATT, Flattsburgh.

ADAM T. SACKETT, 24 Liberty street.

D. B. ST. JOHN ROOSA, M. D., 20 East 20th st.

HENRY S. TERBELL, 38 West 20th street.

Z. STYLES ELY, West 20th street.

RENSELAEER N. HAVENS, 12 Pine street.

JAMES H. TITUS, 34 Liberty street.

STANDING COMMITTEES.

Committee on Finance.

WILLIAM C. GILMAN.

ANDREW H. GREEN.

Z. STYLES ELY.

WILLIAM T. BOOTH.

ADAM T. SACKETT.

STEPHEN CUTTER.

Committee on Detentions.

DORMAN B. EATON.

JOHN H. ANTHON.

Rev. SAMUEL OSGOOD.

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CEPHAS BRAINERD.

ROBERT R. MCBURNEY.

R. L. DUGDALE.

THEO. W. MORRIS.

MOSS K. PLATT.

Committee on Discharged Convicts.

STEPHEN CUTTER.

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F. LAW OLMSTED.

LEVI M. BATES.

WILLIAM C. GILMAN.

CEPHAS BRAINERD.

GAYLORD B. HUBBELL.

W. W. HOPPIN.

Committee on Prison Discipline.

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W. L. LEARNED.

W. F. ALLEN.

CHARLES J. FOLGER.

JOHN T. HOFFMAN.

GAYLORD B. HUBBELL.

JOHN STANTON GOULD.

JAMES H. TITUS.

JOHN H. ANTHON.

RENSELAEER N. HAVENS.

Dr. D. B. ST. JOHN ROOSA.

GENERAL AGENT.

A. W. SHELDON, Office 19 Centre street.

- Madison county: residence, Morrisville—D. D. CHASE, H. P. MEADE, LEOTUS P. CLARK; residence, Onida—W. H. WILLIAMS.
- Montgomery county: residence, Forda—WILLIAM D. SCHOELCRAFT, REV. W. FROTHINGHAM, H. S. SPARKS; residence, Amsterdam—C. G. WESTBELL.
- Monroe county: residence, Rochester—HON. HENRY R. SELDEN, DR. W. L. ELX, DR. H. W. DEAN, GEN. J. W. MARTINDALE, REV. J. V. VAN ENGEL, P. BARRY, JAMES T. STEWART, L. S. FULTON, QUINCY VAN VOORHIS.
- Niagara county: residence, Lockport—J. T. BELLAH, H. KIRKORNE, THOMAS HALL, E. P. MARVIN, J. W. HELBE, MRS. J. T. BELLAH, MRS. D. C. MARVELL.
- Onida county: residence, Utica—HON. WM. BACON, DR. JOHN P. GRAY, COL. THEO. P. COOK, CHAS. H. WARREN, EDWIN HUNT; residence, Rome—SIMON G. VISCHER, A. P. GOODENOUGH.
- Onondaga county: residence, Syracuse—HON. P. BURKE, M. C. PALMER, DR. H. B. WILSON, DR. M. D. BENDT, REV. M. BARRI, DR. R. W. PRASE, HON. W. H. H. GIBBE, A. C. WASHBURN; residence, Salina—DR. DIDAMA, TIMOTHY R. PORTER.
- Ontario county: residence, Carandagus—Prof. BENJAMIN RICHARDS, MR. DICKSON, MRS. DR. JEWETT, Prof. EDWARD TYLER, HON. JAMES C. SMITH, REV. P. B. ALLEN.
- Orange county: residence, Goshen—C. E. MERRILL, DR. WILLIAM P. TOWNSEND, C. E. MILLSPOUGH, DR. J. H. THOMPSON, DR. H. H. ROBINSON; residence, Newburgh—DR. R. V. R. MONTFORT, GRANT EDGAR, REV. WENDELL PRIZE, WILLIAM MCCREA.
- Orleans county: residence, Albion—HON. E. K. HART, DANIEL W. FRYE, C. H. HOLMES, TRUMAN CLARK; residence, Medina—DR. E. F. HEALY.
- Oswego county: residence, Oswego—HON. O. J. HARMON, G. C. MCWORTER, HON. J. A. FLAGG, J. H. COB, G. MOLLISON.
- Otsego county: residence, Cooperstown—ELIHU PHINNEY, DR. H. LATHROP, S. M. SHAW, G. P. KEES, MISS SUSAN COOPER, CHARLES HENDRYX.
- Queens county: residence, Hempstead—REV. WM. M. MOORE, DR. JOHN M. DAVIDSON; residence, Mincola—DR. SAMUEL TREADWELL.
- Rensselaer county: residence, Troy—AMASA R. MOORE, H. W. HOUGHTON, DR. LEROY McLEAN, DR. H. B. WRIGHT, N. E. REMICK, REV. WM. LEVIN.
- Richmond county: residence, Richmond, C. H.—MR. FRANKLYN, DR. I. L. MILLSPOUGH, DR. A. D. EDGAR, STEPHEN STEPHENS.
- Rockland county: residence, Stony Point—DR. WM. GYMAN; residence, Haverhill—A. S. FREEMAN.
- Saratoga county: residence, Ballston Spa—T. M. MITCHELL, J. W. HORTON, DR. MORGAN LEWIS; residence, Saratoga Springs—SAMUEL E. BUSHNELL, HIRAM A. WILSON.
- Seneca county: residence, Waterloo—HON. S. G. HADLEY, REV. W. D. DOTT, DR. O. S. WELLS, REV. S. H. GRIDLEY; residence, Ovid—HON. GEORGE FRANKLIN, DR. JOHN B. CHAPIN, DR. A. BOLTER.
- Schoharie county: residence, Schoharie—DR. PETER S. SWART, JOHN GERHARD, REV. JACOB HERC, PETER OSTERSHOUT.
- Schenectady county: residence, Schenectady—DR. E. L. MYNDERS, NICHOLAS CAIN, REV. DR. HACKBURN.
- Schuyler county: residence, Watkins—DR. C. T. BLISS, FRED'K DAVIS, REV. DR. MANN; residence, Burdett—DR. NELSON NITLSON; residence, Havana—Prof. AMOS BROWN.
- St. Lawrence county: residence, Canton—DR. J. C. PRESTON, GEO. ROBINSON, JAMES GARDNER, H. H. JUDD; residence, Ogdensburg—DR. SHERMAN, Prof. K. G. PETTIBONE; residence, Potsdam—Prof. McVICAR, DR. C. C. BATES.
- Stenben county: residence, Bath—HON. GUY McMASTER, Z. L. PARKER, REV. O. K. HOWARD, REV. JAS. M. PLATT, C. F. KNOWLEY, RESIDENCE, HARDENBOROUGH—REV. MR. STODDARD; residence, Corning—DR. H. O. MAY, REV. DR. NILES, F. A. WILLIAMS.
- Suffolk county: residence, Riverhead—N. W. FOSTER, DR. R. H. BENJAMIN, REV. F. COOK, G. O. WELLS.
- Sullivan county: residence, Monticello—DR. B. G. McCABE, REV. T. M. DAWSON, F. G. SNOOK; residence, Grahamville—DR. J. M. LA MOREE.
- Tioga county: residence, Owego—E. W. WARNER, H. L. BEAN, HON. WM. SMYTH, HON. T. I. CHAFFIELD, REV. M. CLARK, G. B. GOODRICH, A. COBURN, H. D. FINNEY, J. W. LAMOREAUX.

- Tompkins county: residence, Ithaca—Prof. WM. CHANNING RUSSELL, HON. ALEX. H. SELKREE, HON. MILLS VAN VALKENBURG, Prof. WILLIAM D. WILSON, REV. RUFUS STEPHENS, W. O. WYCKOFF, W. E. JOHNSON.
- Ulster county: residence, Kingston—HON. AUGUSTUS SCHOONMAKER, REV. GEO. WATERS, HON. R. LOGGAK, J. D. KEYSER, DR. K. KEYSER, DR. C. W. DEVO, HON. JAMES G. LINDSLEY.
- 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—D. W. PARSHALL, REV. S. E. BELL, DR. E. W. HOTTUM, DR. H. D. VOSHURST, L. H. SHERWOOD; residence, Painesville—ISAAC BRONSON, L. LYONS, MRS. PLINY SEXTON, CHARLES McLOUTH; residence, Walworth—HON. LUCIEN T. YONGMANS.
- Westchester county: residence, White Plains—Dr. A. M. CLARK, M. PREDHOEMER, DR. H. E. SCHMID, REV. DR. VAN KLEEF; residence, Saltburg—MISS GRACE and HANRIET SCUTTLE; residence, Sing Sing—HENRY LOUNSBERRY, DR. G. J. FISHER, MRS. CATHERINE E. VAN CORTLANDT, 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, Pott Yan—HON. D. A. OGDEN, MYRON HAMLIN, P. HOLMES, EREN JONES.

CHARTER AND CONSTITUTION

OF THE

PRISON ASSOCIATION OF NEW YORK.

AN ACT to incorporate the Prison Association of New York.

PASSED May 9, 1846; by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of The Prison Association of New York, and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which this corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation; and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alteration in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be—

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline, and the government of prisons, whether for cities, counties or States.
3. The support 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.

CHARTER AND CONSTITUTION.

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ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: A finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be *ex officio* members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month, and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents, shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually, at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same objects in view may become auxiliary to this association, by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society; and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society, at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers elected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted, that no manager of said society shall receive any compensation for his services.

§ 2. The said executive committee shall have power to establish a work-house in the county of New York, and, in their discretion, to receive and take into the said work-house all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the court of general sessions of the peace, or the court of special sessions, or the court of oyer and terminer, in said county, or any police magistrate, or the commissioner of the almshouse, may deem proper objects; and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so, as aforesaid, committed to the said work-house, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature, and to the corporation of the city of New York, of the

number of persons received by them into the said work-house, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said work-house, to bind out the said persons, so being minors as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons, and at such places, to learn such proper trades and employments as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And, to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are vested in the inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof.

Provided, That no such examination or inspection of any prison shall be made until an order for that purpose, to be granted by the chancellor of this State, or one of the judges of the supreme court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situated, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK,
IN SENATE, May 8, 1846. }

This bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate.

A. GARDINER,
President.

* See last paragraph on next page.

STATE OF NEW YORK,
IN ASSEMBLY, April 24th, 1846. }

This bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof,
Resolved, That the bill do pass.

By order of the Assembly.

WM. C. CRAIN,
Speaker.

Approved this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW YORK, }
SECRETARY'S OFFICE. }

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom and the whole of said original.

In testimony whereof, I have hereto affixed the seal of this office at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

(Revised Statutes, Part IV, Chap. 3, Title 1.)

§ 24. * It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prison; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And, for the purpose of obtaining the necessary information to enable them to make such report as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

* Section 20 in the last revision.

BY-LAWS OF THE PRISON ASSOCIATION OF NEW YORK.

I. There shall be a stated meeting of the executive committee on the fourth Wednesday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee, five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of the treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting, no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.
2. To audit all bills against the association; and no bill shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.
3. To audit and report upon the treasurer's accounts annually.
4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

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 prisons 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.

X. It shall be the duty of the committee on prison discipline:

To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duties.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees when required; shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, *ex officio*, of all the standing committees.

XVI. No alteration shall be made in these by-laws except upon notice of the proposed amendment given at a previous meeting of the executive committee.

TWENTY-EIGHTH ANNUAL REPORT

OF THE

EXECUTIVE COMMITTEE.

The Executive Committee of the Prison Association of New York, in accordance with the requirements of the act of the Legislature by which it was incorporated, respectfully submits the following report of its work and proceedings during the year 1872:

Events have marked this year's history of the association with special occasions for thankfulness at the progress and success of its efforts, and also for sadness and affliction at losses its official board has sustained in the death of four of its most devoted members. ABRAHAM BEAL, the general agent, everywhere known as the prisoners' friend, died on the 25th of February; JOHN DAVID WOLFE, the revered president of the executive board, died May 17th; JOHN D. PHELPS, a member of this board, died August 31st, and FRANCIS LIEBER, the learned counselor, and teacher of the principles and applications of constitutional and criminal laws, died on the 14th of October.

The example and the words of these esteemed associates in the councils of the association encouraged and strengthened the work of the executive committee, during their lifetime, and now, when death has removed them from these councils and labors, the wishes, principles and opinions they expressed are not forgotten by those who are toiling in the field which so greatly interested their philanthropic minds.

PROGRESS OF EFFORTS.

The various branches of the association's work have been pressed forward with constantly increasing success throughout the year. The efforts which the Association has put forth for a systematic organization of local inquiry and duty, in regard to the sources,

history and condition of criminals and offenders found in the county jails, have awakened a deeper interest upon this subject throughout the State than ever before known.

In the progress of these efforts, it was found practicable to gain access to a larger number of the employers of labor in some of the organized industries in different sections of the State, with reference to the reception and employment of liberated convicts. The conditions upon which the requests and offers to give employment have thus far been made, have provided that there shall be preparatory advice to the convict, while yet a prisoner, as well as a friendly and guarded introduction of him, at his liberation, to his employer.

This has proved to be an important step in the possible solution of the difficult problem of the replacement of the liberated convicts into the ranks of honest industry. It appears that now, by means of carefully conducted methods, a voluntary duty of the people in this matter is rendered practicable and safe. Great care and study have been bestowed upon this duty by the Prison Association, and as soon as the way was opened for beginning the task of advising with the prisoners and prison officials upon the subject of willingness, capacity and preparation of each one, as the time of discharge from prison approaches, this duty was commenced by the corresponding secretary and the local committee at each of the prisons. At the same time suitable efforts were put forth to secure the necessary interest and co-operation of large employers of labor, as well as of the local or county committees throughout the State. With pleasure we now chronicle the fact that, in all these efforts to open the way and induce and fortify the hope for better life in the convicts and to guide some of them into diligent and honest courses, there continues to be a widespread and increasing interest.

The special report upon this subject will be found in a subsequent part of this volume.

Upon every hand there is evidence that the people will gladly encourage and sustain comprehensive measures for the prevention of crime and the reformation from criminal courses.

The experience acquired by this association in dealing with convicts and liberated prisoners, for the purpose of preventing them from returning to vicious and criminal courses, cannot fail, we believe, to contribute to the growth of correct principles in the reformatory treatment of criminals.

While yet the prisons, with their faulty discipline, debasing influ-

ence and mismanaged industries, are perverting the minds and feelings and extinguishing hope and all ennobling aspirations, the experience and knowledge gained in these voluntary, yet authorized, efforts of the people, through the Prison Association, are undoubtedly hastening the adoption of a better prison system.

Concerning the condition and wants of the local prisons known as penitentiaries, it would appear that their mixed character of work-houses for disorderly and vicious persons, and State prisons for youthful prisoners, and all classes of female prisoners, except such as are guilty of arson in the first and murder in the second degree, these institutions have acquired an importance which will make it necessary for the State to interpose, in suitable ways, to prevent the herding and promiscuous treatment of all grades and ages of these prisoners. At present they are managed upon a congregate plan that seems to have reference only to economy of space and feeding, without classification or grade; without discrimination in regard to the kind of discipline required for the reformation of the different classes of offenders; without instruction of the ignorant (except in the Albany penitentiary*); and without instruction in the common duties and social obligations of life, and with no regard to the need of definite training in trades or the useful industries by which an honest course of life can be encouraged and maintained. Six penitentiaries, that admit and discharge nearly 9,000 prisoners yearly, may properly be placed under regulations that shall prevent them from becoming the schools of crime. A special report upon this class of penal institutions will be found in a subsequent part of this volume.

RECORDS OF CRIME.

The statistics of the State prisons, penitentiaries, jails and reformatories of the State will be found in the appended reports herewith submitted. But it should be remarked, concerning all criminal statistics in the State of New York, that they are defective, loosely kept, unconformable in arrangement and insufficient in essential details. It will be seen from the corresponding secretary's report upon the jails, that in most of the counties the only register or record to be found relating to the inmates of the jails is a rude memorandum of prisoners admitted, and of board due on their account. In

* Since the above sentence was written, the authorities at the penitentiary at Syracuse have opened an evening school in that institution.

numerous instances no book account is kept, and all is left to chance of a treacherous memory or a file of commitment papers.

Under such circumstances it is not strange that the board bills of jail prisoners in some of the counties are frequently erroneous as well as enormous; exceeding any amount necessary for maintaining all the industrial reform schools that would have provided for the entire number of disorderly or vicious children and youths in the same counties. The pernicious results of such mismanagement of the jails and neglect of official records, and, especially, of such absence or defiance of accountability, are too costly, demoralizing and dangerous to be permitted longer to continue. They will not be terminated or prevented, however, without the intervention of a central authority or a system of accountable and competent supervision.

The statistics which we have collected and arranged for reference in this report, present all that the records of the jails and the official returns from the other prisons can supply. We also append certain statements upon the cost of crime and prisons. Incomplete as these statements are, they plainly show that the mere cash expenditures for the keeping of prisoners amount to more than a million dollars annually, over and above all receipts for their labor. And this is only a small fraction of the total cost of crime in the State.

Complete and trustworthy statistical returns concerning every class of criminals and prisoners, and concerning every branch of experience and record in the different prisons and lock-ups, as well as of results of penal proceedings in all courts, will need to be concentrated and studied at a suitably organized central bureau for such records. The importance of this suggestion will be obvious when it is considered that there is no office or bureau under the State government, at present, in which there is found or required to be filed a record or even a memorandum of the commitments before conviction during the year; and, further, that no office in the State has an accurate registry of all convictions. The disparity between the returns by county clerks and sheriffs testify to the inaccuracy that characterizes all this class of record. The returns of convictions by sheriffs or by county clerks not only exhibit wide discrepancies, but they never take notice of the convict when beyond the jail and the court-room. Even the total number of convicted felons that are imprisoned under sentence in county penitentiaries during the year, or that are to be found in that class of prisons at any date in the year, is not known to any department of the State government, nor

does any volume of the State reports ever embody a summary of such information. Though the State Comptroller must pay various bills claimed for the support of State convicts in certain county penitentiaries, there does not exist in the State any public register or report in which the names and criminal record of prisoners are found and referred to, except it be the meagre entry at the penitentiary, and the still less accessible files of conviction abstracts returned by county clerks to the Secretary of State.* This fact sufficiently illustrates the utter defectiveness of the public records of crime and convicts in the State. In an appended statement upon criminal statistics this subject is still further discussed, and many useful facts presented.

The following summary of prison records was made up from returns kindly furnished by prison and penitentiary officials in December last, and showing the total number in prison at the end of November:

Total number of prisoners in the State prisons (inclusive of criminal insane)	2,924
Total in asylum for the criminal insane at Auburn	92
Total number of prisoners in the six county penitentiaries ..	2,423
Total in the penitentiaries and State prisons	5,367

These numbers show the total number of convicts in the prisons that receive the State prisoners in New York, and, with an unimportant exception, they are based upon a census of these prisons taken the last day of November, 1872, when the total was, as usual, below the average number constantly incarcerated.

The total number of prisoners constantly in prison under sentence for felonies or State prison offenses in New York, is not far from 3,200. The facts relating to this subject will be found in an appended statement upon criminal statistics; and facts concerning the presence of large numbers of State prisoners or felons in the six penitentiaries are presented in the appended report upon the penitentiaries.

The total number of prisoners in the county jails daily, the year through, is not known, because of confusion and defects in jail records. Sheriffs and jail keepers in only a few counties can state this number accurately even for a single month. Even the jail board bills are confessedly untrustworthy for giving us the average number.

* That the penitentiaries correctly present their claims, and the Comptroller justly pays them, is not doubted. They relate to female State prisoners.

But we have the fact that the corresponding secretary found nearly 1,600 persons actually in the county jails at the time of his last visits to them; also the fact that he found, upon repeated inspections of the more important and populous of them, that fully eighty per cent of the cell and lodging capacity was constantly occupied, and that in some of them the allotted capacity for prison lodgings, whatever the dimensions of cells, was constantly exceeded, so as to greatly overcrowd the prison.

The total number of cells that were found available for use in all the county jails, is between 1,500 and 1,600, some of which are double cells; and besides these cells there are larger apartments with cell fastenings, and capable of giving lodgings to about 500 prisoners, and thus making the aggregate capacity of the county jails, as estimated by the local authorities, nearly equal to the accommodation of 2,300 prisoners. The total number of prisoners to be found in the county jails of this State any and every day in the year, would not be found to differ far from 1,600; and from observations made by the corresponding secretary, in visits to police prisons in all parts of the State, he concludes that not less than an average of 2,000 persons are to be found in the police prisons and lock-ups every morning in the year. Thus, in the prisons of all kinds in the State, exclusive of the five juvenile reformatories, there is found an average population exceeding 8,500 souls constantly in custody.

The five reformatories for juvenile delinquents have an average population of about 3,800. Thus the total number of persons under incarceration and restraint, in all these institutions, amounts to more than 12,000 constantly. Various facts of great importance relating to the "movement of crime," and the specific kinds of penal treatment awarded in the different classes of institutions, are given in the reports hereto appended in relation to the State prisons, penitentiaries, jails and juvenile reformatories; and in the appended report by the committee on prison discipline, the progress, economical condition, practical defects, and chief wants of the penal institutions are carefully reviewed.

Particular attention is invited to the facts set forth in the statements in this report, which show the enormous cost of the penal institutions and local prisons as now conducted. Though this is only a fraction of the total cost of crime, even this fraction amounts to an enormous sum. The criminal at large unquestionably costs more than the criminal in prison, for the time being; for the estimated

average cost of the persons that live by crime is fourfold greater when out of prison than when incarcerated. It is this obstinately uncured state of the individual criminals that brings the total cost of crime to the enormous aggregate of many millions yearly in this commonwealth. The three State prisons, with their three thousand prisoners, and their thousand graduates each year, cost more than the two hundred and ten academies in the State with their more than thirty thousand students and ten thousand graduates. The entire series of penal institutions, jails and reformatories, for the custody of violators of the laws, costs the people annually nearly one-half as much as the entire system of public schools. Thus, for the three State prisons, sixty-seven jails, five juvenile reformatories, six penitentiaries, and the common lock-ups, the people of this State have yearly expended about half as much as they have paid for their renowned public schools, with more than a million of scholars and nearly eighteen thousand teachers, in about twelve thousand school-houses.

The fact is everywhere conceded that crime, and all the causes that lead to crime, are wasteful and costly; and that if education in useful knowledge were generally preventive of crime, then such education, at the public expense, would be true economy, even for such preventive influence alone. It unfortunately is not true that mere common school education can wholly protect society against the growth of continuous generations of criminals and offenders. But no one can reasonably doubt that, for the purpose of reaching the greater proportion of the entire criminal class at the earliest possible period that State laws and local intelligence and justice could reach juvenile offenders, the majority of those who become criminals could be or should have been taken from the ranks of truants, vagrants and disorderly youth, and be so trained and educated in schools of industry that by virtue of such reformatory influence they would be enabled to resist the evil courses that end in crime.

The economy of reformatory schools and the houses of refuge is admitted, even were they more costly than all the prisons in the mere cash expenditures. But, in fact, the State actually expends upon the juvenile reformatories only a very small proportion of the total sum that is devoted to the penal institutions. This fact will be apparent to any reader of the State reports. For example: in the last published report of the State Commissioners of Public Charities, it appears that the total expenditures upon the two houses of refuge

amounted to \$177,245.77, for maintenance and improvements. Of this sum, \$155,986.72 was for current expenses. The total cash value of products sold, namely, labor of the inmates at trades, amounted to \$61,736.63. The State expended upon these institutions, only \$106,250.

The total number of juvenile offenders in these two State reformatories exceeded 1,900 in the year. The total number of this class in the five reformatories for juvenile offenders, supported by public aid, was 5,619 in the year 1871.

Inasmuch as the first effect of reformatory institutions for the dangerous classes is to withdraw individuals from the army of depredators, and thereby diminishing public expenses and enhancing the protection of property and life; and, as a secondary effect is the substitution of productive and useful members of society in place of depredators and destroyers, the public mind should be kept well informed and aroused in regard to this subject; the public policy, also, in regard to these preventive and reformatory measures, should be as comprehensive, direct and effectual as possible, and never be left to the caprice and spoiling of mere sentiment and purposes of charity alone, or to the pernicious management that would seek external display of the institutions themselves. The main point must ever be to establish the principles and habits of virtue and useful industry in young offenders; and as soon as redeemed from the forces of evil, then speedily to transfer them to the bosom of society under permanently safe guardianship.

REFORMATORY TREATMENT OF CRIMINALS.

The great question whether all convict prisoners shall not be treated upon reformatory principles no longer admits of any other than an affirmative answer. Experience also shows that all the well devised and wisely administered reformatories for adults make larger and more uniformly good returns from their industries than do any mere prisons. The prevalent good discipline, cheerfulness, hope and increased self respect of the convicts in the reformatory prisons undoubtedly account for this result. Plainly, therefore, it is for the interest of the State, merely upon the score of economy in expenditures upon penal institutions, to bring every prison under the most effective reformatory influence. It will be found to be necessary to regard this as a cardinal point in any plan which the Legislature, the board of prison inspectors, or the wardens and officers of the

prisons and penitentiaries would successfully adopt for permanently reducing the public cost of these institutions. Though this is not the most important reason for seeking to establish a reformatory system of industries and discipline, it is a very obvious and positive reason, and one that can be accepted and practically enforced without a minute examination of the profound truths of moral and mental philosophy—that constitute the basis of the economical as well as the social results attained under the proper treatment of prisoners.

THE STATE PRISONS.

In consequence of the State having withheld, in 1872, its usual appropriation to the association, it made no inspection of the State prisons during the year, for want of means of defraying the expenses thereof—its other resources, flowing from voluntary donations, being all absorbed in its other duties.

Financially, however, having reference to the supply and deficiency bills of the Legislature and the annual reports of the Comptroller and the State prison inspectors, the association can continue and carry out the statements heretofore laid before the Legislature.

In their memorial to the Governor, which was communicated to the Legislature in 1871, the prison discipline committee of this association entered into a minute examination of the financial operations of the State prisons for the whole period which had elapsed since the adoption of the present system of management under the Constitution of 1846.

From the laws making appropriations from the State treasury, from the annual reports of the Comptroller and the reports of the State prison inspectors, it was made apparent that those prisons which had once been self-supporting, or nearly so, had in that period of time, viz., from 1847 to 1869 inclusive, cost the State \$6,000,000 at least, over and above all earnings by or at the prisons.

The examination of those laws and reports since that time, to wit, for the years 1870, 1871 and 1872, show several considerations well worthy attention.

First. The difference between the statement of the Comptroller and that of the inspectors of the actual cost of the prisons to the State for the same period of time. The inspectors in their report to the Legislature, made on the 2d February, 1872, make the "deficiency" of earnings between expenses for the years 1869, 1870

and 1871, to be \$674,515.88, while the Comptroller reports for the same time "the excess of advances from the treasury over receipts from earnings" to be \$1,527,388.67.

TABLE OF DEFICIENCIES.

	From Inspectors' Report.	From Comptroller's Report.
1869.....	\$225,061 63	\$595,774 45
1870.....	176,417 96	461,304 99
1871.....	273,035 99	470,309 23
Total.....	<u>\$674,515 58</u>	<u>\$1,527,388 67</u>

In their memorial the association showed that these discrepancies had existed from 1854, and during that time, to wit, for a period of seventeen years, had amounted to \$670,743.92. Add to that the discrepancy for 1871, not included in the memorial, and we have, for a period of eighteen years, a difference between the inspectors and Comptroller of \$877,017.16, in amounts which ought to agree to a cent.

In the report of the Comptroller from which some of these figures are taken, he says, with great propriety: "It cannot be doubted that our system of prison arrangement is very defective and unnecessarily expensive. Starting with the labor of convicts free, as a capital—a body of labor drawn from all callings and grades, and comprising skill in almost every department of industry—it hardly admits of argument that our prisons, under wise policy and management, should be self-sustaining; not a charge of nearly half a million of dollars annually upon the treasury."

In the report of the inspectors from which the residue of those figures are taken, they speak exultingly of their table, "exhibiting," as they say, "a marked decrease in the total expenditures of the last year" (1871), as compared with "previous ones." It is true that the expenditures of that year were \$92,044.33 less than the previous year, but it is equally true—and is a fact to which the inspectors do not call particular attention—that the deficiency for that year is \$96,618.03 larger than in the previous year, so that, while the annual expenditures were \$92,044.33 less in one year than in the previous year, the earnings for that year were, according to their own showing, \$188,662.36 (and according to the Comptroller's showing, \$239,884.39) less than they had been the year before, and the "deficit" of that year was at least \$30,000 larger than ever it had been, as will be seen by the ensuing Table No. 4.

Second. Though the appropriations by the Legislature, made during the session when our memorial was presented, were some \$300,000 less than they had been the previous year, in the ensuing year they recovered their former condition and were indeed larger than they had been in any year except one. (See Table No. 5.)

Third. In 1855 a law was passed, requiring the officers of the prisons to pay into the State treasury "all moneys received by them," and as under the Constitution nothing can be paid out of the treasury but in compliance with an appropriation by law, it is believed that the appropriations annually made for the prisons, after deducting the amounts paid in by them, is the surest criterion of their actual cost to the people at large.

The total amount of "appropriations by law," during the existence of the present system, has been \$11,698,506.43. (See Table No. 5.) From that, deduct the whole amount paid into the treasury by the prisons, during the same time, \$4,606,708.81 (see Table No. 6), and it seems that the support of our prisons, under the present system, has cost our people by direct taxation at least \$7,091,799.62, beginning at less than \$100,000 a year, and gradually growing until it has attained the magnitude, complained of by the Comptroller, "of nearly half a million of dollars annually from the treasury."

The following tables have been compiled in order to show at a glance not only the extent of the financial failure, but its gradual progress from the small sum of about \$20,000 a year to half a million, until it has swelled up to the large sum of over \$7,000,000, drawn from the people by direct taxation. Therefore it is that these tables begin in 1848, when the old system had ended and the new one fairly began.

TABLE NO. 1.
Number of Prisoners.

	1848.	1871.
Auburn.....	473	931
Sing Sing.....	604	1,260
Female.....	84	110
Clinton.....	181	529
Asylum.....	....	74
	<u>1,342</u>	<u>2,904</u>

An increase of 116 per cent.

TABLE No. 2.

Expenditures.

	1848.	1871.
Auburn	\$66,969 41	\$166,415 95
Sing Sing	97,221 41	267,426 03
Female	11,790 54	22,441 60
Clinton	41,510 16	310,954 78
Asylum		17,328 89
	<u>\$217,491 52</u>	<u>\$784,567 25</u>

An increase of over 350 per cent.

In 1870, the expenditures were \$876,415.98, an increase of over 400 per cent.

TABLE No. 3.

Deficiencies to be Supplied from the Public Treasury.

	1848.	1871.
Auburn, a surplus of	\$529 53	\$28,733 48
Sing Sing	11,565 53	122,561 30
Female	9,426 88	22,441 60
Clinton	No earnings.	86,034 15
Asylum	Not built.	17,328 89
	<u>\$20,462 88</u>	<u>\$277,090 42</u>

An increase of deficiencies of over 1,300 per cent.

TABLE No. 4.

Table of Progress from 1848 to 1871, inclusive.

YEAR.	No. of prisoners.	Expenditures.	Earnings.	Deficits.
1848	1,366	\$204,091 80	\$110,658 94	\$93,432 86
1849	1,380	188,754 74	139,285 34	49,469 40
1850	1,621	208,897 74	157,422 25	50,475 49
1851	1,703	206,011 20	178,914 09	27,097 11
1852	1,852	211,751 80	193,303 11	18,448 69
1853	1,967	250,818 24	216,110 65	34,707 59
1854	2,005	272,413 08	213,178 03	59,235 00
1855	1,957	233,445 59	198,230 29	35,215 30
1856	1,910	222,477 99	197,105 13	25,372 86
1857	1,890	212,714 17	191,783 63	20,930 54
1858	2,126	250,356 02	149,173 98	101,182 04
1859	2,538	279,333 68	189,836 52	89,497 16
1860	2,729	291,744 69	238,627 56	53,117 13
1861	2,818	288,904 76	265,552 78	23,351 98
1862	2,697	294,685 57	228,481 51	66,204 06
1863	2,131	291,216 53	228,330 74	62,885 79
1864	1,915	342,794 44	255,957 81	86,836 63
1865	1,885	414,713 30	202,506 57	212,206 73
1866	2,368	463,995 48	229,413 83	234,581 63
1867	2,920	779,570 61	600,013 43	179,566 18
1868	2,881	844,373 93	601,629 05	242,744 88
1869	2,930	879,219 26	654,157 63	225,061 63
1870	2,699	876,611 53	700,193 82	176,417 96
1871	2,904	784,567 25	511,531 26	273,035 99

TABLE No. 5.

Appropriations made by the Legislature from 1848 to 1872, inclusive:

1848	\$116,250 00	Amt. forw'd,	\$2,806,750 87
1849	67,900 00	1861	340,750 67
1850	56,900 00	1862	326,660 37
1851	62,135 44	1863	425,360 78
1852	63,971 81	1864	342,175 00
1853	81,935 00	1865	605,975 00
1854	322,413 31	1866	647,784 00
1855	519,783 26	1867	860,766 52
1856	18,000 00	1868	879,736 40
1857	524,011 92	1869	1,199,498 15
1858	300,827 56	1870	1,146,886 40
1859	327,429 10	1871	849,244 82
1860	345,193 47	1872	1,186,927 45
		Amt. forw'd.,	\$2,806,750 87
		Total	\$11,698,516 43

TABLE No. 6.

Showing the amount of earnings as reported by the Inspectors and as paid in by them to the Treasury :

YEAR.	As reported by the Inspectors.	As paid in.
1854	\$206,307 54	\$172,139 87
1855	213,178 23	185,261 13
1856	198,230 29	154,093 24
1857	197,105 13	167,605 12
1858	191,783 63	172,039 85
1859	149,173 98	76,880 96
1860	189,836 52	182,440 27
1861	238,627 56	221,553 32
1862	265,552 78	92,939 11
1863	228,481 51	191,043 97
1864	228,330 74	267,125 30
1865	255,957 51	278,952 06
1866	202,506 57	229,288 34
1867	229,413 83	304,156 96
1868	600,013 43	495,477 49
1869	601,639 05	499,127 22
1870	654,157 63	480,429 87
1871	511,531 26	436,152 70
1872	.....	.....

In his annual report to the Legislature in 1872, the Comptroller states "the excess of advances from the treasury over receipts from earnings," in five years, was \$2,406,811.20.

The prison at Auburn was, for a long time, an example of the greatest financial results, and nothing, perhaps, can more strongly exemplify the evils of the present system than the fate of that prison under it.

In 1846, its expenditures were..... \$52,483 60
In 1866, they were..... 157,129 64

During the last three years of each system, its financial results were as follows :

EXCESS OF EARNINGS OVER EXPENSES.	
1845	\$2,559 37
1846	10,428 60
1847	429 53
Total of profit.	<u>\$13,417 50</u>

EXCESS OF EXPENSES OVER EARNINGS.

1869	\$42,298 10
1870	35,281 46
1871	28,733 48

Total of loss \$106,313 04

Making an aggregate difference of \$119,730.54, even according to the Inspector's reports which uniformly exaggerate the earnings.

This is exclusive of the asylum for insane convicts, which for those last three years cost \$50,359.18.

And the Sing Sing male prison, which only once in twenty years had its earnings equal its expenditures, has swelled up its deficiency from \$11,565.53 in 1847, to \$273,035.99 in 1871.

In considering these figures we must not, of course, lose sight of the enhancement of prices which has occurred during the time. But it is a significant fact, also deserving consideration, that while everything in the shape of expenditures has increased in a ratio of 100 to 300 per cent, the wages earned by the convicts have met with very little if any advance; so that now, as it did twenty years ago, it takes an able-bodied prisoner, working from ten to twelve hours a day, two days and a half to earn a dollar.

It is quite apparent that these disastrous results are not owing to those having had the government of our prisoners since 1847, when the present system was inaugurated, for they have been frequently changed; and though the board of prison governors, called as they improperly are "inspectors," consists of only three persons, yet during the twenty-six years that have elapsed there have been twenty-two different persons to fill the places, and they have been selected from different parts of the State, and have been of different callings and occupations.

It cannot be, then, that the failure in this respect is owing as much to the officers of our penitentiary department as it is to radical defects in the system itself; and surely it cannot be impracticable to make our State prisons self-supporting. Our experience under our former system, and the results with the Albany penitentiary, alike show that there need be no such impracticability in the case.

CONCLUSION.

Twenty-eight years have elapsed since this association began its work. The causes which led to the organization and the purposes

it from the first announced as the base of its efforts, have been kept steadily in view. As stated by Dr. CHANNING at the meeting for its organization, Chancellor W. T. McCOWN presiding, "The efforts of this association are needed: first, to insure the permanent establishment of the reformatory system in our penitentiaries and prisons, amidst all accidents of change in administration; and, second, to produce such a spirit of humanity and justice in the community at large as will lift up the hands that hang down, and the feeble knees, and make straight paths, lest the lame be turned out of the way." Year after year and day by day this association has pursued its duties as faithfully as it could with the means at its command. While its agents have continued to visit the prisoners detained for trial, to promote the purposes of justice and humanity, they have not only maintained the rights of the innocent and endeavored to strengthen the voice of conscience and the desire for a better life in those who have departed from rectitude; many hundred every year have, in the courts, plead guilty, as advised by the officers of this association, when truth has required. Truthfulness and common virtues have thus been inculcated, and at the same time many thousand dollars have been saved to the counties in the course of the year by this prevention of the subterfuge of false pleas. Yet it is in the duties of instruction and faithful advice to prisoners in the jails that the agents and local committees of the Prison Association have given most attention and produced most permanent effects for the benefit of common offenders and juvenile delinquents. State prisoners have no access to any agent or representative of the Prison Association until the last months of their imprisonment; but whatever thoughts and hopes of virtuous life, and whatever plans and means of moral security, reformation and useful industry can be devised and agreed upon by the convict during those last months, in consultation with the representative of this association, are seized upon at the eleventh hour, as means for resene and reformation from crime and dangerous associations.

In all of these duties the association has been favored in an unusual manner, the past year, for a much larger number of citizens have co-operated actively in the various counties and large towns, and, for the first time in the history of the present system of State prison government, the Inspectors of Prisons welcomed this association to a regulated method of private intercourse and personal effort with the individual convicts in the last months of their imprisonment,

with the design to prepare and aid them to enter upon virtuous courses and useful industries from the hour of liberation from prison. Further account of these labors is given in the special reports hereto appended.

The efforts by which offenders are rescued from criminal and disorderly courses must mainly be silent and unheralded. The dismal and loathsome prison cells, and the darkened souls, despairing, vindictive, agitated or crushed minds, and the polluted moral atmosphere of the prisons, present discouraging conditions, and an uninviting field for any workers that dare not brave much for the sake of the highest interests of society, and of their individual fellow-beings. To be savers of men who have fought battles for the nation is everywhere deemed a privilege, and the world honors such service. But to sustain the savers who stand at the prison door, to rescue what may be saved from the wrocks of men, and to strengthen and restore whatever remains of hope or capacity to enter upon the paths of usefulness and peace, is a duty which only the thoughtful and the good will appreciate and commend or protect. The experienced jurists, the statesmen, the teachers of religion, the promoters of education and of social virtue and political economy, cordially, and apparently without exception, sustain the work and purposes of the Prison Association; and it has not seemed discouraging, but significant and natural, on the contrary, that the only censures and aspersions upon these duties, and the objects of them, have come from persons in some way publicly responsible for the particular evils that are hereby brought under close inquiry.

Deficits in prison finances, enormous frauds and waste in the prison industries, low priced contracts for prison labor, and the idleness of many able-bodied convicts, hold intimate relations to the bad discipline that for years has been complained of in the State prisons; and, when closely investigated, the affairs of the prisons will disclose the fact that to neglect the economy and waste the available industry of a prison, renders wholesome discipline impossible, and that to neglect the moral and reformatory instruction and treatment of prisoners will result perniciously alike to the disciplinary value and the market value of the prison labor.

The tabulated statements upon preceding pages, relating to prison finances, possess an importance, in connection with moral and social consequences of evils in the system with which they are connected, far transcending the merely economical results which are

therein set forth. The circumstances and influences under which the financial and industrial defects are observed in our prison system, prevent the wholesome discipline that is needed, demoralize and destroy many prisoners, and react upon society in pernicious ways. Therefore it is that the State will need to have the causes of the financial failure of the existing prison system searched to the bottom, in order to be rid of the evils in that system by which great numbers of prisoners are rendered morally faithless, perverted and damaged, instead of being instructed and practically trained in common virtue under the personal examples, precepts, industries, instruction and discipline in prison life.

It is against the system which has fatally entailed evils so grave, that all good citizens utter protests. No individual virtues in the prison officials alone will ever be able to redeem the system from its own inherent and pernicious faults.

