

FORTY-NINTH ANNUAL REPORT

OF THE

PRISON ASSOCIATION

OF

NEW YORK,

FOR THE YEAR 1893.

TRANSMITTED TO THE LEGISLATURE MARCH 1, 1894

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IN SENATE,

MARCH 1, 1894.

FORTY-NINTH ANNUAL REPORT

OF THE

Prison Association of New York for Year 1893

PRISON ASSOCIATION OF NEW YORK,
NO. 135 EAST FIFTEENTH STREET, NEW YORK CITY.

HON. WILLIAM F. SHEEHAN, *Lieutenant Governor* :

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

Respectfully yours.

CHARLTON T. LEWIS,
President.

WM. M. F. ROUND,
Corresponding Secretary.

OFFICERS FOR 1894.

President.

CHARLTON T. LEWIS.

Vice-Presidents.

Rt. Rev. F. D. HUNTINGTON, W. P. LETCHWORTH.
Rev. WENDELL PRIME, D. D. CHAS. DUDLEY WARNER.

Corresponding Secretary.

W. M. F. ROUND, 135 East Fifteenth street.

Recording Secretary.

EUGENE SMITH.

Treasurer.

CORNELIUS B. GOLD, 15 Wall street, New York.

Executive Committee.

CHARLTON T. LEWIS, *Chairman.*

JAMES McKEEN.	JOHN R. THOMAS.
JOHN D. CRIMMINS.	F. P. BELLAMY.
HENRY W. DEFORREST.	SAMUEL M. JACKSON.
JAMES R. STEERS.	GEORGE S. FRASER.
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CORRESPONDING MEMBERS.

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Herr Heinemann, 250 Hammer Landstrasse, Horn bei Hamburg,
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Alfred Davis, 2 St. Ermin's Mansions, Westminster, London, E. C
Dr. Maurice Davis, 11 Brunswick square, London, N. C.

Dr. Fohring, President Tribunal of Justice, Hamburg, Germany.
The Rt. Hon. the Earl of Carnarvon, England.

Hon. Fr. Stuckenberg, Copenhagen, Denmark.

Hon. Frederic Hill, 27 Thurlow road, Hampstead, London, England.

Rt. Hon. Sir Walter Crofton, C. B., Oxford, England.

F. B. Sanborn, Concord, Mass.

Z. R. Brockway, New York.

Rev. Fred. H. Wines, Springfield, Ill.

Mons. Bonneville de Marsangy, Counselor of the Imperial Court of
Paris, No. 7 Rue Penthievre, Paris, France.

Signor Martino Beltrani-Scalia, Rome, Italy.

J. J. Henley, Esq., Local Government Board Inspector, New
Government Offices, Westminster, London, England.

Sir E. F. DuCane, Chairman of Directors of Convict Prisons, 44
Parliament street, London, England.

Mons. Robin (pasteur), 21 Rue Piast, Belleville, Paris, France.

Dr. Prosper Despine, 12 Rue du Loisir, Marseilles, France.

Dr. Guillaume, Director of Penitentiary, Neuchâtel, Switzerland.

Richard Peterson, Director of Penitentiary, Christiania, Norway.

Herman Adami, LL. D., Bremen.

Alfred Field, President Chamber of Commerce, Birmingham,
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Florence Davenport Hill, Belsize avenue, Hampstead, England.

Joanna Margaret Hill, Birmingham, England.

Florence Nightingale, South street, London, England.

A. Angus Croll, Esq., Rochampton, England.

William Tallack, Secretary Howard Association, 5 Bishoppate street
without, London, England.

Rev. J. W. Horsley, "Waifs and Strays" Society, London.

Arthur Maddison, Secretary Reformatory and Refuge Union, London.

Senor M. Calista, Quito, Ecuador.

Pastor Winkelman of the Prison Association of Saxony.

Rev. Dr. T. J. Scott of Bareilly, India.

Dr. Wolfgang Mittermaier, Heidelberg, Germany.

Prof. Cesare Lombroso, Turin, Italy.

Baron R. Garofalo, Rome, Italy.

Michael Kazarin, Prisons Department, St. Petersburg, Russia.

Dr. Paul Bailliere, 128 Boulevard Haussmann, Paris.

LIFE PATRONS

BY CONTRIBUTIONS OF \$500 OR MORE AT ONE TIME.

Mrs. William E. Dodge.
Cornelius B. Gold.
Mrs. Cornelius B. Gold.
Walter Howe.*
Adrian Iselin.
Henry K. McHarg.
Oswald Ottendorfer.
Miss Serena Rhineland.
Miss Julia Rhineland.*
Jacob H. Schiff.

Roswell Smith.*
William H. Scott.
Lispenard Stewart.
Dean Sage.
Mrs. A. T. Stewart.*
Cornelius Vanderbilt.
William K. Vanderbilt.
John David Wolfe.*
Catherine L. Wolfe.*
Mrs. Anna Woerishoffer.

* Deceased.

HONORARY MEMBERS.

BY CONTRIBUTIONS OF \$100 AT ONE TIME.

George B. Archer.
William H. Aspinwall.*
William B. Astor.*
J. J. Astor.*
Mrs. Caroline W. Astor.
Samuel P. Avery.
Rev. N. S. S. Beman,* Troy, N. Y.
William T. Booth.
Rev. Phillips Brooks, D. D.*
Alexander Hargraves Brown, M.P.,
Liverpool, England.
James Brown.
M. Bayard Brown.
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R. Fulton Cutting.
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Samuel B. Caldwell.
Edward Cooper.
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William B. Crosby.
W. E. Connor.
Erastus Corning, Albany.*
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William E. Dodge.*
William Butler Duncan.
Henry W. DeForest.
Theodore W. Dwight.*
Edwin Einstein.
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Elbridge T. Gerry.
Winthrop S. Gilman.
William C. Gilman.
Lincoln S. Gold.*
Miss Catharine L. Gold.
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Dr. J. G. Holland.*
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Mrs. Joseph Howland, Matteawan,
N. Y.
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Meredith Howland.
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James R. Keene.
John S. Kennedy.
James Lenox.*
Miss Lenox.
Miss Lenox.
Pierre Lorillard.
Peter Lorillard.
William P. Letchworth.
Charlton T. Lewis.
Woodbury C. Langdon.
Robert J. Livingston.
J. H. Mead.
Richard A. McCurdy,
Mrs. C. L. McLanahan.
Allen McLane.

* Deceased.

Samuel F. B. Morse.*
 George D. Morgan.
 Adam Norrie.
 R. M. Olyphant.
 Daniel Parrish.
 E. D. Peters.
 George B. Phelps.*
 Wendell Prime, D. D.
 John A. Pullen.
 George C. Rand.
 Latham G. Reed
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 C. R. Robert.*
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 Theodore Roosevelt.
 Henry B. Renwick.
 Horace Russell.
 George I. Seney.
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 Alfred Sully.
 Adam T. Sackett.
 Joseph Sampson.
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 James Stokes.*
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 Eugene Smith.
 John D. Slayback.
 H. S. Terbell.
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 Sinclair Tousey.*
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 Alex. Van Rensselaer.
 George C. Ward.
 Salem H. Wales.*
 William Seward Webb.
 R. W. Weston.
 Samuel Willets.*
 Rev. E. C. Wines.*
 J. Walter Wood.
 William Wood.
 Charles B. White.
 Cornelius D. Wood, Brooklyn, N. Y.

* Deceased.

LIFE MEMBERS.

BY CONTRIBUTIONS OF FIFTY DOLLARS AT ONE TIME.

John H. Abeel.
 W. W. Astor.
 Isaac Bell.
 August Belmont.
 Frederick Billings.
 Mrs. Frederick Billings.
 Rev. Henry J. Van Dyke, D. D.
 Simon Borg.
 W. A. Booth.
 Cornelius N. Bliss.
 E. C. Bogert.
 J. Carson Brevoort.
 James M. Brown.
 Stewart Brown.
 John Crosby Brown.
 Levi M. Bates.
 Edmund Coffin.
 Benjamin G. Clarke.
 W. T. Coleman.
 Israel Corse.
 William E. Dodge, Jr.
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 P. W. Engs.
 B. H. Field.
 Hamilton Fish.
 James Foster, Jr.
 Arthur Gilman.
 Horace Gray.
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 E. C. Halliday.
 Mrs. E. C. Halliday.
 E. Herrick.
 James Horne.
 James C. Holden.
 Thomas Hunt.

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 John Jay.
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 James J. Jones.
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 E. Parnly.
 Orlando B. Potter.
 Thomas Prosser.
 Howard Potter.
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 Robert Ray.
 James I. Raymond.
 J. Hampden Robb.
 George A. Robbins.
 Samuel Sloan.
 William D. Sloane.
 W. C. Schermerhorn.
 Frederick K. Stevens.
 William H. Scott.
 Leo Speyer.
 John Stewart.

James F. Sutton.
 Austin Sherman.
 B. B. Sherman.
 Cornelius Smith.
 James O. Sheldon.
 Charles N. Talbot.
 I. T. Terry.
 Allen Tucker.
 Samuel Auchmuty Tucker.
 Rev. S. H. Virgin.

Abram Van Nest.
 Bleecker Van Wageningen.
 A. Ward.
 Mrs. Laura Willard.
 W. H. S. Wood.
 E. J. Woolsey.
 Mrs. E. J. Woolsey.
 W. Walker.
 Samuel Wetmore.

LOCAL COMMITTEES FOR CO-OPERATION AND CORRESPONDENCE.

Albany county.

Residence, Albany.—Rt. Rev. W. C. Doane, Rev. W. W. Battershall, D. D., John H. Van Antwerp, Dudley Olcott, Abraham Lansing, Rev. James H. Ecob, D. D., J. H. Hulsapple, Dr. Albert Vander Veer, James T. Tracey and James Fenimore Cooper. Bishop Doane, chairman; Dean Sage, treasurer; James Fenimore Cooper, secretary.

Residence, Cohoes.—Earl Z. Stinson.

Committee on jails and station-houses.—Robert C. Pruyn, chairman; Rev. James H. Ecob, D. D., Dr. Vander Veer, J. H. Hulsapple, Abraham Lansing, Matthew Hale, Townsend Lansing.

Committee on penitentiary.—Dean Sage, James T. Tracey, Dudley Olcott.

Executive committee.—Bishop Doane, Dean Sage, James Fenimore Cooper, Robert C. Pruyn.

Allegany County.

To be appointed under the new rules.

Broome County.

Residence, Binghamton.—Dr. John G. Orton, B. N. Loomis, E. M. Noyes, E. K. Clarke, D. H. Carver, J. W. Manier, Charles Wilkinson, Avery Cromse, Julius Rogers, Dr. F. W. Putnam, Dr. J. H. Chittenden, H. M. Beecher, C. R. Williams, L. K. Thompson, E. C. Tichener.