From the time when JOHN HOWARD witnessed in the prisons of Holland the practical exemplification of the truth of the motto that was placarded in their work-rooms, "Make men diligent and they will be honest," it has been true, probably without an exception, that self-supporting industry and thoroughly inculcated habits of diligence in useful kinds of labor, were essential characteristics of every convict prison that has acquired any merited reputation for reformatory results. The best moral and mental tuition, and the most useful habits of reading and of religious exercises on the part of the prisoners, can be rendered wholly consistent with such industry; even in its dealings with discharged convicts, and with those about to be discharged, the Prison Association requires a promise of active and steady industry, temperance and thoughtful reading, by the persons it undertakes to aid. Great numbers are found poorly prepared to enter into such a promise, because their prison life had not already inculcated the necessary habits.

The moral ends—reformatory discipline—to be attained by the aid of wisely enforced and usefully adapted industries in the penal institutions, are thus mentioned for the purpose of urging the adoption of adequate measures for bringing this important and essential element of reformatory discipline up to the proper standard in every grade of these penitentiary establishments. And, in concluding this statement, it is desirable to invite attention to the contrast that, in the year just ended, is presented between the State prisons of New York and that of Ohio. At the Ohio State penitentiary are treated

all the felons and convicts, of the same grades and ages, as in the three State prisons of New York; the penitentiary has an average population of 900 and upward; its industries are various, and under contract as in the prisons of New York. The three directors or commissioners of the penitentiary hold office for six years each, and the management is effectually removed from the realm of partisan dictation. The moral and criminal character of the prisoners is essentially identical with that of the State prisoners at Auburn. The expenditure of funds, and of personal or official efforts for the intellectual and moral welfare of the prisoners, exceeded what has ever been bestowed for the same purposes in New York, upon a like number of prisoners; the obedience and industry, and the mental and moral improvement of the prisoners, are equally remarkable.* Such coincidence of moral and financial success, of good disci-

* As the State of Ohio has been one of the first in the Union to place its prison system beyond the dictation and changes of partisan policy, by means of a board of directors that cannot be completely changed oftener than once in six years, these results are exceedingly instructive and timely for the people of New York, who will, within a year or two, it is hoped, be enabled to decide upon the constitutional amendments by which such a reform shall be wrought in the prison system of this State.

The following passages from the last yearly report of the directors and officers of the Ohio penitentiary reveal the policy of their official administration, and evince the noble principles that have won the results that so distinguish that prison. The directors say:

"We have reason to be satisfied with the pecuniary result of the past year. It was not attained by parsimony, as in all instances the State has been generous in its expenditures for the benefit and comfort of the prisoners * * * * We are continuing our efforts to reform the prisoners, and are endeavoring to make their reformation a prominent feature in all our plans for their government and discipline * * * * The sanageny which improves and enlightens any individuals or communities, produces similar results in jails, reformatory schools and penitentiaries * * * * Criminals are men of like passions and fears as others, and, like others, are capable of improvement; * * * * the small influences which are calculated to improve others are equally well calculated to improve them. Whipping and all kinds of torture have long since been abolished in our penitentiary. The implements which were once used are now regarded with mingled curiosity and horror. The change has been very great, and is very satisfactory. The effect upon the prisoners is obvious. It is almost equal to transforming them from brutes to men. Our policy has been to substitute, as far as it was safe and practicable, the law of kindness for the law of force * * * * Indeed, the whole plan of reforming convicts is the result of Christian influence, and its improvement will keep pace with our increased knowledge and appreciation of Christian truth."

In concluding their last report the directors remark that they have practically demonstrated that a prison may be both a place of punishment and reformation; that a man enter it a condemned criminal and go out a trustworthy citizen.

Warden and chaplain alike bear testimony to the beneficial effects of the humane and reformatory policy which pervades the management of the prisoners and their labor, while the conduct of a large proportion of the prisoners discharged in the last two years has proved that the obvious reformation of convicts in prison was rarely deceptive.

These results have occurred so near to us, so recently, and under conditions so sharply in contrast with the system which has continued to produce disastrous results in the State of New York, that these facts constitute an irrefutable argument for the reform that is required in our prison system. Whether viewed from the standpoint of financial economy of the prisons, or from the vastly higher standpoint of social and political economy, such results as the Ohio penitentiary system has presented, since it came into full operation, substantiate the position taken by this association in regard to the defects of the New York prison system and the economy of reformatory prisons.

pline, reformatory influences, and remarkably productive industry in a State prison, is a practical exemplification of natural law which governs human action. Like results have been witnessed at the Massachusetts State prison, at the Albany penitentiary, at the Spanish prison under Montesinos, in the Belgian and Dutch prisons in prison at Moscow under Count Solahub, and wherever the same high principles of regard for the reformation of the convicts, and for the duties which society owes to them and to itself, have been applied to prison management.

The total amount of payments received from the thirty-eight contracts for prison labor, in which less than 700 able-bodied men are worked in the Ohio penitentiary, was \$170,266.52; and the total payments from all sources, United States prisoners, military prisoners, receipts from products, etc., was \$182,887.60. The clear surplus, above all ordinary expenses and salaries, amounted to \$29,015.59; and even after reconstructing shops and machinery, after an explosion, and making large improvements, there still remained a surplus of \$4,625.96. All this has been brought about by a system emancipated from partisan dictation and interference. And that this happy experience of the last year in the Ohio penitentiary is based upon fixed principles, and not upon a fortuitous turn in affairs, or upon deceptive arithmetic in yearly accounts, appears to be evident from the fact that, in the last three years, the excess of gain over all the ordinary expenditures, inclusive of salaries and wages, amounted to \$98,008.24. During these three years, the bids for the prison labor ran up from 70 to 93 and 111 cents a day. If this be cause and effect, say the board of directors, "it is equally clear that these efforts on behalf of the high and noble purpose of human improvement also tend to the pecuniary benefit of the contractors and the State."

Now, in sharp contrast with this, the State prisons of New York, with an average of less than three thousand prisoners, or three times as many as Ohio had to provide for, and not including the criminal insane, cost the State the round sum of \$863,184.69 in the last fiscal year, as certified by the State Comptroller, who also certifies that the excess of expenditures over earnings received in the same period amounted to \$465,887.84. In the preceding year the deficit of earnings was still greater, being \$470,309.23, according to the Comptroller's records; and in the six years just ended, the same records prove that the excess of advances from the State treasury over receipts from earnings amounted to the enormous sum of

\$2,872,693.04. While these deplorable results were being reached in the past three years in New York State prisons, the contract for labor in these institutions—(selected men, worth more than the average)—has continued at about forty cents a day at Sing Sing, and a little more than fifty cents a day at Auburn.

The moral or reformatory results in the prisons of these two States are in extreme contrast. They are not comparable. The time should not be distant when the State of New York shall again have model prisons, and be able to present to other States conclusive results—economical and moral—that shall be worthy of an enlightened people.

With a system that is essentially faulty and dangerous, and with the prisons already crowded with convicts, the new staff of prison officials may find it impossible to attain the improved results which it is hoped they will strive for; but, bad as the system is, something can be done to diminish the causes that have for years made these prisons the destroyers of men and the seminaries of crime.

Throughout the State there is an enlightened desire and purpose to supersede the present plan of prison government, and to enlarge and strengthen the educational, industrial and reformatory measures by which criminal courses shall be more effectually prevented, or be nipped in the bud.

The amendment of the Constitution of the State, as proposed by the concurrent resolution adopted by the Legislature last year, is desired, on all hands, in such form as shall insure the most effective and beneficial administration of the prisons.*

* The resolution here mentioned was presented in the Senate, at Albany, March 27th, 1872, was duly considered and adopted with but one dissenting vote, and on the 3d of May was concurred in by a majority of all the members of Assembly. (See *Session Laws*, 95th session of the Legislature, 1872, p. 2196.) Its text is as follows:

CONCURRENT RESOLUTION.

Proposing an amendment to the Constitution relative to State prisons.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Resolved (If the Assembly concur), That the following amendment to the Constitution be proposed for 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 five first 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 who shall

The great sources of crime which are found in the abodes of ignorance and vice, and in the defective police and magisterial administration of the towns and cities, require greater attention than has ever been given to them; and it has been the constant aim of this association, through local committees, to awaken and give effect to inquiries in regard to these subjects. Especially is public attention directed to the necessity for wise measures for correcting juvenile offenders, and for the educational and industrial training of all the truant and vagrant classes which abound in the cities and large towns. Instruction in common knowledge and in the common duties and affairs of life, and the inculcation of habits of diligent industry in useful occupations, are duties which the interests of society imperatively demand of all parents and guardians of youth, and which must, if possible, be insured in all the dependent and offending classes by adequate authority of the State.

While inquiring into the condition and wants of the criminal classes, and laboring to rescue and save as many as possible from among them, and from relapse into crime, this association would be unjust to the State, and blind to the highest claims of humanity, if it failed to recognize and point out such sources of criminal and disorderly life as are being fed and rendered destructive by badly adapted ministrations of penal justice in jails, courts and State prisons, or if it failed to urge the importance of discovering and neutralizing, by preventive measures, the chief causes of criminal and disorderly courses.

If it is a duty of this association to maintain its ministry of mercy and kindly admonition to friendless prisoners awaiting trial or release, and of timely guidance and industrial aid to the needy and tempted

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 traveling 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 other 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 which date section four of article Ave 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.

on their discharge from prison; if it is a duty to show in what manner the prisons fail to protect society, repress crime and reform the convicts; if it is a duty to go into all the local prisons and jails to search out the sources and progress of criminal and disorderly life, and seize upon all suitable opportunities to bring the needed instruction and moral influences to bear upon individual prisoners and the classes they represent, then must it be a duty to urge that adequate attention be given to the great causes of crime. Especially is this duty plain in regard to the culpable neglect of the moral wants of prisoners, and the careful observation and treatment of such wants in juvenile offenders and other persons under their first arrest or trial. Throughout the State, the local committees of this association are closely observing, and in some measure influencing, the interests and necessities of these classes; but it is everywhere felt that, in regard to the legal inquiry and reformatory or penal treatment required in youthful offenders, the State needs to supply better methods than have hitherto been adopted.

In this age of practical philanthropy it well becomes our fellow-citizens to search out and lay hold of the preventible causes of crime, and to see to it that the system of popular education is made to afford really sound and adequate instruction in common knowledge; and that to elude or fail of such sound instruction in any classes or individuals, however lowly or debased, because of truancy or vagrancy, factory work, or street tramping, or under any plea whatever except idiocy, shall, by efficiently administered laws and local regulations, be rendered impossible. The industrial school and reformatory, and wiser methods than at present prevail in the judicial handling of young offenders, would, in conjunction with a properly administered system of common education, greatly diminish the ranks of crime and the burdens of the State, and at the same time greatly enhance the social and productive strength of the people.

To regard and treat merely the criminal and the evils that crimes produce, and even to give successful guidance of the penitent offender up to a life of virtuous industry, will not adequately satisfy the requirements of humanity and the interests of the State, though these duties are not to be neglected. Causes of crime, that are within reach, must be sought and controlled; and the detection, arrest and penal treatment of criminals rendered more certain than they hitherto have been; while society shall, with steadfast purpose and the best means, apply the agencies of prevention to whatever causes of evil are hidden in its bosom.

In whatever way the prison system shall be improved, and to whatever extent voluntary and official duties to prisoners may propose and help to deter from crime, and to reform the beginnings of criminal courses, this association, and its representatives in all parts of the State, will continue to labor for effective preventive measures against the neglected sources of crime; and, while visiting the jails and prisons, and guiding released prisoners to peaceful employments and prudent advisers, the association and its agents in every county will continue to urge the adoption of preventive measures and reformatory care as the chief means for preventing the public burden and moral ravages of crime.

PRISON ASSOCIATION OF NEW YORK,
OFFICE 58 BIBLE HOUSE, NEW YORK, }
February 14, 1873.

THEODORE W. DWIGHT,
President.

ELISHA HARRIS,
Corresponding Secretary.

ANNUAL REPORT OF THE TREASURER.

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

1873.	Dr.		
Jan. 8.	To cash paid for expenses of prison visitation and inspection, including salaries.....	\$6,968 82	
	paid for relief of discharged prisoners.....	780 85	
	paid for fuel, rent, stationery and office expenses....	1,546 18	
	paid for printing annual and special reports.....	470 38	
			<u>\$9,766 23</u>
1872.	Cr.		
Jan. 8.	By balance on hand from last account.....	\$531 74	
1873.			
Jan. 8.	donations received to date, as per list.....	5,161 00	
	appropriation received from board of apportionment, per Hon. A. H. Green, Comptroller.....	4,000 00	
			<u>\$9,692 74</u>
	balance due treasurer, carried to new account.....	73 49	
			<u>\$9,766 23</u>
1873.	Dr.		
Jan. 8.	To balance due treasurer as per old account.....	\$73 49	
			<u>E. E. WM. C. GILMAN,</u>
			<u>New York, January 8, 1873. Treasurer.</u>

PRISON ASSOCIATION OF NEW YORK.

Donations for the Year 1873.

Aspinwall, W. H.....	\$50	Badger, Jacob.....	\$10
Anthony, H. T.....	50	Burr, Miss.....	10
Appleton & Co., D.....	20	Boker & Co., H.....	10
Abeel, J. H.....	25	Barlett, P.....	10
Adams, John T.....	10	Bliss & Allen.....	10
Alsop, J. W.....	10	Bronson, Mrs. A. E.....	10
Almy & Co.....	10	Bradford, H. T.....	10
Arnold, Constable & Co.....	10		
Atwater, W. L.....	5	Corning, H. K.....	100
		Cooper, Edward.....	50
Brown, James.....	100	Carr, Wm. F.....	50
Brown, Stewart.....	50	Collins, S. B.....	25
Brown, James M.....	25	Carter, Robert.....	20
Bull, Black & Co.....	25	Chase, Stewart & Co.....	10
Brainerd, Cephas.....	20	Cutler, Stephen.....	10
Bianco, B.....	15	Cruckshank, James.....	10

Cauldwell, E.	\$10	Menzies, Wm.	\$5
Caswell, Mrs. M. H.	10	Milhan, John	3
Chas. H.	10	Norrie, Adam	50
Congrove, C. M.	10	Naylor & Co.	25
Collins, Whitin & Co.	10	Owen, Thomas	25
Crosby, John P.	10	Olyphant, R. M.	25
Chapman, W. H.	5	Othout, Wm.	25
Carter, Stewart & Co.	5	Opdyke & Co., Geo.	20
De Witt, Rev. Dr. Thos.	5	Oelrichs & Co.	10
Dennistoun & Co.	25	Potter, Howard	50
Diggs, Cunningham & Co.	5	Powers & Son, Thomas	50
Furnald, F. P.	100	Phelps, Geo. D.	50
Fellows, Hoffman & Co.	100	Poppenhusen & Konig	25
French Consul-General	5	Paton & Co.	25
Gray, Horace	200	Pavenstedt & Co.	20
Gilman, Wm. C.	100	Powers, Thos. J.	20
Gray, John A. C.	25	Packard & Co., E.	10
Gunther, Wm. Henry	25	Perkins, Mrs. Helen R.	10
Gelston, Miss.	20	Parsons, John E.	10
Graves, R. R.	10	Purdon, James	5
Harris, M. D., Elisha	100	Powers, H. L.	5
Howland, Joseph	50	Palanca, R.	10
Hall, W. G.	25	Rhinclander, W. C.	100
Hunter, James	20	Rogers, C. H.	25
Hepkins, Lucius	25	Roosa, D. B. St. John	10
Hoe & Co., R.	20	Ryder, Edgar T.	5
Harper Brothers	10	Rove & Son, Thos.	5
Henricks Brothers	10	Rhodes & Grosvenor	10
Howe & Co., J. C.	20	Randolph, A. D. F.	10
Hammersley, J. W.	10	Spencer, Mrs. C. L.	200
Howe Mfg. Co.	10	Seymour, J. S. (Auburn)	100
Hackley, M. D., Chas. E.	10	Sheafe, Mr. & Mrs. J. F.	100
Hoyt, Sprague & Co.	10	Sturges, Jonathan	50
Harding, Colby & Co.	10	Steward, John	50
Irvine, Richard	25	Surdan, D. L.	25
Iselin, Adrian	10	Swan, Otis D.	25
Insee, Jr., S.	5	Singer Mfg. Co.	25
Johnston, John Taylor	100	Schieffelin, H. M.	25
Janeway, W. R.	10	Spaulding, Hunt & Co.	20
Jewell, Harrison & Co.	10	Sloans, W. & J.	20
Jones, W. R. T.	5	Schieffelin, Jas. L.	20
Lenox, James	100	Schieffelin, S. B.	20
Lorillard, P.	100	Sutton, E. B.	10
Low & Bros., A. A.	50	Shelton, Miss	10
Low, Harriman & Co.	20	Schryler, Hartley & Graham	10
Lottimer & Co., Wm.	20	Stuyvesant, A. V. H.	10
Langley & Co., W. C.	20	Stamford Mfg. Co.	5
Lesler, Whitman & Co.	25	Skidmore, S. T.	5
Lenox, Miss	25	"The Howe Machine Co."	25
Leask, W. G.	2	Tousey, Sinclair	50
Maghee, Mrs. J. H.	30	Talbot, C. N.	25
Moore, W. H. H.	25	Tiffany & Co.	25
Munn, O. D.	25	Trimbale, Geo. T.	10
Morrison, Herriman & Co.	25	Tappan, J. Nelson	5
McCurdy, R. H.	10	Todd & Co.	5
Mudge, E. R., Sawyer & Co.	10	Usher, Selden	10
Marsh, James	5	Vietor & Achelis, F.	5

Van Rensselaer, J. T.	\$5	Walsh, A. R.	\$10
Wolfe, John David	500	Waite, C. C.	10
Wood, W. H. L.	50	Worthington & Smith	10
Willets, Samuel	50	Whitman, Geo. L.	10
Willcox & Gibbs, S. M. Co.	25	Wilmerding, Hoguet & Co.	5
Wheeler & Wilson Mfg. Co.	25	Wood Sewing M. Co.	5
Wines, E. C.	25	Wigin, Augustus	5
White, Eli	15	Young, Henry	25
Wheelwright, B. F.	10	"May it Prosper"	10
Wyckoff, H. A.	10		
HUDSON, N. Y.			
Benham, M. D., J. C.	\$5	Congregational Church, Rev. Jas. C. Beecher, Pastor	\$24
Chamberlain, Nathan	2	Corlies, George	10
Evans, C. H.	5	Dodge, Legrand	5
French, J. W.	10	Davies, Wm. A.	5
Gould, John Stanton	10	Halsted, John F.	5
Gray, Thomas S.	10	Innis, George	10
Hogeboom, Jno. C.	5	Myers, M. J.	10
Haystradt, J. W.	10	Platt, John I.	5
Miller, Theodore	10	Sterling, W. C.	10
Macy, A. C.	5	Smith, A. B.	5
Moore, Lucius	5	Swain, A.	5
Newkirk, J. C.	5	Tower, A.	10
Power, Geo. H.	5	Varick, A.	5
Rogers, H. W.	5	Varick, H. D.	5
Simpson, Joel J.	10	Whitehouse, John C.	50
Shepard, R. B.	5	Winstow, John F.	50
Waterman, Henry	10	Wickes, T. S.	5
Wells, Mrs. Richard I.	10	Young, Henry L.	10
POUGHKEEPSIE, N. Y.			
Beadle, E. S.	5	Rogers, N. P.	10
Beech, O. H.	5		
Buckingham, S. M.	5		
Bradbury, T. C.	5		
NEWBURGH.			
St. John, D. B.	5		

SPECIAL REPORTS BY CORRESPONDING SECRETARY.

At the beginning of the year 1872, the field of duty in which the Prison Association was engaged was found to be in all respects as full of interest and importance as when its wants were first surveyed and brought to public notice by the founders of this association, twenty-eight years ago.

As in the year 1871 the association had directed that a careful inquiry should be made into the condition of the county prisons and penitentiaries, the reports by the corresponding secretary related chiefly to that field in which his efforts had been chiefly bestowed. In the last year the same field has been re-examined in most of the counties with a view to exact faithful local methods of effort in each county for the improvement of the condition of county prisons, and the classes that come under observation in them. But, in addition to this line of efforts, the chief duty has related to the preparation of ways and means in each county, for the proper employment and treatment of discharged convicts.

It has been found to be necessary to go personally to the best citizens in all parts of the State to obtain the kind of co-operation required in each of these branches of duty by this association. It is necessary that the people should make this duty their own; and they evince their readiness to do so in the most practical ways.

Though it is true that the very circumstances of penal institutions, the loathsome condition of prisoners, and the dark ways of criminal and disorderly life are such as seldom receive close observation and exact inquiry from citizens, all know that crimes and misdemeanors are inflicting increasing burdens upon society, and that the depredators whom the courts succeed in arresting and bringing under penal treatment are persons against whose vicious acts the people must seek protection.

Acting on behalf of the people of the State, the Prison Association has not failed to make a diligent search into the actual condition and influence of the prisons and the prison population. Prisoners

and public officials alike have given kindly attention to the objects of this search, as a duty proper for the public to require; and with pleasure the corresponding secretary bears witness to the fact that all public officials and nearly all prisoners whom he has visited in the course of his duties throughout the State, have kindly received such visits, and with scarcely an exception have frankly acknowledged the importance of the visits, and have freely communicated whatever information they could in reference to crime and criminals, and at the same time have welcomed whatever suggestions or advice was given. This result exceeded the expectations entertained in regard to convicts in State prisons; but not in regard to the officers of jails and prisons, for the evils of the existing methods of penal administration are too obvious to be defended or denied. Unfortunately, neither the jail-keepers, wardens and superintendents, nor the Prison Association or any other official source of authority, except the Legislature, has power effectually to change the existing bad system of the penal institutions. It has been a leading purpose in our labors, during the past eighteen months, to bring to light such evils as most demand remedy, and to concentrate the attention of citizens upon them.

THE PRISONS AND PRISONERS IN THE STATE.

Three State prisons with	2,994 prisoners.
Six penitentiaries with	2,435 prisoners.
Sixty-seven county jails with	1,500 to 1,900 prisoners.

and more than 100 police jails and "lock-ups," which have a daily average population, varying from 1,500 to 2,500.

The prison population is so distributed, and is so secluded from common observation, that its actual condition and the social and personal wants of its different classes, as well as the deformities, judicial neglects and moral necessities which they reveal upon close inspection, are scarcely known or thought of by the people; it is even true that there are many popular errors of opinion concerning the actual character and history of the convicts in the various prisons; even the sources whence the ever increasing stock of criminals are recruited are but partially known and guarded against, nor is the youthfulness, the ignorance, the defective training and perverted nature of the majority of the offenders in the prison a subject of common information. The public registry of the facts relating to this subject is wholly neglected. The offenders whom the courts convict of crime or misdemeanors are examined, and their acts, character and circum-

stances are studied by the public authorities, solely for determining the question "guilty or not guilty." The undisputed proposition that society must protect itself against criminals is upon the lips of every citizen, but the corollary of that proposition, namely, because society must protect itself against criminals, it is therefore in duty bound to prevent and studiously guard against the causes that produce criminals, is not often quoted; yet is observed all over the State, that whenever an intelligent citizen goes down into the prison, and privately converses with prisoners and examines into the personal and social causes of their calamity, he is sure to be aroused to the citizen's duty, to search out and lay hold of the preventable sources of crime, and the vices that pave the way to crime. It has appeared proper, in pressing forward the work which is required of the Prison Association, that this readiness of discreet and well informed citizens to enter into the very spirit and purpose of this association's duties, when fairly brought face to face with the facts in criminal history and penal experience, should be made the basis of organized effort for the observation and repression of causes of crime in every county, city and town in the State.

During the last half of the year 1871, the Prison Association was enabled to take the necessary steps for effectually organizing good local committees of correspondence and co-operation in nearly all the counties in the State, and during the present year (1872), this duty has been satisfactorily completed; and henceforth, the field and the subjects of our inquiries and duties will be ably occupied by earnest, thoughtful and determined citizens, who will help to direct public attention and reformatory effort toward the causes of crime.

Until within the few past months, the question whether private citizens, however discreet and methodical in their intercourse and advice, would be officially welcomed and supported in an effort to examine and counsel the State prison convicts with reference to their preparation and arrangement, upon liberation, to enter upon an honorable and industrious life, was unsettled. Fortunately, the plainest words and simplest propositions concerning this duty prevailed, and on the 9th day of July, 1872, at a full meeting of the Board of State Prison Inspectors, at Auburn, the proper representatives of the Prison Association of New York were welcomed and established in this duty in the three State prisons.

The nature and results of the efforts which are put forth in this new field of duty will be described in another chapter.

The promulgation of such an order was not unexpected by us, though it had never been promised. During the previous winter and spring, one of the State Inspectors of prisons had given cordial adhesion to the proposition, and by him the corresponding secretary was invited to present it as a request to the full Board at its meeting in Auburn, on the 9th of July.

Previous to that date, and ever since, every available opportunity had been embraced to make personal inquiry of the employers of labor in the best organized industries in all parts of the State, to ascertain the willingness and methods with which such employers might receive such liberated convicts as should promise to do well in the respective kinds of occupation that could, with propriety, be opened to them for employment immediately upon liberation. The number, character and location of such offers of employment had been sufficiently definite and appropriate, before the time of this meeting at Auburn, to warrant the action which was had in the prison board, and to incite an earnest endeavor to occupy the field thus opened. Comprehensive and difficult questions, and some very delicate obligations had to be considered by the representatives of the Prison Association in undertaking any duty in this field.

From the foregoing statements, it will be seen that the corresponding secretary's usual visits to the counties, inspections of jails and prisons, and inquiries into the sources of crime and the means that can be made available in repressing and diminishing it, the scope of this duty and the unity of its plan the past season, rendered this service more satisfactory than had heretofore been possible. The objects to be obtained by the co-operation of associated helpers in every county have now become obvious, and the necessity for such co-operation is appreciated. Great as the difficulties may be in the way of needed reforms and the necessary changes in penal and judicial matters, the nature of these wants and the sources of the obstruction and difficulties in the way toward the desired improvements are now brought under a system of organized inquiry and comprehensive influence, which can readily be wielded in the interests of society.

While pursuing these labors, it has seemed dutiful and expedient to adopt such methods and maintain such a bearing toward all classes of criminals as should distinctly impress their mind with the fact that, while the Prison Association and the people generally are ready to encourage every effort they make to reform and enter upon a course of rectitude, also that the faithful execution of penal laws

must be sustained and insisted upon, and that no criminal convict ought to expect the interposition of executive clemency, however deep his penitence and however mitigating the circumstances of actually criminal acts, until he has faithfully endeavored to make suitable preparation and arrangements for immediately entering upon an honest and diligent course of life. By these and all suitable means we have scrupulously endeavored to encourage only the most reasonable and just expectations. It has appeared to be very plainly our duty to encourage hopes and reasonable expectations of honest and self-respecting life after liberation, and at the same time to avoid the weakening and demoralizing effect of expressions of sentimental pity and sympathy, however deeply the deplorable state of the prisoner and his family may have excited such sentiments. To adopt this as a principle in our modes of intercourse and effort was the more important as the number and variety of co-operating helpers in our work increased. This remark will sufficiently guard the readers of these pages against any erroneous impression as to the manner in which the pitiable circumstances of prisoners are actually treated, for the mere description of the conditions witnessed would certainly tend to awaken the sentiment of commiseration. But in the actual dealings with the criminal and disorderly classes, the duties all relate to the stern realities of active effort, and not to sentiment and feeling. Though pity and commiseration for the individual were sufficient to prompt to acts of merciful helping of great numbers of the imprisoned, experience proves that the broader our views of crime in all its relations to causes and social conditions, the more dutiful and truly humane appears the task of bringing the necessary material and moral means to bear for the most determined arrest and repression of whatever causes of disorderly and criminal courses of life we can bring under the dominion of reformatory agencies.

Definite inquiry into the condition of every convict in jail or prison, carefully adapted advice and a helpful arrangement, when necessary, to induce and aid the convict to enter upon self-supporting and self-respecting efforts in honest industry as soon as liberated, have finally come to express about all we desire to say to the prisoner or the public in regard to sympathy and help for criminals.

The mental state of an able-bodied pauper, who continues to obtain bread that he has not earned, has an exact parallel in the demoralized mental operations and moods of a chronic offender who yearns for the sympathies and for apologies from his fellow-beings on his.

behalf. But a plain and searching statement of the facts in a convict's case, as he himself can give them, a full discovery and explanation of causes and perils that need to be understood by the prisoner, a clear presentation of the most practical and sure way to an honest and useful life, the lighting up of reasonable and substantial hopes and wholesome desires, and, finally, the offering of some friendly and needed aid in entering upon a strictly guarded course of life, are found, by careful observation, to leave the prisoner invigorated by new hopes and some good purposes, and even with a manly self-respect, which have, in a vast number of instances, abided and been successfully put to the test after discharge from imprisonment.

In a subsequent chapter of this report we shall have occasion to consider some points connected with ignorance and moral perversion of a large class of convicts; the instruction and training of that class of offenders have appeared more and more important, the further the inquiries of the Prison Association have been pushed in every class of penal institutions, and the further the effort, have been put forth to secure and maintain the operation and saving influences upon the liberated convicts who are brought within reach.

With pleasure we chronicle the fact that, in all sections of the State of New York, there is greater concern than ever before expressed for the adoption of comprehensive measures that shall adequately reach and surround all classes and grades of juvenile delinquents by the most effectual reformatory influences; and it must here be remarked that if we were to be guided by the homely common sense of the people, or by the latest or largest experience in reformatory efforts, such measures for repressing and curing the tendencies to vicious and criminal courses would partake equally of sound intellectual and moral education, and thoroughly useful industrial training in occupations that would be, in most instances, pursued for a lifetime.

The duties of the corresponding secretary, the past twelve months, have comprised—

- (1.) The visitation of jails and the examination of their inmates.
- (2.) The organization and aid of local committees in counties and towns.
- (3.) The inspection of penitentiaries, and conference with their officers and directors.
- (4.) Conference and correspondence with employers in various organized industries throughout the State, with reference to the employment of liberated convicts.

(5.) The organization and management of a system of monthly visitations to each of the State prisons, for the purpose of preparing and advising the convicts who are about to be discharged from prison; and, by the aid of voluntary local committees maintaining a discriminating work of instruction, guidance and distribution of such convicts as can be induced to enter upon diligent and useful courses of life, immediately upon liberation.

(6.) The maintenance of a system of conference and inquiry throughout the State, for the purpose of obtaining extensive and accurate information and a practical kind of co-operation in regard to the sources, prevention and repression of crime, and especially in regard to the more effectual care and reformatory treatment of juvenile delinquents, and other classes of neglected youth from which the criminal and disorderly classes spring.

(7.) The correspondence of the association as it has been conducted heretofore.

These branches of the duty which devolves upon the corresponding secretary are so entirely harmonious, that no inconvenience is experienced in conducting them, even while journeying from county to county; it has often occurred to him, after the termination of a day's duty with convicts, preparatory to liberation, or after a day in jails and courts, that some work under each of these branches of duty demanded his attention before proceeding to another county; and it has frequently occurred that, while pursuing such duty, the experience and knowledge of the best judicial and police authorities have been sought, and thus the conclusions from the observations and inquiries have been verified or corrected. The practical results of the direct personal methods of inquiry and effort thus pursued by the associated supporters of the Prison Association seem to warrant the conclusion that such methods of dealing with prisoners and prison authorities, and with the people, are essential for correcting and practically shaping our views of the preventable causes of crime, as well as for shaping and giving force to suggestions and rational means for treating the causes of the criminals; it is undoubtedly true, also, as one of the State prison inspectors recently said to the writer, that "for years to come, even after prisons are administered as reformatories, there will still be need of this kind of voluntary concern for the condition of convicts, the causes and repression of crime, and the reformation and useful employment of discharged prisoners."

Whether the present plan and methods of the Prison Association's work be temporary or permanent, they are receiving encouragement

and practical support of good citizens, and are greatly increasing the popular knowledge of preventable sources of criminal or disorderly life; such knowledge and the enlightened views it will give concerning preventive and reformatory treatment, are necessary steps toward the much desired reform in the penal system, and all its instructions and methods.

Without waiting for the reconstruction and reform of judicial and penitentiary methods of dealing with the offending classes, the generous citizens who, in every county and at every prison and jail, are earnestly endeavoring to search out the sources of crime and vice, and to bring useful instruction and advice to bear upon ignorant and perverted minds, and to light up such minds with substantial hopes of a better life, and to guide the discharged prisoners to useful industry and the paths of virtue, reach the great field in which reform is most practicable and the efforts of the people urgently demanded. In this field are found the beginnings and causes of crime, and, so far as the writer has ascertained, these local committees of the Prison Association agree in their testimony that in every community throughout the State there is needed such an improvement in the home life and industrial training of the classes now represented in the prisons, and such an improvement in common education and moral instruction, as shall prevent the beginnings of crime. The discovery and immediate instruction of a group of ignorant and perverted youth in a county jail, by a committee of citizens, quickly determines the prosecution of inquiries and efforts to reach the whole class that is represented by such prisoners. The association's committees, dealing with the personal weakness and wants of prisoners that are about to be released into free life, and the public-spirited employers to whom are sent such of them as can be trusted, find, in the condition and social history of the prisoners thus aided, that society has neglected and is still neglecting the safeguards against crime. All of these influential citizens, while thus supporting the efforts of this association, are awakening and organizing such inquiries and efforts, in their respective districts and neighborhoods, as cannot fail to reach and neutralize in the bosom of society some of the prolific causes of criminal and vicious courses of life which hitherto have most defied and taxed the penal institutions.

In the following sections will be found reported the chief results which can be presented in separate statements relating to the different branches of duty performed under this association's direction the past year.

PRISON ASSOCIATION DUTIES

AT THE

STATE PRISONS, IN REGARD TO CONVICTS ABOUT TO BE DISCHARGED.

The State prisons of New York can accommodate 3,144 prisoners.

The prison at Auburn has	1,292	cells.
Clinton prison has	544	"
The male prison at Sing Sing, has	1,191	"
The female prison at Sing Sing, has	117	"
Total	<u>3,144</u>	"

The asylum for the criminal insane has accommodations for eighty-six inmates. The total number of convicts in the cells of these three great prisons on the night of November 30th, 1872, was 2,924. The prison at Sing Sing, both in its male and female departments, is greatly overcrowded; that at Dannemora has had all its cells almost constantly filled during the past year; and that at Auburn, which opened its new wing with 300 cells, at the end of the year 1871, has afforded the only steady outlet for the overcrowding at Sing Sing.

But the above statistics do not comprise all of the prison or felon convicts; for under the laws of 1856, 1865, 1867, 1869, State prisoners, under twenty-one years of age, and certain female prisoners of any age, have been sentenced to the several penitentiaries of the State; the number of such State prisoners under sentence in the six penitentiaries, for felonies, amounted, on the 30th day of November, 1872, to several hundred.

The number of convicts liberated from the three State prisons in the year ending November 30th, 1872, was ; in the previous year, 893 were liberated in the corresponding twelve months; the number of felons liberated from the penitentiaries in the State, during the same periods, is unreported by those institutions. The condition of the convicts upon liberation, the perils and temptations, almost innumerable and inevitable, to which they are exposed on their

re-entrance upon free life, and the terrible probabilities of their relapse into criminal courses, darker and more hopeless than they had before pursued, had, in the past twenty-seven years, been constant themes of inquiry and sincere endeavor for the prevention of these evils. Experience in the relief office of the agents of the Prison Association in the city of New York, during all that long period of more than a quarter of a century, has every year shown more and more conclusively that it is of the utmost importance, as a first step in the effort to save the discharged prisoners who are exposed to such besetting trials, to find a way for acceptably advising and influencing them both before and at the time of their discharge from prison.

With these vexed problems, and the hitherto inaccessible field before us, the corresponding secretary sought the special counsel and aid of Hon. Thomas Kirkpatrick, one of the Inspectors of State Prisons, who had been re-elected to that office after an interval of years, and also after having done veteran service as agent and warden of the Auburn prison years ago—and he advised that the plan of effort proposed in the name of the Prison Association, for bringing every convict within the best influences which society could offer through it, should be officially supported by the Board of State Prison Inspectors. This course of action had from the first been desired and sought on the part of the association; and after due conference upon the subject, the following order was unanimously entered upon the minutes of the State Prison Board, and issued to the wardens of the respective prisons, July 9th, 1872:

Resolved, That the agents and wardens of the several prisons furnish, or cause to be furnished, to such person or persons as may be designated for that purpose at the several prisons by the New York Prison Association in each month, the names, trades and occupation of all convicts who are to be discharged for the ensuing month; and they are further instructed to permit the person or persons thus designated to have interviews and unobstructed intercourse with convicts who are about to be discharged, for the laudable object of advising such convicts, ascertaining their future intentions, and procuring for them useful employment on their discharge from prison, not in any manner interfering with the discipline of the prison; such interviews to take place at such hours as may be determined by the agent or warden of the prison where such convict may be imprisoned, and the agents and wardens will aid them in advising the convicts to accept the offers of employment thus held out to the liberated convict, and to avoid evil associates; and that the agents of the association shall have access to the records in the clerk's and chaplain's offices, in order to

properly determine the capacity, social circumstances and character of the convicts."

Immediately upon the promulgation of the foregoing instructions to the prison officers, the corresponding secretary organized the work to be undertaken at each of the prisons by the association; for the inauguration of this work, a local committee at the place where each prison is located was to be inducted into the duty of conferring with individual convicts about to be liberated, and taking counsel with prison officers in regard to the best means for securing the future rectitude and welfare of such prisoners.

After the corresponding secretary's preliminary visit to each prison and his first interviews with the persons on the month's list for liberation, the three committees at the respective prison towns were organized and started upon their delicate duties. The key to success, in dealing thus with convicts is found in the friendly and generous action of employers of organized industries, throughout the State, in accepting, through the Prison Association, a direct relationship to this effort. Upon this subject, much inquiry and advice preceded the request and official action by which the way was opened for directly advising and guiding the convicts when about to be liberated; and it now became necessary to proceed rapidly to an examination of the places, the industries, and social influences that could be at present made available for objects to be kept in view in this effort at the prison. The results of this personal examination of the places and facilities for employment of liberated prisoners have been instructive and encouraging; for, in the first place, it is found that in nearly every well organized line of industry, the best and largest employers readily respond both to our request for the acceptance of liberated convicts as laborers, and for their friendly co-operation in our efforts to guide and influence each one according to his need.

The total number of employers at present registered as available for this branch of the Prison Association's duties is nearly three hundred, and their industries comprise some thirty different kinds of labor, while the total number of employes under the three hundred employers exceeds ten thousand. These statements show how widely diffused and diluted, if we may be allowed this expression, the class of liberated convicts thus aided to employment will be, when scattered among so many employers in forty or fifty counties. And when it is considered that the liberated persons so employed are, from the first, placed upon a friendly and specially advised footing with

their respective employers, and that they have previously been carefully instructed and pledged in honor in respect of the duties they owe to themselves, to their associates in labor, and to their employers, it will be sufficiently manifest that the probabilities, or even the possibility, of these ex-convict laborers becoming pestilent persons must be less than otherwise would be inevitable in the absence of such a plan of guidance and advice. The writer has witnessed several instances in which the liberated convict has scrupulously kept every rule that was requested and promised to be observed, and has remained wholly unrecognized as a member of the offending and disfranchised class, except to the employer, and, in some instances, to his chief clerk. A few days since the writer witnessed the admirable deportment of some of these men, upon pay-day, at works where the chief proprietor still remained the sole custodian of their sad secret, as he himself stated. The employer also stated, without exception, these men had remained temperate and carefully self-governed.

Some of these well-disposed men and boys evince the constant operation and powerful effect of the substantial hopes which are awakened in them; and, notwithstanding some of them may be overborne temporarily, or fatally, by seductions on the right hand or on the left, the average of results now promises to be far better than we at first ventured to hope for; and in a few instances young men that have appeared fickle and untrustworthy have, nevertheless, turned out well in the end, under the influence of stern yet kindly paternal counsel that was much needed in their cases.

Let words be quoted here from some of the letters received from ex-convicts thus employed. From a young man of good common-school education, and with no trade perfectly acquired, we expected words of dissatisfaction from his employer; but the young man himself, after leaving two places voluntarily, because of his own fickleness, though no complaint had been made of him, faithfully promised to settle patiently into the harness of his duty in the third place that the association obtained for him, and now he writes: "I shall endeavor to do my work as well, if not better, than the majority of the persons employed in this factory. I thank you for your introduction, which procured for me employment, and for your faith in me. May I never be guilty of doing anything to cause the least regret for having thus used your influence."

Another young man promised, in July, just before release from

prison, that he would faithfully follow the advice and guidance then offered him, though he had no friends in the world except criminals, and had only learned a small part of a trade. He began by laying up half his earnings in savings bank every pay-day, and now writes, after nearly five months of faithful and successful efforts to do all he promised: * * * "I am forming quite an attachment to this place. I am in better society than ever before in my life. * * * I have made it a point of my duty to attend religious worship twice every Sunday, and I hope that God will strengthen me in all my good intentions. You said perhaps I was yet criminal. So I was; but I formed the resolution then to lead an honest life. By the grace of God I have succeeded thus far in doing so. * * * I shall endeavor to do as you advised me. * * * I am getting, at present, fifteen dollars a week, and have been ever since I've been here; I am happier than I have ever been before in my life."

Another writes: * * * "The day of my conviction and sentence began a period of my life that became darker and darker, until hope was lost. The sentence and imprisonment were just, for I was guilty of grand larceny, justified only by the boyish plea that my employer, from whom I took the article of value, persistently deceived and refused to pay me. The prison life was, to me, a continual horror. Educated by an indulgent mother who now, in a foreign city, required my aid—excluded from every safe friendship and every honorable kind of labor for which I have any fitness, young and worse than friendless, and without pecuniary means, I was, in a few days, to be set free; but it was to be freedom to suffer mental anguish and a blighted life. The first word of hope came from the representative of the Prison Association, and it came with private and most fatherly counsel concerning what I most desired and needed to know. Not many days after there came definite information and explicit conditions concerning the place and employment offered. The effect of this I cannot describe. Hope and faith in God and my fellow-men seemed so strong and real, that for me ever again to violate any law would be worse than brutal. * * * * * From the day after my sentence terminated, steady and acceptable employment has been given me by the employer whose offer was given to me in the prison by an officer of the association. My wages have been regularly paid, and I have, in three months, been able to lay up some means, hoping to give aid before long to my mother. * * * * * For the kindness that has been shown to me, stern as the

advice has been, no words can express my gratitude. I would express all I feel by obedience to the advice that has accompanied the acts of kindness."

The practical difficulties which are experienced in dealing with the prisoners who thus come under advice at the period of their liberation need not be described in this place. It is sufficient to remark that they relate rather to the mental and moral characteristics, and the habits and temperament of the individual prisoners, than to any inherent obstacle to gaining assent of the will and a temporary guidance of strong desires to reform. But it is not always easy to gain such control over the strong points of character and guide them as seems necessary to the rescue of the individual from evil associations; yet it is toward the strong rather than the weak and more easily controlled characteristics of a discharged prisoner that greatest attention is necessary. While the weaker attributes of character in each individual require vigilant safeguards, the task of showing to the endangered person these points of weakness which he must himself watch and control by his stronger characteristics, is not always easy or successful. Yet the permanency of good results from efforts to rescue offenders from the causes of their offending, depends very much upon the thorough awakening and activity of whatever strong and manly, or womanly, qualities there may be still available for building up the character, stimulating the will, and controlling the weaker points through which temptation and danger would return.

Prisoners and discharged convicts, as examined by us, and conversing or agreeing upon personal duties with us in private, seem different from other persons of similar mental, social and moral condition, only in their mental sensitiveness and morbid forebodings. Bravado, and apparent moral abandonment even, are not infrequently the defensive masks which conceal those mental states that are found at once available for beginning the task of moral rescue in numerous instances. The same influences and measures that would have saved the individual from criminal offending, are available for the work of rescue and reformation from a career that has been temporarily arrested by the law and its penalty. The difficulty that always is met with in breaking up evil associations and bad habits, and establishing habits of diligent and patient industry in suitable employments, has to be met in any effort to prevent or rescue from criminal or vicious courses. The special difficulty in regard to the discharged prisoner has always been that the way to useful industry seems doubt-

ful or impossible to the prisoner, and at the same time his moral purposes and his will for any good object have, with rare exceptions, been rendered feeble and fickle by prison life and by the abandonment of hope. In preparing to undertake to reach the actual necessities of this class of persons as effectively as possible, by voluntary efforts, it became necessary to confer very extensively with employers and superintendents of labor, who would take a personal interest in the object and the duty of employing and kindly advising and encouraging discharged prisoners when endeavoring to do well.

There are various points of great practical interest in the experience already acquired in this field of effort, but it is too soon to mention results; and the means, especially the personal aid of noble-minded employers, and the peculiar personal efforts required in prosecuting the duty thus undertaken, are too delicate to permit further description in detail concerning them. But the fact must be mentioned in this place, that the local committees, by whose daily assistance at the prison towns this field of duty is occupied, have performed their very important and indispensable part of this work without pecuniary consideration, though at great expenditure of time in conference and advice with convicts about to be liberated, in painstaking, friendly attendance at the hours of their departure from prison and in subsequent correspondence with many of them.

At Auburn, the local committee for these duties consists of Dr. S. Willard, Miles Perry, Esq., Dr. J. D. Button and Dr. J. W. Wilkie. The chief burden of the duties at Auburn has fallen upon Mr. Perry and Dr. Button. At the Clinton prison, Hon. Moss K. Platt has performed the duties for the committee, which consists of himself and Gen. Stephen Moffatt and P. S. Palmer, Esq., all residing at Plattsburgh. The prisoners are regularly visited in the prison at Dannemora by Mr. Platt, and by him every one is received at Plattsburgh, on arrival at that point of departure for the place of future employment.

At Sing Sing the committee consists of Hon. Gaylord B. Hubbell, Dr. J. S. Fisher, Mrs. Pierre Van Cortlandt and Henry Lounsberry. The member last named was, early in August, designated as the one preferred by the local committee for the daily duty of attending to the interests of convicts about to be liberated; and Mrs. Van Cortlandt undertook the difficult task of dealing with every female convict with reference to possible rescue and guidance of them at the time of their discharge from prison; and, during the autumn, the

Woman's Prison Association of New York joined Mrs. Van Cortlandt in this work by undertaking to send up the matron of the "Isaac T. Hopper Home," from the city, to the prison the morning of any day when a female prisoner is to be liberated. Thus the "missing link" in this part of the effort was supplied, and each female convict, who is discharged homeless, or in any peril, is kindly escorted by a matronly hand directly from the prison door to the "Home" at London terrace, West Twenty-third street.

Thus has the wide and difficult field of duty to the prisoner at the four State prisons been surveyed, and in some measure occupied, in the name of humanity and religion, and with an earnest purpose to ascertain and strengthen every desire and means that can be offered by the convict and by good citizens for his rescue from further progress in crime, and for his establishment in habits of industry and virtue.

The difficulties and peculiar uncertainties of the task thus undertaken have been apparent at every step. Yet this task is not so impossible as it is difficult.

The method of addressing itself to this enlarged sphere of efforts for the guidance of convicts on liberation from prison, on the part of this association, necessarily differs from that which a well paid agency of the State government might adopt. No Richard Crofton has for the State of New York, or for American society, devised a method of graduated discipline, and a system of preparation for re-entering upon free life, adapted to our prisons and this new continent. No Mr. Organ, as a supervising agent of distribution and guardianship for the disciplined convict in his last period of restraint, has engaged in the almost sleepless task of guiding the prisoner into free life. Our State prisons have provided no system of gradations like those three stages of imprisonment witnessed at Mountjoy, Spike Island, Smithfield and Lusk, where the prisoner progresses from a rigorous solitude, through a term of instruction and encouragement, and, finally, of testing and trust, until the rights of free life are attained. Even the excellent and well tried method of preparation and care for the reception of the convict into diligent employment the day of release, as adopted by the Massachusetts State Agency, as superintended by Mr. Daniel Russell and maintained by the State, had never been deemed practicable for the New York prisons and penitentiaries, chiefly because the numbers that

are daily released from prison are so great and their preparation for liberty so neglected and untrustworthy.*

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 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 offer of employment for the discharged prisoner.†

As no immediate stage of testing or preparation would be possible 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

*The Massachusetts State Agency for Discharged Convicts has been in operation more than twenty years. The agent is appointed by the Governor, with the advice of the "council," to hold office until a successor is appointed. His office must be near the State prison, and his duties are to counsel and advise, and, when and as he deems proper and expedient, to furnish with clothing, board and tools required of him by law; and for conveying discharged convicts to their homes or places of employment when he deems it proper to pay therefor," etc. etc.

In his report for 1871, Mr. Russell, the agent, states that "the history of scores who have gone out from our State prison demonstrates that State prison convicts can become worthy citizens and good, honest, trustworthy men."

The secretary of the State Board of Charities of Massachusetts, in 1871, reports that "the agent, Mr. Daniel Russell, has had, during the year, under his care 303 discharged convicts, whom he has aided as follows: to 31, tools; to 63, clothing; to 41, board while seeking employment; to 86, transportation to homes and places where employment could be obtained; to 47, meals and lodgings, and to 8, family stores. The entire expenditure amounted to \$8,616.25."

It is worthy of remark that the State of Massachusetts provides a home and industrial employment for discharged female prisoners, and maintains a visiting and supervising agency for the permanent guardianship and proper management of what are known as the "State charities' children." The State aid given to discharged convicts, through Mr. Russell, is based upon the same principle as that which has dictated the humane and socially necessary duties to the children and females here mentioned.

† While pursuing these efforts we are not forgetful of the fact that such voluntary methods of offering and of acceptance of employments and a reasonable security against friendlessness and destitution, cannot wholly relieve the State from its duty to maintain some degree of watchfulness over certain classes of discharged convicts, especially over all that have been more than once in prison. Baron Von Holtzendorff, the renowned penologist of Prussia, has judiciously remarked, upon this subject, that "there exist vital forces in society of so great a power, that many tasks of common usefulness, or even common necessity, may be left without any interference on the part of direct legislation. But the question as to what should become of discharged prisoners, cannot be exclusively intrusted to benevolent societies. If it be proved that the effects of previous prison discipline

Memoranda of interviews, and the prospects and promises and agreements of each convict examined or conversed with, are preserved as confidential matters.

The *Employment Register* is a classified and indexed record of trade and occupations, and the names, wants, requests and residence of employers; this register comprises upward of 300 employers and about thirty classified kinds of occupations, in more than half the counties of the State. The methods of correspondence and intercourse with the employers and with the liberated men they employ, need not be described in this place.

A memorandum of the personal interviews and chief points of agreement is handed to the liberated convict at the hour of departure from prison, by the member of the local committee who is in attendance, which, with a friendly farewell and a copy of a vest pocket edition of the book of Proverbs, constitute the last tokens of a new and carefully guarded re-entrance into the duties of free life, and new pledges; the memorandum card is as follows:

To.....

You are requested to preserve this card, and to write to one of 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 sad secret, and request any one who knows it to do so.

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 all 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 workmen; also study the interests 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.

THE PRISON ASSOCIATION OF N. Y. has been authorized to have its proper officers and representatives hold interviews and unobstructed intercourse with the convicts in each State prison during the month previous to their discharge from imprisonment, for the purpose of ascertaining their future plans and wants, procuring suitable employment and giving needed advice to enable them to do well immediately upon liberation.

Employers of labor in all sections of the country have made generous offers of employment for such persons as the officers and committees of this association send to them, believing that the liberated man will endeavor to do well and completely escape the evil influences and bad associations that led to imprisonment.

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 employer is made, please inform one of the undersigned.

(Signed).....

Dated.....

For Prison Committee at.....

The remark should here be made that, notwithstanding the effort to reach every convict in State prisons with friendly suggestions and influences that shall, if possible, induce desire, hope and good resolutions to lead an honest and useful life when released from imprisonment, it is not deemed expedient to introduce and commend any one to an employer in an in-door trade or any employment in which permanency is expected, until the convict, while yet in prison, or immediately on liberation, engages, on honor, to comply carefully and constantly with the conditions of moral security and honorable deportment which are specified in the statements of the representative of the Prison Association. These specifications are designated in general terms in the six points enumerated in the printed card. Experience shows that the friendly but occasionally stern advice and admonitions, and the carefully stated reasons that have been given in the private interviews, have, in most instances, prepared the way for a definite decision concerning the course to be adopted in the final relations of the local committee with the convict before or upon the day of departure from prison; and, in most instances, a satisfactory decision is reached some time previous to the release. Unsubstantial and purely voluntary as the moral hold may appear, when thus exclusively dependent upon a merely personal agreement, after friendly interviews, it plainly is the only method of guidance that is open to friends of humanity under existing laws and prison regulations. This method seeks to enlist the desires and the will in the effort to do well.

In the exercise of necessary discretion and caution it is found to be duty to be exceedingly guarded in the offers of employment and friendly aid. The fact that nearly one hundred felon convicts are liberated every month from the prisons of New York, and that nearly one thousand convicts, of all grades, leave the various classes of penal institutions in the State each successive month, justifies this association in offering its helping hand chiefly to those whom such help may tend most certainly to save; and it must here be stated that greatly as the six penitentiaries need, and much as their superintendents and chaplains desire such help to be extended to convicts on leaving those institutions, the task cannot be properly performed without doubling the resources afforded by this association's employment register and the amount of personal efforts put forth in this work.

Some of the practical points in efforts to aid discharged convicts and to prepare prisoners for liberation :

The actual condition and prospective dangers of convicts that are about to be discharged from the prisons in the course of a year require close investigation, not only with reference to their own individual welfare, but also with reference to the interests of society generally, and especially of the community to which each one shall go to take up a residence.

The total number of convicts discharged from the three State prisons, during the year, falls only a little short of one thousand; and, as has been shown in the chapter on the county penitentiaries (in a subsequent part of this volume), nearly nine thousand convicts are discharged in the year from the six prisons of this class. An examination of the records of the State prisons and penitentiaries shows that fully three thousand out of the eight or nine thousand prisoners that are every year discharged from them have been convicted of crimes that effectually preclude the probability of any spontaneous extension of good-will and offers of employment in the communities whence they were sent to prison, for the crimes against property or the person, of which they were convicted, have forfeited the claims they may have once had upon the people whom they offended. Besides this, it appears that scarcely one-half of these prisoners were engaged in any useful industry at the period when they committed crime, and that less than half were residing at any suitable home. Hence in dealing with them at the period of release from prison, this fact concerning homelessness and the want of safe friendships is highly important.

The unfixd 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 preced-

ing 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 by the association's representatives in this duty.

The peace and security of the community and of the particular company of fellow-workmen to 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 and a member of the local committee whither the ex-convict is sent, than would be possible under a State law requiring police espionage. Be this as it may, it has simply been a duty to do the best possible, with purely voluntary relationships established and maintained in good faith on all hands.

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 guidances of the Prison Association, all the good influence, 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 following extract from a circular wrote to the local committees throughout the State (dated August 1st, 1872), correctly states what co-operation they render in this work:

"Henceforth every convict shall have the offer of faithful and friendly counsel and suitable employment. But in this extended and methodical effort to rescue and benefit the erring and criminal, and to save the State from their deprecations and evil acts, it is necessary to have the efficient co-operation of the local committees of this association, and other good citizens.

"Givers of steady employment and a safe home, and of personal effort to aid liberated convicts who give promise of thorough reformation, are earnestly solicited through each local committee.

"Encouragement, kindness, and faithfulness to help such liberated persons keep their pledge of industry, the regular saving of a portion of their wages, avoidance of evil companionships and of intoxicating drink, will need to be extended to most persons whom the Prison Association bring to the attention of any member of a committee.

"The generous employers of labor who offer places for such employes will need to encourage and require them to adhere to the good conditions and rules by which they are to establish a life of rectitude and thrift.

"The representative or agent who confers and arranges the agreement with prisoners before their liberation at each prison, will personally attend to the proper letters of introduction and immediate departure and direct passage of every one who enters into such agreement; and, with rare exceptions, it is expected the acceptance of such an employe will be made known to the local committee at the prison town, or to the Corresponding Secretary in New York, previous to the convict's liberation.

In a great majority of convicts there is an inevitable tendency, at the moment of liberation, or within a day or two after, to rush to one of the larger cities and there to lose themselves in the dense mass of population, and to indulge again in the very seductions that lead to crime. Not the city convicts and old habits of the dens of vice and crime alone feel and yield to this temptation; even the country lad and the backwoods ruffian, the disowned young convict and every ex-prisoner that smarts under the social scars of his conviction and imprisonment, is prone to seek the oblivion and seductions of the city. That this has been the course of a great proportion of the liberated convicts from the State prisons and penitentiaries of New York is a fact with which the Prison Association is now required to deal, without waiting the time when prisons and penitentiaries shall become *reformatories*.

From Buffalo to the city of New York and the eastern terminus of Long Island, and from the St. Lawrence towns to the Southern tier, we have carefully inquired concerning the course of life pursued by men and women that have been discharged from these prisons; we have also pursued the same inquiry of the relapsed criminals we have found in jails and other prisons. Clearly enough the fact has appeared, at every step of this inquiry, that nearly all who have relapsed into crime have made the cities and large towns their hiding-places very soon after their discharge or escape from prison; and this seems to have proved true even of great numbers that have found useful employment in cities.

In striking contrast with that line of experience, we find that both male and female convicts who have accepted employment and entered upon a decent domestic life in the rural towns, or have gone to the western farm lands and hamlet industries, generally are reported upon, by the officials and citizens who keep trace of them, as "doing well," or "settled and sober," etc., etc.

All this might naturally be expected to occur, but the evidence we have actually obtained in regard to it in almost every county in the State, as well as from criminals themselves and prison and police authorities, has served to point out plainly the policy and methods

Only such persons as promise well will be introduced to employers or commended to local committees. No county will be liable to receive back a greater number, nor worse characters, than it sent from its courts to prison. In all cases it is desirable to avoid any publicity in the reception and employment of a liberated convict. The employer and a member of the local committee should alone know the said secret, and so keep it as to aid the establishment of a life of rectitude and useful industry.

which should be adopted, and are being carried into effect by the Prison Association.

First. The employment register which has been prepared for this association is a directory to the best of employers, occupations and traders in the midst of the least condensed populations, and, as far as practicable, in districts where the most wholesome influences and social safeguards are present.

Second. The employers and advisers in each locality have been selected with due regard to the best interests, both of the individuals employed and the communities in which they come to reside. We have yet to hear of the first of any evil act by a liberated convict toward the community in which he is thus kindly furnished with employment.

Third. Years of observation have proved that of the vast number of liberated convicts that come to the city of New York, the first and chief fact ascertained by the agent of the Prison Association, respecting them, is that they yielded to temptations which plunged them into beggary or brought them to the verge of a hopelessly criminal career. And it is remarkable that so large a number should in the past twenty-seven years have been rescued from a criminal career, under such forbidding circumstances as have surrounded most of the discharged felon convicts that have applied at the city office of this association.

Fourth. It is almost impossible for a liberated felon convict to reside in New York, Brooklyn, Albany or Buffalo without being recognized and importuned or badgered by some of the desperate old fellow-convicts who have become *habitual criminals*; and this alone is sufficient, though it is far from being the most weighty, reason for our seeking employment for all promising convicts, on liberation, remote from these cities and from other centers of vicious life. As an illustration of the omnipresence of the habitual criminals that have "graduated" from the State prisons and penitentiaries, we may properly mention, in this place, the fact that, under the escort of a captain of police, in the city of Buffalo, the writer passed rapidly through the convivial and criminal quarter known as the "Canal street district" of that city, to witness some of the proceedings in the schools of crime in that district, and, in the lapse of half an hour, the officer pointed out seven men and several women who had served out a felon's sentence, and were now plunging into the oblivion of sensualism, and getting their daily bread by theft and shameless vices. In

the midst of such gilded and blazoned vice, with hardened criminals at every street corner, a freshly discharged convict, in his moral and physical feebleness, would stumble and fall headlong into indulgence and crimes more desperate than ever before ventured upon.

Fifth. The first act and first friendship and obligation entered upon after liberation from prison we desire and prepare to have based upon honesty and truth, and not upon pretenses and subterfuges. This is due alike to the employer, the community and the discharged convict.

Usually the employer and his chief clerk or head man remain sole keepers of the convict's history, and, whenever the information extends beyond them to fellow-workmen, the strong bond of good-will between employer and the employed helps to protect the unfortunate man from abuse.

In the month of December, the writer witnessed proofs of the success and good results of such good-will and the convict's secret well kept by large employers, who assured him that only the payroll clerks knew the secret. All these convicts had done well, and were popular enough with their fellow-workmen. In one instance an ex-convict workman, in a company of a thousand men, had become generally known, but the employer requested that the Prison Association should be informed that no anxiety need be felt, as that workman's true manliness and good purposes were as well known as his prison history.

In another instance a young ex-convict reported in person, as the writer had arranged, directly from the prison, to an employer who had hundreds in his service; but the prompt arrival at the employer's office the very afternoon of liberation, and after a journey of thirty-five miles by railroad, the gentlemanly and candid intercourse and faithful industry that followed, and his careful attention to the employer's interests, in an employment he but imperfectly understood, served to establish him firmly in favor. He received fifty dollars for the first month's labor, and still more for the second. To this hour the employer and his chief assistant alone know this young man's history; and he has sincerely, and with emotion that choked his utterance, assured the writer he would sooner cut off his right hand than violate the bond of gratitude and honor that has thus been created.

Numerous, and even more striking instances can be recited concerning such individual experience; but it is not our purpose to

make any general statement of the results attained. These cases are sufficient to point the moral that is set forth in our *fifth* proposition.

Sixth. We find that, all things being considered, it is much easier to open and maintain, on behalf of a liberated convict, a friendly and suitable relation of employer to the employed man or boy in the open country, the hamlet or manufactory, than in the great cities or in populous towns that depend largely upon a floating class of laborers or artisans. An extensive manufacturer of shoes, in an interior town, said to the writer "send me only men and boys who will settle down and become attached to domestic life and the shops here. I teach my men to make the most of the trade and to see that as an employer I am interested in their welfare." That employer knows where and how each of his employes lives, and he keeps himself prepared to advise each one. Seldom can an employer in our great cities undertake such a paternal duty toward his employes.

The writer's attention was first directed to the duty of thus studying the manifold interests, and perils too, which are connected with the distribution and employment, advising and guiding the convicts that shall be brought within the sphere of the Prison Association's effort, by inquiries which he has pursued in regard to the experience and observations hitherto at the three State prisons of New York. And a single fact in that study of experience should be stated here. It is this:

The State prison at Auburn began to receive convicts in April, 1817, and at the end of the year 1827 there had been received 1,214 convicts, of whom 964 were sentenced for terms of less than ten years each, and about half of whom at the beginning of the year 1828 had already been released from prison. During the years 1826 and 1827 the warden of that prison took pains to ascertain the condition of each of those liberated convicts then living, whose residence could be found in the State. Definite reports from trustworthy sources were obtained, concerning 160 of those men. Of that number, 112 are described either as decidedly steady and industrious, and sustaining good characters, or very greatly improved; twelve, as somewhat reformed; two, as not much improved; four, with respect to whom nothing unfavorable was known; two, as rather suspicious characters; two, as insane; and twenty-six, as decidedly bad and not at all improved.

Judge Gershom Powers, who made the foregoing statement to the Legislature of New York, in 1828, gave many particulars concerning

these men that would tend to prove that a large proportion of criminals, who are regarded as truly dangerous characters, can and do reform when they return from prison to engage in steady industry.

Among these 160, the following crimes and results are enumerated in connection with the names of convicts who had been discharged from prison a sufficient length of time to have their characters fairly tested in the communities to which they had returned:

KIND OF CRIME FOR WHICH IMPRISONED.	Number of these reported faultless.	Total number heard from under these heads.
Assault to murder or hurt	2	2
Arson	6	6
Forgery	18	26
Manslaughter	2	4
Counterfeiting	23	32
Burglary	2	3
Grand larceny	18	29
Rape	2	4
Total	73	106

The liberated convicts, above referred to, had distributed themselves through a great number of townships, mostly in the western districts of the State of New York.

The circumstances under which this experience occurred, chiefly in the counties west of Schenectady, were favorable to the speedy and reasonable social replacement of the discharged convict whenever he evinced the spirit of penitence for past offenses, and a manly purpose to amend his career and become a useful member of society. In traversing the extensive region which at that period supplied the experience which Judge Powers has thus recorded—a region now shared by the Auburn and Clinton prisons—the writer has obtained much similar evidence in favor of the principle of wide distribution of liberated men and their replacement in the substantial good-will and useful industries of the people. And it is everywhere remarked that the rehabilitation in citizenship and social or neighborhood respect and good-will have seldom been dishonored by liberated convicts who have honestly won their claim to such favors. In many an instance the people of a well ordered community have, by their spontaneous exercise of Christian kindness and reasonable social aid

on behalf of some erring and really dangerous young convict on liberation from prison, permanently rescued him from evil and themselves from the peril and damages that he otherwise must have caused.

Much as has been said about popular prejudice, unwillingness to offer employment to discharged convicts, the risks of giving them employment, their injurious influence in neighborhoods, etc., etc., our observations and actual conference with employers and leading citizens, in all sections of the State, have afforded conclusive evidence that there is much more practical charity and wisdom among the common people, and especially among the managers of all the great organized industries throughout the State, than there is in the minds of ordinary prison-keepers and police officials in regard to the practicability of reforming and reinstating a discharged convict in a virtuous community. If the object of penal treatment is to protect society from evil, and to reform, if possible, the offender, then must the people themselves lend their aid to methods by which the reformation of individuals is brought about and the number of criminals actually diminished; and, as has recently been said by the most renowned prison officer and disciplinarian in America, "the best solution of this difficult problem is that which most effectually neutralizes, in the bosom of society, the evil influences which disturb it, and which put in peril the interests, the security and the lives of its members."⁸

In concluding this brief review of some of the most essential points that we have to consider, in adopting methods of aid and guidance to encourage the reformation and replacement of such convicts as will enter upon useful industries, as soon as penal requirements are satisfied, our statements under this head will be strongly confirmed and illuminated by the following remark from Dr. FRANCIS LIEBER, whose death removed from the councils and official staff of the Prison Association of New York one of the most profound and enlightened students of penal science in the world. In his introduction to De Toqueville's Penitentiary System, etc., Dr. LIEBER says: "All who are well acquainted with the penitentiary system know that recommitments decrease, and, probably, would become rare, if released convicts could be prevented from returning to large cities. The recommitments of those convicts who go into the country after the expiration of their imprisonment are comparatively few. I have it from the best authority that, in Sing Sing, the proportion of recom-

⁸ General AMOS PRELUBRY'S Report of the International Penitentiary Congress, p. 48.

mitted convicts who have gone to live in the country to those who had gone to the city of New York is, in all probability, not more than one to twenty. In all countries the population of large cities produces, proportionally, more crimes than the rest of the nation, and, again, cities and towns more than the villages, etc. It is so in France, in all the States of Germany, in England; it is so with ourselves. There is, in large cities, a greater and more variegated activity, and, therefore, more opportunity for crimes than elsewhere; wants are greater, temptations more frequent and powerful inducements to pleasure and idleness more alluring and diversified, life more unobserved, and as the course of people in general is greater, so also that of criminals, who soon meet with each other in corrupting company, which, for a former convict, is peculiarly dangerous. In several countries, therefore, the government has thought it necessary to prevent released convicts from going to the capital and its vicinity for a series of years after the expiration of their imprisonment. A French galley-slave, leaving the *bagno*, is not allowed to go to Paris. Our large cities are, if not equally dangerous to released convicts, sufficiently so to authorize us to adopt some similar measures, but none in so high a degree as New York, owing to its peculiar situation and unequalled activity, the many emigrants who resort to it, and several other reasons unnecessary to be mentioned here, but which, if I remember right, cause the greater number of convicts, released from Auburn or Sing Sing, soon to be recommitted, if they go to the city of New York."

The Prison Association's experience, in dealing with the wants of liberated convicts, fully confirm the views here expressed by Dr. LIEBER. But, until the past few months, few such convicts were within the association's reach until after they had gravitated from the several prisons into the city; the recent experience shows that by careful suggestions and advice, with definite instruction and a substantial offer of suitable employment, previous to liberation, the prisoner may, in most instances, be prevented from proceeding to the cities. But the prisoner must be faithfully advised and the place and employer actually be agreed upon, while yet the convict feels his restraint in the prison. In personal interviews with upward of 400 convicts near their liberation, the past seven months in State prisons and penitentiaries, the writer has estimated that about seventy-five in every 100 could have been induced to go directly from the prison to employments in the rural districts and smaller towns, rather than to cities and crowded towns, if the arrangement he had perfected

with friendly employers and the interests of society would have warranted him in introducing all that number to the employers.

Necessity has compelled the association to undertake friendly guidance of ex-convicts in the city as well as in rural districts; and in doing this there is much care taken to maintain some effectual moral and personal hold upon each individual, and, if possible, to have him employed from the day of his arrival from prison. But the general result of all this experience goes to reaffirm the conclusions before quoted from Dr. LIEBER. Though a majority of the men that have been brought into such relations to the Prison Association, and entered upon employment in the city and vicinity of New York the past year, are still doing well, it is at great cost of time, watchfulness and advice on the part of the resident officers under this association; while, at the same time, the fact remains that the greater number of such released convicts from State prisons, that have come into the cities the past six months, have done so after having been advised by the proper agent of this association to avoid the cities and all crowded towns except when thoroughly secured in good employment and a good home. A great number have strictly complied with this advice, even when inclined to go to the cities; and it is a significant fact, that experience in dealing with the prisoners shows, that more than half of them state that most of their social attachments are in the cities, and chiefly in New York, Brooklyn, Albany and Buffalo. Fully seventy per cent of the discharged convicts in the State of New York would speedily seek the cities and continue to linger in and near them if not earnestly dissuaded from doing so.

CONCLUSIONS.

First. The experience and study of officers and agents of the Prison Association of New York, for a quarter of a century past, and the observations made under the present enlarged facilities for ascertaining the capacities and wants of convicts about to be released from prison, shows that strictly private and personal influence and advice are received by fully ninety per cent of our State prisoners with entire readiness and with expressions of gratitude on their part.

Second. That in nearly all young convicts (under thirty years of age), it is practicable to awaken and seize upon fresh hopes and purposes to abandon evil practices and pursue an honest and useful life; but that if substantial and suitable modes of steady employment, and

of social shelter and self-respect are not proposed and accepted *before* or *immediately upon liberation*, the probability of a relapse into evil companionships and practices is very great. Hence it is all-important to make the best possible use of the opportunities which are now offered for interviews, instruction, advice and a positive agreement for the convict's guidance and benefit.

Third. That by prudent and truthful dealings with suitable employers, as well as with the convicts that accept the conditions upon which this association offers friendly guidance, the various communities and companies of laborers, etc., to which the liberated persons go, will, as experience already shows, be less in danger and less vexed by offenders than has been the case previous to the adoption of the present methods by the Prison Association. For, as one of the managers and proprietors of a manufactory that employs 800 men and a million of capital, remarked to the writer: "There are always some thieves among workmen in these factories; but not one of the ex-convicts that is on these private terms of personal obligation is willing to do me a wrong or see it done." Or, as another large employer remarked, "the ex-convicts study my interests and are cheerful at their work."

Fourth. This method of intercourse and guidance, that has thus come under trial, permits a kind of faithfulness in advice, admonition, and friendly aid which reaches the better nature of almost any one of the convicts that really needs such aid and advice; even bad men and some female convicts, that have been reputed hopeless, are deeply moved, and evince, thus far, good proof of sincerity and effort in the necessary steps of reform and honest endeavors to do well. There is no practical difficulty in persuading the convict to enter into an examination of the real causes of the calamities that have been incurred; and after seeing a fair analysis of those causes, and forecasting the future, it is found practicable, in a majority of the cases, to insure the taking of the first steps toward a reformed life, if the life was before criminal and vicious; a fortified and more prudent course of life, if the offender is merely weak and unguarded, or easily overcome by passional temptations; and at least a hopeful view of the future, if, as is generally true, despondency was extinguishing the lights of the mind, and the desire and belief in all that is good and just. Hope can be established: It must be carefully awakened and substantially established, in the mind of any convict the writer has yet conversed with, before any

definite and sure progress can be made in turning the feet into paths of peace and virtue.

Lastly. It does not appear to be justifiable to mention the apparent usefulness of any methods and efforts for benefiting released convicts, as producing positive and enduring reformation of character; we are dealing with defective, wrongly trained, untrained, badly born or badly damaged natures and characters. The desires, hopes, and whatever can be reached in the higher nature of the convict, and whatever can be done to give safety and a wise use to the bodily and mental powers of each one, should be sought out and made available for self-restoration, and the healing and strengthening which God vouchsafes to all.

That many who have promised and begun well, and who may still be doing well, may, at last, be overcome by temptation in an unguarded hour, and be cast down in dishonor and shame, and in their gloom and frailty betake themselves to inebriety and any indulgence that brings the oblivion then sought, is to be expected. But it is not proved that even these unhappy persons will be as liable to fall again as will others of like frailty and defects who had never before fallen. Had the penal treatment in all cases been directed with due reference to the reformation each prisoner needed, and which, during their long years of powerless submission to the sentence of the courts, might, and should have been brought in them such liability and any probability of relapsing into crime would certainly be vastly less than it now is, far less than in persons of similar temperament who had never been imprisoned.

In the well considered words of Sir JOHN FORBES, it must be true that "the failure of any scheme which allows the convict at once to issue from confinement into the hot-bed of former associations, without any counterbalancing impulse, can scarcely be surprising, even under the most favorable circumstances, considering that the passions, if not thoroughly bridled by a happy acquirement of self-control, must be in a state of morbid activity from the long period of enforced subjection, the bodily functions restored by regular régime to healthful activity, and the mental faculties sharpened to a keen desire of relief from the deadening influence of an oppressive routine. The man, in such a state, launched without a rudder or compass on the free course of existence, and at once beset by the most alarming temptations, must infallibly give way and cast behind him the feeble barrier of good resolutions which he may have been induced to make

in a time of repose and seclusion. What a sight, full of sad forebodings to the benevolent moralist, is the issue of the 'jail bird,' under such auspices, from his cage into the cold and selfish world! How must he wish for some asylum for the moral and intellectual invalid, where he may strengthen the half-formed aspirations at a better state of being before putting forth his powers to so rude and severe a test."

To ascertain the actual condition of the prisoner's mind and body, and to lead him carefully onward and aid him deliberately to forecast the future, and to arouse, if possible, some abiding and substantial hopes and desires for a better life, and for the enjoyment of the rewards of virtue and industry; to offer reasonable aid toward the realization of such hopes, as well as to admonish and guard against relapse into an offending course of life, are duties which Providence and the best interests of society seem to require of the State at the hands of the Prison Association.

THE SIX COUNTY PENITENTIARIES.

The origin and growth of each of the county penitentiaries, from its first design as a work-house for vagrants and the convicts in county jails, plainly show that the penal system and prisons in the State of New York are in a transitional condition.

Public economy and the laudable desire to bring to bear some degree of truly reformatory and preventive treatment in regard to common offenders instigated the original organization of each one of these institutions. Even the Albany penitentiary, that to-day is unquestionably one of the most renowned, for thorough discipline and productive labor, of any prison in the world, had its origin in the public demand for reducing the cost and pernicious consequences of keeping the convicts for misdemeanors, etc., in the common jails of the county. For it appears that, at a meeting of the supervisors in Albany county, in December, 1843, when the subject of a penitentiary for offenders and a work-house for vagrants was first proposed as a means of public economy, the fact appeared that, during a period of only thirteen years, "the county jail and criminal expenses had swollen from about \$8,000 to about \$22,000 per annum; and that the support of the poor had grown from about \$9,000 to about \$28,000 per annum; and that, while the population had not doubled in twenty-eight years, the number of commitments to jail had quadrupled in half that time."

From that beginning a work-house and penitentiary was erected by the labor of jail convicts, and now, after twenty-five years, it is the best ordered prison in the State, and is the most secure of felon prisons in the United States, because governed by the most experienced hand and manly intelligence.

The New York city penitentiary dates its origin back to 1814, when the watch-houses, the county gaol, the debtors' prison, and bride-well divided the honors of safe-keeping the offenders not consigned to the felons' cells in the old State prison on Greenwich street. It was simply a branch or department of the city prison and was in some sense attached to the alms-house hospital, on account of the

fact that a large percentage of the vagrants, prostitutes and disorderly persons who were committed to this penitentiary were generally suffering at the time from syphilitic maladies.

In the First Annual Report of the Prison Association we find reported, by a committee of its members, that upward of one hundred diseased prostitutes were at that period found in the hospital of the penitentiary. And in the Second Annual Report, in the year 1845, it is stated that very many are confined at the penitentiary, not because they have committed any crime or offense, but avowedly only because they are destitute or diseased. This includes a class of persons who go to the police office and "give themselves up," as they term it, because they want a place of refuge.

That report also states bitter truths that still hold true, when they say "there is absolutely nothing to prevent the contamination which always springs from 'evil communications;' nothing to check the growth of corruption, but much to foster it, as in a hot-bed of vice, into rapid and vigorous strength."^{*}

The penitentiaries at Syracuse, Rochester, Buffalo and Flatbush, have each had a like origin; and each of the six has had the same peculiar growth and development, except that the one at Albany has, under a master's hand, and his policy which rejected all kinds of partisan interference and held the master responsible for the results of his policy, gone steadily forward to the rank of highest excellence and renown ever reached under the Auburn or silent system.

Under the statute of 1856, relating to the penitentiaries, it is provided that "whenever any person under the age of twenty-one, and above the age of sixteen years, shall be convicted of an offence punishable with imprisonment in the State prison, in either of the judicial districts of the State having a penitentiary within said judicial

^{*} The burning words of the report from which we have here quoted, apply so completely to the present condition of moral peril and degradation into which the Blackwell's Island convicts still continue to be thrust, and from which they gain a release only as the besmeared and infected inmates of a small-pox pest-house, may be said to be free, continuing to spread far and wide the polluting pestilence which they bear within and upon them, that we append a concluding paragraph from its pages: "Instead of being a house of reform where resolutions of amendment may be cherished and encouraged, our penitentiary is a school of vice, where the novice in crime is compelled, in the name of the law, to serve a regular apprenticeship in vice; and perfected in his trade by the lessons taught by the hardened offenders with whom he is obliged to affiliate, he goes forth into the world to prey upon society, to swell the catalogue of crime, and finally to atone on the gallows or in the State prison for practicing the lessons which he has thus been compelled, by the ministers of justice, to learn." * * * * * "So long as these evils are allowed to exist and to grow daily in strength, let no one wonder that crime increases at a fearful rate and the burdens of the community are correspondingly augmented. And above all, let no man complain that his society is strict fidelity to the purposes for which it was established, speaks the truth of these things in soberness and in sorrow." (*Second Annual Report of the Prison Association of New York, 1845, pp. 23, 25*)

district, the court before which such conviction shall be had may, in its discretion, sentence the person so convicted to imprisonment in the penitentiary situated in that judicial district. Every person so sentenced shall be received into the said penitentiary, and shall be kept and employed in the manner prescribed by law, and shall be subject to the rules and discipline of said penitentiary."^{**}

Under the provisions of that act a valuable class of young laborers has been secured to each of the six penitentiaries; the three State prisons, also, have been deprived of precisely the same amount of labor by the placing of this number of young laborers in the workshops of the penitentiaries. The total number of male State prisoners thus at work in the county penitentiaries in November last was nearly 300. The State prisons have thus gained that number of cells for older prisoners.

Each of the penitentiaries receives large numbers of female State prisoners in addition to jail convicts, and, by several special acts of the Legislature, the penitentiaries at Syracuse, Rochester, Buffalo and Albany are, at present, liable to be compelled to receive nearly all the female State prison convicts, except from a few of the counties in the region of Sing Sing.

With the functions of common work-houses for convicts from police courts and the courts of special sessions, and as prisons for felons of almost every grade, the penitentiaries cannot avoid the embarrassment and the evil effect of such an admixture of all grades and ages of offenders.

The subjoined abstracts of the statistics of the penitentiaries for the year 1872, will serve to present all the essential facts we are able to glean from the public records of these prisons, as given in their reports respectively, for the last fiscal year ending in November, 1872.

^{**} *Session Laws of 1856, chapter 158. An act in relation to the punishment of crimes in certain cases.*

and differences, and what the causes of them, in these several penitentiaries? The condition and wants of the convicts, the causes of their dangerous beginnings in crime, and the nature and methods of duty to be considered in regard to them when liberated from imprisonment, are the special points for inquiry and study that have been kept in view in these visits; and whatever it has seemed to be our duty to do in regard to reporting the results of such observations will be found in subsequent sections of this volume.

Chief Results attained by the Penitentiaries.

Let us look at the movement of crime and of criminal classes, if this phrase may be here allowed; the effect upon the county prisons and the State prisons; the economical results; the direct results upon the individual convicts.

Upon each and all of these points our statements of the facts need not and should not be interpreted in any sense as criticisms. There is ample ground for the criticisms of moralists, economists, statesmen and philanthropists in regard to evil results produced upon individuals and upon society at large, which nearly all prisons are justly charged with; but how true it is that in making just application of such criticisms they would extend to the entire line of penal administration, from the police "lock-up" to the State prison, and through the whole gamut of court proceedings, from the justice's hearing to the shuffling delays of higher tribunals where certainty of penalty for crime is all doubtful, and to at last to the sentence and the entrance upon imprisonment. Indeed, such just and needed censure would extend back into the social and neighborhood dealings of the favored classes with the unfortunate, the ignorant and deprived in the communities, and to teacher with pupil, parent with offspring, and employer with employe. In a brief chapter on prison keeps the writer has mentioned the results of his observations in reference to faults that can be remedied in that class of officials. But the facts here to be presented concerning the penitentiaries, the results and differences do not depend so much upon the merits of the individual officials of the respective institutions as upon the policy adopted by the respective counties in the organization and management of their local prison and work-house.