Cattaraugus county.

Residence, Little Valley.—Dr. L. Twombly.

Cayuga county.

Residence, Auburn.—H. V. Howland, Rev. C. C. Hemenway, W. O. Magee, Rev. J. K. Dixon, Charles E. Thorne, Frank W. Richardson, Dr. W. S. Chasman, Mrs. Charlotte C. Bates, Mrs. Miles Perry, Mrs. John W. Haight.
 Residence, Union Springs.—Mrs. Mary H. Thomas.
 Residence, Weedsport.—Homer Rhenbottom.
 Residence, Aurora.—Lansing Zabrickie.
 Residence, Willowbrook.—Mrs. E. T. Throop Martin.

Chautauqua county.

Residence, Mayville.—Hon. Albion W. Tourgee, Rev. J. H. Miller, William Chase.
 Residence, Fredonia.—M. S. Moore.
 Residence, Westfield.—Alfred Patterson.
 Residence, Jamestown.—Hon. Jerome C. Prenton.

Chemung county.

Residence, Elmira.—Dr. W. C. Wey, Z. R. Brockway, J. D. F. Slec, Rev. C. H. McKnight, Frederick Hall.

Chenango county.

Residence, Norwich.—Dr. H. H. Beecher, B. Gage Berry, Daniel M. Homes, Cyrus B. Martin.

Clinton county.

Residence, Plattsburgh.—Henry Orvis, Rev. F. B. Hall.
 Residence, Keeseville.—Hon. Henry Kingsland, 2d.

Columbia county.

To be reorganized.

Cortland county.

Residence, Cortlandville.—Lewis Bouton, Frank Place, Dr. Frederick Hyde.
 Residence, Homer.—Dr. Caleb Green, Thomas S. Ranney.

Delaware county.

Residence, Delhi.—T. W. Brown, Mrs. W. H. Griswold, Mrs. F. Jacobs, Jr., Mrs. W. Youmans, Dr. H. A. Gates, Mrs. H. A. Gates, Mrs. C. A. Frost, Rev. F. H. Seeley, Rev. J. S. Robinson, James Penfield, Mrs. James Penfield, Adam Scott, Mrs. Adam Scott.

Dutchess county.

Residence, Poughkeepsie.—Edmund Platt, Robert F. Wilkinson, Warren G. Cowle, Mrs. Mary G. Underhill.

Erie county.

Residence, Buffalo.—C. B. Armstrong.

Essex county.

Residence, Elizabethtown.—Dr. S. E. Hale, Francis A. Smith, Richard L. Hand, Abijah Perry, Robert W. Livingston.

Franklin county.

Residence, Malone.—Dr. S. P. Bates, F. T. Heath, John L. Gilbert, J. P. Badger, Newcomb H. Munsill, Julius C. Saunders, Martin E. McClary, Charles Ferry, Frederick G. Paddock, Charles L. Hubbard, Henry A. Miller, Rev. J. W. Ashworth, Rev. Charles S. Richardson, Rev. W. G. W. Lewis, Rev. I. D. Peaslee.

Fulton county.

Residence, Gloversville.—John Ferguson, Dr. Eugene Beach.

Genesee county.

Residence, Batavia.—Professor G. Fuller, Hon. J. R. Holmes.

Greene county.

To be appointed.

Hamilton county.

Residence, Wells.—G. B. Morrison.
 Residence, Sageville.—William H. Fry.

Herkimer county.

To be appointed.

Jefferson county.

Residence, Watertown.—Rev. Richard G. Keyes, Jesse M. Adams.

Kings county.

Residence, Brooklyn.—William H. Male, Lester W. Beasley, Henry R. Jones, Dr. A. Matthewson, George H. Fisher, Henry Batterman, Isaac H. Cary, Alexander Forman, Dr. T. J. Backus, George C. Brackett, John B. Woodward, Dean Sage, Charles A. Schieren, Abbott L. Dow, C. D. Wood, E. H. Kidder, Albert C. Perkins, Willis L. Ogden, Thomas S. Moore, Franklin Allen, Churchill H. Cutting, F. P. Bellamy.

Lewis county.

Residence, Lowville.—Carroll House.
Residence, Croghan.—Hon. William W. Rice.

Livingston county.

Residence, Geneseo.—Professor W. J. Milne, Rev. C. H. Boynton, Ph. D.

Madison county.

Residence, Morrisville.—D. D. Chas, H. P. Meade, Lucius P. Clark.
Residence, Oneida.—W. R. Williams.

Montgomery county.

Residence, Fonda.—Rev. W. Frothingham.

Monroe County.

Residence, Rochester.—Quincey Van Voorhis, Theodore Bacon, Col. J. S. Graham, Rev. Mr. Landsberg, Rev. Myron Adams, Hon. W. S. Hubbell, E. O. Sage, Gilman H. Perkins, George E. Munford, Colonel Charles Fitch.

New York county.

The association's committee on detentions and discharged prisoners.

Niagara county.

Residence, Lockport.—M. H. Weber, Dr. J. B. Hartwell, Dr. A. W. Tyron, Mrs. Robert Norton, Myron H. Tarbox, Mrs. M. McGlashan, J. S. Helmer, Rev. Dr. Cushing, Rev. P. Cannon, Mrs. Burt Van Horn, Mrs. A. L. Dietrick, Mrs. Montgomery, care of Mrs. Robert Norton, William H. O'Keefe, Moses Brady.

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Residence, Utica.—Colonel Theodore P. Cook, John F. Seymour, Dr. Edwin Hutchinson, Charles H. Warren, Edwin Hunt, Hon. P. J. Bridges, Rev. I. S. Hartley, Rev. C. E. Gardner, Rev. Father Lynch, Rev. Charles F. Bachman.
Residence, Rome.—Simon G. Visscher, Mr. Converse, Dr. Dutton, Mrs. Jay Hildreth.

Onondaga county.

Residence, Syracuse.—Hon. P. Burns, A. C. Williams, Dr. H. B. Wilbur, Rev. M. Baird, Dr. R. W. Pease, Hon. W. H. H. Gere, Timothy Hough, M. W. Hanchett, Timothy R. Porter, J. C. Williams, Dr. E. E. Van DeWalker, James A. Skinner, G. L. Bonta, A. L. Merrick.

Ontario county.

Residence, Canandaigua.—Mrs. Collins Hart, Professor Edward Tyler, Hon. James C. Smith, Levi B. Gaylord.
Residence, Geneva.—T. C. Maxwell, Arthur P. Pease.

Orange county.

Residence, Newburgh.—Rev. John Forsyth, D. D., H. A. Jones, Rev. H. V. S. Myers, John L. Sloat, Charles Estabrook, Colonel C. H. Weygant, Major E. C. Boynton, M. C. Belknap, Joseph Van Cleft, Dr. R. V. K. Montfort, Grant Edgar, William McCrea, John Caldwell, Uriah Traphagen, L. F. Corwin.
Residence, Goshen.—Dr. J. H. Thompson, Rev. Floyd A. Crane, George H. Mills.
Residence, Middletown.—Hon. J. D. Friend, Hon. J. G. Wilkin.

Orleans county.

Residence, Albion.—Edwin R. Reynolds, Daniel W. Frye, U. C. Rogers.

Oswego county.

Residence, Oswego.—G. C. McWhorter, Hon. J. A. Place, Dr. A. S. Coe, G. Mollison, Mrs. George Goodier, Miss Florence Pettibone, Mrs. C. B. Randell, Edward Lee, Hon. George B. Sloan, Mr. P. C. M. Tride, Mr. P. O. Wright, Rev. David Tully, D. D., Edward Monen.
Residence, Pulaski.—N. B. Smith.
Residence, Fulton.—D. W. Gardner.

Otsego county.

Residence, Cooperstown.—Dr. H. Lathrop, S. M. Shaw, G. F. Keese,
Miss Susan Cooper, Dr. W. T. Bassett.

Putnam county.

Residence, Carmel.—J. D. Little, James R. Weeks, Addison Ely,
M. D.

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Residence, Great Neck.—John Keese, W. H. Onderdonk.
Residence, Hempstead.—Rev. William H. Moore, D. D., Ebenezer
Kellum, Valentine Clowes.
Residence, Westbury.—Benjamin D. Hicks, Mrs. James Willetts.
Residence, Glen Cove.—Edwin A. Hopkins.
Residence, Astoria.—Rev. Washington Rodman, Miss E. H. Rodman,
Dr. J. D. Trask.

Rensselaer county.

To be appointed under new rules.

Richmond county.

Residence, New Brighton.—A. B. Boardman, John H. Pool, R. B.
Whittemore, Oswald N. Cammann, Ed. M. Muller, Miss H. Itner,
Mrs. J. K. West, Mrs. Wm. Davidge.
Residence, West New Brighton.—Rev. Pascal P. Harrower, L. F.
Whitin, F. O. Boyd.
Residence, Richmond.—Dr. J. S. Millspaugh, T. W. Fitzgerald,
Captain A. G. Hall, Miss Louise Moore.
Residence, Clifton.—David Marsh, Miss Ripley.
Residence, Grimes Hill, Tompkinsville.—A. D. Irving.

Rockland county.

Residence, Stony Point.—Dr. William Govan.
Residence, Haverstraw.—Alonzo Wheeler.
Residence, Nyack.—Seth B. Cole.
Residence, Tomkins Cove.—Walter T. Searing, Mrs. Laura Wood.

Saratoga county.

To be appointed.

Seneca county.

Residence, Waterloo.—Hon. S. G. Hadley, Dr. S. R. Wells, Solomon
Carman.
Residence, Ovid.—Hon. George Franklin, Dr. John B. Chapin.
Residence, Seneca Falls.—Charles A. Hawley.

Schoharie county.

Residence, Schoharie.—Thomas W. Zeh, Jr.

Schenectady county.

Residence, Schenectady.—Hon. W. T. L. Sanders, S. B. Howe,
Professor C. E. Kingsbury, Rev. Dr. Alexander.

Schuyler county.

Residence, Watkins.—Frederick Davis, Rev. George Knapp.

St. Lawrence county.

Residence, Canton.—George Robinson, Rev. James Gardner, H. H
Judd, Dr. J. C. Preston, G. B. Manley, Rev. E. E. Brown, Rev.
George E. Forbes.
Residence, Ogdensburg.—Dr. B. F. Sherman, Professor R. G. Pettibone,
Daniel Magone, Rev. L. Merrill Miller, Rev. J. Bastow, W. L.
Proctor, J. W. Wilson, Gates Curtis.
Residence, Potsdam.—E. W. Foster, L. E. Wadleigh, Rev. George
Harkness, Rev. C. E. Bascom, O. E. Bonney, John A. Vance.

Steuben county.

Residence, Bath.—Z. L. Parker.
Residence, Corning.—F. A. Williams.

Suffolk county.

To be appointed.

Sullivan county.