Taking up a brief review of the results attained by the penitentiaries, as respects the four points presented here, we shall find it more convenient and instructive, to consider these points as the central

propositions, toward which each penitentiary bears some definite relations; presented from this stand-point, the facts cannot be turned invidiously against the honor of any one.

1. *The Movement of Crime and the Criminal Classes, in relation to the Demands upon the six Penitentiaries.*—We have seen upon a preceding page that it was the fourfold increase of crime and expenses for the care of the offenders in Albany county, while its population had not doubled in twice as long a period, that led the best citizens of that county to urge the establishment of a penitentiary; to deter and reform from criminal and disorderly courses of life, was declared to be its chief object; and to make the necessary discipline of its industries self-supporting, was announced as the rule for its policy and administration. Albany seemed destined to be a rendezvous on the chief highway of every class of criminal and disorderly persons. The Albany penitentiary became, from the first, a terror to evil-doers and a help to offenders in their penitence; while hundreds, and even thousands have had their names enrolled upon the records of that penitentiary for the last time any penal record has been made against them, that place for expiating a sentence continues to be more dreaded than the State prisons, by habitual criminals. Regarded solely as a barrier to deter from crimes and misdemeanors, in the Albany district, and as a means for deterring such offenders from attempting to seek any places of rendezvous, or the usual opportunities to perpetrate their offenses the penitentiary has attained its object.

During the twenty-four years ending in November last, 22,980 convicts had been admitted, and at the latter date there were 631 convicts remaining in the Albany penitentiary. During that period the cash income from the industries of the institution amounted to \$843,755.38, while the current expenditures were \$625,151.34; the gain was \$206,604.04. The unrelaxed industry and perfect impartiality of the system of that penitentiary have been potent agencies for restraining crime in Albany, and it is believed that the same kind of restraining influence is exercised by it, in some degree, in the communities that send the most of their convicts to it. Discovering the fact that communities seem to gain more complete relief from the presence of offenders by sending them to the Albany penitentiary than by sentencing to Sing Sing, on the one hand, or to their county prisons on the other, as the grade of crime may warrant, the penitentiary has steadily gained in this aspect of its popularity as well as in others that have depended upon the skill of its superin-

tendent. Viewed in all its relations to the movement and repression of criminal life in that important district of the State of which Albany is a commercial and geographical center, the penitentiary in that city has exerted a great and beneficent influence. Still, the movement of crime and the presence of minor criminals, especially in Albany, Troy, and the Hudson and Mohawk region of the State, are perniciously influenced by the easy-going and capricious methods of police courts and the action pursued toward habitual offenders, to whom very short and unmeaning penalties of imprisonment and fines are awarded. Petty thieves, drunken and disorderly and violent persons, though sentenced to the penitentiary, are released without regard to the necessity for their reformatory treatment.

Following the course of criminal classes into the city and metropolitan district of New York, we find the penitentiary and the workhouse on Blackwell's Island are crowded with the two great classes of offenders which represent the various gradations in that depressed portion of the social scale in which misdemeanors, crime, vice and pauperism present all their varied relationships, and in most respects appear as convertible terms. Sing Sing prison, so convenient to the city, withdraws only a certain proportion of the convicted felons; for, under twenty-one years of age, most of the young felons under conviction in the metropolitan courts are sentenced to this penitentiary on the Island, and a great many thieves, co-partners in burglaries and dangerous crimes, get an Island sentence under some essement in the pleading. Ignorance, destitution, first recorded criminal charge, habitual offending as a concomitant of habitual drunkenness, etc., etc., all appear at the courts of this penitentiary district to dictate the quality of actual criminals that may be sent to the Island. To this criminal element of the penitentiary classes, the disorderly persons, petty thieves, etc., that come before the police courts are added in a continuous and ever-returning current. But the number of "revolvers" or ceaselessly relapsing offenders found at this penitentiary bears no comparison to those found in the work-house, for at the latter institution are committed chiefly vagrants, drunken and disorderly persons, abandoned females and such of the homeless and able-bodied as come within the jurisdiction of committing magistrates. The Island work-house—and it is the only one in the State—relieves this penitentiary of New York, as no other penitentiary in the State is relieved, and consequently this penitentiary has a larger proportion of criminal and less of the vagrant classes than the other five penitentiaries.

Being so strictly a penal institution for criminals rather than a mere work-house for minor offenders and vagrants, the first of all questions concerning it is, what influence and effect does this penitentiary have upon the course and quantity of crime and the condition of the convicts.

The briefest possible answer to this question was given by us in the Twenty-seventh Annual Report of this Association.* "The system itself is at fault, not the honorable commissioners who have found themselves in charge of the institutions and now govern them. Therefore this answer is repeated as the most charitable as well as pertinent that can be given."

The fact is that the inmates of the penitentiary and workhouse on Blackwell's Island cost upwards of \$100,000 over and above their cash earnings, yearly, and that the effect of their industry and commitment is not reformatory. The one chief and really appreciable benefit which the city derives from these two institutions, is that resulting from the temporary absence of the horde of vagrants, pick-pockets, drunkards, prostitutes and pimps that make up the 23,000 annual residents of work-house and penitentiary on the island. The withdrawal of these offensive persons from the streets of the city is certainly a relief, and possibly gives increased security to life and property for the moment; but it is seriously doubted if permanent benefit is conferred either upon the offenders or upon the city. The system of brief and unmeaning commitments to this great receptacle of the ignorant, the homeless, and to vile teachers of debauchery and crime, is what we complain of and expose to view for amendment and remedy; not the mere ministerial administration of the affairs of the penitentiary and work-house under the Commissioners of Charities and Correction. The latter is certainly not in any manner chargeable with the faults of the former. It is the system, and its endless train of ever-increasing evils, that need to be amended.

The fact that the penal institutions of the city of New York do not exercise the same deterring influence as the penitentiary at Albany, conveys a practical suggestion; and to that fact there is still another to be added, far more important, but greatly enforcing the same suggestion as the first, namely: that the failure of the Island penitentiary to produce reformatory results, and especially to make the largest possible use of productive industries which shall both discipline and qualify the convicts with reference to self-supporting

* See Twenty-seventh Annual Report of Prison Association, pp. 15, 16.

and honest labors to be pursued on release from prison, is the chief cause of the apparently despairing and abandoned condition of these Island convicts when liberated. The convicts at no other penitentiary in the State evince such utter recklessness and moral abandonment as a majority of the Island convicts do; and in no other section of the State has the writer met with liberated convicts who, in general, have so little self-respect, hope of personal purpose remaining; yet in no other penitentiary is there so great a proportion of the convicts under twenty years of age; and in Erie county only has any one of the penitentiaries nearly as great a proportion of convicts between the ages of twenty and thirty years. The remarkable excess of the percentage of convicts that are under thirty years of age, in the Island penitentiary, is worthy of notice, for it is no less than seven-tenths of the total number sentenced to this institution in the year. If the reader will refer back to page 68 in this report, and read the specifications on the twelfth and thirteenth lines in the several columns, and compare with the same columns respectively on the second line, the points we here allude to will appear in a striking manner.

How large a proportion of these youthful convicts at the Island penitentiary are destined soon to reach the State prison no one can state in numbers; but no other penitentiary in the State will present half as large a proportion of inmates so destined to the felon's doom, as the case now stands with the convicts in these six institutions.

Whenever the personal records and public registers of crime in the State are so kept as to be available for practical uses, there will be a revelation of facts concerning not only the utter failure of some prisons to deter from crime or reform offenders, but also of the fearful certainty of damage and a doom to perpetual criminality of a great proportion of the persons that are committed to certain prisons. The Island penitentiary and the last twenty years of Sing Sing prison history, with a few brighter points in particular years, when the industries and discipline most favored, would present the darkest records and most evidence of wrecks made that could be shown in all the State.

To be sure it is not alone the fault of these two institutions that convicts so generally pass out of them only to plunge more recklessly into vice and crime. We have already presented facts which show that the most important and most unguarded of all the bad influences which beset the liberated prisoners, from any of our prisons,

are those to which a return to the city exposes them. Indeed, it is so true, generally, that to discharge criminal convicts into a great city, like New York, is almost equivalent to insuring their speedy relapse into crime, that we would wish the fact to be distinctly stated in this place that the failure of a city penitentiary or State prison to reclaim from crime must be attributed, in part, to the utter neglect of requisite means for dissuading the imprisoned offenders from returning to the cities when discharged. Set free without suitable preparation and friendly advice and aid to lead them to places of employment beyond the cities, disgraced and forlorn, the released prisoner returns to the most crowded and dangerous districts, whether in desperation or in shame and penitence.

Viewed from the proper stand-point with regard to the moral and the physical frailties of the greater part of liberated convicts from the Island penitentiary, or from Sing Sing, and these, be it remembered, are institutions which, in relation to each other, represent the progressive stages downward in crime, must we not regard such methods of liberation and exposure in the great cities as perilous as was the cruel exposure of new-born infants to the fate of the Taygetan caves by the Spartan *Tryeræ*? If the convicts were morally strong and physiologically sound and pure at the hour of their liberation, as were the Spartan infants that survived the *trying* to which they were subjected, then some, even many, would survive. Some do survive, because of soundness and vigor, but most are lost. But we are warranted in stating that, in all probability, not more than one-third as many are saved as might and would be if the proper effort were made for amending the habits, instructing the mind and encouraging the hopes of the city convicts, and, at the hour of their liberation, for dispersing them to useful industries far away from cities. As this is the line of effort which at present chiefly occupies the Prison Association in its city duties, we have had occasion to examine the facts which call for this class of efforts.

The course of criminal life in the cities of New York and Brooklyn, and throughout the metropolitan district, presents problems that should be grasped with a clear comprehension of all that relates to the handling of criminals and accused persons in the courts, and the penitentiary treatment of convicts in this most populous district of the State. It is not for the amendment and reform or even the permanent restraint of the criminal and the socially damaged classes alone, or even chiefly, that the course of crime and its skillful treat-

ment need to be studied in this district, so much as it is for effectually *preventive* measures against the beginnings in crime. And upon this point Dr. LIEBER has epitomized volumes of reasoning and experience in the single remark that "the *prevention of the first crimes* depends much more upon the certainty of punishment, and, therefore, upon the excellence of laws and the administration of justice, than upon the manner of punishment." Whoever asks why criminals multiply and flourish in this city and metropolitan districts, or why neither the penitentiaries of New York and Kings counties, nor the State prison at Sing Sing so feebly deter from crime and so seldom reform a criminal, will need to consider how many evil influences conspire for the utter destruction of those who begin to descend into the realm of the dangerous classes in the great city.

In the statistics of the Island penitentiary, for 1872, the following facts are instructive, and with these we will conclude the pages relating to it and its convicts:

Total number of convicts in the penitentiary at the end of the year 1872, was.....	816
Males	680
Females	136
Total number convicts admitted in the year.....	2,097
Males	1,726
Females	371
Average age of convicts.....	.....
Average age of male convicts.....	.....
Average age of female convicts.....	.....

2 *Kings County Penitentiary.*—Under a fresh impulse to its industries, and the inspiration of an energetic superintendent, the Kings county penitentiary has begun to acquire some of the attributes of a true reformatory. Probably no other penal institution in the State has made so great progress from disorder toward good order, from want of discipline toward reasonable and good discipline, and from general sloth and demoralization to useful and energetic industry and cheerfulness, as this penitentiary.

Though not yet the best penitentiary, by any means, it certainly

is greatly improved, and now does credit to the superintendent and county authorities, in many respects. Yet its industries need to be reorganized, and special improvements are required, some of which are already under way.

There were 1,603 convicts admitted during the year ending August 1st, 1872. The average population of the penitentiary is about 404, but varies from 350 to 475. Nearly half the convicts are sent up from courts of record; the others are sent by police magistrates.

The total cost of this penitentiary, for the last fiscal year, was \$77,566.47; the total, exclusive of salaries and care of the sick, was \$43,716.65. The total avails from the industry of convicts (employed at shoemaking) amounted to \$32,971.72.

The beneficial influence of the steady industry in which the greater part of the convicts are employed is well certified by the convicts themselves; as many of them are able to earn from 100 to 300 per cent more per diem than the county receives from the contractor for the labor; there is a good opportunity here to bring into judicious operation a system of encouragement to the convicts, by arranging in the future contracts—if contracts are continued—for a definite rate for tasks and overwork, and to establish a graduated scale of allotments or share for the benefit and credit of the convicts who do well. It will be found entirely practicable to make the industries of this prison worth \$70,000 a year to the county, and also place \$20,000 to the credit of deserving convicts.

The influence of the Kings county penitentiary upon the course of crime and the condition of the convicts that are admitted there, is constantly felt to be advantageous to a considerable number of the offending classes. During the past year, many of the convicts, upon their liberation, have proceeded directly from the penitentiary to steady employment beyond the city limits, and the contractors for the labor of the convicts have nobly taken several of the workmen directly to their private factories in New England, and employed them at full wages; this generous action of the employers has given a substantial basis of hope and plan for thorough reform to some of the young convicts.

The short unmeaning term of imprisonment that is awarded to some of the police court convicts is wholly inconsistent with the requisite detention for reformatory or preventive treatments; bad men, and the dangerous classes generally in Kings county, seem not to be dealt with by police justices with reference to reformatory treat-

ment and deterring influences. But the good influences of the penitentiary are unquestionably felt in that community, and there is now every reason for urging such a reorganization and development of the industry of its convicts that it shall be made equal, in all respects, to the Detroit house of correction, as an industrial reformatory. Already many of the thoughtful and educated men and women of Brooklyn have become visitors and students, with reference to the requirements and opportunity of this penitentiary to make a true reformatory house of correction.

3 *The Onondaga County Penitentiary.*—The penitentiary at Syracuse is still used for a detention jail as well as a penitentiary; the statistics presented on a preceding page show that it has a large proportion of youth among its convicts.

At the time of our last visit to this institution there were forty-one felons among its 173 convicts. About thirty per centum of the total number, including jail prisoners, making 200 in all, could not read and write. The superintendent, chaplain, keeper and inspectors cordially entered into the proposition for organizing class-room instruction, in certain evenings of the week, for the ignorant, as seems very desirable for all convicts that need instruction in common knowledge and common duties. The ever changing conditions of political life in Onondaga county long prevented the penitentiary from becoming a reformatory, and on this account it is our duty, while bearing this testimony to the willingness of officials to recognize and advocate the needed improvements, to protest, at the same time, against the causes that delay the improvements and leave young prisoners to sink forever into the dead sea of vicious and criminal thought and companionships.

The current of low and debauching vices and a flood of crime have already wrought deep channels and created slimy pitfalls for the youth of both sexes in Syracuse and a most populous and important district that contributes convicts to this penitentiary. That district cannot longer afford to delay the organization of this institution as an industrial reformatory.

As now organized, and with a free and easy method in the courts of giving a penitentiary sentence, by way of rebuke and shame rather than for the purpose of reformatory treatment, criminal and disorderly life must continue to make headway in the Onondaga penitentiary district until the public mind shall have become thoroughly aroused to the measures required for restraining from crime.

By an act of the Legislature, passed May 4, 1869, "all females hereafter convicted, in the fifth and sixth judicial districts of this State, of crimes punishable by imprisonment in the State prison, shall be sent to the penitentiary at Syracuse." The same districts, comprising sixteen counties, also send, at discretion, all felons who, being under twenty-one years of age, are subject to sentence for a less term than five years. Hence we find the felons comprising from one-fourth to one-fifth the total number of convicts at every inspection of this institution. In view of the important character of the convicts, especially their youthfulness, there is urgent necessity for whatever improvements are practicable in the reformatory aspect of the treatment, instruction and industries of this penitentiary.

The superintendent and his deputy, as well as the chaplain and inspectors, doubtless appreciate this duty. The supervisors have the responsibility. Do they know that the keen-eyed, broken spirited young female State prisoners they have set at cane-seat chair making, will, before their five, three, and two years of imprisonment are ended, be trained, fitted, fretted, and despairingly goaded on to the last plunge into endless despair? Two of these young women were called before the writer, in a private parlor, at his last inspection, for the purpose of asking what hope or place there would be for them when liberated from their four years' imprisonment. Graceful in manners, versed in the ways of a gay world, convicted of larceny, too proud and even too religious to plunge into the abyss of prostitution, they still had never learned any common vocation or trade by which they could earn honest bread. Penitence and intense contrition had come, and in their cells they pray sincerely, but in vain, for a way of escape from evils worse than their imprisonment. These two young women shall, for one year at least, have a good and safe home in one of the western counties, and, if they live, will be instructed in useful trades and duties; but why, in the name of mercy and reason, should a civilized people so fail in the first duty toward the weak, the untalented and tempted classes that justice casts into our prisons.

Not the prison officials, but the perils and faults of the penal system are the objects of censure and protest in the penitentiaries, and other prisons provide only for the one duty, "to receive and safely keep" the convicts. The superintendent of the Syracuse penitentiary would gladly carry out any plan of reform in the penitentiary treatment of convicts that the

proper authorities of the county would order; but the plan and the ordering must rest with them. If they order the female prisoners to be kept at such work, chair-bottoming with cane strands, when they ought to be learning and laboring more usefully, the wretched girls will continue to work at twenty cents a day until the last strand of hope is broken and the homeless creature goes back to the haunts of wickedness a reckless burden and pest to society. There is no other penitentiary in the State in which so large a proportion of the convicts could readily be reclaimed and brought into useful relations and service of society, and this is particularly true of the female convicts. On this account we urge the claims of society and humanity in regard to this institution.

The industries of this penitentiary comprise chair-seating, as mentioned, and shoemaking, the work being fine second-rate for women and children; contract price of labor thirty cents a day for selected hands; the actual earnings being about one dollar a day. The actual cash value of the labor of Syracuse convicts to-day, under the good state of discipline that now prevails, is said to be fully twice as great as the same labor was at the period of disorder and dubious discipline which prevailed at the time the existing contract was made. Bad as that contract is for the county, it is made available for some benefit to the convicts who are in numerous instances permitted to learn more than a single element or task in the fabrication of a shoe. One of the most conclusive illustrations of the utility of permitting such encouragement and favor to individual convicts was presented in the case of a young horse-thief, who, from the very nature and influence of his crime, would not have been expected to be reclaimed and saved. But being permitted and encouraged to master every branch of the art and practice of fine shoe manufacturing, he became a model workman, and at the time of his liberation could readily command \$100 a month as superintendent or foreman of a manufactory. This is the only instance the writer has witnessed, in all his intercourse with prisoners, of a horse-thief reclaimed from his particularly debasing crime. The complete mastery of an honorable trade, in every branch of it, so as to be proud of it and conscious of a demand for his services in it, seemed to have completely supplanted all his dangerous qualities of expert, cunning and contrivance, and an inbred love of prowess.

In each of the writer's visits to this penitentiary, he has noticed the cheerfulness of the young convicts in the shoe shops, and the

pride and pleasure evinced by them at words of approbation of the styles of workmanship; and in repeated conversations with the contractor for the work, he has assured the writer that knowledge of his approval and possible favor, though a hundred miles away at his free labor factories, secures extra effort to produce the finest work, and that small presents to the convicts have proved to his own mind, conclusively, that all the ordinary industry of prisons can be used, and ought to be, to secure the awakening of hopes and the thorough amendment of life in the convict. Frail, fickle and damaged, as many convicts are, still it would be found true that among such convicts as those at the Syracuse penitentiary, sent as they are, from interior towns, and not yet wholly given up to disorderly courses, these business-like conclusions of the contractor could readily be realized in practice. Crime is increasing and will continue to increase in the central cities and large interior towns of the State, while preventive and reformatory measures are neglected by the people. Onondaga, Oneida, Oswego and St. Lawrence and Jefferson counties are suffering from a heavy and needless burden of criminal and vicious classes that greatly need to be brought under a skillful penitentiary treatment. The question whether there shall be such instruction in useful occupations and useful knowledge as will largely conduce to the future good conduct and welfare of the convicts, as well as to the complete self-support of this penitentiary, rests with the supervisors of Onondaga county; they have the most encouraging ground of any prison in the State for beginning the necessary efforts to bring about such a result.* They will have the great advantage of dealing with the most cheerful, hopeful and least depraved of any mass of penitentiary prisoners in the State, and will also be favored with hearty moral support in such efforts by the best citizens of the fifth and sixth judicial districts; and, from the beginning, every officer of this penitentiary is cordially in sympathy with the purposes and measures by which the institution would be made a model industrial reformatory.

* With peculiar pleasure we are permitted to chronicle the fact before this report is printed, that a class-room and evening school have been established in the penitentiary at Syracuse. True to their promises and desire to consider and favor the proposition for this improvement, the inspectors of the penitentiary recommended the plan to the board of supervisors, and by that board, on the 30th of December, 1872, the inspectors of the penitentiary were authorized to establish a night school for minor convicts. One hundred dollars were appropriated for any expenses incidental to the school.

The school was opened in January, with the chaplain and its superintendent, and the following note from him concerning it was written by that gentleman after six weeks' experience in the work:

No citizen of Onondaga county can regret that \$100 a quarter is to be paid out of the county treasury for supporting the school at the prison. The wise and good among the people of Syracuse will, themselves, learn much truth by means of this night-school of the prison.

The Monroe County Penitentiary.—The records of the penitentiary at Rochester, for the last fiscal year, show that the average number of convicts during the year remains about the same as in the previous year. The capacity of this institution is equal to any demands that are liable, at present, to be made upon it. Simply as a work-house for disorderly persons and minor criminals of the city and county, it would be well adapted for its purpose; but as a penitentiary in which dangerous classes of felons, from sixteen counties, are imprisoned, together with other convicts from the same district, this penitentiary has not yet provided for any classification of its prisoners, either in the galleries of its cells or in the workshops.

The industries of this institution comprise shoemaking, pail and tub making, and, for the female convicts, sewing and a branch of the shoemaking. The withdrawal of the principal part of the females from work at cane-seating to a rude branch of the shoe work was hailed with delight by them; and in this new employment and in the sewing-rooms they are more cheerful than we ever saw such convicts in the chair-bottoming shops.

The small proportion of actual felons and old offenders in this penitentiary warrants the employment of all available means to save all the young convicts from their criminal tendencies and associa-

experiment of a school in the penitentiary. We have sixty pupils, and could have double this number if our accommodations and means of lighting were equal to it. As it is, we select from the younger prisoners those most anxious to enjoy the privilege and most in need of instruction. I have six good assistants from the convicts of this prison, some of them experienced teachers, and these all seem *very happy* in the employment.

"Each pupil is supplied with a suitable reader, and all who can already properly use them have an arithmetic, slate and pencil. We are in want of accommodations for use of paper and ink.

"The keepers say the school is an important help to discipline, as the privilege is predicated of good behavior. * * * A boy in the chair-shop asked for the privilege. The keeper promised an answer that night, yet hesitated to decide because he had been rough and negligent; but the privilege was granted. * * * He had been accustomed to bottom only one and a half to two chairs a day; but now he bottoms six a day well, and is one of the best scholars in the school. A boy only fifteen years of age, who did not know the alphabet, was admitted to the school. I asked him, 'Where is your home?' Ans. 'Nowhere.' 'Where did you live before being sent to this prison?' 'Just where it happened.' 'Have you any parents?' 'None.' 'Do you wish to learn?' 'Yes, sir.' 'Why?' 'Because I want to be somebody.'

"The female school is held on alternate evenings, on account of having only one room lighted, and but one black-board.

"Yours, very truly,

"A. C. WASHBURN,

"*Chaplain, etc.*"

tions. The same reasons exist at Rochester as at Syracuse for introducing special instructions and all practicable agencies of substantial hope and industrial training that shall help rescue from the pathways of vice and crime.

Precisely what results may be expected and what wants experienced from failing to provide reformatory influences and adequate methods of training and guidance, as leading elements in the penitentiary treatment, may be understood from the following incidents, which, among hundreds of their kind, have come to the knowledge of the corresponding secretary in the course of his inquiry into the courses pursued, the perils incurred, and wants experienced by penitentiary convicts at their liberation. Let it be remarked in this place, that the penitentiary convicts, like the county jail convicts when liberated from the prison, go out to stumble homeward, if they have a home, but usually to plunge downward, unless some voluntary advice and guidance are offered at the hour of liberation. The penitentiary, in certain instances, supplies the price of a passage ticket to the place whence the convict came, but in only two of the penitentiaries is any cognizance taken concerning the clothing, the destination or the purposes and plans of the convict when leaving the prison. The authorities of Monroe county furnish passage money, but give no further heed to the convict's interests when released. Doubtless it is true that neighborhoods, towns and counties whence the penitentiary convicts were sent away for imprisonment would generally prefer that the offenders should remain away. But every convict has wants and a destiny, dismal it may be, but still of great importance to the people of the State, as soon as the term of imprisonment expires. We quote first the note of a case that became terribly important to the quiet and beautiful village of Bath, Stenben county, when night after night, last June, the torch of an incendiary kindled flames in all quarters of that rich county seat. A member of the committee there writes: * * * "We are all too excited by repeated fires to do the work we proposed; we have had two or three fires in a night. * * * A young fellow named — is suspected as the author of all the mischief. His motive seems mere wantonness, excited by having been sent to the Rochester penitentiary some time ago, and becoming possessed of a revengeful spirit toward the community as such. * * * Our village is disturbed beyond anything I ever saw, and many persons who are in feeble health are very much exhausted by the constant anxiety and fear that possesses them." * * *

The following notes were made by the corresponding secretary at his last visit to the penitentiary, concerning the three young female convicts that he mentioned in the twenty-seventh annual report, in connection with the Seneca county jails. The term of imprisonment in the penitentiary was just to expire, when he last summer was at the institution:

Emma—, aged 16 last May, daughter of a widow who is a member of a Baptist church, but very poor, in —village. This prisoner says she was enticed into vicious and gay company by her older associates, and that during her six months' imprisonment in the county jail, though kindly treated, she became desperately wicked in her thoughts and wishes. By cunningly escaping from the jail, they committed an offense that had to be tried by the court at Ovid; and that now, after a year in the penitentiary, she longs for a home and the words of affection, if she can possibly be so favored. Two of the older convicts have partly persuaded her to try a dangerous and impure life in the city of Rochester, but her own mind revolts from it; though her words have often been impure, and she needs Divine forgiveness, she firmly promised to go to Seneca county, in the manner and to the advisers the writer specified and provided for. Up to the date of her liberation, this child was regarded by the chief officer of the prison as too bad to be rescued; but with hands thick and blackened with shoemaking, and the feminine and child-like qualities of her nature, as sensitive as they safely could be in such society as hers, the writer felt and said, that to fail to endeavor to save her would be as deep a sin as all of hers.

Mary—, aged 19 years last March; born in an alms-house, and mother still in same alms-house; this is a young woman in whom nature has preserved all the nobler qualities of mind and soul, even in the midst of trials and temptations that would have transformed half the children of wealth in Rochester into harlots and thieves or fiends. She spoke of her sins with tears, yet they were chiefly thoughts and conflicts in her own mind rather than acts; crime she never committed; she was devout three years ago and believes Christ is still her Saviour, if she can get her thoughts back to religious things and can find any kind of home again. Knowing her personal history a year previously from two members of our Seneca county committee, the sincerity of this young convict was not to be questioned. She had been importuned by a fellow-convict to plunge into the easy life of woman's perdition in Rochester, and had, for a time, hesitated to decide what

to do; conscience and womanly instinct seemed to have come to her rescue, and when she asked the writer if she could ever again be usefully employed in any place in the State, and if she could be forgiven and again be admitted to a church, for she prayed Divine forgiveness, there was plainly seen in her case why the Saviour said, and why Christian society should say in the most practical spirit, "Child, thy sins are forgiven thee; go, sin no more." If society has said and acted in that spirit, as we trust in this instance may be true, another disciple of the Lord will, by her acts of mercy and usefulness, reward the world for the mercy shown to her, and will remove the name of a pauper's homeless child from the records of the dangerous and last classes.

Elizabeth—, the leader of the three, in the village, in the jail and in the penitentiary; she was eighteen years old last April; born in poverty, and from the first imperiled by the blemishes of her mother's character. She became a destroyer of her companions at the age of thirteen, and now doubts if she can keep from evil unless advised and firmly befriended daily. Such matronly guardianship could save her, but it should have surrounded her as a wandering and tempted child, in the rural village, when she was under fourteen years old. The neglect of this child is sure to be avenged upon society by her, for she knows how to seduce, destroy and avenge, and has become strengthened in all her capabilities of diabolism while spending at the penitentiary another year without the opportunity and means for being instructed and disciplined as she needs, and without influence from such means to be inspired with the hopes and purposes of a better life. Her manners and her promises are fair, and would deceive an unpracticed person.

With one more example of the condition and course of convicts liberated from penitentiary treatment, we conclude our reference to the argument and necessity for reformatory instruction.

M—, a lad just at the beginning of manhood, saw the corresponding secretary walking to the railroad depot in a rural village 100 miles away from the Rochester penitentiary, in which one year previously he was found in a petulant, worried and utterly unpromising condition. This youth, then a convict for contriving and conspiring to do crimes against property and life, seemed too hopeless, abandoned and brigand-like to warrant the writer in any expectations of future good conduct and usefulness. In jails, and whenever under the restraint of officials, he had proved himself repeatedly and

singularly dangerous as a contriver of escapes and combinations for evil purposes; but, after ascertaining his complete history, and with all this doubt of any method to reach remaining elements of this lad's better nature, the writer, in leaving the convict then, could recognize only one positive element of character open to appeal and culture: that was his ability to govern and continue his own acts and be chief among his fellows; and to that the appeal and advice was directed, with the assurance to him that if he would try to do well he would be respected and enjoy the confidence and friendship of good men, and would be all the more honored and beloved for his success and virtue in rising above the misfortunes of poverty, vicious relatives and all the instruction in crime he had received (for no convict in all our prisons has presented to the writer a more unfortunate beginning in life). This convict's reply was, "I will not forget this, sir."

His imprisonment terminated last spring. He went directly from the penitentiary to the place and employment he had six months previously promised to go to; his deportment, language, constant industry and sobriety have been commendable, and he has done well in all respects. Yet this lad's life, until he was imprisoned, was spent in the midst of family relations that taught him crime.

If saved now from pursuing a criminal career, it is to the well-formed determination to be an honorable and useful man, that, under Divine Providence, his good beginning in the effort to reform and be such a man. He remarked to the writer that the personal kindness of the gentleman who charged him with crime and caused his last imprisonment, would forever be evidence to him that good men wish to prevent crime rather than avenge and return evil for evil.

⁵ *The Erie County Penitentiary.*—The penitentiary at Buffalo receives a larger number of convicts, yearly, than any other of this class of prisons in the State. The statistics shown in the table on page , fail to convey any idea of the peculiarity of this penitentiary, which is: 1st. A remarkably brief average term of imprisonment; 2d. The fact that nearly all the convicts for minor offenses are committed in lieu of the fines inflicted by the police justices' sentence; such fines being, in most cases, an offset to penitentiary imprisonment, at the rate of one dollar as the penal equivalent for two days in prison. Of 1,716 convicts consecutively sentenced by the Buffalo police justices, 1,688 were committed to this prison for want of the funds to pay fines.

The petty thieves, bruisers, prostitutes and disorderly offenders in Buffalo have only to keep themselves in funds to make reasonably sure of enjoying the liberty of being perpetually at large in the streets and the dens of infamy. As here shown by the police court records for 1871, this chance of remaining unimprisoned while funds last, is precisely 1,688 to 28. The luminous fragment of law under which this method of procedure against the dangerous and disorderly classes in Buffalo was specially provided for and encouraged, is found in the Buffalo city charter. Whatever the general statutes of the State permit in respect of this practice, it is in Buffalo that we see the most dangerous resort to it under special encouragement by a local law.

The movement, quantity and tendencies of criminal and disorderly classes in Buffalo and the western or eighth judicial district of the State, are seriously and perniciously influenced by the special circumstances which render the city of Buffalo the grand point of rendezvous for these classes. Were the records of criminals and crimes to be thoroughly written up, there is reason to believe that Buffalo would not be second in importance in the list of favorite and most frequented places of rendezvous by the criminal and dangerous classes in the United States.

Upon the six following pages we present statistical abstracts which comprise in epitome, the history of the Erie county penitentiary, from 1848 to the close of the fiscal year 1872.

Table of Arrests by police force of city of Buffalo, with offenses charged, during years 1854 to Sept. 30, 1873, inclusive.

	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.
Drunkenness and disorderly conduct and disorderly persons.	1,682	1,673	1,673	1,653	1,678	1,720	1,808	2,189	2,077
Keeping disorderly houses, gambling-houses, and gambling.	1,387	978	1,053	1,053	1,411	1,387	1,363	2,50	1,027
Assault, assault and battery, and mayhem.	11	84	57	66	17	11	3	3	15
Assault with deadly weapon, man with intent to do bodily harm.	64	47	55	46	79	80	92	124	147
Assault on officer, and resisting officer.	5	5	5	5	3	2	1	1	1
Arresting, jailing, and assisting prisoners to escape.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Murder and manslaughter.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Crucifix to animals and fast driving.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Carrying deadly weapon not allowed to commit robbery.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Burglary and larceny burglary and attempt at burglary.	6	13	11	9	39	47	11	.....	.....
Larceny and attempt at larceny.	135	117	139	173	251	269	331	159	168
Receiving stolen goods.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Counterfeiting and passing counterfeit money.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Watch-stuffing, false promises, embezzlement, extortion, etc.	.....	.....	.....	.....	.....	.....	.....	.....	.....
False promises, and receiving stolen goods.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fugitives from justice, and escaped lunatics and convicts.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Acts, attempt at rape, and incest.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Abuse of power, and obstruction.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Subornation.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Child abandonment, neglect to support family, and bastardy.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Abduction and child stealing.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indecent exposure, and selling obscene books and pictures.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pejorative, seducing witnesses and bribery, etc.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Perjury, and attempt at perjury.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Swearing, and attempt at swearing.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Selling liquor without license, and selling liquor to Indians.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Feeling out, jaw-breaking without license.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tramway, and miscellaneous offenses.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Males	4,825	4,858	4,841	4,846	5,154	5,098	5,060	5,656	5,390
Females	1,875	1,647	1,641	1,646	1,871	1,855	1,702	2,444	2,075
Total.	6,700	6,505	6,482	6,492	7,025	6,953	6,762	8,100	7,465

Table of Arrests by the police force of the city of Buffalo.—(Continued).

	1864.	1865.	1866.	1867.	1868.	1869.	1870.	1871.	1872.	Total.
Drunkenness and disorderly conduct and disorderly persons.	2,120	2,063	2,344	2,195	2,095	2,888	3,796	4,199	5,377	35,311
Vagrancy.	46	122	223	179	163	477	313	291	213	5,524
Bad and vicious conduct.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Assault, assault and battery, and mayhem.	9	12	4	8	8	8	8	7	80	377
Assault with deadly weapon, man with intent to do bodily harm.	277	346	1,194	1,052	1,082	1,718	1,702	1,441	1,213	10,186
Assault on officer, and resisting officer.	3	10	17	16	24	31	11	15	35	142
Arson.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Murder and manslaughter, and malicious trespass, etc.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Crucifix to animals and fast driving.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Carrying deadly weapon not allowed to commit robbery.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Burglary and larceny burglary, and attempt at burglary.	17	20	44	35	47	52	31	34	34	410
Larceny and attempt at larceny.	29	61	89	120	54	109	131	125	464	1,448
Receiving stolen goods.	284	284	813	921	721	1,051	863	719	511	8,154
Counterfeiting and passing counterfeit money.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Watch-stuffing, false promises, embezzlement, extortion, etc.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
False promises, and receiving stolen goods.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fugitives from justice, and escaped lunatics and convicts.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Acts, attempt at rape, and incest.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Abuse of power, and obstruction.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Subornation.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Child abandonment, neglect to support family, and bastardy.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Abduction and child stealing.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indecent exposure, and selling obscene books and pictures.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pejorative, seducing witnesses and bribery, etc.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Perjury, and attempt at perjury.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Swearing, and attempt at swearing.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Selling liquor without license, and selling liquor to Indians.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Feeling out, jaw-breaking without license.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tramway, and miscellaneous offenses.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Males	9,078	8,467	9,655	8,769	8,528	10,308	11,391	12,581	15,374	103,777
Females	2,958	2,643	2,681	2,682	3,019	2,987	2,470	1,897	2,025	27,536
Total.	12,036	11,110	12,336	11,451	11,547	13,295	13,861	14,478	17,400	131,313

It appears that 38,594 prisoners have been received in this institution during its existence, up to October 1st, 1872; that since the year 1856, there have been in this total list of convicts, 278 whose incurring the sentence to State prison; and of these State prisoners, nearly all were under twenty-one years of age. The greater part of all the prisoners in this penitentiary will be found under twenty-eight years of age.

With these tabulated abstracts before us, for which we are indebted to Charles E. Felton, Esq., it would seem unnecessary to enter upon any details not included in them, or any special analysis of the various groups of facts they present. Whoever reads the foregoing chapter upon the penitentiaries in the State, or would examine into the relations they bear to penal justice and the convict classes in the State, will desire to refer to these elaborate abstracts.

The course of crime in the city of Buffalo and in the western portions of the State was alluded to in our last year's report, to point attention to Buffalo and the Erie county penitentiary as places in which large numbers of criminals come under treatment. This tendency of great numbers to concentrate thus within the Erie penitentiary district imparts to the penitentiary peculiar importance. Fortunately the one chief characteristic of this institution is, that every convict is required to work steadily at a busy and easily mastered employment. Whether in this prison for a day or for five years, the convict's hands are busy from morning till night; and the superintendent of the workshops treats all alike with paternal kindness, and encourages each prisoner to hope for better days. In no other work-house for offenders and criminals have we witnessed more universal cheerfulness and hopefulness among convicts so forlorn and damaged in their social condition. To David B. Page, Esq., the superintendent of the shops, and to Josiah Letchworth, Esq., the contractor for the labor, hundreds of young convicts owe their rescue from the beginnings of criminal life. The official superintendent of this penitentiary heartily encourages this voluntary effort for the benefit of convicts.

There are two insuperable yet utterly inexcusable causes that militate against the welfare of most of the convicts as well as against the social and public interests that have required the existence of this penitentiary at Buffalo. The first relates to the capricious and damaging methods of commitment and release in more than ninety-five per cent of the prisoners; and the second relates to the need of

a kind of class or school instruction in the rudiments of knowledge and industries of common life. In no other prison in the State is there greater need of such instruction; but in no other would it be so difficult to organize such a duty, because in no other are the imprisonments so capricious and brief.

With much good sense the religious service on the Sabbath, in one of the finest prison chapels in the State, is chiefly devoted to instruction in religious truth and the duties of life. Conducted entirely by laymen, and being a most sincere effort to promote the individual welfare of each convict, it is appreciated more than sermons would be. This service, and a system of careful visiting and conversation from cell to cell, have, for several years past, been conducted by Mr. Edward Bristol and Mr. Seth Clark, members of the Prison Association's local committee for Erie county.

This penitentiary requires immediate enlargement and some improvement of its female department, as it has only cells for its 115 to 130 female prisoners, and has no facilities for classifying these which so greatly need to be kept classified. At the time of the writer's last inspection, the past year, there were 114 convicts in 80 cells; and these female convicts comprised three distinct classes of offenders, namely: 1. Convicts for felonies. 2. Abandoned and dissolute females. 3. Girls and young women guilty of petty offenses that cannot consistently be imprisoned, and can never be safely exposed to either of the other two classes.

We have mentioned the fact that every convict labors diligently. The industry comprises the fabrication and varied applications of malleable iron and other metals in the line of harness and saddlery hardware. The females, as well as male prisoners, work upon the same materials in different branches of the craft. Irregular, unskilled and untrustworthy, as 80 per cent of the laboring force is, it yields an average cash return of nearly thirty cents a day per convict employed in the shops. This cash return for the laborers who are kept upon the contract work, exceeds the total cost of the subsistence of the entire population of the penitentiary, though there are only about 50,000 days of such labor to cover cost of the boarding of the total number, equivalent to 90,000 days of board and residence.