Residence, Monticello.—James Strong.
Residence, Grahamville.—Dr. J. M. La Moree.

Tioga county.

Residence, Owego.—Hon. William Smyth, A. Abel, V. N. Russell,
G. B. Goodrich, A. Coburn, H. D. Pinney.

Tompkins county.

Residence, Ithaca.—Professor Ziba H. Potter, Professor James Law,
Professor William D. Wilson, Orange P. Hyde.

Ulster county.

Residence, Kingston.—Hon. James G. Lindsley, Mrs. Mary J. W.
Reynolds, F. W. Westbrook, S. D. Hood, Rev. L. T. Watson,
Augustus W. Reynolds.
Residence, New Paltz.—C. W. Deyo.
Residence, Saugerties.—W. R. Sheffield.
Residence, Rosendale.—Rev. John Gleason.

Warren county.

Residence, Lake George.—Samuel R. Archibald, Francis G. Crosby,
Elias S. Harris, Dr. W. R. Adamson.

Washington county.

Residence, Salem.—James Blashford, C. R. Hawley.

Wayne county.

Residence, Lyons.—John L. Cole, William Van Master, Charles Ennis.
Residence, Palmyra.—Isaac C. Bronson, Dr. Samuel Ingraham, A. S.
Niles, Mrs. Horace Eaton, George G. Jessup.
Residence, Arcadia.—Rev. Park Burgess.
Residence, Walworth.—Hon. Lucien T. Youmans.

Westchester county.

To be appointed.

Wyoming county.

Residence, Warsaw.—Hon. Augustus Frank, Rev. L. E. Nassau.

Yates county.

Residence, Penn Yan.—Joseph F. Crosby, William F. Van Tuyl.

Report of the Treasurer.

<i>Dr.</i>	
Donations	\$5,384 74
New York State Reformatory	707 25
Rents	558 50
Board of estimate and apportionment	300 00
Balance in Mechanics' National Bank, October 31, 1892 ..	34 30
Sale of old directory	1 00
	<hr/>

\$7,040 79

<i>Cr.</i>	
Expense of agency in New York city for discharged con- victs and persons under arrest	\$2,693 23
Expenses of State organization, prison and jail inspection and county work (including \$1,553.33 of arrears of 1892)	3,240 56
Interest on \$8,500 mortgage on No. 153 East Fifteenth street	325 00
Taxes and insurance	197 50
House expenses	428 22
Balance in Mechanics' National Bank, October 31, 1893 ..	156 28
	<hr/>
	\$7,040 79

AMOUNTS OWING BY THE ASSOCIATION.

For State organization, prison and jail inspection, etc... **\$1,808 33**

AMOUNTS DUE TO THE ASSOCIATION.

From Burnham Industrial Farm
 \$1,440 00 |

From others, for rent
 25 00 |

\$1,465 00

CORNELIUS B. GOLD,*Treasurer.*

We certify that we have examined the accounts and vouchers of
Cornelius B. Gold, treasurer, and find them correct.

**EDWARD B. MERRILL,
SAMUEL MACAULEY JACKSON,**

Auditing Committee.

DONATIONS.

Rev. Lyman Cobb, Jr.	\$5 00
University Place Presbyterian Church, P. S. collection	61 72
Mrs. R. Hoe, Jr.	10 00
Grace Church, Middletown, N. Y., P. S. collection	5 00
The Household of Faith, Brooklyn, N. Y., P. S. collection	5 50
Miss Helen Turnbull	5 00
St. Mary's Church, Mott Haven, N. Y.	10 00
Grace Church, New York city, P. S. collection	194 00
Church of the Incarnation, P. S. collection	101 99
Alfred Corning Clark	100 00
Mrs. John Hall	50 00
St. Peter's Church, Westchester, N. Y.	20 00
John R. Planten	10 00
H. B. Renwick	100 00
William S. Sloane	20 00
John Sinclair	10 00
J. B. C., "In memoriam"	10 00
Robert M. Olyphant	10 00
Mrs. Anna C. Alden	5 00
Henry Hun	5 00
Rev. Morgan Dix, D. D.	10 00
William Alexander Smith	10 00
Mount Washington Presbyterian Church, Inwood, N. Y., P. S. collection	12 00
F. A. Ferris	36 20
James J. Goodwin	25 00
Rev. D. Stuart Dodge	10 00
Mrs. William E. Dodge, Sr.	10 00
Mrs. Anna M. Cox	5 00
Benjamin Ogden Chisolm	10 00
Renwick B. Knox	5 00
Miss Alice Keteltas	20 00
J. Hampden Robb	50 00

Westminster Presbyterian Church, Utica, N. Y., P. S. collection	\$10 00
"For the use and relief of prisoners," Rt. Rev. Henry C. Potter	4 90
H. S. G. (a discharged prisoner)	3 00
J. Watts De Peyster	10 00
Mrs. A. E. Brice	5 00
John Taylor Johnston	100 00
Charles W. Ogden	10 00
William Colgate	25 00
R. G. Dun	25 00
Mrs. W. S. Gurme	10 00
John S. Kennedy	100 00
Cornelius B. Gold	100 00
Adrian Iselin	100 00
Mrs. Edwin Parsons	5 00
Oscar Craig	10 00
Mr. N. E. Baylies	10 00
Mrs. T. H. Meigs	10 00
Mrs. Chester Griswold	10 00
Mrs. W. H. Osborn	10 00
Annie Stone	10 00
William R. Stewart	10 00
G. E. M.	25 00
H. K. McHarg	100 00
Mrs. Henry V. Parsell	10 00
Mrs. Francis Lynde Stetson	10 00
Mrs. Frederick Billings	50 00
Frederick Billings	50 00
Z. K. Brookway	10 00
Miss Helen C. Brush	10 00
Miss Mary H. Brush	10 00
Mrs. Andrew Findlay	5 00
Henry G. Marquand	10 00
Anson Phelps Stokes	25 00
John S. McLean	10 00
George G. Williams	10 00
Wendell Prime, D. D.	100 00
Albert Tilt	10 00
Mrs. W. Wheeler Smith	10 00

Hon. Addison Brown	\$10 00
Egerton L. Winthrop	10 00
H. A. Rogers	10 00
J. Davenport	5 00
Mrs. A. E. Breese	5 00
Mrs. Walter Geer	10 00
W. P. Letchworth	25 00
Samuel M. Jackson	10 00
Dean Sage	100 00
John L. Wilkie	5 00
H. W. De Forest	50 00
Mrs. Clarisse H. Livingston	20 00
William Reynolds Brown	10 00
H. C. Schwab	10 00
William Hall's Sons	10 00
Mrs. Jonathan Sturges	10 00
Mrs. F. Spencer Witherbee	15 00
John Sinclair	10 00
C. H. Contoit	10 00
Mrs. Elizabeth Lynes	10 00
Mrs. C. Cahn	5 00
C. H. Dodge	25 00
Woodbury G. Langdon	10 00
Miss Campbell	10 00
Mrs. Emily Howland	5 00
Mrs. Frederick Goodridge	10 00
Andrew C. Zabriskie	25 00
Catherine Smith	5 00
Cornelius Vanderbilt	100 00
Wm. J. Quiolan, Jr	10 00
Mrs. Frank B. Porter	25 00
Geo. W. Plunkitt	10 00
Wm. D. Ellis	5 00
Clarence M. Hyde	10 00
H. H. Rogers	10 00
Mrs. C. E. Tiffany	10 00
Mrs. Alexr. Miller	5 00
Miss Ellen Collins	15 00
Anonymous, Philadelphia	1 00
E. P. Dutton	10 00

J. F.	\$1 00
L. D. White	10 00
Bradley & Smith	10 00
Ed. S. F. Arnold, M. D.	10 00
Elihu Chauncey	5 00
Thos. H. Bauchle	10 00
J. G. Floyd	10 00
Robbins Battell	5 00
Cornelius D. DuBois	10 00
E. F. Browning	10 00
Mrs. David Dows	10 00
John R. Ford	10 00
Mrs. Henry G. DeForest	10 00
Sam'l M. Hyde	10 00
Mrs. G. Barlow	10 00
Mrs. H. A. Curtis	10 00
Jas. McCreery	10 00
Mrs. Wm. Barbour	10 00
E. B. Foot, M. D.	5 00
Mrs. Wm. N. Crane	10 00
J. W. Brand	10 00
Augustin Daly	10 00
Jno. B. Ireland	10 00
Mrs. A. C. Clinch	10 00
Wm. A. Read	10 00
Mrs. John C. Hadden, Jr	25 00
J. N. A. Griswold	10 00
Miss J. Penfold	10 00
"A Friend"	10 00
E. D. Morgan	10 00
A. S. Peet	3 00
David H. Ivison	50 00
Rev. W. W. Conkling, D. D.	5 00
Mrs. J. A. Edgar	10 00
John W. Thompson	10 00
R. Hoe & Co	25 00
John Wagner	10 00
Mrs. Isidor Wormser	10 00
Frank Dean	10 00
Dorman B. Eaton	10 00

Samuel Thorne	\$10 00
Henry Rice	5 00
Geo. H. Morgan	10 00
Robert Jaffray	10 00
Edward Potter	10 00
Mrs. Scott Foster	10 00
Mrs. Geo. H. Morgan	10 00
Henry Holt	10 00
R. H. L. Townsend	10 00
Mrs. D. B. Whitlock	10 00
Frederick T. Hill	50 00
G. G. Havens	20 00
Rev. W. S. Rainsford	10 00
Wm. E. Dodge	25 00
Henry Talmadge	5 00
Mrs. J. H. Jacquelin	10 00
Albert Crane	5 00
John E. Parsons	10 00
Benjamin Weed	10 00
Cash	25 00
Mrs. H. C. Stimson	10 00
Frederick Uhlmann	10 00
Wm. Einstein	10 00
Middleton & Co.	10 00
L. C. Warner	10 00
M. Bayard Brown	250 00
Mrs. L. C. Sweetser	10 00
Allen Tucker	50 00
George D. Mackay	10 00
Kunhardt & Co	10 00
Mrs. D. Bishop	10 00
Mrs. Elliott F. Shepard	10 00
Mrs. Joseph Milbank	50 00
Mrs. J. Blair Scribner	25 00
Mrs. Thomas Garner	10 00
Rev. E. A. Hoffman, D. D	10 00
Spencer Trask	10 00
Gustav E. Kissel	10 00
William Ives Washburn	10 00
Samuel Sloan	10 00