The influence of the Erie county penitentiary is decidedly advantageous to the district in which it is located, notwithstanding the remarkably discouraging conditions that surround the commitment and awaiting the payment of fines to procure release. The reform

that is most needed must come from the people and the authorities that make and administer the laws. Upon this point, the words of CHARLES E. FELTON, Esq., the late superintendent of this penitentiary, are worthy of notice by every citizen of Erie county, and every promoter of public morality and economy in the State. That faithful officer says: * * * * *

"This year, 1,900 fellow-beings were sent to this institution—which should be a reformatory—under sentences of from five to thirty days each; sentences so short, that it is useless to look after more than their physical requirements. What object can be accomplished by their imprisonment? They come to-day; to-morrow they go back to the ever-open, shameless hovels from which they came; and are again at our gates for another short respite from their horrible degradation. Principally, the drunkenness and disorderly conduct which fills our walls comes from other moral infirmities than that of merely drinking intoxicating liquors. The victims are prostitutes, and the habitues of dens of prostitution and of other nurseries of crime. In their imprisonment, no time is given for even a restoration of health. Frequently, persons laboring under delirium tremens are discharged before they have recovered from their delirium. How can the mind, which requires more careful treatment and greater duration of time, be morally purified by incarceration in these walls for five or even thirty days? Offenders should be sent here for sufficient length of time to, at least, try an experiment for their good; or they should be left to finish their own vicious careers in their own way. Imprison the prostitutes, and their places are at once filled with fresh material, or with the less degraded of the same class, whose downward career is rapid, and its end—the same routine of bagnio and prison—prison and bagnio! The remedy must be in the breaking up of the infamous dens which infest our city. Magdalen asylums may save a few fallen creatures; prisons may confine, punish, and, perhaps, restore, if surrounded by all the essentials and aids necessary; but while now and then an ember is taken from the flames, it is discouraging to the worker to see the fiends piling upon the burning heap new fuel—creating new rottenness and destruction. If there is in anything an aptness in the motto, 'an ounce of preventive is worth a pound of cure,' it is in this field of labor. Break up the haunts of the vicious and the criminal, and make it unsafe for their keepers to continue their damnable vocation, and then you will give to your prison authorities a little hope that they are not working in a field which can bring forth no good fruit."

The excellence of internal administration that for years has characterized the penitentiary of Erie county, makes it consistent thus to quote and apply the many words of a remarkably successful superintendent. He has here depicted the evils which each of the six penitentiaries is witnessing.

CONCLUSIONS.

Concerning these six penitentiaries, it would be unjust to bring the general accusation that they fail to accomplish the objects for which they were originally designed; for in some degree each one has attained the main purposes for which it was organized. Each locality estimating its own necessities, established a work-house and local prison; New York city had its penitentiary convicts worked at the "stepping wheel" or "discipline mill" fifty years ago, at the Bellevue, and when in later years the new penitentiary was established on Blackwell's Island, the previous plans for steady toil and the working of all hands at some trade industries were not adhered to; little by little, the island came to be regarded more as a penal colony than as a place for inducing the habits of industry and temperance, and the establishment of the convict in some capacity to earn honest bread when liberated. That penitentiary became the place for conveniently excluding from observation a moderate quantity of the criminal population of the metropolis; but no plan or method has ever been devised that tended to make it a reformatory prison, as the name penitentiary would indicate. It is not a penitentiary in any proper sense.

The penitentiary at Albany has attained its main purposes, and those were, from the first, definite and worthy purposes, namely, repression of crime, self-support of the institution, and the faithful admonition of convicts. Each of the other penitentiaries has had the usual history of a work-house, with certain attributes and functions of a prison added. Each of the six penitentiaries has continued, from its beginning, to be the object of worthy labors and wishes of its governing board to make their respective institutions better than they ever were, and better than the plan upon which they were created would ever permit; it is not an invidious or personal censure we express, when we thus state that the evils which each suffers are obviously incident to the very plan upon which each has obtained its existence, and wore its way to the particular kind of success and public usefulness of which each can boast. Whoever will look in upon

the wretched men and women at the recorder's or district courts in New York, and thence witness the same persons and the movements of well-fed convicts on Blackwell's Island, will see that the latter is not altogether an unwelcome place of residence for a greater number of all that are therein imprisoned. At each of the five other penitentiaries, the observer can perceive a phase of excellence or of evil that is peculiar to the institution, or to the classes of convicts, and in each penitentiary there certainly are some good influences which are not common to the State prisons; influences that seem to depend mainly upon personal relations and good-will between the convicts and some of the chief officers over them, and which in the State prisons have been sadly wanting.

But whenever we return to the main question, namely, What agency does each penitentiary exert upon crime and upon individual convicts? the reply cannot be as favorable as the public ought to expect; and, notwithstanding the exceptionally superior discipline and great results attained in a single one of these six institutions, under the wonderful skill of a superintendent that has no peer, the State will not be able much longer to manage the overflow of its felon convicts by any such system of farming-out, for custody and discipline, as that which at present fosters the county penitentiaries. It is equally true that the county authorities will gladly be rid of the unnatural responsibility of providing all the structures, methods and officers for the care and discipline of a great number of State prisons.

Supervisors, judges and numerous educated and influential citizens, all over the State, bear witness to the just concern that is widely felt for the establishment of an efficient and comprehensive system of penitentiary administration, that shall effectually repress crime in every portion of the State, and constitute, in fact, the most essential feature of the State prisons. That such a penitentiary system can be made self-supporting, is not a matter of uncertainty, nor is it to be doubted that the local penitentiary can be made altogether more effectual than the old State prisons in all true reformatory and penitential results, for of this there is already one great example, under many adverse circumstances which are incident to the commingling of all grades of felons with street vagrants, drunkards and youthful offenders.

Though the recasting of the prison and penitentiary system of the State should not be attempted, except by the most deliberate minds, and by well-considered acts of legislation, the evils of needless centralization may be readily avoided, in any changes that will be

found necessary for giving unity to a plan, and providing adequate classification and the State's supervision of a system that shall make the penitentiaries the most beneficent and efficient of all the penal institutions.

There is one great task to be undertaken, it is believed, before local authorities of counties, or even the Legislature or the advocates of prison reform, can definitely prewise the changes by which these local State prisons or penitentiaries shall be made to assume their proper relations to the general system of penal institutions in the State; the task we thus allude to is no less than that of separating and working, for discipline, amendment and self-support, all that burdensome mass of able-bodied and vagrant pauper, and disorderly and debauched mass of penitentiary, jail and alms-house population that now vibrates between these three classes of institutions, and at brief intervals issues forth again from one or the other of them, to beg, drink, depredate, and, in lecherous concubinage with others as besotted as themselves, to beget their own species. Upon the towns and cities this class of the penitentiary and vagrant population in the State entails burdens and expenses more than sufficient to maintain all the reformatory institutions; and upon the social state and their own unfortunate offspring they entail a fearful proclivity to vice and crime, as a special inheritance of vicious and pauperized parentage.

After freely stating the wants of the six penitentiaries, as a peculiar class of prisons, the writer would respectfully and earnestly recommend that the first step of improvement, a step that may wisely precede any general reform in the penal system, should be that of an effectual public measure for the proper custody and industrial working and training of all such vagrant, disorderly and inebriate, and able-bodied pauper classes as are now largely represented in the penitentiaries and jails, as well as in the alms-houses and police prisons. Certainly this is a State duty that must precede any mature plans of prison reform.

THE COUNTY JAILS AND THEIR INMATES.

Sixty-five of the sixty-seven county jails in the State have been visited, and their condition and every inmate carefully examined by the corresponding secretary. The most important of these prisons have been repeatedly visited and all new inmates examined.

All excepting three or four of these prisons have been visited with considerable regularity during the year by members of the

local committees of the respective counties, and by them there has been maintained a system of careful inquiry into the social and moral wants of the jail prisoners, and into the sources of criminal and disorderly conduct.

In most of the jails there has been religious instruction and useful reading matter supplied by some member of the committee on the Sabbath. But in regard to the general supply of reading for prisoners in the jails it is badly provided for, and that which is obtained by the prisoners and jail-keepers is generally pernicious. We have waited the more perfect organization and working of the local committees in the expectation that an economical and practicable plan for supplying a small library and the most suitable reading matter could soon be suggested. The way will probably be open for this effort by the committees the present winter. It is not expedient to throw books into a common jail promiscuously, though newspapers and ephemeral reading may be so supplied.

In a subsequent section we shall recur to the subjects of reading and instruction in jails and the other penal institutions, and show that it is both practicable and necessary that these wants should be met.

The Number of County Prisons.—The total number of these prisons, governed by county sheriffs, is sixty-seven. The county of Onondaga, alone, has no jail, except in the cells of the county penitentiary. The city and county of New York make use of the Tombs as a county prison as well as a police district lock-up; the "Ludlow-street jail" is the only prison in the city exclusively governed by the sheriff.

The exceptional use of the penitentiary as a detention prison for persons awaiting trial, etc., in Onondaga county, is as truly pernicious and wrong as it is convenient and economical; yet this criticism is prompted mainly by the fact that, in the absence of legal authority on the part of the police courts of Syracuse to dispose of house of refuge cases, children are continually being committed, for detention, at the penitentiary. The inspectors of the penitentiary are keenly alive to this evil, and may, by some means, overcome it. The peculiarities of the "Ludlow-street jail," which are publicly infamous, consist in the indefinite detention of debtors and friendless persons awaiting various delays of courts and prosecutors. This barbarous characteristic has its exact counterpart in half the county prisons in the State. The same delays of the law, or of its prosecut-

ing officer, and the same studied and harmful detention of friendless prisoners, who cannot give bail, yet who never come to a final trial, we witness in forty of the counties; but no other county has the infamy of maintaining a "debtor's prison."

Number and Condition of the Cells.—The aggregate number of cells available for use in the county prisons is about 1,700. The condition of these cells is, in more than half the prisons, such as no civilized people should permit.

First. The cells and their fastenings are insecure; an adroit or professional criminal finds no insurmountable difficulty in making his way out of the average county prison. Even the more recently constructed of these prisons offer less formidable resistance than some of the oldest. The famous old stone jail, at Johnstown, in Fulton county, stands to-day as it was built by Sir William Johnson, in 1766, one of the strongest and best lighted prisons in the State. The Niagara county prison, at Lockport, and that of Monroe county, at Rochester, built nearly forty years ago, present examples of security of structure and of reasonably good lighting, that may well be examined by the builders of jails at the present time; while such prisons as those more recently constructed at Riverhead, Richmond and Batavia, like those at Buffalo, Utica and Cooperstown, offer the worst kind of architectural structure and the least security.

In the diagrams, which we present in a subsequent section, will be seen the points of security and fitness that are here mentioned in regard to the Niagara county prison; while in the diagram of the Otsego county jail will be seen the bad and insecure plan which was referred to in our report last year, and some results of which are described with graphic humor and correctness by a member of the local prison committee this year.*

So long as jails have any useful purpose to serve, the very first result that should be sought certainly is that of a secure detention of the accused, without injury to the detained person, and without inflicting any disturbance, alarm, or needless expense upon the com-

* * * * * "COOPERSTOWN, N. Y., October 6th, 1872.
 Otsego county enjoys the proud distinction of having the most unsightly, poorest ventilated, most inconvenient, and most insecure jail in the State of New York. The latter feature is an advantage, when taken in connection with the others, as a prisoner seldom remains within its walls long enough to improve his health or corrupt his morals. He usually goes out through the roof. The principal expense in maintaining the prison is incurred in advertising the runaways and paying guards for their rearrest. * * * * *

"Yours,
 "CHARLES F. HENDRYX."

munity. Yet these conditions are not generally secured in the county prisons; and it is a fact that puts justice to shame, that of the professional criminals and thoroughly bad and dangerous prisoners who are brought into the jails in no less than fifty of the counties, about as many break jail and escape as there are securely detained and brought to trial.

In most of the jails the reception of a practical burglar or thief is soon followed by feverish excitement and a pernicious interchange of corrupting recitals from criminal history among the younger prisoners, who readily accept bold and dramatic leaders that have "seen the world." If the detentions in jail are protracted to await trial, or if such prisoners remain as convicts sentenced to jail for misdemeanors, they readily enter into combinations to join the professional criminals in any exploits that promise the rewards of prowess, though it be the prowess of diabolism, or that excite dramatic zeal and enjoyments which flow from contrivance and achievements, though ever so vicious. To join in an attempt to break jail is usually the first practical demonstration of these dangerous friendships, and into an active participation in such exploits every available man and boy is usually drawn, and thenceforward entangled in the fatal nets of contrived depredation and crime. Thus the common jail becomes a school and laboratory of crime, while the professional or habitual criminal makes the most of any opportunity, when under arrest, to rope in whom he can to follow his leadership and aid his nefarious plans. The boldest leaders in crime insure to themselves a numerous following; and while they smile in derision at the insecure county prisons, they avoid every county in which there is known to be a thoroughly secured and well kept prison. Moreover, the contriver of crimes against property is sure to improve any opportunity which a detention in jail can offer for plotting new raids upon property and life, and for drawing in such unsophisticated abettors as shall best help to cover an escape, or be loaded with all the apparent proofs of the guilt of the acts that chance to be quickly discovered and hotly pursued.

In only five or six of the county jails has the corresponding secretary found the habitual criminals and dangerous abettors of crime rigorously secluded from all prison companionships while detained for trial or awaiting the transfer to State prison.

In frequent conversations with jail keepers, upon this subject, the lamentable truth has been elicited that there is a prevailing opinion

among that class of officials, including great numbers of sheriffs, deputies and constables, that the violators of the laws who fall into their hands are by them regarded as unworthy of any such discriminating care. In many instances the fact has appeared in the course of such interviews, that the officials with whom the representation of the Prison Association was conversing, were ignorant of the laws of the State in regard to the regulation and keeping of the county jails.* There is no apparent unwillingness to comply with the requirements of law, on the part of the jail officials, but rather an utter ignorance and indifference concerning these requirements; and though we can mention with pleasure several instances in which the provisions of the statutes upon this subject have been promptly complied with, when requested, the fact is obvious in most counties that there is an absence of legal authority and obligation to correct abuses and enforce obedience to the laws in the care and classification of jail prisoners. So urgent is the necessity for a definite exercise of such authority by some competent source of inspection and advice, that it is plainly a duty to urge that the Legislature should define and confer such authority without delay through the hands to which such duty and authority shall be intrusted, be only temporarily engaged, and the methods of discharging such duties be only temporary expedients, awaiting the devising of a more comprehensive and permanent system of prison government in the State. The best that can possibly be done to meet the want here mentioned until the Legislature and the State Constitution provide the needed general system, should be attempted under temporary legislation.

The chief causes of delay and neglect to establish the legally required regulations in the county jails may be controlled, and the necessary improvements and regulations be established by means of a faithful inspectorship with reasonable advisory and discretionary authority. It is true that the chief excuse of local authorities for delaying the commencement of reforms in the jails is, that the construction of the jails is faulty and unsuitable, and that projects for new or enlarged structures are already talked of; but, as was remarked in the writer's report a year ago: "With few exceptions, the existing jail structures might be transformed into amply spacious and decent detention prisons, sufficiently commodious for the wants of the respective counties, were no convicted prisoners and no

* The language of the statutes relating to jail-keeping (chapter 3, part 4, title 1, Revised Statutes) is so explicit and concise, that there can be no excuse for any official disregard of their requirements.

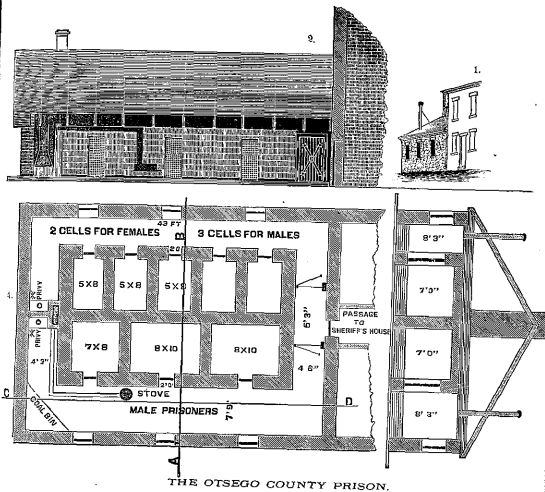
wrongfully detained persons kept in them; and this is the reform that all good citizens must first insist upon."*

The Jail Structures.—These remain as described in the last annual report. The chief purpose of the allusions that will be made to them in the present report is to show precisely what must be dealt with in their arrangement for reasonable compliance with the law regulating the distribution and separation of prisoners. By thus attempting to illustrate the condition and wants of the county prisons, it is hoped that some aid will be given thereby to county authorities in efforts for improving and correctly regulating them.

Let us open this description of the character and defects that require immediate attention in these structures, by presenting at once the interior and sectional views of one of the worst, also of one of the best of the common county jails, of the ordinary style of construction. The first being the plan of the Otsego county jail at Cooperstown; the last named being that of the Niagara county jail, at Lockport. Similar in their ground plan, and both designed after the same old models, our presentation of these diagrams certainly cannot be offensively invidious, though the entire plan and construction of the first are so utterly faulty as to admit of no remedy; while the second admits not only of commendably good keeping and excellent discipline as it is, but also admits of such ready and economical improvements as would render it the very best county jail in the State, yet upon a plan that is, throughout, somewhat faulty.

These most common plans are selected for illustration in this place, because they best serve the practical end we have in view, namely: to aid in remedying or removing the defects that are most common and important in the jails; but were the most absurd and puerile plans to be exhibited and criticised, we would present plans from examples of bad jail structures in Oneida, Schenectady, Rensselaer, Richmond, Suffolk and Orange counties. The suggestions to be made in connection with the two plans herewith submitted, will apply, in a practical way, to all the jails in the State, and probably it will clearly enough appear in what manner the more essential kinds of improvements can be made in any of the sixty-seven jails.

Plan and Description of the Otsego County Jail.—The jail is a stone structure, 36 by 44 feet upon the ground, one story in height, and having its cells in one central block, three being upon one side and five being on the other. The two cells for female prisoners are



- THE OTSEGO COUNTY PRISON.
1. The front view of Prison, and of entrance through the Jailor's house.
 2. Front View of Prison, with side of the building removed.
 3. Transverse perpendicular section through the line A. B. of No. 4.
 4. View of the horizontal plan of the Prison through the plane of the window sills.

* See pages 36, 37 and 38, Twenty-seventh Annual Report Prison Association of N. Y.

in the *cul de sac* extremity of the west corridor, and entered by way of the male prison. All these cells are dark and close; the only access to daylight and fresh air being by way of a dismal and foul corridor or hall. Three small windows in each of the lateral walls of the jail supply only a fractional quantity of the light and air which are needed by the prisoners. An open privy in each of the *cul de sac* extremities of the corridors, defiles the atmosphere of the entire premises. The cells opening upon the east corridor are 8 by 9 feet, and those that open upon the west corridor are $4\frac{1}{2}$ by 5. The cells are seven feet in height.

The diagrams upon the opposite page correctly present this plan. We are indebted to Samuel Shaw, Esq., the editor of the Freeman's Journal at Cooperstown, for these diagrams. That gentleman remarks, in his description of the general inutility of the jail, that "the officers employ a watch, and also keep desperate criminals chained."

These certainly are expensive and unbecoming methods for obtaining the kind of security and peace which the community ought to enjoy. The demoralizing influence of armed guards and chains in a common detention prison in a country village should, by all means, be avoided, as well as that produced by the known facilities for escapes; but in the Otsego county prison all of these influences and conditions of evil coexist.

It is not possible to transform such a structure into a secure and well-arranged detention prison; yet, it is possible, in a single week, to improve at once the lighting, ventilation, drainage, water supply, cleanliness and security of that wretchedly built structure, and to provide for the seclusion and decency of the apartments for female prisoners; also for the separation, when necessary, of the male prisoners, into two classes, that shall have no intercourse with each other.

The Niagara County Prison.—The jail at Lockport is a good example of one of the class of county prisons that admits of ready improvement, at small cost, and with most desirable results. It is constructed upon a plan at once economical, entirely secure, and remarkably well lighted and healthful. Its general arrangement is comparatively good in the original plan; yet this prison is fashioned after the most common model, and is the plan which commonly is most defectively carried out, as witnessed in the prison at Cooperstown.

The annexed diagrams show that, as respects the height and width

of halls and cells, the quantity of window lighting, the selection of the points of entrance and of official observation and supervision, the strength of walls and the depth and security of their foundations, and the feasibility of arrangements and of desirable improvements for the needed separation, classification and welfare of prisoners, this plan has not been spoiled by the builders.

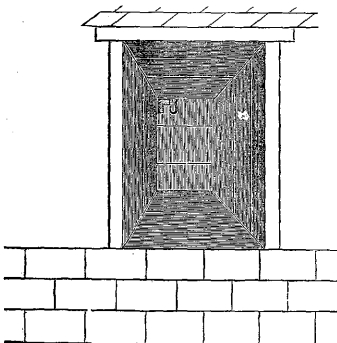
The original plan and the present condition of the edifice admits of complete adaptations to the most desirable improvements; and these improvements are sure to be made whenever the public authorities have their attention properly directed to the necessity which demands them.

The subjoined description of the builders' working plan of this prison has been kindly furnished by Messrs. B. & J. CARPENTER, who constructed it:

"LOCKPORT, Dec. 18th, 1872.

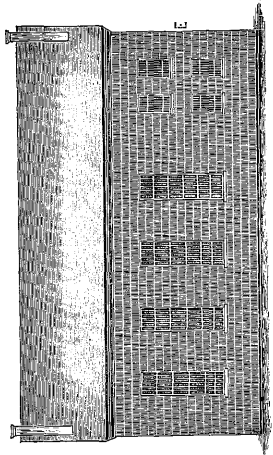
* * * * *

"We send you diagrams of the Niagara county prison at this place, built by us in the year 1842. * * * The ground plan shows cells and the lines show stone work. Each cell is composed of eighteen pieces of stone. All the *first* floor stones are twelve inches and the stones of the *second* floor, are eight inches in thickness. The small diagram here given will show precisely how the stones that make each cell are arranged. This represents a cell on the second floor.



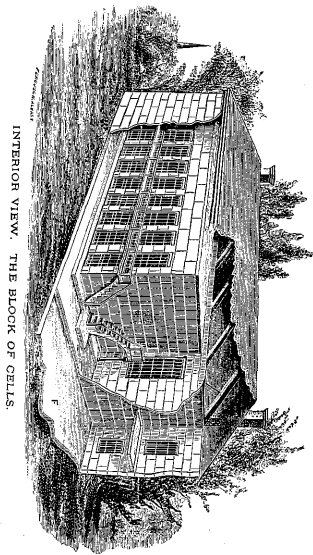
"The black angle Γ marked V, in the left hand back and top corner of the cell, as here shown, represents the exit flue for ventilation of the cell. The ventilator of each cell is eight inches in diameter and they are all conducted into the attic chamber in such manner as to give no communication between cells.

"The foundation of the cells and the ground floor is composed of three series of heavy



THE NIAGARA COUNTY PRISON, South Side.

1872



INTERIOR VIEW, THE BLOCK OF CELLS.

stone, each one foot in thickness and all laid on heavy rubble masonry that rests upon the solid rock of the locality.”

* * * * *

“ B. & J. CARPENTER.”

Improvements required.—The first improvement suggested is, that the portion of the jail which is allotted to female prisoners, shall be entirely separated from that allotted to the male prisoners. That the door and spaces D D, on the second story, shall be filled with solid stone masonry, and that the apartments F F F shall be entered by way of the walled court-yard at the points E E.

The second alteration that may be required, in order to afford ample classification and separation of the male prisoners, may be effected by means of a partition that would exclude the north corridor and its two tiers of cells, from east and south corridors.

Thirdly. It is suggested by the builders that it may soon be desirable to extend the eastern end of the jail, so as to give four separate apartments.

Lastly. It is desired that the ventilation of every cell and apartment should be perfected by establishing a direct connection of all the ventilating shafts with the principal and constantly heated chimney, which ascends in the wall between the kitchen (K) and the contiguous corridor.

Whatever alterations, improvements or additions may be necessary and desired in this prison, or in any similar instance, can be ordered and executed by the authority which is vested in boards of supervisors under existing statutes that permit such reasonable and immediately necessary expenditures. Even in Otsego county a new prison, spacious, suitably outfitted, and good enough—as good as any one in the State—can be constructed for a sum far less than \$50,000, which is the maximum permitted by statute, without a special act of the Legislature, for constructing a new prison.

Improvements to provide for the classification of prisoners.—In the diagrams here shown, it is suggested by the gentlemen who planned and built the prison, that, to give more space and a separate entrance for female prisoners, the edifice shall be extended sufficiently to add the width of another apartment on the eastern end of the prison. This is entirely practicable, and would be the proper method of enlargement of the edifice. But if the expense or any other cause shall be urged as a serious objection to that method of giving a separate entry and entire seclusion for the female prisoners, then a separate

entry and stairway might be made at E or H, and, if need be, the amount of space and apartments allotted to the female prisoners may be increased threefold by giving up the debtors' apartment and hall. Then, if additional means of separation of prisoners should be deemed necessary, they can be provided upon either of the main corridors. The better method of improvement is the one which the original builders themselves have suggested; the latter is simply less expensive and less adequate.

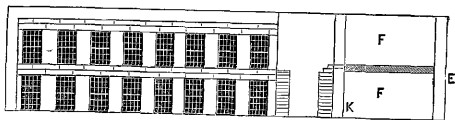
Some improvement in ventilation and water supply is desirable, and may readily be provided. That for insuring the outflow or exhaustion of foul air from cells, etc., by adding the necessary means for maintaining a general outflow current, either through an improved ventilating turret in the attic and roof, into the kitchen chimney.

The desired water supply can readily be introduced at moderate expense, from the general source of supply in the town by the Holly system.

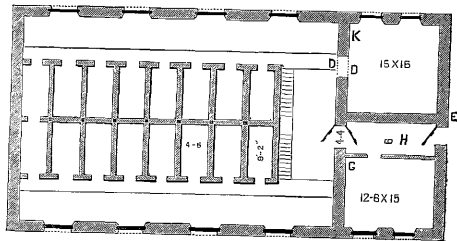
The house sewerage and general drainages of the prison premises, are already well provided for, and the security of the floors and prison walls and foundations is the best we have found in any county prison.

The wholesome caution of boards of supervisors in contracting for any needless bills for jail expenses, the actual harm of needlessly expensive care and conspicuousness of prison edifices and the obvious duty of directing the public interest to all available means for the preventive and reformatory training of the dangerous classes, rather than to encourage needless expenditures upon jails, will render the foregoing suggestions available for promoting some highly important improvements at the least practicable expense in numerous county prisons that greatly need such improvement.

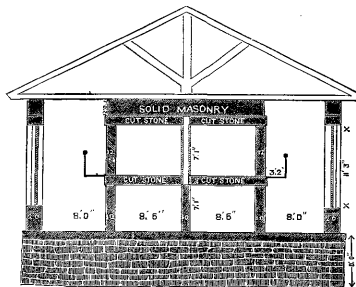
Jail keeping and jail keepers.—The difficult and thankless duties that pertain to jail keeping are so repulsive that no persons are likely to seek or perform them except for the perquisites they may afford, or, as must be the experience of some of the sheriffs, for insuring the faithful custody of dangerous offenders. Observation shows that the best kept county prisons in the State are under the daily inspection of the sheriffs or are actually kept by them. But the sheriff does not in all, nor even in the majority of instances, prove to be of this class of model and ever-faithful keepers. Too generally he is inclined to give ready license to bad practices and the pernicious indulgences of his prisoners. This characteristic



LONGITUDINAL SECTION.



HORIZONTAL PLAN. On a plane below the Gallery.



TRANSVERSE SECTION.

[Showing the provision for lighting and ventilation, as well as for security.]

1872

tendency of the sheriff as a partisan official, dependent upon popular favors, is witnessed very shamelessly in some instances. For example: In one county we found an educated and ostensibly religious sheriff openly permitting the vilest of obscene prints and dangerous kinds of literature to be both sold and given to his jail prisoners, though his family parlors looked out upon the entrance to the prison; and in another instance the sheriff, in our presence, permitted the men and boys in a crowded corridor to continue their lewd and profane conversation in his presence and the presence of female prisoners, until we requested silence; and in several other jails, kept by the sheriff, the prisoners were found to be holding very free intercourse with dangerous old associates and vile persons, who should have been utterly excluded from any access to the jail. Other pernicious indulgences, and the official permission of gross vices, have been frequently observed or ascertained to exist in certain county prisons, and they admit of no apology. Their existence in any instance is at once a proof of gross neglect and of official incapacity in the duties of jail keeping.

Reforms now practicable, and others to be reached in future.—

On every hand the fact is conceded that inspection, with adequate authority under the laws to enforce a reasonable observance of rules that the laws authorize or prescribe, is the most direct way to immediate improvement in the case of the common jails. There is great need of such a skilled inspection and supervision of them as will prevent the needless evils that chiefly characterize them at present; and as such inspection, and the exercise of authority which the Legislature can with entire propriety give to the inspecting officers or the board that shall appoint such inspectors, can be conducted without impairing the dignity and rights of sheriffs and keepers, the sooner such duties are defined and such an inspector designated, the better for every interest connected with penal institutions and the jails.

The precise terms in which the duties of jail inspection and official communications and local action thereon shall be defined and limited, can readily be determined by the appropriate committees in the Legislature whenever the laws for regulating county prisons are revised.

Beyond the results which we know are immediately attainable by careful inspection that shall be backed by adequate authority, there are other ends that can be attained only by reforms in the judicial as well as police proceedings, in the handling of offenders and the action upon crimes and misdemeanors; and still more will be found

great necessity for the service, and consequently for the preparation of a class of skilled and devoted men and women, whose lives shall be dedicated to prison keeping.

Therefore, when urging the duty of immediate and necessarily incomplete methods of reform in jail keeping, we must not be misunderstood in regard to the broad and permanent plans by which, after many years and under an organized system of general administration, such evils as at present shame the State would be impossible. The latter great permanent change will be greatly expedited by the operation of the former kind of good influence and authority.

The evils we now witness are inevitable under the existing method of jail keeping, for in but few counties can any jail keeper, however well qualified and publicly useful, retain his place for a much longer period than the sheriff's three years' term; and it is still more seldom the case that any keeper is selected and put on duty chiefly with reference to his fitness. His office is a partisan's perquisite; and being such, it is creditable to the sheriffs that so many of the keepers they appoint are worthy citizens, however unfit for the special duties of jail keeping.

There is reason to believe that, with a few notable exceptions, the county jails could be brought into a tolerably wholesome and well-ordered condition if placed under a system of vigilant inspection, with commensurate authority for securing strict compliance with the laws; and it would be one of the results of such a system that the incorrigibly bad keepers would be superseded by more competent men, while all others would soon evince great desire and capacity for improvement. No fact can be more obvious, even to sheriffs and keepers, than that which Howard has stated on this subject, namely: "The care of a prisoner is too important to be left wholly to a jailer; paid, indeed, for his attendance, but often tempted by his passions or interests to fail in duty. To every prison there should be an inspector."³⁶

It is true that various public officials are by law permitted to visit the county jails, and that grand juries and the board of supervisors in each county are expected to make an official visit; but seldom do such visitations produce any permanent effect upon the policy and management of these institutions. Such bodies of visitors actually visit rather than inspect; and if, by a prevailing good sense, they decline to whitewash, they certainly fail to drive home the nails of reform. Indeed, we witness among even the most generous and

³⁶ *The State of the Prisons in England and Wales.* By John Howard. Second edition, p. 43.

enlightened, as well as among less noble minds, the truthfulness of the devout Fenelon's remark, that "those in prosperity turn away from the miserable, not through insensibility, but because the scene is an interruption of their own enjoyment."

After many months spent in the inspection of the county jails and other prisons, this fact is deeply impressed upon the writer's mind: that, unless the inspector, as well as the prison keeper, very carefully and constantly guards his own mind against the effect which the repulsive attributes of crime and prisons produce upon his judgment, he will be in danger of falling into the error of estimating the character and capacities of the culprit and accused as hopeless, wrecked and unworthy of studious care; but, armed with that faith in humanity and its religious obligations that recognizes in such unfortunate and even vicious persons, his fellow-beings, children of the same divine Fatherhood, however astray from His law, the desponding and persecuted offenders in our jails and penitentiaries, and the despairing or sullen and vindictive felon in his cell, feels the irresistible influence of a fellow-man's concern for him; and if the occasion for benefiting the erring or suffering prisoner is suitably improved, the amendment of life, of manners and of hopes and personal duties, begins at that hour. This field is not hopeless and sterile, as to most minds it appears to be; it admits of, and even requires, a skillful kind of culture.

The careful treatment, the needed mental and manual employment, and the requisite discrimination of character and tendencies and the proper advice and instruction of the common jail prisoners, would vastly reduce the criminal list. The time must come when not only the jail, but every grade of prisons, will have its keepers selected, trained or kept on duty chiefly with reference to the attainments of these objects. But before that period is reached it would appear to be necessary that the penitentiaries and reformatories in the State should supply numerous and instructive examples of the successful preparation and practical training of men in the art of prison keeping.

Until greater reforms and a more effectual method of securing good order and wholesome influence in the county and town prisons and lock-ups can be had, there certainly must be a regular system of inspection by skilled and competent authority.

Methods and the kind of official authority in jail inspection that are necessary and practicable.—In every county and municipality in

the State, we now judge from careful observation and inquiry, it would be practicable to adopt an efficient system of jail inspection, and to exercise at the same time the necessary tributary function of authority and duty to present evidence, recommendations and specifications to the proper local authorities, and in due course of procedures to press forward and procure any of the requisite changes which shall be found necessary for a strict compliance with the requirements of the laws.

By referring to the laws regulating county prisons, it plainly appears in twenty-eight sections of the statute devoted to definitions of the requirements, keeping, uses and inspection of them, that they would become a decent and orderly kind of prison, if the statutory requirements were reasonably complied with.

The statute* prescribes so fully and so clearly the purposes, the

* It seems desirable in this place to quote the statute relating to county prisons for the convenience of reference in these remarks. (Revised Statutes, Part IV, Chap. III, Title I, Art. First.)

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 contempt, or upon civil process, shall be kept in rooms separate and distinct from those in which persons convicted of 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,

preparation and appurtenances, and regulations of jails, the duty of keepers, the classification and separation of prisoners, the prevention of harmful conversation, etc. etc., that it would be possible to apply this law in quite a reformatory way. It will be seen, however, by referring to article second of the statute, here mentioned, an amendment, that was adopted in the year 1849, leaves these prisons wholly unprovided for in regard to their inspection and the influence of a central intelligence or authority. The letter of the law, a really well devised statute, remains; but it is a dead letter.

Though it was provided in the second article of this statute of 1847 that the State Prison Inspectors should make an annual inspection of every jail, and present to the Legislature a detailed report thereon, that portion of the law was repealed after the first year's experience under it. Consequently, from the year 1849 until the present time the Prison Association of New York has performed the only official inspections that have been made in the jails, except such as have been occasionally made by grand juries and boards of super-

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 each 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 convicts shall be placed.

§ 11. Whenever any convicts 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 7th, 1849, 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."

visors. But the latter inspections seldom produce the necessary improvements of the county prisons or their administration. The jury may indict and denounce the jail, but the supervisors generally find no cause, or insufficient pecuniary means, for the immediate improvement mentioned.

The authority of the Prison Association to make this kind of inspection is nowhere disputed; but no powers have been given to this association to procure the proper compliance with the statute relating to jails. A careful examination of the jails and the methods of their administration in the several counties by the writer warrants him in expressing the opinion that the management of these local prisons will not be brought into a satisfactory degree of conformity to the laws without the agency of stated official inspection by authority that shall require such conformity. The sheriff and jail keeper may earnestly desire and endeavor to observe the requirements of the statutes respecting the separation of prisoners; but in many instances the compliance would require co-operation of the county supervisors to effect certain structural changes. Again, the supervisors are sometimes found entirely ready to do their duty, while the jail keeper is indifferent; and, in other cases, all parties are willing to do their duty, but they wait for some kind of official direction in regard to the same. In view of these facts the writer, when inspecting such jails, has not hesitated to give whatever counsel and specifications he could acceptably offer. The cordiality with which such advice, etc., has been received authorizes us in concluding that if the act, which the Legislature passed on the 10th of April, 1849, relating to this duty, and the method of proceeding in it by county officials, should be made to apply to the inspections and recommendations by the proper officers of the Prison Association, then it will be practicable to effect very thorough improvements in the interior structure and management of the various jails that require essential changes.*

* 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 such 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 as 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."

No attempt has yet been made to procure the needed reforms by the aid of the law here mentioned, though the attention of county authorities has occasionally been called to its provisions for the purpose of inciting to action on the spot. Certainly, we can thus render this imperfect fragment of law available as a spur to local effort, and as an aid to individual endeavors to procure some most necessary improvements in jails and jail management when exceptionally bad.

THE INSPECTION OF COUNTY PRISONS IN 1872.

The writer revisited most of the county prisons the past year; and the local committees, in nearly all counties, followed up this duty with much interest and with beneficial results.

Year after year this association has endeavored to perform this duty by the aid of members of its executive committee; and year after year the pernicious neglect and mismanagement of these local prisons have been described with circumstantial details in successive annual reports. The body of evidence that was presented in the twenty-seventh report (1871) concerning the jails may well be the last, preceding an earnest effort to procure reforms which shall forbid the reproduction of any similar body of evidence of the degrading and unworthy condition of these local prisons.

The notes we had prepared upon the Kings county jail, Raymond street, Brooklyn, the Rockland county jail, and those of Allegany, Cattaraugus, Chautauqua, Oswego, Jefferson, St. Lawrence, Franklin, Lewis, Oneida, Herkimer, Fulton and Montgomery counties, we withhold from print, for this report, who already are, doubtless, prepared to make deliberate and patient effort to secure a thorough reform of jail management. But we have the pleasure to know that in each of the counties here mentioned there have been some marked improvements effected during the past few months; and in particular instances—as in the dreadful den, known as the Raymond-street jail, Brooklyn—the county sheriff has so renovated, changed and policed the premises and improved the condition of the inmates that no possible excuse remains for the further delay of such reforms in any other jail where similar evils have existed.

The following statements are added, in this place, to complete the series of reports which were commenced last year:

KINGS COUNTY PRISON—RAYMOND-STREET JAIL.

The old jail in Raymond street, Brooklyn, has for many years been justly regarded as a standing disgrace to Kings county and the State

of New York. It has a brown stone front; but the sepulchre within is not so much as whitewashed. It consists of two wings, each 135 feet in length. The corresponding secretary visited this prison at different times, and on each visit found the male prisoners stowed away in twenty-eight cells, and the females distributed in some fifty cells. At the last visit there was 118 male and seventy-five female prisoners. Some of the cells contained five prisoners each. The average amount of air space to each prisoner in the cells of the male department was less than 100 cubic feet. There is an open privy tube in each cell, communicating with the sewer through a common drain; and on one occasion the stench from this imperfect drainage, and the foul ordure that defiled the cells, rendered the atmosphere of the jail upon the male side more offensive than had been observed in any other prison of the State, excepting that at Cooperstown, Otsego county; the cell floor was the only bedstead; and, in twenty-one out of the twenty-eight cells visited at midday, each cell floor was covered with a rude straw bed; and, for want of chairs or other seats, men and boys were found stretched at full length or crouched upon their haunches playing cards, smoking, reciting vulgar stories or badgering each other and their hall waiter. Some of these prisoners will presently be described more particularly.

They all exhibited the demoralizing effect of the surrounding filth and disgusting atmosphere. At a visit in November last the writer found, in the first cell inspected, two prisoners that had not been outside of that filthy den during the three months of their imprisonment. In the second cell there were five prisoners, aged twenty, twenty-three, twenty-four, and (two) twenty-five respectively. In the next cell were found four prisoners, one of whom had been undergoing and waiting ordinary police justice's examination for upward of two months. In the next cell were three prisoners awaiting examination; one had been awaiting twenty-five days. In the next cell were three prisoners; one, a little boy only fifteen years of age, had been waiting three months for a grand jury to take up his case; and on the same straw bed with him was an old thief, fifty years of age. In the next cell was a boy sixteen years of age, thrown in as a vagrant; a bright boy he was. In the next cell a father, aged thirty-four, with his little son, aged thirteen or fourteen, had been waiting two months for some disposal of the charge against them for theft. In the next cell were four. In the next cell

were five prisoners; boys from fifteen to seventeen years of age. In the next cell were three; the leading one an experienced thief.

JEFFERSON COUNTY.

The county prison at Watertown was inspected in the second week of July. It was found in a clean and well ordered condition. There were seven convicts from Courts of Special Sessions, and several other prisoners undergoing trial in the criminal court then in session. The removal of the latter prisoners promised to be a moral advantage to all the others. This prison provides no adequate means of separation of the several classes of its inmates. It has cells, constructed in the usual manner. The building was erected in 18 . It has a jailer's residence attached. Among the younger prisoners was a boy, fourteen years old, under sentence for petit larceny. This boy, Edgar C—, represented a family of eight children, none of whom can read and write. The father a drunkard; the mother an employe in a woolen factory, and obliged to work this boy and as many of the other children as possible in the same factory to earn bread for the family. This boy had stolen an article of small value and converted it into cash, under the advice of older companions. The prison committee at Watertown sought out the family in a neighboring township, and, it is hoped, have at least brought the children into public schools. This case is an example of the stock out of which a criminal population springs up in any hamlet or township as readily as from the "street Arabs" of the great city.

ST. LAWRENCE COUNTY.

The county prison at Canton was inspected July 15th. There were nine prisoners then in jail, each of whom had an important personal history, which illustrated the necessity of a kind of instruction in common knowledge that is much neglected in particular districts of the frontier counties; neglected, indeed, in all sections of the State. This jail seemed to be well kept in respect of cleanliness, good food, and a reasonable separation of different prisoners; but there is need of constant instruction of ignorant and misguided persons, like those the inspector found here. The first prisoner conversed with was a girl only fifteen years old; never had been at school a day in her life; had become a vagrant kind of hotel servant, and, at last, a thief, and worse. Unwittingly this child is repaying St. Lawrence county for its neglect of her. She has already

destroyed some children of both sexes, and, probably, will be the ruin of a hundred more before she is twenty years of age. An older companion of this child in the same apartment had a still more debased character. She said this was her third term in jail.