Mary S. Maxwell	\$10 00
John Crosby Brown	10 00
Mrs. Henry Draper	10 00
W. F. Chrystie	10 00
William Warner Hoppin	10 00
Frederick Viotor & Achelis	10 00
Seth Low	10 00
William G. Low	10 00
Mrs. G. Schoen	26
T. G. Sellow	10 00
Mrs. Stephen Baker	10 00
James H. Jones	100 00
James M. Constable	10 00
Robert S. Holt	10 00
Mrs. E. H. Van Ingen	10 00
William Bispham	10 00
J. McE. Wetmore, M. D	10 00
Gaillard T. Thomas, M. D	10 00
John S. Huyler	10 00
Charles J. Coulter	10 00
Gillis & Geoghegan	10 00
Timothy Hogan	10 00
Trustees of the Murray Fund	25 00
N. Amerman	10 00
Miss Letitia Hanson	10 00
Mrs. J. C. Fargo	10 00
James G. Johnson & Co.	10 00
F. F. Woodward	10 00
Rev. Arthur Brooks	10 00
Henry Burden, 2d	10 00
Horace White	10 00
Mrs. John F. Dillon	5 00
The H. B. Claffin Co.	10 00
Mrs. R. S. Leshar	10 00
George A. Robbins	10 00
Peter Doelger	10 00
Mrs. Anna C. Alden	10 00
Mrs. H. O'Neill	10 00
W. T. Alexander, M. D	10 00
Robbins Little	10 00

Mrs. S. D. Whaley.....	\$5 00
Wm. Wicke.....	10 00
Mrs. E. V. S. Winthrop.....	30 00
Robert Harris.....	10 00
Michael Brennan.....	10 00
Leopold Wallach.....	10 00
Coffin & Stanton.....	10 00
Mrs. J. Ruppert.....	10 00
Mrs. Edward N. Crosby.....	5 60
Wm. Openhym.....	10 00
John T. Willetts.....	10 00
Morris K. Jesup.....	50 00
George F. Dominick.....	10 00
Walter E. Edmonds.....	5 00
The Century Co.....	10 00
Ernest L. Conant.....	5 00
John B. Whiting.....	10 00
Robert W. de Forest.....	10 00
Paul Tuckerman.....	25 00
B. Fischer & Co.....	3 00
Jas. H. Hamersley, through J. Hooker Hamersley.....	25 00
C. A. Hart.....	10 00
Mrs. H. F. Hadden.....	5 00
Cornelius B. Gold.....	100 00
G. A. Sabine, M. D.....	10 00
Mrs. John E. Parsons.....	10 00
H. M. Humphrey.....	10 00
H. Herrman Sternbach & Co.....	10 00
Vermilye & Co.....	10 00
Speyer & Co.....	10 00
Mrs. H. D. Aldrich.....	10 00
E. F. Milliken.....	1 00
Anon., Philadelphia.....	10 00
Mrs. I. N. Seligman.....	10 00
Wm. F. King.....	10 00
Robt. L. Maitland.....	10 00
Edward Ridley & Sons.....	10 00
Mrs. J. Pierpont Morgan.....	10 00
James Renwick.....	20 00
E. C. Bogert.....	50 00

Samuel D. Babcock.....	\$10 00
Pomroy Bros.....	10 00
Pinkerton's National Detective Agency.....	10 00
Mrs. Francis G. Shaw.....	100 00
Henry Ling Taylor, M. D.....	5 00
C. W. McAlpin.....	10 00
St. James P. E. Church, P. S. collection.....	20 00
A. Jacobi, M. D.....	10 00
Franklin B. Lord.....	10 00
David Marks.....	5 00
J. Montgomery Hare.....	5 00
J. Stickney.....	10 00
Samuel T. Carter.....	10 00
Grace Church offertory in aid of Prison Association.....	117 17
Robert Jaffray.....	10 00
Mrs. A. Miller.....	10 00
Mrs. John Wolfe.....	10 00
Robert W. de Forest.....	10 00
John J. McCook.....	10 00
Elbridge T. Gerry.....	25 00
Thomas G. Shearman.....	10 00
Mrs. Nicholas Fish.....	5 00
Chas. B. Meyer.....	5 00
Trinity Church, Elmira, N. Y., P. S. collection.....	9 00

 \$5,384 74
Other donations.

Mrs. C. W. Machen.....	Reading matter.
L. Waterman.....	Reading matter.
Mrs. L. H. Cobb.....	Reading matter.
A. C. Zabriskie.....	Clothing.
Rev. Geo. S. Payson.....	Clothing.
H. G. Marquand.....	Clothing and reading matter.
S. E. Gardner.....	Reading matter.
Mrs. F. W. Olds.....	Clothing and reading matter.
Gen'l Rush C. Hawkins.....	Clothing.
Hospital Book and News Society.....	Reading matter.
Mrs. W. Stanton.....	Clothing and reading matter.
Mrs. H. J. Baack.....	Reading matter.

Mrs. Odell	Clothing and reading matter.
Mrs. Geo. E. Baker	Reading matter.
Mrs. Wendt	Reading matter.
Mrs. J. H. Jacquelin	Reading matter.
Mrs. M. F. Bollis	Clothing and reading matter.
Mrs. E. L. Flanders	Reading matter.
Mrs. H. H. Nathan	Clothing and reading matter.
A. Vanholland	Reading matter.
Mrs. E. P. Jones	Reading matter.
Mrs. Albert Lilienthal	Reading matter.
Horace Jones	Clothing.
B. O. Chisolm	Clothing and reading matter.
Mrs. James D. Hague	Clothing.
J. H. Emerson	Clothing.
Mary Scott Rowland	Clothing.
Mrs. Howard Clarkson	Reading matter.
Mrs. G. A. Davies	Clothing.
W. H. Granbery	Reading matter.
C. M. Williams	Clothing and reading matter.
Mrs. E. R. Seligman	Reading matter.
R. A. Yellowlee	Clothing.
Hospital Book and News Society ..	Reading matter.
King's Daughters	Reading matter.
Hospital Book and News Society ..	Reading matter.
Mrs. Anna Davis	Clothing.
Mrs. Coleman	Clothing and reading matter.
Mrs. G. Furman	Reading matter, etc.
Miss Carhart	Reading matter.
Mrs. Blatchford	Reading matter.
Mrs. Van Ness	Clothing and reading matter.
Mrs. L. Roberts	Reading matter.
Hospital Book and News Society ..	Reading matter.
Sarah E. Naylor	Clothing and reading matter.
Mrs. Wilmurt	Reading matter.
Mr. Herron	Clothing and reading matter.
C. J. Gillis	Clothing.
G. Emerson	Reading matter.
E. B. Parmelee	Clothing and reading matter.
Mrs. H. E. Montgomery	Clothing.
Miss M. Parker	Reading matter.

Lewis M. Norwood	Clothing.
Mrs. L. Weil	Clothing.
Mrs. Lambert	Clothing.
Miss Delitz	Reading matter.
Miss L. Bowne	Reading matter.
W. M. Christensen	Reading matter.
J. Wamsley	Clothing and reading matter.
Mrs. James Neil	Clothing.
Josiah Lombard	Reading matter.
Mrs. J. N. Patterson	Clothing and reading matter.
Mrs. H. Jackson	Reading matter.
A. C. Ray	Clothing.
Dr. J. F. Miller	Clothing.
Mrs. H. T. Ayres	Reading matter.
James N. Hanley	Reading matter.
Mrs. E. P. Ingraham	Clothing.
Mrs. Josiah M. Fisk	Clothing and reading matter.
Mrs. J. V. S. Wooley	Reading matter.
Mrs. Alex. Miller	Reading matter.
Nelson	Reading matter.
S. Levinson	Clothing.
Mrs. C. M. Wood	Reading matter.
F. R. Lawrence	Clothing.
Dr. J. G. Wallach	Reading matter.
Mrs. H. Tuckerman	Reading matter.
Mrs. Burtis	Clothing and reading matter.
J. B. Becar	Clothing.
Mrs. A. M. Tilghman	Clothing.
I. Clemons	Clothing.
Mrs. Shiels	Reading matter.
Hospital Book and News Society...	Reading matter.
Charles Sprague Smith	Clothing and reading matter.
C. W. Tyson	Clothing.
E. H. Kendall	Reading matter.
H. Kahn	Reading matter.
S. E. Naylor	Reading matter.
Hospital Book and News Society...	Reading matter.
E. Kipper	Reading matter.
Mrs. H. D. Auchincloss	Reading matter.
Mrs. A. Aldes	Reading matter.
Prof. H. C. Bolton	Clothing and reading matter.

Mrs. C. C. Marshall	Reading matter.
Mrs. H. D. Babcock	Clothing and reading matter.
Mrs. C. W. Machen	Clothing and reading matter.
William Blodget	Clothing.
Mrs. Furman	Clothing and reading matter.
Mrs. Carey	Clothing.
Mrs. S. Lawson	Reading matter.
Mrs. C. C. Marshall	Reading matter.
Mrs. H. H. Schweitering	Reading matter.
Mrs. Werner	Reading matter.
Mrs. Willett	Clothing.
A. Newby	Clothing.
Mrs. H. C. Mortimer	Reading matter.
C. B. Gold	Clothing.
Mrs. G. Schoen	Clothing.
Mrs. D. E. Moran	Clothing.
Mrs. L. H. Beers	Clothing and reading matter.
Mrs. Williams	Clothing.
Mrs. J. Hecht	Clothing.
Louis B. McCagg	Clothing.
Robert J. Clyde	Reading matter.
L. M. Stocum	Reading matter.
Mrs. I. Starn	Clothing.
H. G. Randolph	Clothing.
Mrs. G. A. Jeremiah	Clothing.
Mrs. Harriet E. Borat	Clothing.
Mrs. L. K. Wilmerding	Clothing.
Mrs. Chillas	Reading matter.
R. Halsted	Clothing.
Miss Kendall	Reading matter.
Mrs. B. Johnson	Reading matter.
General Cochrane	Clothing.
Mrs. Van Tassell	Reading matter.
Emmade Valliere	Reading matter.
Mrs. B. Drake	Reading matter.
Mrs. D. J. Burrell	Reading matter.
Mr. Rutherford	Clothing.
Mrs. L. A. Lehmaier	Reading matter.
Mrs. M. Julien	Clothing and reading matter.
Miss Emma F. Callahan	Reading matter.

E. St. John Hays	Clothing.
Mrs. A. M. Tilghman	Clothing.
Chas. L. Wetherbee	Reading matter.
Mrs. Chillar	Reading matter.
Miss Berry	Clothing.
A. L. Merriam	Reading matter.
Rev. J. R. Davenport	Reading matter.
Mrs. Henry Draper	Reading matter.
F. L. Flanders	Reading matter.
Mrs. Comstocks	Reading matter.
A. C. Zabriskie	Clothing.
Mrs. Comstocks	Reading matter.
Mrs. B. Tatham	Clothing.
Mrs. Geo. A. Morrison	Clothing.
Mrs. J. F. Dillon	Clothing and reading matter.
Mrs. M. W. Sewall	Reading matter.
Miss Fisher	Reading matter.
F. M. Campbell	Miscellaneous.
Mrs. Naylor	Clothing.
R. O. Chisolm	Reading matter, etc.
C. W. Loomis	Clothing.
Mrs. J. G. Skinner	Reading matter.
Mrs. J. F. Dillon	Clothing.
Jonathan Thorne	Clothing.
Mrs. Eleanor Hendricks	Reading matter.
M. F. Bolles	Clothing and reading matter.
Mrs. J. H. Jaocelin	Clothing and reading matter.
Mr. Irving	Clothing.
Mrs. M. Mitchell	Reading matter.
J. G. Skinner	Reading matter.
J. Clemens	Clothing.
Miss Stokes	Miscellaneous.
Rev. Alex Lewis	Clothing.
Samuel P. Avery	Clothing.
Mrs. Godney	Clothing and reading matter.
H. L. Taylor	Reading matter.
M. E. W. Drake	Reading matter.
S. A. Tucker	Clothing.
H. Howson	Reading matter.
J. Salter	Reading matter.

M. E. W. Drake	Reading matter.
A. C. Zabriskie	Clothing
Mrs. W. G. T. Shedd	Clothing.
Mrs. C. Lichtenstein	Reading matter.
Miss Deutz	Reading matter.
Miss L. White	Reading matter.

Charter 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 \$10,000, nor be applied to any other purpose than those for which the 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 alterations 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.

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 \$500 shall constitute a life patron; a contribution of \$100 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 object 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 selected 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 compensation for his services.

3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion to receive and take into the said workhouse 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 power 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 workhouse, 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 workhouse, and 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 operation 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 workhouse, 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 trade and employment as, in their judgement, 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 invested in 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 the 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 situate, 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.

*See section 24.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The 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.

STATE OF NEW YORK:

IN ASSEMBLY, *April 24, 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.

A. 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 hereunto 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 prisons; 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

* See section 20 in last revision.

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.

By-laws of the Prison Association of New York.

I. There shall be a stated meeting of the executive committee on the third Thursday 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 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 bills 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 detention:

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 or 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 of 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 and 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 him.

3. To secure 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 duty.

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 the 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.

REPORT OF EXECUTIVE COMMITTEE.

The Prison Association is about entering upon its fiftieth year of activity. It has little to report for the year's work except the largest routine work in its history. This routine report will be found classified under various headings. The Prison Association has faithfully through its committees followed out its policy of close attention to county institutions, and the reports of these committees will be found in the back of the document. It has taken its part in representing the policy of prison reform in the State of New York, in the great international prison congress held at Chicago and in the National Prison Congress.

Discharged convicts.

In its department for discharged convicts it has done a more discriminating and a more valuable work, than in previous years, and it has seen a larger percentage of results. It has faithfully been the almoner of those interested in prison reform to those who have been discharged from prison. It has cared for and shepherded many discharged from penal institutions, especially those coming from the State Reformatory at Elmira. It has maintained its agencies for the employment of discharged prisoners and has investigated every case of alleged cruelty or unfairness that has come within its attention. It has catalogued its library, and the catalogue will be found hereto appended. It is the largest penological library in the country, if not in the world, and is open at all times to legislators, specialists and students not only of this State but of all other States. It is consulted frequently by those who are making a study of penal reform, and especially by clergymen who wish to bring this important topic of social progress into their pulpits.

Before the Legislature will have met again the Prison Association will have entered upon its jubilee year. It was organized on May 4, 1844, though not incorporated until two years later. During that time it has been constantly before the people of the State. Its executive committee has numbered the State's most influential citizens, and to-day

those who administer its affairs are those who have long stood before the public in positions of trust. During the last decade it has at least ten times increased its work and usefulness. Ten years ago its office was one small room in the Bible House. Its clothing department (clothing for discharged prisoners) was one small bureau; it was \$2,500 in debt. It now has its own building; its office containing six rooms (one of which is the library); its own printing office; and as will be seen by the report of the general agent — Mr. D. E. Kimball — its benefactions of clothing have amounted to many hundreds of garments. All of the facts of its relief department will be shown in detail as the departments are mentioned.

Burnham Industrial Farm.

During the year the Prison Association has dissolved its direct connection with the Burnham Industrial Farm, the termination of its corresponding secretary's work with that institution ending September 1, 1893. His resignation had been presented before in June but was not accepted until the latter part of the year.

The Prison Association still holds an active interest in that most useful institution, the principles which were enunciated by the corresponding secretary, its systems being based upon the long-tried system of Wichern as established at the Raue Haus and that of De Metz as established at Mettray. While this system has been somewhat modified by the present superintendent, all distinctive features are retained, and great usefulness is predicted for the institution in the future. Heretofore the office of the Prison Association has been the bureau of information for the Burnham Industrial Farm and the recipient of a large portion of the subscriptions to that institution. Hereafter information will be furnished by the superintendent of the farm, the Rev. John Dooly, at Canaan Four Corners, N. Y., and subscriptions may be sent direct to the farm or to Robert Carter, treasurer, Morristown, N. J. The Prison Association unhesitatingly commends the farm as one of the most efficient though altogether too limited preventive measures of the State.

State Reformatory at Elmira.

The office of the Prison Association has been heretofore the reporting office of the State reformatory, examining the cases of paroled men, and it sees no reason why it should withhold

its previous utterances as to the efficiency of that institution. Economically considered, notwithstanding the cost of administration—which is considerably larger than the State prison—the State reformatory is a decided saving to the State in returning a large percentage of its inmates to the active and useful labors of citizenship.

Conferences.

In addition to its other work, the Prison Association has held from time to time conferences on important prison matters, and papers have been read and discussions held in which the most prominent experts in the country have taken part. As a contribution to the literature of penology, these are so decidedly worth preserving that it has been thought well to append them to this report for the benefit of those who in the interest of the commonwealth are making studies in practical penology.

Inspections.

Information is constantly sought of the Prison Association by legislators and others as to the cost, maintenance and discipline of the various penal institutions of this State. In order to obtain this information, circular letters have been sent out to the penitentiaries of the State, information on this point having been furnished as to county jails in a previous report, and in the report of the superintendent of prisons, information as to the value of the plants of the various prisons is furnished. These will be found under the special heading of Inspections and Report of Committees.

County jails.

The Prison Association desires to reiterate its protest against the county jail system of the State. It is, as heretofore, though perhaps in a somewhat less degree, a menace to society in the association of young and old offenders, and in the non-provision for productive labor. It will be seen by reference to the reports of committees in this and two previous reports, that in but three jails of the State is there any systematic attempt at productive labor. The Prison Association will presently issue to the Legislature and to the public of the State an appeal, or a special circular, outlining its views as to finding a remedy for this great wrong to humanity and this menace to society now existing in our atrocious jail system.

Enforcement of the Prison Law.

The Prison Association calls the attention of the Legislature to the fact that the prison law of the State is not more than heretofore enforced as to the grading of prisoners, their proper education, and that the admirable measure for indeterminate sentences has been almost entirely a dead letter through the failure of the prison department to procure adequate provision and to being about such conditions as to make its operation possible. There are nine men in Auburn prison sentenced under its provisions; three of these are from Wayne county, two from Chemung county, one from Broome county, one from Madison county and two from Ontario county. In Danemora there are but two; one from Albany and one from Washington county; and this comprises the entire list as far as our State prisons go, up to January 1, 1894. There is no more beneficent feature of our prison law, than that providing for indeterminate sentences, and it has been practically a dead letter.

Suspended sentences.

The Prison Association, of New York, has watched with great interest the workings of the amendment to the Penal Code, which provides for the suspension of sentence in certain grades of felonies and misdemeanors. The act is in chapter 279 (Laws of 1893), and is as follows:

AN ACT to amend section twelve of the Penal Code, relating to punishment for crime.

APPROVED by the Governor April 4, 1893. Passed, three-fifths being present.

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

SECTION 12. The several sections of this code which declare certain crimes to be punishable as therein mentioned, devolve a duty upon the court authorized to pass sentence, to determine and impose the punishment prescribed; but such court may, at its discretion, suspend sentence, during the good behaviour of the person convicted, where the maximum term of imprisonment prescribed by law, does not exceed ten years and such person has never before been convicted of felony.

§ 2. This act shall take effect immediately.

The passage of such a law as the above has been urged by the Prison Association, which has watched the beneficent operation of similar laws in other States, and in our own State has seen it practically

in operation with the sanction of the law. For many years judges have frequently recognized the need of such a law, by using their discretion in the suspension of sentence, in certain crimes, where there were strongly mitigating circumstances, or more than the ordinary reason to believe that reformation was likely to follow. Sentences have been frequently suspended at the urgent request of the agent of the Prison Association, and upon his promise, in behalf of the society to exercise supervision and care. In any such case, the result has justified the effort that has been made to save the offender from the prison life and prison stigma. Massachusetts, with its probation law, had shown that salvability to society was possible in many cases of first offense, providing that prison life had not disheartened the offender, nor criminal associations been formed. It is believed that much good has already resulted from this law, but it is too soon to form an accurate judgment of its operation. The judges have eagerly availed themselves of its provisions as the following letters will show:

NEW YORK, *January 30, 1894.*

HENRY W. UNGER, Esq., *Assistant District Attorney, 32 Chambers street, city:*

MY DEAR SIR.—In preparing our report for the Legislature, we are requested to give very special information as to the number of suspended sentences under the law of 1893, which permits a suspension of sentence for those convicted of a first felony, the maximum term of imprisonment not being more than ten years.

Can you give me any information in this matter? I assure you, if you can, it will be most gratefully appreciated not only by myself personally, but by our entire executive committee.

I am, my dear sir, yours, very sincerely.

W. M. F. ROUND,
Corresponding Secretary.

To this letter Mr. Unger makes reply by inclosing the following letter:

EDWARD T. FLYNN, Esq., *Chief Clerk:*

I find that there has been fifty-two (52) suspensions of sentences in felony cases and thirty-six (36) suspensions of sentences in misdemeanor cases.

There being a number of injury to property cases, I am unable to determine, in the absence of the papers in the cases, if they are felonies or misdemeanors.

Yours respectfully,

JOHN J. BUCKLEY.

Mr. Unger also adds in a note attached the following explanation: "The annexed report will give you the desired information—eighty-eight cases of suspended sentence.

"The confusion suggested as to injury to property cases is due to the fact, that they are felonies or misdemeanors according to the value of the injured property, which our record does not show always."

From the chairman of our committee in Erie county we received the following:

WILLIAM M. F. ROUND, *Secretary, New York:*

DEAR SIR.—Yours of the thirtieth is at hand, and the contents noted. I have just obtained from my attorney the information you desire. There were thirty-four cases of suspended sentences in the court during the year of 1893.

Yours very truly,

C. B. ARMSTRONG,
Chairman Erie County Committee.

County of Monroe.

Our correspondent writes: I learned at Judge Werner's office that the number of suspended sentences in the county of Monroe, in accordance with the law of 1893, amendments 6 and 12 of the Penal Code, since its enactment has been two only.