The prison committee at Canton is faithful and efficient. Every prisoner has an opportunity to converse with a member of the committee. The social history and moral wants of each one are carefully inquired into, useful advice given, the ignorant taught, and reading matter supplied.

For obvious reasons we may, this year, do more good by omitting than by now publishing further circumstantial account of these institutions. But we will appear in this place

An Abstract of the Notes of Information forwarded by Sheriffs and Members of County Committees concerning Jail Expenses, etc., etc.

Allegany County.—"The sheriff of this county is sheriff, jailer and warden, all combined, and his bill contains all jail expenses.

"I think my estimate of \$1,000 for the past year is about correct.

"Yours truly,

"JOHN GILLIES, *Under Sheriff.*"

Cattaraugus County.—"There is no provision made for the employment of inmates. Our inmates are not usually of a desperate character. We have found that mild and humane treatment of prisoners tends better to correct the evils than harsh, stern government.

"Yours, etc.,

"W. H. HENRY, *Under Sheriff and Jailer.*"

Cayuga County.—"The above \$3,248 is for salaries of officers and employees and subsistence, exclusive of rents and repairs of buildings—only the board and salaries.

"J. D. BUTTON."

City of Auburn.—"The lockup or police prison for city commitments for the year by police justice for short terms, 225. The expenses not known."

The Cayuga Asylum for Destitute Children.—"Total number, 90. Average, 90. Total number received during the year, 147. Total number of officers and employees, 5. Total expenses for the year ending September 30, 1872, \$6,896.29."

Home of the Friendless.—"Total number under care, 23. Number of employes, etc., one superintendent at \$200, three employes at \$350. Total expenses, \$1,299.60.

"A part of this expense is paid by the inmates, when they have the means and no home.

"J. D. B."

Chautauqua County.—"The prisoners are not worked at this institution. All its expenses are borne by the county. There is nothing of special interest connected with the institution.

"Yours very truly,

"J. H. M."

County Jail of Delaware County.—"Cannot offer any suggestions as to prevention of crime, but have great confidence in the system of rewards, by lessening time for good conduct, as is practiced in our State prisons at present.

"Respectfully,

"EDWARD A. GRIFFITH, *Sheriff.*"

" * * * * I have visited the jail frequently. Have found it very well kept. Number of prisoners now, 5; often not so many, seldom more. Have had religious services at the jail twice, and intend to have them once in two weeks for the future. The sheriff is a pious and temperate man, and will have a good influence on the prisoners.

"They spend months here waiting for trial, and even for a session of the grand jury! a state of things which cannot be right or proper, earning nothing and costing a great deal. I hope something may be done to change this state of things.

"Very respectfully,

"CALVIN HOWARD, *M. D., for Committee.*"

Essex County Jail.—"As to aggregate expenses, etc., there is no salaried officer, and the board of prisoners is so much per week, just as our supervisors see fit to allow. Last year they allowed four dollars per week for board, washing and attendance, including all the expenses of taking care of the jail. As we keep no account only by the week, and the account of all criminal matters are mixed into the account, we cannot aggregate the expense.

"Respectfully yours,

"A. PERRY, *Under Sheriff and Jailer.*"

Genesee County Jail.—Classified Record of Prisoners and the Offenses charged.

Assault and battery	23
Assault with intent to kill	2
Disorderly conduct	4
Drunkness	100
Petit larceny	11
Grand larceny	3
Vagrancy	85
Malignant mischief	3
Breach of peace	3
Other offenses	4

Total number 243

Course of Criminal Justice.

Number of persons indicted	17
Convicted on trial	2
Acquitted on trial	2
Jury discharged	1
Convicted on confession	3
Nolle prosequi entered	6
Admitted to bail	1
Fined	1
Amount of fines imposed	\$10 00

Sentenced to State prison	2
Sentenced to penitentiary	1
Sentenced to county jail	2
Average sentences to State prison, years	3 $\frac{1}{2}$
Average sentences to penitentiary, days	100
Average sentences to county jail, days	60
Sentence suspended	1
Convictions by magistrates at special sessions	34
Fined by magistrates at special sessions	19
Amount of fines imposed by magistrates at special sessions,	\$258 20

Sentenced to penitentiary by magistrates at special sessions,	5
Sentenced to county jail by magistrates at special sessions,	7
Sentenced to House of Refuge by magistrate at special sessions	3
Amount received by county treasurer for fines in 1872.	\$261 50

Whole number of convictions by all courts and magistrates, 39

"There has been no particular variation in conducting the affairs of our jail since your last report.

"Our sheriff and family, who lived in the jail, were quite humane, and consequently the physical condition and comfort of the prisoners has been well looked after.

"Ours is a small county, and the number of prisoners comparatively small, but I trust that ultimately a better system of moral teaching will be instituted.

"L. B. COTES, for the Prison Committee."

Livingston County Jail.— * * * "Sheriff is allowed \$3.75 per week for board of prisoners.

"We have no means provided for the employment of prisoners. I sometimes take out men who may be sent ten, twenty or thirty days for intoxication, and employ them in cleaning the grounds about the county buildings.

"Respectfully,

"H. L. ARNOLD, Sheriff."

County Prison of Monroe County.—"The chief causes of crime with us are intoxicating drinks and prostitution. At least three-fourths of all prisoners brought to this institution are more or less intemperate; of the females, at least three-fourths are prostitutes.

"This is not a penal institution, consequently those sent here are detained for examination, for action of grand jury, or for trial. We have a House of Refuge here for boys, but no such institution for girls. Much of the crime is committed by boys and girls who have grown up without sufficient parental restraints and moral teachings at home.

"Of the females, many are brought into a bad course of life from the want of paying employment.

"No salaries are paid officers here. The keeper gets his pay by an allowance of \$3.00 per week for board of each prisoner, this allowance being made by the board of supervisors. Fuel and clothing are furnished by the county.

"Very respectfully yours,

"F. X. BECKWITH, Jailer."

Ontario County Jail.—"I have answered the questions and given the best information I am able to from the manner in which the prison records have been kept in this county.

"I have recently commenced a new record, and hope to be able in future to give more satisfactory information of the causes of crime.

"My connection with this prison for about five years convinces me that eight-tenths of all the crime in this county is traceable directly to the use of intoxicating liquors; and of all men the inebriate is the man most to share in our sympathies, and if they are ever reformed, it must be done by kindness, and not by harsh words and severe punishment in our penitentiary among felons of all grades. Ten days in the county prison, with kind treatment and good food, will do more to reform the drunkard than sixty or ninety days in the work-house; if you want to make a demon of a man, place before him unpalatable food day after day, and I give you my word for it his worst passions will be aroused; the keeper is in danger; then thrust him into the cell for punishment, and thus let him remain grinding his teeth and heaping upon you his curses.

But speak kindly to him and see the change. I am glad to see in the management of our prison the reform of which I speak is being tried and the favorable results are perceptible to the casual visitor; the convict appears cheerful, hope begins to dawn on him, his good resolutions are strengthened, and as he comes forth again into the world he can't forget the kind words of counsel given him by his keeper and chaplain within the prison walls.

"Give a convict good food, and plenty of it, and you turn the former lion into a docile lamb; the worst of them will give you very little trouble.

"Very respectfully yours,

"DARWIN CHENEY, Sheriff, Ontario Co."

Otsego County Prison.—"Otsego county enjoys the proud distinction of having the most unsightly, poorest ventilated, most inconvenient and most insecure jail in the State of New York. The latter feature is an advantage, when taken in connection with the others, as a prisoner seldom remains long enough to impair his health or corrupt his morals. He usually goes out through the roof. The principal expense in maintaining the prison is incurred in advertising the runaways, and paying rewards for their rearrest.

"Yours,

"CHARLES F. HENDRYX."

Queens County Jail.—"There are no earnings in this jail, as there is no work for the inmates. No salaries attached to the jail; it is kept by the sheriff of the county on what he can make out of boarding the prisoners. The supervisors last year allowed \$3.25 per week for boarding the prisoners.

"Respectfully yours,

"WILLIAM STRINGER, *Jailer.*"

"CANTON, St. Lawrence Co., N. Y., Nov. 19, 1872.

"DEAR SIR.—There are about nine prisoners in just now. I have been in with them twice within a fortnight. Our sub-sheriff is very kind; he leaves me alone with them as long as I choose. I am always well received. They unite in religious exercises cheerfully. I am in hopes of good in several cases. I supply them with reading matter.

"Three are imprisoned for drunkenness, and one for a theft committed while drunk. One for larceny. Two boys, aged ten and fifteen, for stealing apples. The justice who sent them up was unduly severe. The owner of the apples only expected the boys to be duly cautioned. They are rather prepossessing boys. They are exceedingly well cared for, and are now committing portions of Scripture to memory, and also learning a catechism. They will go home wiser, and, I do think, better boys. One man in for burglary—an intelligent son of German parents—will plead guilty. His parents are professing Christians, and I have some good expectations of him. He is a barber, and his rambling ways have ruined him; told the constable who arrested him he was glad to be sent up for a while, as his propensity to steal was always urging him. He has a hard battle to fight on his way to even respectability.

"Very truly yours,

"JAMES GARDNER,

"Secretary of the Prison Committee."

"WATKINS, Schuyler Co., N. Y., Nov. 18, 1871.

"DEAR SIR.—I have not given so much attention to our jail as I hope to in future.

"All except a very few in our jail have been there for disorderly conduct when drunk, quarrelling, fighting and violating excise laws. They have generally been fined and imprisoned according to law.

"One man, forty-five years old, without education, with his son twenty-one years of age, and another young man twenty-two years of age (the young man had some common-school education), went eight miles in the night and killed twelve sheep, skinned nine of them and sold the pelts the next morning. This occurred in February last. In October they were sentenced to prison for two and a half and three years. During their long confinement in jail, in company part of the time with another thief and another man charged with forgery, the jail was visited on the Sabbath, and they would listen respectfully to religious services and to instruction and admonition, and as soon as they were alone make fun of it and swear about it. The old man—the sheep thief—had spent his life in crime, and they seemed to me so base in heart, I had not faith enough to labor with them.

"I continue my attention to Hott, but with little hope, he has so little appreciation of crime.

"I hope the Legislature will this winter give due attention to the noble enterprise of your association, and that the foundation may be laid for improvements that are so much needed.

"Very sincerely yours,

"C. T. BLISS, M. D.,

"For the Prison Committee, Schuyler Co."

Washington County Jail.—"Our jail is used for confining persons waiting trial and those serving sentences of less than sixty days. All over sixty days go to the Albany penitentiary.

"Our average has been from six to eight, but since cold weather began they have commenced to come faster.

"There is no work for persons confined here, no matter how long they have to remain.

"Yours, etc.,

"O. S. HALL, *Sheriff.*"

CRIMINAL STATISTICS.

A PRACTICAL VIEW OF THE PUBLIC RECORDS OF CRIME AND OF PENAL INSTITUTIONS IN THE STATE OF NEW YORK.

In a brief chapter upon the statistics of crime, in the annual report of the Prison Association in 1871, the writer had occasion to state the fact that "the elements for anything like a trustworthy and adequate basis for an annual report upon the criminal statistics of the State do not exist."

The county clerk in each of the sixty counties makes a tolerably correct and complete return, to the Secretary of State, of the convictions obtained in the courts of record, excepting that the returns of certain municipal courts of record are defective. But the returns made by the sheriffs, upon the same classes of convictions, show an omission of more than twenty-five per cent of the total numbers already certified and returned by the county clerks: For example, the clerks, in 1871, made returns upon 2,340 convictions, while the sheriffs returned only 1,682. The number 2,340 nearly corresponds with the actual convictions for crimes, mostly crimes punishable in State prison.

The statistics of the courts of special sessions, as officially returned, are almost worthless, except for the purpose of proving how unfitted and ineffectual the existing laws and methods are for prescribing and keeping the records of these lower courts: For example, the total number of convictions in the courts of special sessions that, in 1871, were certified by this class of courts to the county clerks, and by them to Secretary of State, amounted to 28,068; and to this number there was added a class of returns from police and other municipal courts of twenty cities in the State, that year amounting to 58,237, thus making the total number of these special sessions cases reported to the Secretary of State 86,320. But this number, vast as it is, comes far short of the total convictions that actually occurred in the courts entitled special sessions; and as the deficit of this class of court returns has occurred in the counties in which it is

most important to know quite accurately the number and causes of such convictions, this total mass of the special sessions returns in the State is vitiated. Another circumstance also tends to vitiate this class of records in numerous rural counties, namely, the village police justices, as has been scandalously witnessed in Richmond county and elsewhere, have fallen into the practice of inflicting fines and convicting children, vagrants and ignorant trampers almost at random, and yet for years failed to make returns as the law requires, either of these or of the really just and reasonable convictions.

TABLE A.

Total convictions, in the courts of record, by counties, showing the names of the chief crimes of the convicts in the State of New York in the year 1871.

COUNTIES.	Total convictions.	Arson.	Assault, etc.	Bribery.	Burglary and attempted burglary.	Larcenist.	Forgery.	Manslaughter.	Murder.	Total that can read or write.
Albany.....	68	1	9	1	15	26	1	1	.....	1
Albany.....	15	2	3	.....	5	2	.....	.....	.....	1
Broome.....	43	.....	10	.....	7	7	.....	.....	.....	15
Cattaraugus.....	33	.....	6	.....	5	2	.....	.....	.....	1
Cayuga.....	35	.....	10	.....	5	5	.....	.....	.....	1
Chautauque.....	37	.....	7	.....	7	8	.....	.....	.....	9
Cheung.....	39	.....	13	.....	2	1	.....	.....	.....	1
Chester.....	18	.....	4	.....	1	1	.....	.....	.....	1
Clinton.....	18	.....	1	.....	2	1	.....	.....	.....	1
Columbia.....	17	.....	1	.....	2	10	.....	.....	.....	11
Cortland.....	5	.....	2	.....	2	2	.....	.....	.....	8
Delaware.....	31	.....	4	1	2	2	.....	.....	.....	9
Dutchess.....	22	1	3	1	9	2	.....	.....	.....	14
Erie.....	175	2	21	1	33	71	.....	.....	.....	19
Essex.....	22	.....	5	.....	3	5	.....	.....	.....	13
Franklin.....	20	.....	3	.....	3	2	.....	.....	.....	14
Fulton.....	17	.....	4	.....	6	5	.....	.....	.....	.....
Genesee.....	4	.....	.....	.....	.....	3	.....	.....	.....	.....
Hamilton.....	15	.....	6	.....	5	3	.....	.....	.....	.....
Herkimer.....	34	.....	3	.....	9	7	.....	.....	.....	13
Jefferson.....	106	1	13	.....	38	40	2	.....	.....	.....
Kings.....	11	.....	.....	.....	1	1	.....	.....	.....	.....
Livingston.....	25	1	4	.....	1	1	.....	.....	.....	.....
Madison.....	21	.....	7	.....	10	.....	.....	.....	.....	19
Monroe.....	18	.....	1	.....	9	11	.....	.....	.....	.....
Montgomery.....	10	.....	.....	.....	2	.....	.....	.....	.....	.....
New York.....	805	1	85	1	168	377	20	10	.....	426
Niagara.....	33	.....	3	.....	8	5	.....	.....	.....	31
Oceola.....	40	.....	8	.....	5	13	.....	.....	.....	.....
Onondaga.....	33	.....	3	.....	9	13	.....	.....	.....	27
Ontario.....	21	1	2	.....	3	5	.....	.....	.....	.....
Orange.....	10	.....	.....	.....	.....	.....	.....	.....	.....	.....
Orleans.....	5	.....	2	.....	.....	.....	.....	.....	.....	.....
Oswego.....	28	.....	12	.....	8	8	.....	.....	.....	.....
Otsego.....	11	.....	3	.....	1	1	.....	.....	.....	.....
Putnam.....	3	.....	.....	.....	1	.....	.....	.....	.....	.....
Queens.....	19	.....	.....	.....	7	7	.....	.....	.....	.....
Rensselaer.....	55	.....	4	2	25	20	.....	.....	.....	.....
Richmond.....	4	.....	2	.....	.....	2	.....	.....	.....	.....
Rockland.....	6	.....	.....	.....	.....	1	.....	.....	.....	.....
St. Lawrence.....	37	.....	11	1	5	6	.....	.....	.....	.....
Saratoga.....	17	.....	4	.....	.....	7	.....	.....	.....	.....
Schenectady.....	33	.....	3	4	4	10	.....	.....	.....	.....
Schoharie.....	1	.....	.....	.....	.....	1	.....	.....	.....	.....
Schenley.....	17	1	3	.....	1	1	.....	.....	.....	.....
Seneca.....	16	.....	5	.....	2	2	.....	.....	.....	.....
Stuyvesant.....	35	.....	1	.....	.....	7	.....	.....	.....	.....
Suffolk.....	14	.....	2	.....	2	1	.....	.....	.....	.....
Sullivan.....	3	.....	.....	.....	2	2	.....	.....	.....	.....
Tioga.....	19	.....	3	.....	2	2	.....	.....	.....	.....
Tompkins.....	12	.....	8	.....	.....	2	.....	.....	.....	.....
Ulster.....	62	3	16	2	5	10	.....	.....	.....	.....
Warren.....	3	.....	1	.....	1	.....	.....	.....	.....	.....
Washington.....	6	.....	.....	.....	.....	1	.....	.....	.....	.....
Wayne.....	11	.....	4	.....	1	1	.....	.....	.....	.....
Westchester.....	73	2	14	7	10	31	.....	.....	.....	.....
Wyoming.....	14	.....	3	.....	2	.....	.....	.....	.....	.....
Yates.....	10	.....	4	.....	.....	2	.....	.....	.....	.....
Total.....	2,341	17	373	17	428	797	51	51	18	853

Upon the opposite page we present a tabulated abstract of the total number of convictions in courts of record by counties, and the numbers of each of the higher crimes so convicted. Upon the succeeding pages is presented a similar abstract of convictions in courts of special sessions (cities included), and, in conclusion, an abstract of the same nature, to show the course of misdemeanors and all kinds of police court convictions in the twenty cities for which sheriffs in 1871 made separate returns.

TABLE B.

Total number of convictions in the courts of special sessions, by counties, showing the names of the chief offenses and the sex of convicts.

COUNTIES.	Total population.	Total convictions.		Sex.		Assaults.	Breach of peace and disorderly conduct.	Public drunkenness.	Poverty law.	Prostitution.	Vagrancy.
		Male.	Female.	Male.	Female.						
Albany	138,108	5,697	4,749	507	689	1,866	2,076	496	1	1	1
Allegany	40,584	4	40	4	1	1	1	1	1	1	1
Rome	41,170	130	111	1	15	1	1	1	1	1	1
Cattaraugus	43,855	35	35	3	11	1	1	1	1	1	1
Cayuga	52,584	9	3	3	1	1	1	1	1	1	1
Chautauque	56,179	119	109	10	27	15	74	1	1	1	1
Chester	35,541	109	888	2	47	30	2	1	1	1	1
Chester	40,603	8	3	3	1	1	1	1	1	1	1
Citron	48,623	69	66	3	12	1	40	1	1	1	1
Columbia	47,604	180	104	3	3	1	4	1	1	1	1
Cortland	35,222	62	69	2	7	1	4	1	1	1	1
Delaware	44,777	15	15	1	1	1	1	1	1	1	1
Dutchess	15,156	472	444	1	1,252	1	429	1	1	1	1
Erie	175,882	2,545	2,041	504	1,252	1	1,622	1	1	1	1
Essex	33,076	21	20	1	4	1	1	1	1	1	1
Franklin	30,287	38	36	2	10	2	16	1	1	1	1
Fulton	27,056	11	10	1	3	1	1	1	1	1	1
Genesee	41,709	12	12	1	1	1	1	1	1	1	1
Greene	31,785	19	17	2	1	1	1	1	1	1	1
Hamilton	2,509	107	103	4	14	4	47	1	1	1	1
Herkimer	30,598	107	103	4	14	4	47	1	1	1	1
Jefferson	65,455	370	313	87	22	1	222	1	1	1	1
King	450,292	36,531	37,311	8,028	8,028	953	15,441	1,817	1	1	1
Lewis	38,701	10	10	1	1	1	1	1	1	1	1
Livingston	48,921	28	29	1	1	1	1	1	1	1	1
Madison	43,563	170	162	8	5	4	189	1	1	1	1
Monroe	117,583	1,913	1,684	219	2	2	1,996	1	1	1	1
Montgomery	55,210	32	33	1	1	1	1	1	1	1	1
New York	942,000	24,821	13,119	15,161	1,167	8,231	11,902	641	1	1	1
Niagara	49,329	173	153	53	273	1	14	1	1	1	1
Oswego	110,061	578	454	134	186	13	285	1	1	1	1
Otsego	107,644	2	1	1	1	1	1	1	1	1	1
Oneida	45,222	200	261	30	43	2	302	1	1	1	1
Oranget	80,913	393	281	121	19	17	272	1	1	1	1
Orange	47,902	33	31	4	4	4	44	1	1	1	1
Oswego	78,026	1,635	1,441	194	4	29	779	1	1	1	1
Otsego	15,406	15	15	1	1	1	1	1	1	1	1
Pulaski	45,406	15	15	1	1	1	1	1	1	1	1
Queens	73,847	44	65	6	10	1	13	1	1	1	1
Rensselaer	41,507	2,457	1,577	828	119	398	1,577	1	1	1	1
Richmond	32,044	25	27	7	1	1	25	1	1	1	1
Rockland	44,821	114	103	11	37	3	46	1	1	1	1
St. Lawrence	61,513	352	45	7	7	7	119	1	1	1	1
Saratoga	51,248	343	319	6	30	40	213	1	1	1	1
Schoharie	35,339	24	22	2	2	2	12	1	1	1	1
Schenectady	110,019	69	6	6	6	6	60	1	1	1	1
Seneca	37,544	77	71	1	1	1	69	1	1	1	1
Steuben	67,716	85	82	3	1	1	14	1	1	1	1
Suffolk	46,903	46	6	1	17	1	28	1	1	1	1
Sullivan	32,610	1	1	1	1	1	1	1	1	1	1
Tioga	32,578	153	147	1	1	1	153	1	1	1	1
Tompkins	39,168	39	37	2	2	2	20	1	1	1	1
Ulster	81,008	13	13	1	7	7	1	1	1	1	1
Warren	20,005	3	3	3	3	3	3	1	1	1	1
Washington	42,248	17	15	1	1	1	1	1	1	1	1
West	117,720	88	81	14	14	14	43	1	1	1	1
Westchester	132,474	301	365	35	49	7	177	1	1	1	1
Worming	29,176	55	55	5	1	1	44	1	1	1	1
Yates	11,005	2	3	2	1	1	1	1	1	1	1
Total	4,380,705										

TABLE C. ABSTRACT of convictions in Police Courts and other Courts of Special Sessions in the eighteen principal Cities of the State of New York.

CITIES.	Total population.	Total convictions.		Sex.		Native.	Foreign.	Male.	Female.	AGES.											
		Male.	Female.	Under 21 years.	From 21 to 25 years.					From 25 to 30 years.	From 30 to 40 years.	From 40 to 50 years.	From 50 to 60 years.	Over 60 years.	Claims to be temporary.	Can read and write.	Courted for public drink.	Assaults and strays.	Other disorderly conduct.		
Albany	138,108	5,697	4,749	507	689	1,866	2,076	496	1	1	1	1	1	1	1	1	1	1	1		
Binghamton	27,723	15	15	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Rochester	256,700	6,498	5,498	1,683	1,815	3,498	4,498	1,000	1	1	1	1	1	1	1	1	1	1	1	1	
Buffalo	111,859	6,624	5,424	1,200	1,224	2,424	3,424	1,000	1	1	1	1	1	1	1	1	1	1	1	1	
Elmira	41,859	1,624	1,324	324	324	648	748	100	1	1	1	1	1	1	1	1	1	1	1	1	
Syracuse	15,427	1,324	1,124	224	224	448	548	100	1	1	1	1	1	1	1	1	1	1	1	1	
Newburgh	17,023	246	227	47	47	94	113	10	1	1	1	1	1	1	1	1	1	1	1	1	
Utica	17,023	246	227	47	47	94	113	10	1	1	1	1	1	1	1	1	1	1	1	1	
Watkinsburg	11,115	50	46	10	10	20	26	2	1	1	1	1	1	1	1	1	1	1	1	1	
Stamford	30,998	604	577	117	117	234	281	30	1	1	1	1	1	1	1	1	1	1	1	1	
Brooklyn	2,022,424	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272
Rochester	256,700	6,498	5,498	1,683	1,815	3,498	4,498	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Buffalo	111,859	6,624	5,424	1,200	1,224	2,424	3,424	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Syracuse	15,427	1,324	1,124	224	224	448	548	100	1	1	1	1	1	1	1	1	1	1	1	1	1
Watkinsburg	11,115	50	46	10	10	20	26	2	1	1	1	1	1	1	1	1	1	1	1	1	1
Stamford	30,998	604	577	117	117	234	281	30	1	1	1	1	1	1	1	1	1	1	1	1	1
Brooklyn	2,022,424	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272
Rochester	256,700	6,498	5,498	1,683	1,815	3,498	4,498	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Buffalo	111,859	6,624	5,424	1,200	1,224	2,424	3,424	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Syracuse	15,427	1,324	1,124	224	224	448	548	100	1	1	1	1	1	1	1	1	1	1	1	1	1
Watkinsburg	11,115	50	46	10	10	20	26	2	1	1	1	1	1	1	1	1	1	1	1	1	1
Stamford	30,998	604	577	117	117	234	281	30	1	1	1	1	1	1	1	1	1	1	1	1	1
Brooklyn	2,022,424	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272
Rochester	256,700	6,498	5,498	1,683	1,815	3,498	4,498	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Buffalo	111,859	6,624	5,424	1,200	1,224	2,424	3,424	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Syracuse	15,427	1,324	1,124	224	224	448	548	100	1	1	1	1	1	1	1	1	1	1	1	1	1
Watkinsburg	11,115	50	46	10	10	20	26	2	1	1	1	1	1	1	1	1	1	1	1	1	1
Stamford	30,998	604	577	117	117	234	281	30	1	1	1	1	1	1	1	1	1	1	1	1	1
Brooklyn	2,022,424	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272	17,272
Rochester	256,700	6,498	5,498	1,683	1,815	3,498	4,498	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Buffalo	111,859	6,624	5,424	1,200	1,224	2,424	3,424	1,000	1	1	1	1	1	1	1	1	1	1	1	1	1
Syracuse	15,427	1,324	1,124	224	224	448	548	100	1	1	1	1	1	1	1	1	1	1	1	1	1
Watkinsburg	11,115	50	46	10	10	20	26	2	1	1	1	1	1	1	1	1	1	1	1	1	1
Stamford	30,998	604	577	117	117	234	281	30	1	1	1	1	1	1	1	1	1	1	1	1	1

These several abstracts comprise the chief points upon which the information is in any degree accurate and complete in the accumulated rubbish termed the "Criminal Statistics of the State." A few notes are appended at the conclusion of the abstracts. They may facilitate the practical use of such portions of these tables as are most important and complete. We would particularly call attention to the crimes against property and to the ages of the convicts.

The annexed abstract present as correct statistics as are at present obtainable in relation to convictions, imprisonments, the distribution of crime and the population of the reformatories, as gleaned from the official records. These abstracts show,

In Regard to Convictions.

Total number of convictions in courts of record by counties, enumerating total, and for arson, assault to kill, burglary and attempt at burglary, larceny, bigamy, forgery, murder and manslaughter. Total number convictions in courts of special sessions, showing distribution by counties, and of crimes and the chief of these offenses (the cities included). Total number convictions by the police and other municipal courts in twenty cities, showing the principal crimes, the sexes, ages and habits, as given in the official returns by sheriffs.

Following the remarks upon these abstracts will be found a page of statistics of the juvenile reformatories, including what is officially recorded concerning orphanage and pauperism in the counties.

No civilized State can be justified in neglecting to gather up and carefully consult the records of every branch of public service and duty, in regard to which every fact and the results of experience need to be known, and to be annually subjected a faithful analysis and review. The different branches of public economy in the State, and of revenue and tariffs, are treated thus by government authority, under expert men, and at great expense, and a hundredfold economical result to the people in return. Even the practical consequences of any particular application of a trifling tariff upon some small article of common use, like umbrellas, and even their sticks and frames, come to be stated in exact statistical tables, and Congress thereupon discusses and modify the applications of the tariff to suit the public welfare. So, in the State inquiries into the royalty and rules to be enforced, or relaxed and modified in the manufacture and movement of salt in this Commonwealth, and in a thousand other affairs that concern the people and the wealth of the State, complete and accu-

rate records, returns, and a yearly analysis and exhibit are required and secured by law, and at the hands of competent officials, in the public service. How much more is it necessary and important for the welfare of society and for the guidance of legislation, plans of penal administration, judicial improvements, and the efforts of moralists and economists, in matters relating to criminal and reformatory, as well as penal measures, that the records of crime and a registry of all offenses, as well as proceedings against offenders, should be provided for in a thorough and proper way in the State.

Mr. Frederick Hill, formerly inspector of prisons in England, has well said that, "In order to render the statistics of crime of real value, a register is wanted of the *actual offenses committed*, without reference to subsequent detection and conviction."* This remark has been repeated, in various forms, to the corresponding secretary by several of the ablest public men in the State. Already it is entirely practicable to adopt a thorough method of municipal registration of crime and public offenses in the twenty-one cities of this State. The establishment of a State police, which appears to be a necessity not far in the future in this State, will furnish the proper occasion for effecting the kind of registration which Inspector Hill has suggested. But there is a want more urgent than this in another branch of criminal statistics, namely, in that which already exists in name, but not in any suitable and accurate way; we refer to that branch concerning which is published the yearly exhibit, entitled "Criminal Statistics of the State."

In the local and personal records in courts and the offices of sheriffs and county clerks, and in the methods of making and handling of the official returns from the towns, cities and counties, as well as in the revision and analysis of all these statistical returns in the office of the Secretary of State, no expert supervision, no power and no defined obligations are imposed respecting that entire collection of papers, frivolous, indefinite and few as they are, which we term the Criminal Statistics. Even the few fragments of law that, with wise intention, had been placed upon the statute book in 1830, 1847, 1861 and 1866, have been so repealed and amended as to impair the quality and completeness of most important elements of the statistics.†

* *Crime: Its Amount, Causes and Remedies*, by Frederick Hill, pages 20 and 21.

† The acts passed in 1839 and 1851 were wholly repealed by the frivolous fragment of law enacted by the Legislature in 1867; so that at the present time the State has no law that is at all adequate to secure the keeping and collection of the imperfect records of courts, jails and prisons, which are specified in the three separate fragments of laws that now remain in force, namely, the law passed April 25, 1839, that of December 14, 1847, and that of April 23, 1867.

As the time is near when effort and plans will be demanded for creating a bureau of criminal statistics, will not the following statement from the thoughtful and learned Dr. Francis Lieber, who, for more than forty years, and until his death, profoundly studied all questions relating to crime, now be a most useful guide to the best outline of the system of criminal statistics which the State requires?

In his introduction to the famous report of MM. De Beaumont and De Tocqueville, Dr. Lieber has remarks that:

"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 teaches 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 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. It sounds paradoxical when Pangloss, shipwrecked on the coast of Portugal, drew the inference from seeing men in chains that he was in a civilized country; yet he was right, considering his time; and it may be safely said that a community of any magnitude, within which no crime is committed, cannot be far advanced in civilization. There is a latent criminality in such communities which shows itself whenever opportunity offers. If the wants of men are reduced to the simplest food which the field offers, and to clothing which is provided by their own flocks, they are easily satisfied, and hardly an opportunity exists for the numerous crimes and offenses committed against property in a civilized and active society. There is or may be an absence of crime, but between this

and positive morality there is yet a vast difference. Mankind are destined for civilization, and the great problem is to arrive through civilization at morality. I have spoken here of mankind only as it has shown itself so far. That same power which operated such great changes in the dispositions of men, which has taught them that there is greater security in living close together, in towns and villages, than isolated in fastnesses, depending on mere physical security; that taught them that free labor is more productive than the labor of compelled serfs; that governments, supported by moral power, stand firmer than States founded on brutal strength; that nations may serve their own interest much more efficiently by treating their neighbors liberally than by injuring or paralyzing them; that diplomatic frauds lead to no good in their mutual intercourse; or which has already rendered the more brutal crimes rarer, that same power may also, at some future period, diminish the number of crimes in general."

In conclusion, upon this duty of the State and of the officers of courts and prisons, he says: "I cannot refrain from expressing my belief that few more important services could be rendered to the well-being of our people than the passing of laws which should enjoin the proper authorities, the clerks of the courts and agents of penitentiaries in particular, to keep accurate and complete statistical tables, according to prescribed forms, to be laid annually before the Legislatures. * * * Statistical accounts, if judiciously used, are the very charts of legislators; legislation without them is in most cases but a groping in the dark. They often dispel prejudices, though for centuries cherished, by irresistible facts, and again direct our attention to points where we least expected roots of long-known evil. At the same time the cost of collecting those of which I speak is very little compared with the magnitude of their importance." These lucid statements, from masters of the subject upon which they wrote, need no arguments to enforce them. The results they would seek we must attain by plain and well enforced measures yet to be devised.

E. H.

1372

ANNUAL REPORT OF THE GENERAL AGENT.

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

GENTLEMEN.—The General Agent respectfully submits the following report relating to the operations of the departments with which he is connected, and which are under the immediate direction of the Committees on Detentions and Discharged Convicts.

The duties pertaining to the office during the year 1872 have been divided between the care for discharged convicts, and personal inquiry into the wants of prisoners awaiting trial in the jails and detention prisons of the two metropolitan cities, as in past years.

To the former have been given such counsel and guidance as they needed in regard to employment and avoidance of evil, such assistance and protection as would prevent them from returning to evil courses, and such monition and encouragement as would lead them to persevere in their efforts to lead honorable and upright lives. To the latter has been extended such inquiry in respect to their necessities, such friendly aid in regard to the interests of those who were without means, and friendless before the courts, and such advice and counsel as the claims of humanity and justice have seemed to require.

With what success these duties have been fulfilled, and how advantageously to the classes with which the General Agent has been called upon to deal, it will be for you, gentlemen, to judge, after an examination of this report, with its accompanying tables and documents, herewith submitted for your inspection.

DETENTION DEPARTMENT.

In this branch of the work of the association, which has particular reference to the condition of the inmates of the detention prisons of New York and Brooklyn, the causes of commitments of all persons detained for trial or as witnesses in those places, and the adopting of proper means to procure the discharge of such as are entitled thereto, much time has been devoted, and great good accomplished, the most prominent instances of which will be found in the table below, which

we have arranged with special reference to the prisons where they were committed or detained, and the courts before which they were tried. There were many met with in our detention prisons not included in the table, who were 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 depredations. 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.

TABLE NO. 1,

Showing the number visited in the detention prisons, and the manner in which they were aided by the association.

	City prison.	3d district prison.	3d district prison.	4th district prison.	Madison-street jail.	Raymond-street jail.	Total.
Visited and advised	5, 172	413	227	118	22	6	3, 958
Complaints examined	618	21	16	1	1	1	75
Complaints withdrawn	113	5	4	2	1	1	131
Discharged on recommendation of agent	79	14	11	2	1	1	117

	1st district police court.	3d district police court.	3d district police court.	4th district police court.	Special sessions.	General sessions.	Over and under-murder.	U. S. district court.	Total.
Advised and defended	26	9	6	1	113	39	5	2	201

In the above table can be discerned some of the labor done in this department of the work, during the year just closed.

It will be seen that three thousand nine hundred and fifty-eight were conversed with and advised, as their several cases seem to require.

In the four hundred and seventy-six cases examined, some of the investigations were very full and complete, and affected to a greater or less extent the disposition of every case, and oftentimes they formed the basis of defense or extenuation.

The complaints withdrawn at the instance of the association were usually of a frivolous and trivial character, or arose from ill-feeling or malice, while those who were discharged on the recommendation of the Agent were persons who had been arrested for intemperance or disorderly conduct, or committed for the same offenses to the city prison or island work-house for terms varying from ten days to six months, and whose families would suffer from their enforced absence, or they were of a class of juvenile delinquents who had for some trivial offense seen the inside of a prison for the first time.

Those advised, and defended in the courts, were in nearly every instance charged with their first offense, and were without money or friends, and utterly unable to help themselves.

DISCHARGED CONVICT DEPARTMENT.

During the past year a more complete record has been kept of the history of each discharged prisoner relieved by the association than ever before, and the results of this inquiry will be found in the tables accompanying this report, to which especial attention is called.

This system of inquiry, commenced some four weeks prior to the convict's leaving prison, has enabled the association better to judge as to his disposition, designs and capacity, and to discriminate between those who are swept into crime by accidental forces, and those who tend toward it by hereditary qualities.

Form used by the Prison Association in Registering Discharged Convicts.

REGISTER OF DISCHARGED CONVICTS.

DATE.	NAME.	AGE.	NATIONALITY.	If foreign born, No. yrs. res. in U. S.	NATIONALITY OF PARENTS.	EDUCATION.	RELIGION.	HABITS.	OCCUPATION.	SOCIAL CONDITION.	Where in prison.
						Read. Well educated. Read and write.	Protestant. Catholic. Hebrew. Temperate. Intemperate. Habitual drunkard.	Temperate. Intemperate. Habitual drunkard.	Clerk or book-keeper. Laborer. Trade, and what.	Parents living. If living where residing. Single. Married. Number of children.	Charges which led to first offense. Date of arrest. Date of conviction. Length of sentence.

(CONTINUED.)

PRISON ASSOCIATION OF NEW YORK.

How employed in prison.	Number of punishments.	Amount of commutation.	Date of discharge.	Amount received from State.	Amount received for over-work.	If foreign born, No. yrs. res. in U. S.	NATIONALITY OF PARENTS.	EDUCATION.	RELIGION.	HABITS.	OCCUPATION.	SOCIAL CONDITION.	Where in prison.
								Read. Well educated. Read and write.	Protestant. Catholic. Hebrew. Temperate. Intemperate. Habitual drunkard.	Temperate. Intemperate. Habitual drunkard.	Clerk or book-keeper. Laborer. Trade, and what.	Parents living. If living where residing. Single. Married. Number of children.	Charges which led to first offense. Date of arrest. Date of conviction. Length of sentence.

REMARKS.

DIRECTION MADE OF THE INDIVIDUAL.

It has also assisted them in determining the class of employers with whom they should be placed. For in all cases when practicable the well disposed, the homeless and friendless, are sent to such employers as will take a friendly interest in their welfare, and aid them in their efforts to reform.

Willingness to work, and a desire and determination to live honestly, have secured for the released prisoners who have applied at the office of the association whatever aid and friendship it has been able to command in the way of employment and social protection.

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 following tables, where the work of each month of the year is shown by figures too plain to be mistaken.

There is not a State prison or penitentiary in the State but what has added in a degree to these labors, and representatives from the penal institutions of other States have not been infrequent callers, as will also be observed, while detention prisons and county jails have contributed largely to swell the total.

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.

	PRISONS.			TOTAL.
	City prison and county jails.	Penitentiaries.	State prisons.	
January	11	69	39	109
February	8	64	34	94
March	10	65	37	102
April	5	47	24	76
May	8	57	33	98
June	12	60	33	105
July	14	61	30	115
August	9	64	38	109
September	6	63	35	99
October	7	52	36	95
November	9	60	34	96
December	8	61	32	101
	108	733	330	1,161

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	252	
Auburn	43	
Clinton	19	
From other States	16	
	<hr/>	380
PENITENTIARIES:		
Blackwell's Island	487	
Kings County	192	
Albany	15	
Erie County	6	
Rochester	2	
Syracuse	1	
Blackwell's Island work-house	13	
REFORMATORIES:		
House of Refuge	4	
School ship	3	
	<hr/>	723
DETENTION PRISONS:		
City prison	78	
Ludlow-street jail	11	
Raymond-street jail	6	
Other jails	13	
	<hr/>	108
	<hr/>	1,161

TABLE No. 3,

Showing the prisons in other States from which prisoners were discharged who were aided by the association.

PRISONS IN OTHER STATES.

*Vermont State Prison.
 Massachusetts State Prison.
 Massachusetts House of Correction.
 Rhode Island State Prison.
 Connecticut State Prison.
 New Jersey State Prison.
 Eastern Penitentiary of Pennsylvania.
 Ohio State Prison.
 Michigan State Prison.
 Detroit House of Correction.
 Indiana State Prison.*

*Illinois State Prison.**Chicago House of Correction.*

This number, large though it may appear, does not begin to represent all the applications made to the association during the year, nor does it even show the entire number relieved; for many who had been discharged for some time and who had applied at the office at the time of their discharge, and were then provided for, were not registered again, although they may have been aided in some manner or sent to the second situation. But it is intended to show the number who were relieved by the association immediately upon their discharge.