REPORTS OF COUNTY COMMITTEES.

Albany County.

Our correspondent, who is also a member of our executive committee, writes as follows:

DEAR MR. ROUND.—I hope you will not think that I have neglected your last three communications. I have been unusually busy in various matters and for that reason have not given them the prompt attention which I otherwise should have. I now propose to answer them in order.

[Senate, No. 49.]

First, as to yours of January thirtieth, containing inquiries as to the suspended sentences. I have had an examination made by one of the clerks in our office and he reports to me that he is unable to find any instance of suspended sentences in the minutes of our criminal courts.

As to the condition of our Albany county jails I have been unable to make any special examination at this time, but as attorney for the Citizens' Association am generally familiar at all times with the general conditions of our jails, and therefore am able to report as follows:

As to the county jail at Cohoes. This jail during the past year has been put and kept in a better sanitary condition than ever heretofore. It is now kept as clean and in probably as good condition as is possible in an old building not constructed for use as a jail.

The manner in which this Cohoes jail is run, that is, partly by the county of Albany and partly by the city of Cohoes, is far from satisfactory to us.

The present condition of Albany county politics has rendered it impossible to obtain satisfactory legislation on this subject, although several attempts to do so have been made.

The Green Island county jail is in excellent condition.

The county jail in the city of Albany is, I am glad to report, in far better sanitary condition than at any time in the past. A new and improved system of drainage has been introduced, and the old and objectionable closets for the use of prisoners have been taken out during the past year, and in their place have been put Hyde self-flushing closets. These closets have proved themselves eminently satisfactory and have filled entirely and to the complete satisfaction of the authorities here in Albany, the requirements of jail closets and urinals.

If you desire any further details and you will so advise me I will endeavor to obtain them for you.

Yours very truly,

JAMES FENIMORE COOPER.

The Albany Penitentiary.

1. The corporate name of the institution. A. The Albany County Penitentiary.
2. Its location in relation to the town. A. West of the Capitol.
3. Its distance from the railway station. A. One mile from Capitol.
4. Its distance from any similar institution. A. Quarter of a mile from the almshouse.

5. The number of buildings, their character and relation to each other. A. We have a main building and twelve shops.

6. The total cost of each building.

7. The value of the land on which the buildings are placed.

8. The value of permanent fixtures, appliances, etc.

9. The value of furnishings, fittings, etc.

(The original cost or value of the grounds and buildings was \$33,000. There has since been expended \$400,000.)

10. The year in which the institution was organized. A. 1846.

11. The increase of values since the formation of the institution.

12. The operating expenses for the fiscal year ending October 1, 1892. A. \$96,416.46.

13. The number of day's board furnished to inmates during the year.

14. The source from which support is derived. A. Labor of inmates and board.

15. The amount of the last annual appropriation made by the county for this institution. A. Self supporting.

16. The number of prisoners serving sentence on October 1, 1892. A. 803.

17. The average length of confinement of prisoners during the year ending October 1, 1892.

18. The average length of confinement for prisoners for the three months ending October 1, 1892.

19. The number of unconvicted prisoners October 1, 1892.

20. Number of days' board furnished to unconvicted prisoners for the year ending October 1, 1892.

21. The number of prisoners out on parole October 1, 1892.

22. In what way is the penitentiary conducted as to its management, *i. e.*, by a board of managers or a committee of the board of supervisors? A. Board of penitentiary commission.

23. What system of labor is carried on in the penitentiary? A. Silent congregate system.

24. What were the earnings for the year ending October 31, 1892? A. \$111,319.83.

REPORTS ON COUNTY JAILS.

Orleans County.

Jail at Albion, N. Y. Our correspondent writes:

Our jail is well kept, clean and healthy. Inmates not usually more than two or three at any one time. They are humanely treated

I hardly know of any improvements desirable. Of course our county is small, and criminals few in number comparatively to larger counties.

Yours truly,

EDWIN R. REYNOLDS.

Rensselaer County.

Jail at Troy:

Your letter asking for information respecting the county jail of this county, was duly received. It is only a few years ago that the old part of the jail was thoroughly repaired and a large addition annexed to it, so that there is sufficient room for the prisoners, good ventilation and in good repair and all improvements necessary for a building of this character.

Yours truly,

HAMMON HERRINGTON,

Sheriff.

Montgomery County.

Jail at Fonda. Our correspondent writes:

I regret very deeply that ill-health and pressure of engagement prevent my close attention to the condition of the jail. All I can do at present, is to visit its doors, where I carry some newspapers every week and also other reading matter. The jail is kept by the sheriff — to whose dwelling it is attached; and as he is a conscientious man, I believe it is as well kept as possible in its crowded condition, being a common receptacle for the incessant nomad of homeless misery. There is a very suitable room for women and as the jail is of modern construction, it is a great improvement on the former building. I formerly held religious services there, but of late years have not been able to do so.

Sincerely,

W. FROTHINGHAM.

Erie County.

Jail at Buffalo. February 13, 1894, our correspondent writes:

Yours of the tenth is at hand. We replied in part to this on Friday. So far as I know the jail is now kept in fair condition. A great deal of stir was made about the matter, something like a year

1894

ago and my impression is that matters are in a better condition. The building, of course, is comparatively new and I am not aware of any improvements being immediately contemplated or especially needed. The report that you have last year cover about all there is that I know about.

Yours truly,

C. B. ARMSTRONG,

Chairman Erie County Committee.

Oneida County.

Jail at Rome, N. Y.

The jail in this city is in good condition; no improvements necessary.

Respectfully yours,

GEORGE BERNARD.

Saratoga County.

Jail at Ballston, February 15, 1894.

No one is better qualified to speak as to the condition of the jail under my charge, than I. Am favorably inclined to do any and all things that may accrue to the public good. The jail is in need of no improvements of any kind or description; is ready for and courts inspection by public official and private individual at any and all times.

Very respectfully,

W. W. WORDEN,

Sheriff.

Ontario County.

Jail at Canandaigua.

In regard to the jail, I would say that it is dilapidated, but bonds are issued for the building of a new one, to be complete in every particular.

Yours truly,

J. H. JEWETT.

Oswego County.

The local committee of the Prison Association of New York for the county of Oswego, reports as follows:

The physical aspect of the Oswego jail remains the same as when the committee last reported. Prisoners when confined in the cells are safe;

but when they are in the corridors they need constant watching, as it would be easy for them to dig through the walls and escape. This arises from the original defect in the construction of the building. For three years last past, the number of those immured has varied from six to thirty-six. There are now in the jail twenty-seven men and three women, in all thirty persons, eight of whom are awaiting trial. A few are "boarders," who get sent to jail on purpose to pass the winter comfortably. This will continue to be the case until prisoners are compelled to work and support themselves in jail as they would have to do were they outside and living decent lives. The jail is in excellent order, well kept, and in good sanitary condition. The prisoners are properly cared for and adequately fed. The sexes are duly separated. Boys are separated so as not to be contaminated by old offenders. The large majority of the prisoners are sent up for drunkenness. Sometimes a woman is confined for prostitution and disturbing the peace. Probably the jail in the city of Oswego is as good and as well administered as any outside of New York.

The lock-up under the city hall is very good and clean and quite satisfactory in all respects.

Tounging the old jail at Palaski, your committee has nothing to report. It is little used, and has not been inspected lately.

Respectfully submitted.

GEO. C. McWHORTER,

For the local committee.

Niagara County.

Jail at Lockport. Our correspondent writes:

We have a new jail building with modern improvements heated by steam, supplied with bath tubs and well lighted and well ventilated. So much for the building itself. Certain of the inmates are employed at breaking stone; but for which many more of the tramps would seek to spend the winter there.

Richmond County.

Jail at court house, Staten Island. Our correspondent writes:

I am the present attending physician for the jail. The jail has been built about twenty-five years, is of brick two stories in height, and contains about thirty-two interior cells, arranged in upper and lower

tiers. The jail is of brick interiorly and exteriorly, with iron doors to all entrances and also to each cell an interior barred door of heavy sheet iron. The jail is heated by stove standing in the lower corridors around which the prisoners are fond of gathering, and which I imagine gives a degree of cheer that could not be had from steam or other means of heating, but which would probably not be regarded as the most economical at the present day. The prisoners are supplied with water pumped into a reservoir at the rear of the upper tier of cells and supplied to the bath-rooms and water-closets just below on either side—one for the men and the other for the women. I think there is no hot water supplied for bathing. The most objectionable feature of the jail is the arrangement of the female quarters, which is the rear part of the upper and lower cells on one side, and can only be reached by passing through the men's quarters. This separation is effected by double iron doors cross the corridor below and by a permanent iron partition above.

Several improvements have been made in the jail within the last two years. The floor was concreted, making it drier and probably more wholesome, and the water supply and sewerage was at the same time overhauled and put in good order.

It is now in contemplation by our board of supervisors to build a new structure for female prisoners, one plan being to build a separate affair, and the other to throw up a third story over the present building; also the placing of steam or hot water furnaces in a cellar to be excavated for that purpose.

Every winter we have a crop of "rounders" who make the jail their winter home, preferring its quiet and social warmth to the county almshouse where the fare is really not so good and where there is more work to do. The jail is pretty full at the present time.

Should you desire a more carefully detailed statement I should be happy to make it. Sheriff Vaughan informs me that there are fifty-six prisoners in the jail at this date.

Greene County.

Jail at Catskill, inspected June 30, 1893:

This jail has been before reported as to construction—during the year no changes have been made. The jail was visited in the afternoon of June 30, 1893, the sheriff being about—his son, acting as jailer, showed it. I found it with three prisoners, each serving a

few days for drunkenness—more prisoners had been confined the week previous, but had been disposed of by the grand jury just discharged.

There are four large cells, containing two wooden bedsteads each, and supposed to accommodate four persons each; the bed clothing on each bed, but one, was very dirty; the ticks needed refilling with clean straw very much; one bed had recently been refurnished and cleaned. No closets are in the jail, but a bucket is put in each cell, without a cover, and a handful of lime in each of them; they are emptied by a prisoner daily in a watercloset in the yard; the floors of the cells were very dirty, as was also the corridors. No escapes have occurred during the past year, or been attempted; the cells are all apparently very secure, made of heavy stone outside walls, and sheet iron and heavy timber on the inside. The doors are of very heavy timber, secured by iron bars and padlock, with an opening in each one foot by two feet. No separation can be made of women and children, in case the jail is crowded, though the jailer informed me that few such arrests are made. No figures as to cost, etc., could be obtained in sheriff's absence, but a promise was made to send the same (not yet received). The sheriff is allowed four dollars a week for the board of prisoners.

Since January 1, 1893, forty-eight have been committed, twelve of which were for felony.

Lock-up at Coxsackie, inspected July 25, 1893. C. E. Van Valkenburgh, police officer and in charge of lock-up:

The town lock-up is in a portion of a large brick building used mainly for the fire department and council room; it is owned by the town. It consists of a corridor eleven by ten and is entered directly from the street, through a two-inch pine door in which is a crescent shaped window two and a half feet long and one foot at the widest part. One window three by four and a half looks out on the street, and gives air and light to the corridors and cells; it is protected by one-half inch iron bars. The lock-up contains two cells built of wood—two inches of pine boards laid horizontally and vertically to give it strength. The doors are of the same material, and each of them has a barred opening twelve by fifteen inches, which is the only ventilation that the cells have. The cells have an iron hasp and a good padlock. The cells are seven by six and each of them contain two wooden bunks, one above the other, in which there was some very dirty bedclothing and mattresses, full of vermin. A portion of one of the cells is cut off by a wooden stairway, leading to a room above. They are very close and dark; in winter time they are made to hold many prisoners, the

officer mentioning a time when each of the cells had six prisoners; a large stove in the corridor gives heat in the cold weather. Food is furnished by the police officer at thirty-five cents a meal, which is served from his own house. Tin pails are used in the place of closets, one of which I found unemptied under one of the banks. The floors were swept, but the windows and furniture were very dirty. A large number of arrests are made yearly; nearly two hundred were confined last year, most of which arrests were made during ice-cutting time. The cost of keeping per day or fraction thereof is one dollar for the care, seventy-five cents for the arrest, and thirty-five cents for each meal, and in case of transfer to the county jail, one dollar is charged and also ten cents per mile is allowed.

Lock-up at Athens; inspected July 23, 1893.

The lock-up is in a little frame building on the dock at the foot of the main street. A portion of the building is used as a candy store, and entrance to the lock-up is through the store, and the sitting-room of the storekeeper to the two cells. They are placed on one side of a low room and built of pine boards to make a thickness of two inches to each cell; they are six by five and each contain a wooden bunk two feet wide, without bedclothes or mattress. They are extremely dark and close, the ventilation being obtained through a tin pipe leading from the two cells to the roof; the pipe is one foot wide, and is eight feet from the floor. Beneath the building is a filled in dock, and the tide rises to within two feet of the cell floor, among the loose stones forming the foundation. It is extremely damp and nasty. The doors are of two-inch pine and contain each a window seven by three inches, and is only opened at meal times, being closed by a shutter at all other times. The doors are secured by a heavy iron staple and a strong padlock. The place presented a most neglected, dirty and unhealthy appearance, yet the jailer said that many times several people had been confined here at one time. Two dollars per day is charged for care and twenty-five cents a meal, besides the usual arrest fees. The storekeeper, Robert Cleats, usually acts as keeper.

Orange County.

Jail at Newburgh; inspected June 26, 1893.

Since the last inspection of the Orange county jail, the board of supervisors have provided liberally for the better care of the prisoners, by the building of new cells of the most improved pattern.

The old jail building after considerable repair, has been put entirely to the use of the jail and of the sheriff, giving excellent air and light to every department where prisoners are now confined. The five dark stone cells which formerly composed the county jail in the cellar of the present building have been so far removed as to permit room for a large steam boiler and fire room, which now furnishes heat to all parts of the building.

The jail now consists of five separate cell rooms, all being entered directly from the main hall of the building and so arranged as to provide for the separation of the different classes of offenders as provided by the law.

At the end of the main hall of the first floor is a large room, fifteen by thirty, heated by steam in two registers and lighted by three windows, three by eight. In this room there are four cells, facing on a corridor four feet wide; the floor, sides and ceiling are covered entirely by one-half inch steel plates. The floor to this room is made of one-inch steel bars, and is heavily grated.

Each cell is eight by six and a half by seven feet, and are all made of one-half inch steel sheets. The cell receives light through the steel bars in the back of the cell (which is made of one-inch steel, four inches apart, set vertically). The front of the cell is of solid steel sheets, excepting a large section to the side of the door, and reaching from the top of the door to the floor, which is of three-fourth inch steel slats, two inches wide, latticed.

Each cell contains two canvass cots strapped to an iron frame, which during the day time close up against the side of the cell. An iron closet is in the back of each cell, and is flushed with water every three minutes, which comes from a reservoir over the top of the cells; at the end of the cells in the corridor is an iron closet in which are levers, working individual steel bars, strongly locking any cell at pleasure. The men are allowed the freedom of the corridor during the day, but are locked up at night. The food is passed to each man through an opening in the back of the cell, so that the keeper need not enter the cell to give the prisoner his food.

The women's quarters which are directly across the hall in a large room lighted the same as the others, though with but two windows, contains a block of two cells, accommodating two persons each; they are of one-half inch steel throughout—solid floor, ceiling, back and sides; with an entirely barred front of one-half inch steel bars and door of same. The cots and closets of these are the same as though heretofore described.

The doors are locked with a patented heavy hinge lock and a padlock as well; this room also contains a bathtub with hot and cold water, accessible at all times.

The quarters arranged for boys and witnesses are on the same floor, and consists of four cells, for one person each, seven by five; each has a cot and closet the same as the large cells have; are light and airy with a corridor four feet wide in front and on one side. Two large windows, three by eight, give air and light to the room. In a room directly under this on the basement floor (ground floor) there are three cells similar to the other cells, and kept for witnesses. It is not occupied at present and is being used as a kitchen.

The remaining cells, also on the ground floor, are used exclusively for tramps or short-term prisoners on petty offenses. These cells are in two rooms, adjoining, with a heavy iron door between, which is closed only at night. There are five cells in this department, and they are built exactly the same as the cells before described, excepting that they face on a five-foot corridor, and have two bathtubs, accessible at all times during the day. The rooms are lighted by three three by four windows.

The new jail shows evidence of absolute security, both against escape and against surprise to the keepers. No offensive smell was noticeable in any part of the building. The closet and sewerage system seemed to be most satisfactory, and the food seemed to be of fair quality, and given in large quantities, as the inspector had an opportunity of seeing it distributed.

Sheriff Alexander receives three dollars per week for board of each prisoner.

Newburgh lock-up; inspected June 26, 1893. Shown by the chief of police.

The old city lock-up, which is still in use, consists of but three large rooms built of wood, with wide benches around the sides. Within a few weeks the new city hall and station house will be completed, where new and improved quarters will be provided for the lock-up. The cells are to be of iron on the same plan as those in the county jail of this county. They will be placed in a back extension to the station house, and will have abundant air and light. The present lock-up showed evidence of continued efforts to keep it clean and orderly, but the police officer explained that it was infested with vermin, which appeared after each cleaning.

St. Lawrence County.

From a letter from George Robinson, Esq., the following is taken:

There is no lock-up here except the county jail, which has had a new metal roof put on this summer. The board of supervisors is now in session here, and I can not learn that there are any needed repairs.

Seneca County.

Jail at Waterloo. Our correspondent writes:

I can only say that no alterations of consequence have been made by new construction or management since last year, either of jail or lock-ups. Our jail here is in good order and well managed. A new keeper of the poor house has been elected, who will act as keeper from January 1, 1894.

Steuben County.

Jail at Bath. Our correspondent writes:

Our jail has had steam heating apparatus put in which renders it much more comfortable; no other improvements of importance have been made, and I am not aware of any needed improvements. The jail is in good condition. Religious services are held every alternate Sunday, and with good results we believe. Usually several hands are raised to ask for prayers, and we believe one at least, has been truly converted. He has been discharged, but keeps up his Christian duty and hope in Christ.

Jefferson County.

Jail at Watertown. Our correspondent writes:

I think I wrote you several months ago that our jail was to be thoroughly renovated, and part of it (the wing) to be torn down and rebuilt. This has been done and the building is now in good shape. A great improvement upon the old one.

Schuyler County.

Jail at Watkins. Our correspondent writes:

Our county jail is in excellent condition; water under pressure has been introduced, and with good sewage affords fine facilities for clean-

liness. The sheriff, whose family occupies the prison annex, gives the prisoners his constant personal supervision and so rigidly enforces sanitary rules that sickness is rarely known among them.

There are now five inmates; one indicted for murder, awaiting trial; one for arson; one for criminal assault and seduction; one for burglary and one tramp; the last being a boy led astray for whom the sheriff is trying to find a home with a farmer.

Tioga County.

Jail at Owego. Our correspondent writes:

Our jail is comparatively a new one; the only fault that I find with it is that burglars when incarcerated will and can saw out; it is well and cleanly kept; our sheriff is a clear headed young man, who does all that can be done to make it a success.

Broome County.

Jail at Binghamton. Our correspondent writes:

I have it to say that the board of supervisors of Broome county are now in session, and the matter of a new and commodious jail is under discussion and we hope for a favorable consideration and conclusion.

Livingston County.

Jail at Geneseo. Our correspondent writes:

The jail in this place is a new one and was built about three years ago; it is said to be an excellent one, and is modeled, I think, after the one in Binghamton.

Franklin County.

Jail at Malone. Our correspondent writes:

I can only say that during the past year we built a new county jail, which we believe to be fairly up to present requirements; a very good jail.

Clinton County.

Jail at Plattsburgh. Our correspondent writes:

Our jail is in fine condition, better than ever before. Its construction is all new, according to latest improvements. Sheriff Ransom takes care that it is rightly attended to. His mother, the wife of former Sheriff Ransom, is perpetuating her former thoughtfulness as to all particulars respecting food, cleanliness and what is welcome generally. Mrs. Hall maintains service there on Sabbath afternoons, and sees to the distribution of literature. Dr. Luckey, of New Haven, Conn., and myself represented her there yesterday afternoon, as she was prevented going herself by reason of a cold.

The Plattsburgh jail is nowadays quite in the line of the proprieties. There is one point, however, that ought to be called to your notice. By reason of the jail's construction the males and females can communicate conversationally without hindrance, and occasionally not in Addisonian English.

Monroe County.

From a letter written by Theodore Bacon, Esq., we extract the following:

I can only add that which I am sure from your reports you already know, that the jail of this county is only half a dozen years old, and is commonly regarded (although there was a very discreditable escape within a year of a large party of criminals) as an admirably constructed, and upon the whole, well-managed institution. There is no lock-up, except that in the basement of the city hall, which I have never inspected, but in regard to which I know of no serious complaint.

Westchester County.

Jail at White Plains. Inspection made by J. Morris Fisher.