Out of so large a number many, of course, sought for sympathy and a pittance for further self-indulgence in their evil courses. Some were what are commonly known as "revolvers," who spend the little time they are out of prison in going around among the different charitable institutions of the city making pitiful appeals, and not always without success. Others, and by far the largest number, desired naught but permanent employment and an opportunity to gain, by the sweat of the brow, what they had hitherto acquired by dishonest practices, while some few needed only counsel and encouragement.

Each was relieved according as his several necessities seemed to require, and the only class to whom all aid was refused was that first mentioned.

SUMMARY.

The following is a summary of the work in this department, the details of which are elsewhere presented:

Three hundred and fifty-six were supplied with clothing.

Two hundred and ninety-one were provided with lodging and food until such a time as they were placed in a position to sustain themselves.

Eighty-four were furnished with tools.

One hundred and twelve were forwarded to their home and friends at a distance.

Seven hundred and sixty-three were furnished with employment, and the majority of situations secured were at places remote from the city.

Money has been advanced whenever necessary to pay their fare and expenses to friends and places of employment to purchase

articles of clothing suitable to the occupation in which they were about to engage; to redeem or purchase tools in order that they might enter at once into situations and to provide them with temporary lodging and food.

The difference which appears in the number of those aided, and those who applied, arises from the fact that many are entered upon the record twice, as when a man is furnished with clothing and a ticket to his home.

No doubt some of the beneficiaries included in the foregoing summary derived little benefit from the benefactions beyond a temporary relief from their sufferings, while, on the other hand, it is no less certain that not a few, through the timely assistance thus rendered, have been prevented from again entering on a career of crime or turned back after they had commenced it, and so have been saved to themselves and society.

TABLE No. 4.

Showing the ages of those aided by the association, and the prisons from which they were discharged.

	AGES.							Total.
	Under 20.	Between 20 and 25.	Between 25 and 30.	Between 30 and 35.	Between 35 and 40.	Between 40 and 45.	Over 45.	
City prisons and county jails.....	9	33	30	30	10	8	8	154
Penitentiaries.....	51	234	148	111	40	35	44	723
State prisons.....	24	107	68	60	36	25	30	330
	84	374	346	331	76	68	73	1,161

The number of young men who find their way into our penal institutions exceeds belief, unless we carefully examine the figures. From them it appears that fully three-fourths of all those convicted are under thirty-five; young men who, if placed in a position where they could earn even a fair subsistence until such a time as their disgrace had in a measure been forgotten, might yet become respectable and respected members of society.

TABLE No. 5.

Showing the nationality of those aided each month by the association.

	NATIONALITY.											Total.				
	American.	Irish.	German.	English.	French.	Scottish.	Swede.	Norwegian.	Welsh.	Cuban.	Spaniard.		Italian.	Portuguese.	Russian.	Chinese.
January.....	45	28	18	14	1	1	1	1	1	1	1	1	1	1	169	
February.....	34	23	15	15	1	1	1	1	1	1	1	1	1	1	84	
March.....	39	28	18	15	1	1	1	1	1	1	1	1	1	1	103	
April.....	32	21	11	9	1	1	1	1	1	1	1	1	1	1	78	
May.....	39	28	14	11	1	1	1	1	1	1	1	1	1	1	93	
June.....	45	30	17	14	1	1	1	1	1	1	1	1	1	1	165	
July.....	39	27	18	16	1	1	1	1	1	1	1	1	1	1	115	
August.....	48	29	19	15	1	1	1	1	1	1	1	1	1	1	101	
September.....	36	29	15	10	1	1	1	1	1	1	1	1	1	1	82	
October.....	33	25	13	12	1	1	1	1	1	1	1	1	1	1	87	
November.....	36	23	15	14	1	1	1	1	1	1	1	1	1	1	86	
December.....	34	23	8	13	1	1	1	1	1	1	1	1	1	1	101	
Totals.....	477	322	169	147	14	7	3	2	3	6	3	2	1	2	4	1,161

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.....	39	69	108
Penitentiaries.....	209	424	733
State prisons.....	135	195	330
	473	688	1,161

TABLE No. 7,

Showing the nationality of the parents of the prisoners aided each month by the association.

	NATIONALITY OF PARENTS.													Total.		
	American.	Irish.	German.	English.	French.	Scott.	Swede.	Norwegian.	Wohls.	Cuban.	Spaniard.	Haytian.	Pennian.		Russian.	Chinese.
January	32	43	19	9	3	1	1								1	209
February	21	36	14	10	3				1	1		1			1	81
March	39	40	11	14	3				1	1		1			1	202
April	22	33	6	8	1	1							1		1	72
May	22	33	13	6												85
June	33	43	16	11	1					1					1	155
July	26	44	17	14	2										1	215
August	22	40	13	17	1	1					1				1	191
September	27	34	10	19	1	1					1				1	191
October	21	38	15	9	2											95
November	22	45	15	6		1										95
December	30	46	11	11	1											191
Totals	334	479	168	139	14	7	3	2	3	6	3	2	1	2	4	1,101

The above tables only confirm a fact already well established, that crime is increased by the influx of emigrants from other countries, and that our criminals are largely made up of foreigners.

To what extent this element enters into our prison population may the more readily be seen and comprehended by a glance at the table of the nationality of the parents of those convicted, which shows that only twenty-eight per cent of the discharged convicts aided by the association were of American parentage.

TABLE No. 8,

Showing the degree of education of the prisoners aided each month by the association.

	EDUCATION.				Total.
	Neither read or write.	Read.	Read and write.	Well educated.	
January	18	30	64	7	109
February	11	17	51	5	84
March	14	23	60	6	103
April	9	15	48	4	76
May	12	17	59	5	93
June	15	18	67	5	105
July	18	19	79	7	113
August	15	21	61	4	101
September	9	15	63	4	92
October	14	17	51	6	87
November	10	19	61	6	96
December	5	24	66	6	101
Totals	145	224	726	66	1,101

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	17	17	67	7	108
Penitentiaries	88	153	442	40	723
State prisons	40	54	217	19	330
Totals	145	224	726	66	1,101

It is an obvious and striking fact, as may be seen from the above tables, that ignorance is the mother of a large progeny of crimes.

That only sixty-six well educated persons, or persons possessing what is termed a common-school education, applied out of eleven hundred and sixty-one, or about one-twentieth of the whole number, tells its own story, and ought to stimulate all citizens to renewed exertions to extend the blessings of education.

One hundred and forty-five, or one-eighth of the inmates of our county jails, penitentiaries and State prisons, are wholly illiterate.

Two hundred and twenty-four, or one-fifth, can only read; and while seven hundred and twenty-six claimed to be able to read and

write, it is doubtful whether they could do the one intelligibly or the other legibly.

That education should form a part of any system of prison discipline which seeks the reformation of convicts, is apparent from the above tables, and its importance is the more manifest when we take into consideration the fact that a large proportion of the inmates of our prisons are young men who need such instruction.

TABLE NO. 10,

Showing the religious belief of those aided each month by the association.

	RELIGION.				Total.
	Protestant.	Catholic.	Hebrew.	Pagan.	
January	86	72	11	..	169
February	26	57	1	1	84
March	33	68	..	..	101
April	33	51	2	2	88
May	25	56	1	1	83
June	48	35	2	2	87
July	40	74	1	1	116
August	49	31	..	1	80
September	31	59	2	..	92
October	31	61	3	1	96
November	29	53	3	..	85
December	45	54	2	..	101
	426	713	18	4	1,161

TABLE NO. 11,

Showing the religious belief of those aided by the association, and the prison from which they were discharged.

	RELIGION.				Total.
	Protestant.	Catholic.	Hebrew.	Pagan.	
City prisons and county jails	46	39	2	1	88
Penitentiaries	263	448	10	1	726
State prisons	117	306	6	1	430
	426	713	18	4	1,161

It is to be feared that but little reliance can be placed on the above tables, relative to religious belief, opinions or professions, as few discharged convicts have any idea what religious education is, or means, and give their answers to such questions without thought or reason.

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	37	72	9	108
Penitentiaries	214	498	11	723
State prisons	56	277	7	339
	337	797	27	1,161

The figures are demonstrative, which show how large a proportion of the vice and crime of the community is occasioned by strong drink.

Over two-thirds of the whole number aided by the association admitted themselves to be intemperate, and ascribed their ruin to rum; and no doubt a large proportion of the remaining third might be classed in the same category, for a great many say they are temperate when they are quite the reverse.

It is a well established fact that intemperance, directly or indirectly, furnishes a majority of the subjects for reformatories and State prisons, and is the pervading cause of vagrancy and crime. If this plague was once stayed, a marked decrease would immediately appear in the inmates of penal institutions. Efforts of two kinds are necessary: one to preserve the temperate, and the other to restore those whose condition has been considered hopeless.

TABLE NO. 13.

Occupation before conviction of discharged convicts relieved during the year by the association.

Accountants	5	Brick mason	3
Book-keepers	16	Burnishers	2
Bakers	3	Butchers	3
Barbers	2	Cabinet makers	5
Bar-tenders	11	Carpenters	5
Blacksmiths	5	Carriage trimmer	1
Boiler maker	1	Carmen	12
Boatmen	4	Clerks	86
Brass moulder	1	Cigar makers	2
Brewer	1	Cooks	6
Brick maker	1	Coopers	10

Deputy sheriff.....	1	Pattern makers.....	2
Drivers.....	19	Peddlers.....	3
Druggist.....	1	Plasterers.....	3
Farmers.....	12	Plumbers.....	8
Gardeners.....	4	Polishers.....	3
Gas-fitters.....	4	Plane maker.....	1
Gilder.....	1	Porters.....	4
Gunsmith.....	1	Printers.....	6
Hackmen.....	5	Sailors.....	16
Harness makers.....	2	Sail makers.....	2
Hatters.....	3	Salesmen.....	7
Hostlers.....	6	Steward.....	1
Iron-railing maker.....	1	Stone cutters.....	6
Jewelers.....	2	Shoemakers.....	16
Laborers.....	738	Tailors.....	5
Machinists.....	5	Tanner.....	1
Masons.....	7	Teacher.....	1
Mattress makers.....	2	Teamsters.....	17
Moulders.....	6	Tinsmith.....	1
Music teacher.....	1	Varnisher.....	1
Naval officer.....	1	Waiters.....	13
Nurse.....	1	Wagon maker.....	1
No employment.....	27		
Painters.....	6	Total.....	1,161
Paper-box makers.....	2		

TABLE No. 14,

Showing the occupation of those aided by the association, and the prison from they were discharged.

	OCCUPATION.			Total.
	Clerks and bookkp's.	Trades.	Laborers.	
City prison and county jail.....	93	17	68	168
Penitentiaries.....	142	78	503	723
State prisons.....	59	46	255	360
	294	141	796	1,181

The above tables show how close is the relationship between the want of a trade and the commission of crime.

They show that our prisons are filled from the ranks of the idle and shiftless—those who possess neither trade or useful occupation. One hundred and forty-one, or about one-eighth of the entire number, claimed to have trades; but closer inquiry reveals the fact that fully one-half of these only possess such a partial knowledge of

one as they had acquired in some penal institution, or else belonged to that class of mechanics known among skilled workmen as "cobblers."

Another fact deserves attention: those who have served two or more terms, when questioned as to their former occupation, invariably give that at which they were employed during their first imprisonment.

A case in point. A man discharged from one of the penitentiaries called at the office of the association and desired a situation; when asked how he had been employed prior to his arrest, replied, "At my trade, that of shoemaker." He was sent to one of the large factories with a line of introduction, and at once put at work. The foreman soon discovered that he knew but one branch of the business, and that imperfectly, but he did not make the discovery until nearly a case of shoes had been spoiled.

This man who, according to his own statement, had "never been in prison before," learned his trade at Sing Sing.

Of those classed as clerks, book-keepers, etc., perhaps three-fourths of the number would be more properly classified were they placed under the heading of "loafers" or "corner loungers," while many who claim to be laborers never earned a dollar in their lives by honest toil.

TABLE No. 15,

Showing the parental relations of the prisoners aided by the association, and the prison from which they were discharged.

	One or both parents living.	Both parents dead.	Total.
City prisons and county jails.....	63	45	108
Penitentiaries.....	471	292	763
State prisons.....	124	136	260
	728	433	1,161

The above table demonstrates quite as forcibly as the one in the comparison of ages, that the prison population is almost wholly composed of youth and young men. The fact that one or both of the parents of 728 out of 1,161 are living, goes far to prove that sixty-three per cent of those who applied to the association during the year were persons under thirty years of age, and it is still further convincing that parental indulgence or lack of restraint is one of the

most fruitful sources of crime, and that early teachings, impressions and habits exercise a controlling influence on the whole subsequent life. It is from the class of children that are under neither religious or moral influences at home, but who have been allowed to select their associates without supervision, and to receive their education and form their habits in the streets, that our State prisons and penitentiaries are recruited.

TABLE No. 16,

Showing the social condition of those aided by the association, and the prison from which they were discharged.

	SOCIAL CONDITION.			
	Single.	Married.	Widowed.	Total.
City prison and county jails	60	43	5	108
Penitentiaries	422	282	116	820
State prisons	128	193	9	330
	610	459	24	1,093

That the single men should largely predominate over the married in our prisons is not to be wondered at, when we consider the effect of home influence and the responsibilities attending the marriage relations. But this table has another bearing, for, like the one showing the parental relations, it tends to still further confirm what has already been said concerning the great preponderance of boys and young men in our penal institutions.

TABLE No. 17,

Showing the home training of those aided by the association, and the prison from which they were discharged.

	HOME TRAINING.			Total.
	Moral.	Religious.	Neither.	
City prison and county jails	30	23	65	118
Penitentiaries	204	167	232	603
State prisons	110	79	147	336
	344	269	544	1,157

That neglect of family government and the entire absence of all moral and religious restraint in the rearing of children is one of the great causes of crime, is a fact too well authenticated to need even the confirmation of the above tables.

Our prisons are tenanted with those who grew up instead of being reared, with those who were not brought up in the way they should go, with those whose parents neither feared God nor regarded man. It has been customary to trace all crime to intemperance as a cause, but in the history of crime home training precedes intemperance, and results in it and higher crimes.

TABLE No. 18.

Statement of offenses of which those who applied to the association were convicted.

	No.
Abduction	1
Arson	2
Assault and Battery	86
Attempt to commit burglary	80
Attempt to commit grand larceny	56
Burglary	62
Disorderly conduct	36
Embezzlement	10
False pretences	13
Felonious assault	16
Forgery	8
Grand larceny	279
Indecent assault	1
Intoxication	38
Larceny from person	20
Petit larceny	428
Perjury	3
Permitting prisoner to escape	1
Rape	1
Receiving stolen goods	5
Robbery	2
Vagrancy	12
Total	1,161

Only 106 of the above number were for crimes against the person, eighty-seven were for intoxication, disorderly conduct and vagrancy, and the remaining 968 were for crimes against property. Seven hundred and one were for misdemeanors, and 460 were for felonies. This shows further, that 130 of the 330, who had committed felonies or State prison offenses, were sent to the penitentiaries.

TABLE NO. 19,

Showing the number of convictions of each prisoner aided by the association, 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.....	88	47	17	4	2	158
Penitentiaries.....	459	152	60	33	9	713
State prisons.....	212	86	19	7	6	330
	759	285	96	44	17	1,161

No doubt a large proportion of convicts leave the prison with a sincere desire and intent to amend their lives, but thrown upon community almost, if not quite, penniless, without relatives or friends to whom they may apply, without character, and with no knowledge of a trade or useful occupation, is it to be wondered at that the proportion of recommitments has been so large?

Happily a better day is dawning, and the time is not far in the future when each man, the moment he steps forth from the prison, will be sent to permanent and profitable employment, and where he will learn lessons of industry, forbearance and self-control.

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 test the willingness to work of each man discharged from the penitentiaries and State prisons, with an opportunity to enter into immediate and remunerative employment of the kind for which he is best adapted.

Few discharged from our State prisons have not had a situation provided or offered, while scores from the penitentiaries and other institutions have been placed in positions where they could earn an honest livelihood.

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.

There are numbers, however, who are not lost sight of; others

with whom communication is kept up, and it is a most gratifying consideration that so many, in despite of the temptations placed in their path, and the obstacles which they are obliged to surmount, hold fast to their integrity.

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 table on the two preceding pages gives not only a complete record as regards the ages, nativity, education, religion, occupation, habits, social condition, parental relations, home training, and the number of convictions of each man aided at the city office by the association during the year, but it shows also the number of each class of prisoners, the prison from which they were discharged, and the total from each.

It is most comprehensive, and deserves careful study, as it demonstrates, more plainly than words can be made to express, the facts relative to the sources and causes of crime and the character and condition of criminals.

From it can be gleaned the history of hundreds of individual cases that would fill volumes if expressed in words, and each of which conveys its lesson.

Such an exhibition of youth and depravity, ignorance and bigotry, idleness and intemperance, orphanage and lack of parental restraint, could scarcely be more completely compressed into a single view.

Extracts from the Agent's diary on detentions.

Out of the large number of cases which have received attention in this department, a few have been selected, showing the nature and general character of the work, with its practical bearings on individuals. The object, as will be seen, 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.

No. 1. A German was charged with grand larceny, abstracting forty dollars from the trunk of his room-mate. We listened attentively to his story and felt strongly inclined to believe him innocent of the charge preferred against him, but after examining the papers in the case and talking with the complainant, we commenced to doubt, somewhat, his statement. He, however, protested his innocence in such strong terms, that we engaged to defend him, and had the case placed upon the calendar for the following day.

The testimony for the prosecution was wholly circumstantial, and as the defendant was able to prove previous good character, the jury rendered a verdict of "not guilty" without leaving their seats.

Before leaving the court the Agent remarked to him that the verdict of the jury had not removed some doubt which existed in his own mind, and asked him, now that he had been acquitted, whether he took that money or not? "Yes, I took it, but they couldn't prove it, could they?" was the reply.

No. 2. Was arrested for petty larceny, stealing two pair of shoes from in front of a store on Hudson street.

The complainant believing he was in want, the result of being out of work, and that this was his first offense, declined to prosecute. On the recommendation of the Agent, judgment was suspended and the man discharged.

He was sent to employment at Flushing, L. I., and his family provided for until he had received his first week's wages. Subsequent inquiries have shown that the family are now in comfortable circumstances.

No. 3. Aged 19, was charged with petty larceny. He had been confined in the city prison for five weeks. Inquiries were made into his character and this found to be his first offense; his former employers spoke well of him, and promised to take him again into their employ should he be released. He has a widowed mother and two little sisters partially dependent upon him for support. These facts being submitted to the court by the Agent he was discharged.

No. 4. Was indicted for burglary in the third degree. He had been out of employment for several weeks and was out of money. On the night of his arrest he had entered an unfinished building to sleep, and was discovered by the watchman who handed him over to a policeman. In the morning the owner of the building made a complaint, charging him with forcing an entrance and taking a quantity of lead pipe.

We investigated the case and found that there had been no lead pipe taken from the house, and that the entrances in the rear were not closed on the night in question. We inquired into his character and found that he had always led an honest and industrious life, and had the confidence of his former employers. On his trial these facts were brought out, when a verdict of "not guilty" was rendered.

No. 5. Had been indicted for obtaining forty-five dollars' worth of candy under false pretenses. He was but fifteen years of age, and for four years, or since the death of his mother, had been, as he expressed it, "kicked around" and obliged to earn his own living.

This was his first offense, committed because he had been discharged from his last place, as he thought, without sufficient reason. The complainant did not desire to appear against the boy, but was anxious that he should be placed in some institution where he would be cared for, and become better instead of worse. When brought into court he was advised to plead guilty, and was, at the suggestion of the association, sent to the Juvenile Asylum.

No. 6. Was arrested charged with grand larceny, stealing a roll of cloth from a clothing store on Grand street. He had entered the store in company with several others to get a vest which he had ordered, and after their departure the proprietor missed the cloth. This young man being the only one in the party whom he knew, he immediately caused his arrest. He protested his innocence, denying all knowledge of the theft. A thorough investigation of his habits and his antecedents was made, and his general reputation found to be good. He had been in the employ of one firm for five years, and they had the utmost confidence in his integrity. These facts were submitted to the district attorney, and a speedy disposition of the case asked for.

The papers were at once sent before the grand jury, who found a true bill. He was arraigned on the indictment, plead guilty, when judgment was suspended and he was discharged. Immediately upon leaving the court, he visited his former employers, who at once reinstated him in his position.

No. 7. Was a sailmaker and had been out of employment for some time, and having a family dependent upon him for support, his case became a deperate one. He took to drink, and in a fit of drunken desperation enlisted in the U. S. navy, and was placed on board the receiving ship. As soon as he recovered his senses, he saw that while he had, perhaps, temporarily improved his own condition, that of his family was made worse. He wrote to his wife telling her what he had done, and imploring her to try and secure his discharge.

She applied to the association and begged of us, for the sake of her little children, to interest ourselves in his behalf. We promised to do what we could, and immediately got out a writ of *habeas corpus* to prevent his being sent away from the navy yard; we then wrote to the Secretary of the Navy, stating the circumstances under which the man had enlisted; that he had served honorably during the war and was receiving a pension; that he had a family dependent upon him, and asked that he be discharged. A few days afterward we received a letter saying that his discharge had been ordered, and the

afternoon of the same day the man came into the office with his wife to return his thanks.

No. 8. While in the Tombs, one morning, our attention was called by one of the keepers to a very decent looking man, who was working upon the tier, and he informed us at the same time that this man was the mate of a coasting vessel, which had arrived in port a day or two before. Upon landing he had come immediately ashore, became intoxicated and disorderly, was arrested, brought before a magistrate and sentenced to the island for six months, and was now awaiting removal. We entered into conversation with the man and learned, further, that he had a wife and child residing in Jersey City, that several months' pay was due him, which he was to have received at the end of this voyage, and that the vessel, with all his clothes on board, would sail in a few days or as soon as she had discharged her cargo. While we were talking with him his wife, to whom he had written and informed of his whereabouts, came in, and a more affecting meeting we have seldom seen. She confirmed his story, and said, furthermore, that their little child was lying at the point of death. We went to the committing magistrate, stated the case, when the man was immediately discharged.

No. 9. The wife of a man who had yesterday been sentenced to Sing Sing for two and a half years, called and informed us that she had sold every article in the house that would bring a penny to procure a lawyer to defend her husband, and that now she was utterly destitute, with four small children, and inquired what she could do, as they were all insufficiently clad and without the means to buy a mouthful of food. We advised her to place the children in some one of the asylums and take a situation in some family. She, after some hesitation and many tears at being obliged to part with both husband and children, assented. They were provided for for the night, and on the following day the children were placed in an institution, and the mother introduced to a kind-hearted lady who gave her employment.

No. 10 was charged with an assault and battery, tried, convicted and fined twenty-five dollars, and as he was without means he was committed to prison. We saw him in the Tombs immediately after he came from court, and learned, in addition to the above, that he was employed in a grocery house on Washington street, that if obliged to remain in prison until his fine was paid that he would probably be there for some time, as he had no friends to whom he could

apply, and would certainly lose his situation. Inquiries were made as to his character, which was found to be above reproach, and his story as to the occurrence which led to his arrest was more than confirmed. We visited his employers without revealing our object or who we were, found that they had great confidence in him, and were worried concerning his absence. These facts were submitted to the judge who had sentenced him, when the fine was at once remitted and the man discharged.

No. 11 was arrested charged with grand larceny, stealing a watch and chain from his room-mate. The facts were these: he came to the city several months ago from the interior of the State in search of employment, thinking he would experience little or no difficulty in securing a situation immediately upon his arrival. But like thousands of others, he learned his mistake when it was too late, and found that the supply of clerks in New York largely exceeded the demand at all times. He had some little money, however, and determined to remain until "something turned up," but days lengthened into weeks and weeks into months, and he had found no one willing to employ him. His means by this time had become exhausted, his clothing was worn out or in pawn, he was largely in debt to his landlady, and things were daily becoming worse. In thinking over his condition, it occurred to him how foolish it was to remain in New York and starve, when at home there was enough and to spare, and he determined to subdue his pride and return to his father's house. To accomplish his design he stole the watch of his room-mate, but, before he could dispose of it for sufficient to pay his fare, was arrested. We could but feel some interest in this case, and after inquiring into it fully and from letters in his possession we felt persuaded that this was his first offense. The extenuating features of the case were submitted to the district attorney, who expressed his willingness to accept a plea of guilty to an attempt at grand larceny, when the court was pleased to adopt our recommendation and judgment was suspended. The association then furnished him with money to reach his home, and believe he will act more wisely in the future.

No. 12 had in a sudden moment of temptation taken some articles from the store where he was employed. He was seen by the porter, who informed the proprietors and he was at once turned over to the police. We saw him in the Tombs after he had been indicted for grand larceny. He admitted his guilt, but begged of us on account

of his family to try and save him from the disgrace of going to State prison. His employers were visited, and they informed us that they had no desire to press the charge, and believed that the young man, if discharged, would hereafter profit by his bitter experience. We then called upon the district attorney and stated the circumstances, presenting at the same time a letter from the employers, which we had taken care to obtain, and asked that the case be placed upon to-morrow's calendar, which was done. When called for trial, we advised the young man to plead guilty to attempt; this was accepted, and the judge, on our recommendation, suspended judgment and he was discharged.

No. 13. A seaman had been confined in the county jail for several weeks, charged with assaulting the second mate at sea; he stated that but few words had, passed between the mate and himself, and he had no idea of any trouble originating from what had been said, when the mate struck him over the head with a heavy piece of wood, injuring him severely, and that he did not strike him in return. The affair occupied but a few moments, and after it was over all went on well during the remainder of the voyage.

When the ship arrived in port, he thinks the mate was fearful that a complaint would be made against him, and, to prevent it, caused his arrest. We waited on the district attorney and called especial attention to this case, and stating our firm belief that the man was unjustly detained. With promptness the papers were examined by him, and there being no witnesses retained for the prosecution, this unfortunate man was immediately discharged.

No. 14. Had been confined in the Tombs over two months, having demanded a jury trial. He had been employed as a laborer about the docks, and was charged with stealing a quantity of old rope, which he sold for one dollar. The Agent had often called upon the authorities in regard to his case, urging them to bring the young man to trial, he being destitute of clothes or a change of linen, and had been sufficiently punished for his offense. He was at length brought before the court and discharged at our instance. We provided him with an entire change of clothing and sent him to employment a short distance out of the city.

No. 15 was a colored woman, charged with assault and battery. She had called upon one of her acquaintances, who was a member of the same church, to inquire relative to some reports which had been circulated against her, and to ask for an explanation; but

instead of an explanation she received only abuse and hard words. When she started to leave she was intercepted at the door and informed that she must remain until the tirade of abuse was concluded. This she refused to do, and pushing the woman one side walked out. She was surprised and astonished an hour or two later when an officer entered her house with a warrant for her arrest, charging her with an assault and battery. Several friends of the woman called upon the Agent, asking him to interest himself in her behalf, stating that she was a respectable, peaceable person, and that this was a trumped-up charge to injure her. On trial, complainant claimed to have been internally injured, and said she had been under a physician's care ever since the occurrence. The physician who attended her was then placed upon the stand and skillful cross-questioning revealed the fact that he knew nothing about medicine, was living on terms of criminal intimacy with the complainant, and had induced her to make the charge, thinking that some of the friends of the prisoner might be induced to settle it by the payment of money. She was promptly acquitted.

No. 16 was a young man about twenty years of age, who was employed by a man to drive a horse and wagon. His employer told him one morning to go to a certain street and receive a case of goods he would find on the sidewalk, at the same time describing the case and the marks upon it. He went as directed, and while in the act of removing it was arrested by the owner and committed to the Tombs on a charge of grand larceny. When the case came up for trial he pleaded guilty to the charge, but stated the above facts in extenuation. He was remanded to prison and remained there nearly two months without any action being taken in his case. Being without friends or money to employ a lawyer to defend him, he sent to the Agent of the association for advice and assistance. The Agent drew the attention of the court to the facts in the case, when the judge immediately ordered his discharge, but directed search to be made for his employer, and when found to be arrested and committed to prison.

No. 17 was arrested and confined in the city prison on suspicion of committing a grand larceny. He had been in prison two months anxiously awaiting the action of the grand jury. We saw the district attorney, had the papers placed before that body, no bill was found and the man was discharged.

The above is only one of very many cases precisely similar in

character that we meet with in our visits to the detention prisons. Men are arrested on suspicion, locked up for weeks and then discharged, and, after having suffered from loss of situation and character, have no redress.

No. 18. In the boys' department of the city prison we find a lad some thirteen years of age, charged with grand larceny, stealing thirty dollars from his father, who had caused his arrest. We thought this a strange proceeding on the part of the parent, particularly with one so young, and calling upon him at his home so expressed ourselves. In reply, he said that the boy was a "natural-born thief," that he would steal before he could walk or talk, and though he had been repeatedly reprovved and severely punished, he became worse instead of better, and that his influence was such on his brothers and sisters that he had felt it his duty to take the step he had, hoping that a short imprisonment would accomplish what all others means had failed to do, viz., his reformation. We informed him that we thought he had sent the boy to a poor place to be reformed, and advised him to see the district attorney, withdraw the complaint and have the boy discharged, and that possibly the punishment he had already received might have a salutary effect, and if not, to send him to the House of Refuge. Our advice was followed, and the father has since informed us that he had not detected him in pilfering, and has had no occasion to punish him since his discharge.

No. 19 was brought into court to plead to an indictment of grand larceny, stealing a watch and chain worth \$150 from a person where he, in company with his brother, had been invited to dine. The brother came to us in court and asked us to intercede with the judge in the young man's behalf, stating further, that the complainant, who was present, did not desire to prosecute. We spoke to the district attorney, who consented to accept a plea of guilty to an attempt. The judge, after listening to our statement, sentenced the young man to six months in the penitentiary.

No. 20 had been in the Tombs three months awaiting trial on the charge of burglary in the third degree, but the prosecutor could not be found. We made diligent inquiries in reference to the prisoner, and found he had hitherto borne a good character, and had been at various times in the employ of several large firms as an accountant; that his parents lived in an adjoining State, and were people of respectability and standing in the community where they resided; that this

young man had resided in the city for several years, and until within the past few months had been in easy circumstances, but that through a protracted illness he had lost his situation and exhausted his means, and that while he might be guilty of the offense charged, he was sincerely penitent and would never be guilty of an offense against the laws again. Under these circumstances, and from the fact that the complainant could not be found, we felt justified in asking the district attorney for his release. He was brought up and discharged by proclamation of the court, and is now in a responsible situation, which he fills to the entire satisfaction of his employers, who have great confidence in his ability and integrity.

These extracts might be multiplied indefinitely, but enough have been presented to give a clear exhibition of the nature, importance and utility of the work done by the association through its Agent in this department, and to show that the duty of extending to those who are detained for trial, and who are unable to procure other counsel, advice, encouragement and even protection against wrong, has not been neglected.

Extracts from the Agent's diary on discharged convicts.

The necessity, importance and usefulness of this department of the association's work will, perhaps, be the better illustrated by a few extracts and incidents taken from the daily diary of the Agent.

There is, perhaps, no condition in life as embarrassing as that of the discharged convict. He is conscious of his guilt and utter degradation, and is afraid of every one he meets. He knows that his former friends and acquaintances will shun him, and that those who are near and dear to him will, in all probability, cast him off. He apprehends that he will be pointed out and recognized as a "prison bird," and doomed to everlasting distrust and contempt.

Under these circumstances, 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 supply-

ing 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.

No. 1, a jeweler by trade, was arrested for stealing from his employers gold to the value of seventy-five dollars. On being brought forward for trial, he plead "guilty," and was sentenced to State prison for a term of five years. Upon his discharge from prison, he called at the office of the association. He states that this was his first offense, and the bitter experience of a prison life has taught him a severe lesson and one that would last him a lifetime. He has searched several days for employment and as yet has been unsuccessful. We suggested applying to his former employers, and offered to call and see them personally in regard to his case; he was confident our efforts would be in vain, and that they would never give him employment after the wrong he had committed. We, however, thought best to make the effort, and did call upon them, stating his case and expressing our belief in his desire to reform, could he but receive encouragement from them. After considerable hesitation the firm consented to receive him into their employ again, and place confidence in him as a reformed man. He has now been with them several months, and his employers say they in nowise regret the step they have taken and are convinced of his thorough reformation.

No. 2, a German, who emigrated to this country about nineteen years ago. He resided in New York a short time, when he removed to Cincinnati, Ohio; he was arrested in that city, charged with stealing a piece of cloth from a store, and sentenced to prison for three years. Upon his release from prison he came to this city, seeking employment; he declares that he has repeatedly tried to lead an honest life, but the fact of his having been in prison comes out sooner or later, and he is driven to his old practices. He stated also that his wife and children were in a suffering condition, and asked aid for them until he could obtain employment. We made inquiry and found his family in very destitute circumstances, needing immediate aid, which we cheerfully gave them; and also gave him a line to one or two firms, whom we thought would be able to employ him. He was unsuccessful for some time, and received assistance from the association on various occasions. We were finally enabled to obtain a situation for him, and have every confidence that he will, by an honest life in the future, in a measure redeem the past.

No. 3 is an old acquaintance of the association, having applied

for relief several times; he has served two terms in the State prison for burglary. He is a moulder, and states if he could procure a few tools he could readily secure employment; we purchased for him the necessary tools and also provided him clothing, which he very much needed. We also advised him to call on one or two firms who gave employment to a large number of men, and he was finally successful in obtaining a position, which he has held to the satisfaction of his employers, and we have strong hopes of his future.

No. 4 calls at our office and states that he has just been discharged from prison where he had served a term of five years for forgery. Previous to his sentence to prison he had been the confidential clerk of one of our large business firms, and had held the position for several years. He now states that he is thoroughly discouraged, and feels that he will never again be able to gain the respect and esteem of his fellow-men, but if he could only obtain some kind of employment, he would make every effort in his power to lead an honest life.

We were convinced, from his general appearance and earnestness, that he was one of that large class of young men who, having in an evil hour yielded to temptation and committed a crime, would, if the proper assistance was rendered him, again become a good and honest citizen. We provided him with a boarding place and were soon enabled to secure for him a position as shipping clerk in one of our large firms. His employers have since stated their entire confidence in him, and consider him one of their most reliable and trustworthy young men.

No. 5 was sentenced to the penitentiary for six months for petty larceny. His wife died while he was in prison and he is now without home or friends. This was his first offense, and intemperance the cause which induced him to commit the crime for which he has paid the penalty. We supplied him with clothes and means to provide him with food till employment could be obtained. A situation was soon procured for him, and we have strong hopes that he is thoroughly reformed.

No. 6 was a young man, twenty-four years of age. During the war he served as drummer boy in a New York regiment. After his discharge from the army he came to this city, and, falling into bad company, was arrested for burglary, was tried, convicted and sentenced to State prison for six and a half years. While in prison he was employed in the foundry. He called at the office of the association when discharged from prison, asking for assistance. As he

wished to obtain work at the trade he had learned, we gave him a line to a firm and they gave him immediate employment. He has since called, and states he is doing well and determined to avoid bad company and whatever would lead to wrong-doing.

No. 7. A strong, decent appearing man, thirty-six years of age, came to this city from Elizabeth, N. J., some two weeks since, on a visit to some of his friends, became intoxicated and was arrested and sentenced to Blackwell's Island for ten days. He was discharged this morning, a sadder and wiser man, and in a penniless condition. He requests the association to furnish him means sufficient to reach Elizabeth, where his wife and two children reside, and where he had a situation previous to coming to this city. He was supplied with funds sufficient to defray his expenses to his family, for which he seemed to feel very grateful, and promised never to touch a drop of intoxicating liquor again.

No. 8. A young man, of rather pleasing appearance, called at the office of the association and stated that he had just been discharged from prison after serving five years for grand larceny. While in prison he had worked in the shoe shop, and by good conduct had received the usual commutation. He had received a letter since his discharge from his former employer at Albany, offering him employment, and he asks our aid to enable him to reach that city. Believing his statements to be reliable, and that he was in earnest, he was furnished with clothing which he needed, and also a ticket to his destination.

No. 9 came to the city some two years since from Hartford, Ct. Being out of employment he was induced to steal a piece of cloth from a box in front of a store on Leonard street. He was arrested, tried, convicted and sentenced to prison for two and a half years. On leaving the prison he received a small amount of money which lasted him but a few days, and when he called at the office of the association he was in a destitute condition. He appeared to be very desirous of beginning a better life, and we were encouraged to aid him with clothing and provide for him until he could obtain employment. Not being successful in procuring a position in the city, he solicited aid to enable him to reach Philadelphia, where he had friends whom he believed would assist him. Such aid was given him, and we have since received a letter from him stating that he is doing well, and thanking us for the timely assistance.

No. 10, discharged from Blackwell's Island, after an incarceration

of six months for theft. Had no friends in the city except those who had been his companions in vice, and who could not aid him to means of honest livelihood. He said he had made up his mind henceforth to live honestly and earn a living, but it seemed impossible to get employment. He was without decent clothing and penniless. We advised him not to attempt to remain in the city, and offered to procure him employment as a farm hand in the country, in the meantime providing for his necessities. This was in September. In January, we heard that he had filled the place so well, that he had been employed by the year, and the gentleman who employs him says, "If you can get me another man like —, send him."

This case is not an exceptional one. Not a few convicts, at the moment of their discharge, are disposed to lead honest lives, and could they at once, before temptation of want or the allurements of boon companions draw them back to evil ways, be sent to suitable employment, they would be enabled to lead respectable lives.

No. 11. A widow lady called to see us regarding her son, a young man twenty years of age. Notwithstanding all the care she had bestowed upon him, he had grown up reckless, dissipated and dishonest. He had habitually stolen from her, from his early boyhood, pawning her silver and jewelry, whenever her answer to his demands for money did not satisfy him. Two years ago he committed a burglary in a neighboring State, was arrested and committed to jail to await trial. The mother, mortified and shocked, went immediately to where he was confined, and, by appealing to the district attorney and judge, obtained a suspension of sentence and his release. The young man continued his evil courses. His mother pleads for advice, saying that he threatened running away to sea, and even sometimes personally maltreating her when she could not meet his demands for money. We advised her to procure, if possible, his shipment upon a long voyage, with a good captain, and gave her a line to one of our large ship-owners, who promised to place him on board one of his vessels. The boy was then sent for, and informed that unless he consented to this arrangement he would be handed over to the authorities. Finding that appeals and promises were in vain, he acquiesced, and the following day we saw him on board, bound for the Mediterranean, on a three years' voyage.

No. 12 has served two terms in prison of four years each, in the first instance for passing counterfeit money, and in the second for burglary. When discharged from prison, he called with letters from

one or two parties who had taken an interest in him. He was furnished with funds to provide for his immediate wants, and given a letter to a gentleman who had promised him employment. He called several days after, and said he had obtained the situation, and thought he should succeed in his endeavor to do right. He also stated that his little daughter was very sick, and he had no means to pay a doctor. We sent a physician to see her, and also sent her some few things he was unable to obtain. Upon subsequent inquiry we find he is still doing well, giving entire satisfaction to his employer, and giving very good evidence of a reformed life.

No. 13 applied for work and pecuniary aid to supply his immediate necessities. He had served four years for grand larceny, second offense; said he was driven to it by want. On being questioned, he admitted that his distressed condition was produced by intemperance, but that he had not drank since he left prison. If he could get employment he would endeavor to live soberly, as he had had enough of stone walls. He had a wife and child when he was arrested, but had not heard from them since his imprisonment. He did not wish to go to them, however, until he had some way of helping himself and them, not wishing to be a burden. A place was procured for him as porter in a store, and he is now living with his family and apparently prosperous.

No. 14. A shoemaker by trade and tempted to crime by want, induced by intemperate habits, was convicted of larceny and sentenced to State prison for two years. On his release he applied at the office of the association for assistance in procuring employment. He has a wife and two children; the wife during his imprisonment has supported herself and family by laundry work, and was fearful lest her husband should renew his habit of drinking, which the discipline of the prison had broken up, unless he obtained employment at once and had proper incentives to industry. A situation was obtained for him to work at his trade in one of our large factories, and recent investigation shows his family to be in comfortable circumstances, and on his part no inclination to return to his evil habits and associates.

No. 15 was arrested for burglary and sentenced to State prison for two years and six months. While in prison was employed in the shoe shop and became an expert at one branch of the trade. Upon his discharge he called at the office of the association and desired assistance in procuring employment, saying he was fully determined

to lead an honest life in future. We gave him a letter to two of our large manufacturers, one of whom engaged him. We then supplied him with money sufficient to procure the necessary tools required in his trade. Have made frequent inquiries since in regard to him and learn he is doing well.

No. 16. A sailor visited the office and stated that he had just been discharged from prison, where he had served a term of two years for assault and battery. At the time of his arrest he was second mate of a vessel sailing between this port and the West Indies, and becoming involved in a difficulty with a sailor he struck him in self-defense, injuring him severely, and for this offense he was tried, found guilty and sentenced to prison. He was aided in different ways and at various times, until he succeeded in obtaining for him a position on board a ship. Whenever in this port he calls at the office to express his gratitude for the kindness shown him in his time of need.

No. 17. A woman, in the last stages of consumption, applied for relief. She had been several times on the island for various misdemeanors, and had just come from Bellevue hospital, where she had been for six weeks. She begged that she might be sent to some quiet, respectable place, to end her days, where she would be kindly treated, and not handed over to the doctors to be dissected when she died. She had, like many of the class to which she belonged, been a hard drinker, but her disease was so far advanced, that she had, to use her own words, "lost all appetite for the stuff." Knowing a lady who makes it part of her work to serve such unfortunates, we sent this woman to her, and understand that three or four ladies are paying the required fees for her in a suburban hospital, where she will receive all needful care for the short time she has to live.

No. 18 was a man about fifty years of age, who had just been discharged from prison, where he had served a term of two years and six months for grand larceny, stealing an overcoat from a man who boarded in the same house. He stated that this was his first offense; that at the time he took the coat it was to procure money to pay his board, having been out of employment for several months, and being threatened by his landlord with being turned out of the house; he knew that he had been justly punished, and was only anxious to procure some kind of employment, that he might repair, in a measure, the wrong of the past, by an honest life in the future. We were enabled to furnish him with clothing, of which he was much in need, and in a few days were successful in procuring him employ-

ment. Subsequent inquiry reveals the fact that he is still doing well, and we have no doubt that he will in the future lead a life of honesty.

No. 19. A young man sixteen years of age who had just been discharged from the island, after serving one year for petty larceny. He calls at the office of the association, and says he is tired of this kind of life and wishes us to assist him in getting a place where he can learn a trade, and where he can avoid his old associates who have been the means of his troubles. We find, upon questioning him, that he has not known a parent's care since he was eight years of age, and had, as he termed it, been "knocked around ever since his mother died." As he seemed to be very anxious to reform and lead a useful life, we took pleasure in assisting him with clothing and a temporary home till we could provide him with employment such as he desired. A situation was soon procured for him in an adjoining town, where he could learn the trade of saddler and have the benefit of a good home with his employer. We have received several communications from him, stating his entire satisfaction with his employment, and his full determination to henceforth lead a useful life.

No. 20. A woman about thirty years of age, of quite respectable appearance, calls at the office and states that she has served a term of two years in prison, from which she was discharged one week since, and having no friends in the city, and her means being quite exhausted, wishes assistance in procuring some honest employment. She states that it was her first offense and she had previously lived with one family five years, and that the woman who caused her arrest and conviction had refused to pay her the wages due her, and in a moment of thoughtlessness she had taken several articles of clothing and put them in her trunk till she was paid her honest dues, but had no thoughts of keeping the things. We made inquiry in regard to her former life, and finding her statements true, felt it our duty to assist her. We gave her a line to a lady who takes a deep interest in the welfare of the unfortunate, and she was provided with employment and has conducted herself in such a manner as to cause no regret for the aid given her.

The above cases give only an incomplete view of the workings of this department of the association, and are taken at random from hundreds of similar ones on the record.

Every day men are forwarded to employment and friends, others are provided with clothing, tools, etc., many are supplied with lodg-

ing and food, while some need only direction and encouragement; and to undertake to illustrate the manner of dealing with each class of individuals as they present themselves, or to give representative cases of the well-doing of the many of those to whom the association has extended a helping hand, and whom it has lifted up from conditions of offense and dependence to those of rectitude and self-support, would of itself fill a volume.

EXTRACTS FROM LETTERS RECEIVED FROM DISCHARGED PRISONERS AND EMPLOYERS.

A correspondence between the Agent and many of the discharged prisoners who have been sent to situations in the country is kept up, and letters are frequently received from the employers. For the sake of showing the state of feeling which exists between the two—the employer and the employe—and the deep interest manifested by the former for the latter, and to exhibit the apparently sincere desire of the latter class to lead honorable lives when an opportunity presents itself, a few extracts from many of the same tenor are here presented:

Letters from discharged convicts.

"DEAR SIR.—I take pleasure in informing you that I have secured a situation with _____, to whom you gave me the line, and have been at work since Monday last.

"Accept many thanks for the kindness and pecuniary aid which you so liberally extended, and believe me

"Very gratefully yours,
"_____"

"KIND SIR.—I am glad to be able to write to you, and inform you that I am all right through your very kind efforts, and now I am going to stay right. I find it ain't much trouble when a man once gets started, but it takes a long time to start sometimes. I don't drink nor swear, and if there was a church anywhere near, I would go every Sunday, but it is four miles to a church, and I guess it ain't much of a church, as it is in a school-house. * * * * * The work is pretty rough on a fellow that ain't used to it, but I guess I can stand it; but if you hear of a better job that will suit me, please let me know.

"Respectfully,
"_____"

"DEAR COL.—Ever since I first came here I have been working for Mr. D_____, but on the first of next month I am going to leave him and go to work at _____, where I get more wages. The work is harder, but I do not care for that.
* * * * *

"I guess they all like me pretty well here and nobody can say anything against me, for I have minded my own business and kept away from every one except those I knew could be of some benefit to me.
* * * * *

I have not seen the inside of a gin-mill since I left the 'institute' at Sing Sing, and shall always stay on the outside.

"Thanking you for what you have done for me, I am

"Very respectfully yours,
"_____"

"DEAR SIR.—We write to let you know that we are at work for the gentleman to whom you sent us. We commenced the day after our arrival and have been constantly employed ever since.
* * * * *

"We are doing our best to live according to the advice given on those cards we received from you, for we are both determined to do right in the future. We drink nothing stronger than coffee, which I am sure you will be glad to hear.

"Thanking you kindly for giving us the first start in the right way, and for putting us into a situation immediately upon our discharge,

"We remain,
"Very respectfully yours,
"_____"

"and
"_____"

"P. S.—My brother and I have both had a hand in writing this.
"_____"

The above letter was written by two brothers who were discharged from Sing Sing in November and December of last year; one having served fourteen years and ten months and the other fourteen years and eleven months, less the commutation for good conduct.

"DEAR SIR.—It gives me great pleasure to inform you that I succeeded in obtaining work from Mr. _____, and although it may not be permanent, I am extremely grateful, and tender to you my sincere and earnest thanks for your kindness, at a time when hope seemed dead within me.

"Trusting and believing that my conduct in the future will merit your approval,

"I am very respectfully, etc.,
"_____"

"DEAR SIR.—You may think me ungrateful, after all your kindness, because I have not written you before, but since I reached Mr. _____ I have been so busy that I have not found time. * * * * *

"No one, except those who have passed through the fire as I have, know the value of a word of kindness and encouragement to a man

who feels that he is friendless and alone in this wide world, with no one to care whether he sinks or swims. * * * * *

"You advised me never to return to New York, and I shall follow your advice and the advice on the card you gave me.

"Again thanking you for your kindness in placing me out of the reach of temptation and where I can rise through my own exertions,

"I am most gratefully yours,
"_____"

"DEAR SIR.—I write to inform you of my success in the situation your kindness procured for me. I certainly am indebted to you for the timely aid given me, at the most trying time of my life, and I cannot do less than write and inform you that your efforts, in my behalf, were not entirely without good results.

"I am becoming quite contented with my situation, and although at first—coming as I did from a place like New York to this quiet town—I was rather lonesome, yet now I would not return to your city, with its many pleasures and temptations to lead me astray.
* * * * *

"I must close, with my best wishes for the success of your association.

"I remain,
"Yours truly,
"_____"

"DEAR SIR.—It has been a long time since you assisted me in obtaining the situation I now hold, and I thought perhaps you would be pleased to hear that I am still trying to lead an honest life, and more than ever determined to never again place myself in a position such as I have occupied.

"My employers seem to be satisfied with my endeavors to serve them faithfully, and give me all the encouragement in their power.
* * * * *

"I have, since coming here, wholly abstained from all intoxicating liquor, and find not only my health improving, but have the satisfaction of knowing that I am avoiding a vice which in the past has been the source of all my troubles.
* * * * *

"Should you find time to write me, I should be pleased to hear from you, and I assure you the association you represent will always be gratefully remembered by me.

"Respectfully yours,
"_____"

"DEAR SIR.—It may be a cause for surprise when you receive a letter from me, for I imagine you never hear from the majority of men your association aids; but it gives me pleasure to inform you that I am still in the situation you procured for me, and am quite well pleased with it.

"My employers are men who seem to be willing to give me all the

necessary encouragement, so long as I show a determination to serve their interests; their kindness I appreciate, and shall do my best to try and please them, that not only they, but the kind friends who have aided me in getting a start in the right way may see that their efforts have not been in vain.

"Wishing you further success in your efforts to benefit those who have made a misstep in life,

"I remain, truly yours,
"_____"

"DEAR SIR.—You will please excuse me for not writing you before, and expressing my thanks for what you have done for me in getting me this situation.

"I have been very busy, and for that reason have been unable to write you before.

"I like my situation very much, and will endeavor to make myself worthy the confidence and esteem of my employers, and especially the kind friends who have taken an interest in my welfare.
* * * * *

"Please accept my thanks for what you have done for me. I remain
"Your humble servant,
"_____"

"DEAR SIR.—I arrived here safely two weeks ago, and was put immediately to work by the man to whom you sent me, and I take the first opportunity I have had, to write and inform you that I am very much pleased with my situation.

"My employer seems to be anxious to help me along, and takes an interest in my welfare. I appreciate his kindness, and shall do my best to please him.
* * * * *

"I shall ever consider myself under obligations to your association for the assistance given me, and will try, by continuing in the right, to merit your approval.

"Respectfully yours,
"_____"

"DEAR SIR.—I think I promised you, when I left New York, that I would write and let you know how I got along.

"I have been here now seven months, and must say I am as contented as I can be in a small town like this. I like my situation and my employers very much, and were it not that I had always lived in large cities previous to my coming here, I presume I should be perfectly contented with my lot. I am determined, however, to remain, and hope that feeling will in time wear off. I have not drunk a drop of liquor since I came here.

"Hoping to hear from you soon,
"I remain your servant,
"_____"

Letters from employers.

"DEAR SIR.—The man you sent us is at work, and seems to be a well-meaning man. He has thus far been very steady and attentive, and willing to do anything we may require of him. We shall give him every encouragement possible to continue in the path he has chosen.

* * * * *
 "We shall in a few days be able to give employment to one or two men, and if you can send us those accustomed to the use of tools, we will give them work.

"Respectfully yours,
 "_____"

"DEAR SIR.—You will recollect the correspondence between us relative to _____. It is now the season when we are engaging our help for another year. If employment is given the young man in my shop, it will be to run a wax-thread machine; and it will be necessary for him to understand fixing and taking care of it, as well as operate it. Can you see him and ascertain if he can do this and inform me at the earliest possible time, and very greatly oblige? The machine is the Union wax-thread machine.

"Yours truly,
 "_____"

"DEAR COL.—When H. came to me I doubted whether he would remain long, as the work was so hard; but he has stuck to it like a man, and is able to do as much and do it as well as any man on the works. He keeps his own counsel, and gets along well with the foreman and the men. * * * * * If I had a vacancy I would have no hesitancy in taking another hand, and shall be glad to be of assistance to you in your work by employing a man whenever possible.

"Truly yours,
 "_____"

"DEAR COL.—The man _____ reached here last Thursday and went immediately at work, and has labored faithfully ever since.

* * * * *
 "I am rather favorably impressed with his appearance and manners, and believe that for the future he will do well. * * * * *

"I will keep you informed as to his efforts and progress, and trust that they will be all that we can desire.

"Very respectfully, etc.,
 "_____"

"DEAR COLONEL.—We can employ two men in our foundry at _____ about the first of next month, and, should they do well, will try and make the places permanent.

"Please let us know a few days before each man is sent, that we may write our foreman in regard to him.

"Wishing you success in the good work in which you are engaged,

"We remain,
 "Very truly yours,
 "_____"

"DEAR SIR.—In answer to your inquiry as to whether we were satisfied with the man sent us by your association, I can say we have found him every way attentive and honest, and should he remain in our employ and continue his present good behavior—and I have no doubt he will—we will do well by him.

"He has joined one of our temperance associations, and is thought highly of.

"Am happy to state we are well pleased with him, and shall do all in our power to assist him.

"Very truly yours,
 "_____"

"DEAR SIR.—In reply to your favor of a late date, would say that out of the three men your association has sent us within the last six months, two are still in our employ, and the third, having obtained what he considered a better place, has left us.

"We can say in regard to Wm. B. _____ and Chas. H. _____, that they are doing well and giving entire satisfaction, both as regards general conduct and quality of their work.

"We are confident neither of them have used intoxicating liquors since in our employ, which we consider quite to their credit, thrown as they must necessarily be in close contact with one hundred of their fellow-workmen, of whom no doubt most are moderate drinkers.

"We shall continue to watch their progress with interest, and trust that by continuing in the path they have started, they will be able to efface from memory whatever of the past may have been wrong.

"We remain,
 "Respectfully yours,
 "_____"

"DEAR SIR.—The man sent us some time since, has so far proven himself worthy of our confidence, and we believe is doing his best to suit us.

* * * * *
 "We are in need of one or two men, and if you can find such as the last sent us, we will give them employment at once, and look after their interests as far as possible. Trusting you may meet with success in your endeavors to benefit the unfortunate,

"We remain,
 "Respectfully yours,
 "_____"

"DEAR SIR.—Your inquiry in regard to —, would have been answered more promptly, had not a pressure of business prevented. We can say we are very well satisfied with his conduct since in our employ, and have not had any cause to doubt his thorough reformation. He appears to be contented, and has no desire to again return to 'city life.' One thing we have more particularly noticed, is that he seems to avoid a certain class of young men in our town whose characters are not the best; this we consider as one hopeful indication of his full determination to reform.

* * * * *
 "We will take pleasure in advising you from time to time in regard to his progress.

"Yours respectfully,
 "____"

"DEAR SIR.—In regard to L —, of whose progress you wish to be informed, since in my employ, have had no fault to find, and seems ready and willing to make himself useful. I have watched him rather closely in regard to his habits, in order to be assured that he was living up to his promises, and am happy to inform you that I have no man in my employ more steady than he.

* * * * *
 "I shall not need any more help for the present, but will inform you as soon as I can use a man to advantage.

"Yours truly,
 "____"

"DEAR SIR.— * * * * *
 "The man you sent me some eight months ago is in every way satisfactory.

"I find him to be a man of intelligence, temperate, and I believe his reformation from evil habits thorough.

* * * * *
 "Respectfully yours,
 "____"

"DEAR SIR.—Your favor was duly received, and I have looked about to see if I could find a situation for the person named in your letter, but as yet find nothing that seems to suit.

"The kind of places you mention are more sought after than almost any other, and there seems to be a surplus of that kind of help.

"The young man — was so fortunate after working here a part of a day as to get a situation in the adjoining foundry, where he is working at his trade, and seems to be doing well.

"He is cheerful, and I think will turn out all right.

"If I can hear of any place that is adapted to the person you mentioned, I will write you at once.

"Yours, very truly,
 "____"

These extracts might be continued almost indefinitely, as scarcely a day passes but what we receive letters from discharged prisoners, or those by whom they are employed. The men write for advice and information, and to assure us that they are still following the path of rectitude; the employers to confirm their statement, and to express the gratification they feel at the results of their efforts. It is one of the most gratifying facts in regard to the duties in either department of the labors connected with this office, that expressions of concern, advice as to conduct, monition and reproof, have always been kindly received both by the detained and the discharged prisoners, and we trust not quickly forgotten. And whatever the capacity or worthiness, whatever the condition of the individual may be, each one receives such admonition and encouragement as seem suited to his character and wants; and the necessity of diligence in labor, the avoidance of evil practices, and the danger of bad companionship are impressed upon each one. Whatever we are able to do for those who come under our care is done for their own best interests and well-being. It is the habit of the careless world to award praise or blame too much according to circumstances, giving disproportionate credit for virtues which cost no effort or sacrifice, and condemning, with a no less unjust severity, transgressions which have all the apology of ignorance, evil nurture and temptation to urge in mitigation. Let us, therefore, soften our thoughts by the reflection that under certain imaginable circumstances they might have passed through life without reproach, and that there is something in even the lowest and most degraded criminal worthy of our care; let us remember that he is still a rational being, though he may insanely have given the reins to evil desires; that he has not lost all knowledge of right and wrong, though through his whole life he may have seemed to have forgotten the distinction between them; that he is still subject to better feelings and affections, though he may have outraged all their dictates; that he respects goodness and virtue, though his faith in the sincerity of those who profess it is much shaken by the consciousness of his own wrong and misdoing; in short, "that he is a man with like passions as ourselves" and can be wrought upon by the same agencies.

It is our endeavor to awaken the hope in each of their minds that he can attain to something better in the future; that there is something in him too precious to be degraded and lost, and that the adoption of correct principles will increase his power for honest self-

support. The practical manifestation of a real personal interest in them and their future is the only way in which they can be reached, and without this true sympathy and interest, success in dealing with them is almost impossible.

Statistics can give no idea of the results of such work, as it deals with mind more than matter, and seeks its happiest results in particulars which cannot be reduced to figures.

If, then, "every deed done, every word spoken, every aspiration breathed for the welfare of mankind, is an imperishable gift to the present and a bequest to the future," it becomes us to labor with renewed energy and zeal to carry out the divine command to visit the prisoner, and the apostolic injunction to forgive a brother who has been found in fault, leaving nothing undone which may reform the criminal and prepare him for usefulness in this world and for the life which is to come; nor suffering ourselves to become disheartened or discouraged if we are not permitted, in this day and generation, to witness the full fruits of all our toil.

All of which is respectfully submitted.

A. W. SHELDON,
General Agent.

OFFICE OF THE PRISON ASSOCIATION OF NEW YORK, }
19 CENTRE STREET, NEW YORK, Feb. 17, 1873. }

REPORT OF PRISON DISCIPLINE COMMITTEE.

The time long anxiously waited for by this association seems at length to be nigh. All the signs around us tend to show that the public mind is at length prepared for the reforms in our penitentiary system which have heretofore been discussed and advocated, but adopted only in part.

The amendment to the Constitution proposed by the Legislature last year, and that proposed in the Constitutional Commission, now in session at Albany, lead us to hope that the evil caused by the Constitution of 1846, in throwing our prisons into the arena of the party politics of the day, can soon be removed. And it becomes the association to aid, all in its power, to bring about such a consummation of its long continued efforts. It will not, therefore, be amiss to cast our eye briefly over the past in this respect.

It will be going far enough back in the history of the penitentiary system of this State to refer to the law passed March 26, 1796, for the erection of two State prisons, one in the city of New York and one in Albany.

In February, 1797, the erection of the prison in Albany was suspended.

The prison in New York was finished and opened for inmates November 25, 1797.

In the law which established that prison the inspectors were required to keep an account of the expenses and earnings of each prisoner, who might receive the surplus product of his labor on his discharge.

That was, however, soon found to be inadequate to attain the great end in view. The crowded state of the prison and the freedom of communion among its inmates spread contamination rather than reformation, and after an experiment of some twenty years, and in April, 1816, the erection of another prison was authorized, located at Auburn.

The prevention of contamination was an object then aimed at and that was sought to be attained by separating the prisoners when not at work.

About this time arose the rivalry between two systems, the New York or Auburn system and that of Pennsylvania—or, as they were then called, the "Silent System" and the "Separate System"—in the former of which, all intercourse among the prisoners was to be prevented except during their hours of labor, and then only under the immediate supervision of their officers, and in the latter of which there was an entire separation of the prisoners during the whole of their confinement.

The new prison in Auburn not being large enough to meet the needs of our increasing population, the Legislature, in 1825, authorized the erection of another prison in the southern part of the State, and Sing Sing was chosen as its location, with reference to the employment of the convicts in the working of marble.

The continuing increase of our population and the supposed interference of prison labor with mechanical industry outside of the prison, induced the Legislature, in 1844, to authorize the erection of another prison, and accordingly Clinton prison, in the town of Dannemora, in Clinton county, was built, with reference to working the iron mines in that locality.

In 1835 a separate prison for females was erected at Sing Sing, previous to which convicts of that sex were confined in the same prison with the males.

In 1859 an asylum for insane convicts was erected at Auburn. Before that time they were confined in the State Lunatic Asylum at Utica, or detained in the several prisons, according to their mental condition.

These five prisons are now the State prisons of New York. The average number of convicts in them is now 3,000, and the number is gradually increasing with the growth of population.

But owing to the crowded condition of these prisons, there are several State convicts, both male and female, confined in some of the local penitentiaries.

Up to 1847 our State prisons were governed by distinct boards of inspectors, one board for each prison, entirely unconnected with each other. It was the design of the Constitutional Convention of 1846 to change that system. It was therefore provided in the Constitution, then framed and still existing, that there should be one board of inspectors only, and they should have the charge and superintendence of all the State prisons.

The Legislature of that period, evidently actuated by the same

desire, passed a law, in December, 1847, requiring the State inspectors to visit and inspect at least once in each year all the jails or other county prisons, penitentiaries and houses of detention in this State, and to report defects and suggest improvements; thus laying out a plan which, if carried out, would have necessarily resulted in uniformity at least of prison government.

But in 1849 that law was repealed, and from that time to this, a period of twenty-four years, there has been little or no inspection of prisons, and no uniformity of government except in the State prisons.

The annual cost of our State prisons is about \$1,000,000 a year.

In addition to these five State institutions, there are in the State six penitentiaries, established by State legislation, but in every sense local institutions. There is no State inspection of them, no State regulation for them, no responsibility to the State, but they are supported by local means, governed by local authority and accountable only to local and not to general or State government, except as to a few of the convicts in each.

They contain an average of about 2,400 prisoners, cost annually about the sum of \$800,000 in the aggregate, and are devoted mainly to the custody of persons who have been tried for and convicted of some criminal offense.

Besides these State prisons and these local penitentiaries, each county in the State has its county jail, and some more than one.

These are in no respect subjected to State government or control, but to the control of county officers—the board of supervisors and sheriffs. They are subject to no inspection, except that of this association, and are governed in as many different modes almost as there are different keepers of them.

There are sixty-seven of these altogether in the State, and contain at the same moment of time an average of 1,600 inmates.

They are used for the purpose of confining as well those convicted of offenses as those only accused and held for trial.

Their annual cost is about \$700,000 in the aggregate.

It has been quite impracticable for the association, with all its efforts, to obtain definite information on this subject. From only twenty-three of the counties has any report been obtained, although all have been applied to, and out of those which have been received only three or four give full statements. It is from them that the estimate of total cost is made.

The following memorandum, compiled from these reports, will

show the uncertainty in this respect. It states the names of the counties, the total number of prisoners during the year and the average cost of each prisoner.

Counties.	No. of Prisoners.	Cost of each.
Allegheny	59	\$16 95
Cattaraugus	89	22 47
Cayuga	191	17 00
Delaware	40	25 00
Genesee	280	7 14
Greene	84	25 00
Livingston	96	15 51
Madison	115	26 08
Monroe	706	6 79
Orleans	220	11 36
Sullivan	53	31 77
Washington	115	43 47
Warren	30	26 66

In addition, there are five institutions for juvenile delinquents, containing a total number of about 3,500 inmates—delinquent or destitute—costing in the aggregate about \$450,000 a year, for the former.

Thus it appears that we have in this State eighty-three prisons, containing all the time about 10,500 inmates, and costing annually at least \$3,000,000.

For all this important interest—as important to the world outside the prisons as to the poor wretches held within them—there is no general, uniform, well-digested system of government, but each separate part is permitted to wend its way alone, trusting in a great degree to luck and the peculiar characteristics of the individuals dealing with it at the moment, whether that way shall be devious or straight, and whether its end be for good or ill.

While for almost everything else in our government, financial, legislative, judicial and even for our military, we have carefully-digested systems, for the penal part of it, that which involves the punishment and prevention of crime, and the reformation of the criminal, we have no such system; but we would seem to be traveling on unconsciously, if not blindly, in the self-same path in which our fathers traveled years ago.

But it is not, in fact, entirely so. We have been moving on, and it becomes us to observe what steps onward have already been taken, that we may learn whether the time has not actually arrived for the

formation of some general system, that shall insure more rapid progress.

It is not surprising that we have not moved as rapidly in this as in other governmental matters. Here has not been the strong promptings of self-interest to push us forward as in financial matters, and there has been, in us all, such repugnance to beholding the suffering which ever met even our slightest view of the subject, that our progress has been naturally slow. Perhaps it is none the worse for that; for in the meantime, experience has enabled us to test the value of the various innovations and improvements that have been suggested and tried, and perchance it may be that time has thus educated us up to the point of being prepared not only to devise but to carry out a system that will enable us to attain at length the great ends in view, namely, the reformation of the criminal class, and the protection of the community.

From the days of the old State prison in the city of New York, where 60 and 70 years ago convicts of all ages and conditions of depravity were huddled together, with very little regard to animal comfort and none to moral improvement, to the present time, great improvements have been made, and our present mode of dealing with prisoners is far in advance of what it was then. Measures have been taken, by a separation of prisoners, to prevent the contamination of free communion among them; means have been devised to cause the labor of prisoners to defray the cost of their imprisonment; the mode of government, which was then entirely one of force, has been greatly ameliorated by the prohibition of various cruel devices; separate asylums have been established for females, for the insane and the juvenile, among convicts; means of mental culture and occupation have been adopted; the exclusive punitive character of the prisons has been modified by measures of reward for industry and good behavior; and some steps taken to aid the discharged prisoner to lead an honest life in the future.

Let us pause awhile to examine these various topics and see where are their defects and wherein they may be improved.

PRODUCTIVE LABOR IN THE PRISONS.

The actual cost of our State prisons, including compensation of officers and all other expenses, except original erection of buildings, has until lately been less than \$150 a year for each prisoner, and need be not much if any more now. And it is hard to imagine why

2,000 or 3,000 able-bodied men of middle age—for the aged and infirm among them is a very small proportion—cannot earn so small a sum as that in a year.

At one time their earnings were sufficient for that purpose, but it is not so now.

In the memorial of this association to the Governor of the State in December, 1870, it was shown that our State prisons during the existence of the present form of their government—to wit, a period of twenty-five years—had cost the State at least \$6,000,000 over and above all earnings, or about \$240,000 a year, to provide for which, direct taxation on the whole people had to be resorted to.

The two years that have since elapsed have seen no other change in this matter than an increase of the annual amount thus drawn from our people by taxation.

The annual report of the Comptroller, transmitted to the Legislature in January, 1873, states that the expenditures from the State treasury for our State prisons for the last six years have been \$2,872,691.04 in the excess of advances over receipts.

Is it necessary not only that this state of things should exist, but that it should go on increasing year by year as it has for the last quarter of a century?

This is a grave question, well deserving the attention of our government. It has received the attention of this association, and worked in its members a thorough conviction that there is indeed no such necessity, but that, on the other hand, our State prisons can be made self-supporting.

It is quite unnecessary to go into the details of this unhappy state of things. They are sufficiently dwelt upon in the memorial already referred to to show the necessity of a reform. But the question is, what is the necessary reform? The evil consists in the large number who produce nothing; the very small sum produced by those who do earn something, the same individual being able to earn three or four times as much out of the prison as he now earns in it, and the recklessness of expenditures which have no check but the appropriations by the Legislature, and no supervision but that of the prison officers who themselves make the expenditures.

One great evil of this state of things is that it affords plausibility to the argument that these financial difficulties have been owing to the moral and educational reforms which have been introduced, and it is no uncommon saying of prison officers that, restricted as they

are in the means of coercing the prisoners, they cannot compel them to work, and that it will be only when the use of the whip is restored that they can make the prisons self-supporting.

Independent of the outrage which this is upon every feeling of humanity, and all our knowledge of the human heart, even in its lowest degradation, and upon the advanced state of public feeling in this age and country, there is one consideration growing out of the statistics of the prisons which shows how unfounded is the argument.

At the beginning of the present system, viz., 1847, the EXPENDITURES were \$125,833.85. In 1870 they were \$876,611.58, or an increase of about 700 per cent, while the increase in the number of PRISONERS was only about 120 per cent, and the EARNINGS which in 1847 were \$120,860.08, were in 1870, as reported by the Inspector, \$700,193.62, or an increase of about 600 per cent.

So that while in 1847, when the number of prisoners was 1,421, each prisoner earned \$88.55 per year, in 1870, when the number of prisoners was 2,930, each one earned \$273.10; so that, as a matter of fact, the ratio of earnings for each prisoner was three times as much after the use of the whip had been abolished as it had been before.

An examination of the items of expenditure will show much more accurately the cause of the financial failure. For instance, in one prison, that at Sing Sing, and in one month (January, 1871), it appears that in addition to \$7,238.18 paid "officers, teachers and guards services," there was paid \$520.66 for "extra services;" that in no one month, during the fiscal year ending with September, 1871, was there an omission of charges for extra services; and that during the year there was expended, on account of "escapes" from the prison, \$1,494.46.

EDUCATIONAL TRAINING.

Provision is now annually made for religious and secular teachings among the convicts in the State prisons. In the form of books for prison libraries, pay of chaplains and teachers, the State expends about \$7,500 a year.

All this, except the provision for chaplains, is of comparatively recent origin, and ought to be of far greater value than it is. Now it is all conducted without system or order, often at the caprice of individuals, and is always accompanied by palpable violations of positive statute laws.

In their memorial to the Governor in December, 1870, this association stated that the appropriations by the State for books had up to that time amounted to \$20,000, yet no catalogue of the prison libraries had ever been reported, although the law expressly required it annually, and they expressed their opinion that "the system of instruction is so conducted as to amount to a farce."

Since that memorial was laid before the Legislature, about \$15,000 more have been appropriated by the State, for the same purpose, but no change in the system has been made.

INTERNAL GOVERNMENT.

The idea has long prevailed among our prison officers, that as the convicts were sent there by way of punishment, so their whole mode of being dealt with should be punitive and such as to cause suffering. Hence it was that the chairman of the committee on prisons in our late Constitutional Convention had occasion to remark that, in perusing the reports of our State prison officers from the beginning, he had not found a word about the reformation of the prisoners until 1844.

Up to that time everything was conducted by force and violence, having in view mainly, if not entirely, the safe keeping and suffering of the prisoners and financial results.

Since that time reformatory measures have been introduced, some in obedience to law, and some without statutory authority. Some have been attended with satisfactory results, but in the meanwhile the financial results have been disastrous. Surely there is no incompatibility between them, as there would thus seem to be. A well digested system could produce harmonious action and successful results in both.

REWARDS.

Within the last thirty years a system of rewards has been introduced in our State prisons, and is now existing there.

One measure, authorized by statute, consists of the prisoners being allowed to commute their sentences and shorten their imprisonment by good conduct.

Another measure consists in allowing them to earn money for themselves after their stint is done. This depends on the pleasure of the inspectors and is not required by law, though it is a return to a measure which characterized the State prison established in 1796.

Well ordered, both these measures are capable of doing great good. But they are capable of being made mischievous. Thus, both "commutation" and "over-stint" may be made the result of partiality in the contractors or prison officers, and may be denied to the deserving, as where the prisoner is sentenced for life, or is at work for the State and not for the contractor, etc.

These and various other measures which may be adopted as rewards for good conduct require a well digested system, which it is fervently hoped may yet be adopted; a system in which justice shall be tempered with mercy, but justice be ever pre-eminent—justice not only to the convict, but to the community on which he has preyed, and to the laws which he has violated.

INTERCOMMUNION AMONG THE PRISONERS.

These prisons were all well calculated to prevent intercourse among the inmates when confined to their cells, and if, when not thus confined, they could have had no communion with each other except in the presence of their officers, the great object of the "silent system"—the prevention of contamination—would have been attained. But unhappily, in the progress of time, that object was lost sight of or sacrificed to considerations of convenience, so that, at this moment, the promised benefit is far less than it was at the beginning. Thus, at one time, the prisoners took their meals in their cells; now they eat at a common table. Their employment in marble quarries and iron mines prevents that close supervision which is practicable when working under cover. The employment of some of the convicts as waiters in the shops and the dormitories leaves to those thus employed a freedom of intercourse which cannot easily be prevented. And it is the same with the inmates of the several prison hospitals. So that it may, with great probability, be assumed that at least one-half the convicts have an intercommunion very much at war with the principle on which the system was originally founded.

How far this is injurious, and to what extent and in what manner it shall be corrected, are questions of a grave nature which do not, under the present government of our prisons, receive the consideration their importance demands. There is certainly great room for improvement in all the prisons in this matter, though in no two of them is the amount of relaxation the same.

THE DISCHARGED PRISONERS.

No provision is made for those who have served out their time and been discharged from local penitentiaries and county jails; and for those who are discharged from the State prisons the present provision, though larger than it formerly was, is barely sufficient to provide them with the means of removing to a distance from the place of their confinement. The public authorities do nothing to aid them in leading honest lives afterward or in overcoming the tremendous prejudice which the discharged convict is sure to encounter, wherever and whenever he is known to be such.

The number that are discharged from our prisons, every year, is about equal to the number committed; and while for the latter the State makes ample provision, for the former it makes little or none. Yet the experience of this association, during the twenty-eight years of its existence, shows how much good may be done in the direction of causing the discharged prisoner to lead an honest life. Although entirely dependent on charitable aid for its means and in a great measure local in its measures, it has during its existence helped about 28,000 of them to employment, and is now, as it has been from the beginning, thus aiding about 1,000 of them every year; besides the aid it has rendered to about 150,000, or some 5,000 a year, of those who have been committed to and discharged from prison who have not been convicted.

So confident has the association become from its long experience of the good it could do, in caring for those who are released from and not continued in prison, that it has organized a local committee for every prison in the State, so that now it is able to give its aid to at least 8 out of every 10 who are discharged from any prison in the State, and that aid is not in giving them money, for that is rarely done, but by finding them employment, and sustaining them in their efforts to become worthy members of society. And it is believed from the best information that can be obtained that the success which has attended their efforts, thus far, has been such that the ratio of reconviction of discharged convicts has been reduced from three-tenths to one-tenth.

This work, for its successful carrying on, requires the co-operation of the officers of all the prisons in the State, and that it cannot obtain until there is a general system adopted which shall include all prisons, local as well as general, for the juvenile and the insane, as well as work-houses and houses of correction.

These are views which the prison discipline committee are aware that the association has entertained from the beginning, and for which it has now toiled for over a quarter of a century. Its past efforts, though in a measure local, have been so far successful that it is now aiming to make them general and coextensive with the territory of the State, and in this aim it is encouraged by the prospect now opening of such a reform in our whole penitentiary system as shall say to every prisoner, whether convicted or only accused, "Leave not all hope behind."

By the committee on "Prison Discipline."

J. W. EDMONDS, *Chairman.*

New York, *January*, 1873.

Obituary Memoirs.

DEATH OF JOHN DAVID WOLFE,

Late President of the Prison Association.

Mr. WOLFE had served as the President of the Prison Association of New York during a period of ten years and upwards, at the time of his death, May 17, 1872. In all its plans and labors he took deep interest. He was a ready and prudent helper of the friendless, and in whatever channels he bestowed his generous charities and philanthropic efforts, they begat hope and self-respect in the objects of his care.

Whatever the Prison Association proposed to do, or aided in doing, he aimed to have performed in such manner as to encourage virtue and permanently diminish vice and crime. The mercy and justice and penitential work that he joined in advocating as the means of dealing successfully with criminals and offenders, expressed his principles and shaped his advice upon all questions of duty in the association.

The following minute, concerning the deceased, was entered upon the records of the association:

WHEREAS, it has pleased our Heavenly Father to remove by death Mr. JOHN DAVID WOLFE, a man loved and revered, who long and faithfully acted as President of the Prison Association of New York:

Resolved, That as associates of the deceased in the humane and public duties of this association, we deplore the death of this enlightened, true friend of man and of social order, while we thankfully acknowledge the divine favor that so long spared his useful life.

Resolved, That in the purity of his daily life, the constant care with which he endeavored to promote every good work, and to encourage his associates in such work, in the broad philanthropy that consecrated his wealth and influence as trusts sacred to the cause of humanity; in his exalted views and personal example of duty to the poor, the friendless, the erring criminal and the penitent, and in his personal concern for the reformation and welfare of individuals and classes, and especially in his unswerving adherence to the highest standards of legal and moral obligation, the deceased exemplified the principles upon which the Prison Association is founded.

FRANCIS LIEBER, A. M., LL. D.,

Late Vice-President of Prison Association of New York.

Dr. FRANCIS LIEBER, a vice-president of this association, and professor of constitutional history and political science in the Columbia College Law School, died October 2, 1872. Revered and honored by the good and the great throughout the nation, his death, at the advanced age of seventy-two years and six months, was a noticeable event, which elicited high encomiums upon the virtues and labor of his life, both in Europe and America.

Dr. Lieber's contributions to the science of criminal as well as constitutional law had, for many years, been recognized as holding pre-eminent rank among the highest authorities in these departments of knowledge and philosophy. His eminently logical and judicial mind was applied to whatever branch of inquiry he undertook with a profound insight into the springs of human action, the laws of mind and the principles of social and political philosophy. His own individual training and development, which had brought him to the exalted and sturdy manhood of principles, and the eternal love of justice that characterized him, had been in a school of severest trials, such as might well either break down or forever fortify a noble genius.

He was born in Berlin, March 18, 1800; was a volunteer in the Prussian army at fifteen, and took part in the contests at Waterloo, Ligny and Namur, at the last being wounded. Subsequently, arrested by his government for his liberal tendencies, and even interfered with in his university studies, he went to Greece, at the age of twenty-one, to aid its struggles for independence. Again imprisoned in his own county, at Kopnick, he pushed on his studies and his contributions to literature, and in 1827 he came to the United States and commenced his career as a public teacher. In 1833, he translated and edited the famous report of De Tocqueville and De Beaumont on the Penitentiary System of the United States; and from that time, onward, his eminent scholarship and devoted labors were given to his adopted country.

For the honor and beneficent influence of this nation and its institutions of learning, justice and liberty, Dr. Lieber entertained an almost reverential regard. His labors for, his defense of, and his criticisms upon these institutions have largely contributed to the welfare of State and the best interests of humanity.

It is needless, in this brief notice, that Dr. LIEBER'S various labors

and contributions toward the general interests of society should be specifically mentioned, but there were peculiarly valuable and characteristic contributions from his pen upon subjects which directly relate to the objects of the Prison Association that we must not overlook. Besides his first contribution, namely, the richly annotated edition of the Penitentiary System, by MM. De Tocqueville and Beaumont, his treatise on the Laws of Property, essays on Property and Labor, Civil Liberty and Self-Government, essays on subjects of Penal Law and the Penitentiary System, abuses of the Pardoning Power, abuse of the Penitentiary Power, and views of Solitary Confinement, have been made standards for reference upon the topics particularly treated in them.

While Dr. LIEBER's views of penal discipline and the duties of society toward those who offend against the laws were humane, and tempered by the most exact regard for justice and mercy, he held with much tenacity to the doctrine that penal discipline, to be effectual, should be *definite, sharp* and absolutely *certain*, and that

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

The abuses of the pardoning power he regarded as the source of great defect in the moral and reformatory ends of penal treatment, and still more did he deprecate the increasing uncertainties of the judicial proceedings and the requisite and deserved penal measures against obdurate, as well as yet reclaimable, offenders.

At a meeting of the executive committee of the Prison Association, the following minute was entered in its records in relation to Dr. LIEBER's death :

Whereas, In the all-wise providence of God, Doctor FRANCIS LIEBER, one of the officers and most devoted supporters of the Prison Association of New York, has been removed by death :

Resolved, That this committee humbly acknowledges the afflictive dispensation of Divine Providence, which has removed from the councils of this association, and from a life of practical and statesmanlike philanthropy, one whose name and active sympathies had been associated with this society for twenty-seven years.

Resolved, That in his earnest and profound inquiries relating to penal laws and prison discipline, and the duties of society toward prisoners and criminals, and the interests of the State and of social order and morality as connected therewith ; also in his various contributions to the literature of penal and allied subjects of social science, and by his personal interest and counsel in the work of this Prison Association, Dr. LIEBER has greatly promoted the progress and adoption of wise and humane principles and methods of penal

codes and penitentiary systems throughout the world, and has rendered distinguished aid to the best interests of society, and to the special work in which this association is engaged.

DEATH OF GEORGE D. PHELPS.

Mr. PHELPS was a member of the executive committee of the Prison Association for nearly nine years. He died on the 31st of August, 1872.

Busily engaged in commercial enterprises and closely observing the causes of vicious and criminal courses among men, he took a most practical view of the economy of measures that tend to prevent and diminish crime. He thoroughly believed in the education of the masses, and in all efforts that improve the condition of the poor. He deplored the laxity of the times in allowing crime and the defiance of law to go unpunished. The plan and agencies by which the Prison Association is pursuing its observations upon the sources of crime, and urging the necessary measures for extinguishing and preventing them, and also for surrounding discharged prisoners with moral and material safeguards, deeply interested him. Instruction and timely discipline of the offending classes, and the prevalence of general education and habits of industry, he urged as the natural safeguards against crime. His personal efforts were freely given to the best schemes of philanthropy, and he was ever busy in the duties of private charity no less than those of the public organizations in whose direction and responsibilities he shared.

E. H.

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