A regular inspection of this jail was made this day (July second), of which the following is the report:

The main quarters of the jail are arranged as heretofore, no improvement having been made in them. There has been added, however, to the far corner of the right corridor a building ten by ten in size in which has been placed improved closet arrangements. There is a liberal supply of water and this new addition is free from odor, and very clean. The cells of the several tiers were all very much in

need of cleaning, as were the mattresses and such blankets as remained. It was explained that the blankets were cleaned in March, though they appear to have been in use a much longer time. The bunks and several cells contained vermin. Pails were found that had not been emptied for a long time and there was a very bad odor from them. The corridors and halls were very dirty, for which the jailer apologized, saying that there were not officers enough to attend to it, and that the prisoners would not do it if told. A liberal coat of whitewash everywhere inside the jail would have been an improvement. This part of the jail had about twenty prisoners, many of whom were playing cards. At the rear of the main prison, and separated by a strong stone wall, is the women's division. On the top floor were confined six women, whose cells and the corridors were very clean, and the closets were in good order. The floor below was unused, but on the first floor a few cells were being occupied. The two floors were connected by an inclosed staircase and strongly locked doors. The second floor was the dirtiest place; there was refuse moulding in the cells, and soiled and rotting garments in the corridor. The jailer admitted its bad condition, but said that it was only used by five or six tramps whom they knew there, and who, though uncommitted, were allowed to board and lodge there for an indefinite length of time, at the jailer's pleasure. During the day they were at liberty to go as they pleased. In the cell of one of these men was found a piped whisky flask, still containing some whisky, and I was told then that whisky, and more frequently alcohol, was brought into the prison by the keepers and sold at high prices. The bakery is still in the basement, and the same old oven in use, though new French ranges were on the premises all ready to be set in place. The bread was good and the coffee fair. Bread and coffee constitute the breakfast and supper, beans or beef stew and vegetables being served for dinner. The sheriff is allowed three dollars a week for the board of prisoners. No work of any kind is done by the prisoners except in the bakery. It is said that the men who were permitted the freedom of the women's end of the prison are those who have been once legally committed for misdemeanors, but it has been the custom to send them out at different periods.

Catholic Protectors, West Farms, N. Y. Inspected by the corresponding secretary.

No changes have taken place in this admirably managed institution, except that the buildings burned have been replaced with an admirable new engine-house and industrial buildings. A careful examination of the dietary and culinary department together with the condition of the boys, shows the Protector to be one of the best managed institutions

in this respect in the country. The constant supervision of all the boys by the Brothers with their enthusiastic and unpaid service has done much to make this institution what it is—one of the foremost of the Catholic institutions in the world for the care of delinquent boys. Further enlargements are projected which will greatly increase the value and efficiency of the institution.

Lock-up at Port Chester, N. Y. Inspected by the corresponding secretary in company with Theodore C. Parker.

The lock-up is on the first floor of the town hall. There are three round-bar iron cages with floor of boiler iron. The three cells cost \$800. There are three wooden bunks in each cell. The water-closet was all right with plenty of running water and no odor. There are wooden benches for night lodgers. No adequate separation of male and female prisoners. Officers who arrest women search them if necessary. There is not much light which comes from three windows barred and covered with netting.

Lock-up at Mamaroneck, N. Y. Inspected by the corresponding secretary October thirty-first, in company with Thomas M. Tompkins and William A. Boyd.

There are two cells in the basement of the town hall back of the apparatus of the hook and ladder company. The entrance to these is about four feet in height. One of them is in a state of great confusion through the fact of a prisoner having recently made his escape through the wall. The other one has been lined with boards; was fairly clean with excellent bedding; but there is no adequate separation for young and old offenders and no provision for heating except a gas stove, and, altogether, the place is inadequate.

The complications growing out of the relations with the neighboring town of Rye have somewhat retarded the good intentions of the town officers to build a better lock-up. One is, however, imperatively necessary if the safety and health of the prisoners is to be considered.

Lock-up at New Rochelle, N. Y. Inspected by the corresponding secretary, with Sergeant H. Stouter and Roundsman Patrick Kelly.

The lock-up is in the lower part of the town hall, and forms a part of the police station.

There is no adequate separation of male and female prisoners.

There is one women's cell, and four cells for men.

Women are searched by the wife of one of the officers, when necessity requires their being searched at all.

This lock-up was fairly clean and free from vermin.

The lock-up at Mount Vernon, N. Y.

There are four cells built by the Champion Iron Company, of Kenton, Ohio, which cost \$375 for the lot. There is one mattress in each cell, and an airtight galvanized iron bucket, with ventilator. There is no adequate separation of male and female prisoners. There is always a watchman in a room adjoining the cells. There are two windows and a glass door for light. The usual jail odor is perceptible.

Yonkers lock-up, inspected July 6, 1893. Shown by Captain Mangin.

The lock-up at Yonkers is in the basement of the city police station, on a main street in the center of the city. It is reached by a passageway from the police station to a yard, passing through which you enter the lower passage to a cell-room. The room is quite large, and contains six stone cells with grated iron doors, and has two large windows in one end of the room which front the yard. Cells are seven and a half by four by seven, and contain a wooden bench thirteen inches wide. No bed clothes or mattresses are provided. A water-closet is in the further end of each cell. The corridor fronting the cells is six feet wide, and is lighted by gas. Aside from this part of the lock-up, and entered by an outside hall, is a twelve by twelve room, with a board platform on three sides of it, which is used for night lodgers; on the second floor is an inside room for women and children, which contains a bed, a few bed clothes, and a closet with running water. It is unlighted except by a gas jet, and it did not present a very clean appearance. The officer said it was not used very much. The place was whitewashed throughout except a small space on the floor. Ventilation was fairly good in the basement, each cell having a small window three by twelve inches, opening into the corridor. Closets are in a bad condition, and several were stopped up. The keeper explained that they were flushed out by water, which is controlled from the corridor, every hour, but he evidently was lying. The captain complained of a bad smell which sometimes came up from below, and entered the police room above. The city pays for the food of prisoners; there are no arrest fees.

West Sing Sing Lock-up.

Shown by Chief of Police Alonzo McNeal, July 7, 1893.

The lock-up at Sing Sing is situated on the main street on the top of the hill a half a mile from the depot; it occupies a large portion of the

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basement of the engine house, which is used entirely for city purposes; it is entered from the street through an alley which leads to a door, which is the only entrance to the lock-up; the basement has a low ceiling not over seven feet high; the ventilation is very poor; there is only one window; a bad odor is very perceptible.

There are five poorly constructed wood cells, built ten inches from the back wall, and they present a weak, patched appearance; in some places they have been patched with sheet iron and tin; each cell has a wooden door locked with an iron bar with a padlock; persons are always locked up when detained. Each cell which is six and a half feet by five feet by seven feet, contains a board bunk and a cell bucket; a barrel ventilator is in the back of each cell, size two by one foot. In the door there is a barred opening of the same size; the place is only lighted by gas when an officer is present; there is one cell for women, and it is the only one that contains bedclothes, but they were very dirty. All the cells are dirty and neglected; in one which had been occupied the day before I found a dead rat, which must have lain there for many weeks and the smell was very strong; I called the officer's attention to it and it was instantly removed. The cells are dangerously situated in case of fire; the average number of arrests is about one a day, and the city pays for the board of persons detained one dollar and sixty cents per day.

Tarrytown.

The lock-up at Tarrytown, July 7, 1893, 8.30 A. M. Shown by police officer.

The lock-up in Tarrytown is in a one-story brick building containing one room of about fifteen feet by fifteen feet; in the farther side facing the entrance are placed side by side three steel cells of Pauly jail construction with latticed fronts of steel bars; each cell contains an air tight bucket and a hammock of canvass hung from a place designed for it; each cell is made to accommodate if necessary, persons, and is seven feet long, five feet wide and seven feet high; a stove warms the place in winter; the lock-up is but a few months' old; the place is free from vermin, but is in a neglected and dirty state with no one appointed to care for it; the average number of arrests is seven in one week; the department is salaried and board of prisoners paid by the city.

Mount Vernon, N. Y.

Mount Vernon lock-up, July 7, 1893, 2 P. M. Shown by turnkey.

The lock-up is situated in the basement of the building used for a police station, though even with the ground. It is in a main street in about the center of the town. It contains four iron cells built by Pauly Jail Company and very secure. Each cell contains closet holding bucket and canvass hammock, used to accommodate two prisoners. The cells are set in a small but airy room facing on main wall and three feet from three barred windows, giving abundant air. A further room is used for tramps, etc., when needed, which they claim is not often. The cells were very clean, as were all the rooms below. The water-closets, where all buckets are emptied outside of building, was filled up, but turnkey claimed would be cleaned in a few hours. Prisoners are not fed at all if confined for less than one day. Any meals that are served consist of crackers and cheese and water. No board money is allowed except as actually expended. Lock-up was in good order.

Rockland County.

Jail at New City. The corresponding secretary reports:

Visited the jail at New City November 8, 1893. There was an old brick building, already described in previous reports. The cells are built against the side of the wall, the light coming in through perforated iron and two sets of bars. The windows are about three inches by twenty-two inches, and the light is shut off from at least seven-eighths of this. There is a corridor in the middle, with a small window at the end about three feet by two feet heavily barred. The place is very dark, with hardly sufficient light for the prisoners to play cards comfortably, though they spend most of their time in that occupation, there being no labor whatever. The jail is situated in New City, a remote point in Rockland county, very inaccessible, and there is enormous expense to the county in transferring prisoners from the larger towns, Nyack, Haverstraw, etc. The county pays four dollars per week for the board of prisoners. At present eight prisoners are confined in the jail. There is no adequate separation of young and old offenders, and the jail population sometimes rises as high as fifty, with only nine cells. The cells are full of vermin, though the sheriff has made every effort to exterminate them. The jail has a good substantial outside wall, but much of the space inside is taken up by thick brick partitions between the cells, which could easily be removed and

modern cells of strap or boiler iron substituted, which would give considerably more room and better ventilation. The Prison Association heartily recommends this improvement, which could be made at a very small cost to the county and would contribute both to the safety and healthfulness of the jail.

Lock-up at Nyack.

Visited this lock-up with Tobias Justrich, police officer. Found a small annex to the engine house built of brick; two strap iron cells with two board bunks in each, fairly clean and fairly well ventilated, and in all respects adequate for the needs of a village of this kind. This lock-up replaces the one burned two years ago, in which a prisoner was burned to death, apparently through no fault of the authorities, but through his own carelessness. There is no danger of fire in the present lock-up itself, as it has a cement floor and the only wood is that from which the bunks are made and its proximity to the fire department assures additional safety in this respect.

Ulster County Jail at Kingston.

A general inspection of the Ulster county jail at Kingston was made at 8 A. M. June 30, 1893. Sheriff, W. T. Van Tassel. The jailer, Robert F. Smith, being in charge.

The jail has received no alterations during the year, and the same scheme as heretofore has been observed. The main prison is in the east end of the county court building, and consists of two tiers of ten cells each, built entirely of stone, with an iron stair connecting the two floors. Each cell is meant to accommodate two or more prisoners in a crowded time. It is eight feet by eight feet in size, and is lighted up by a two feet by two feet barred window, and the light that comes from the corridor. In each I found a wooden bedstead, in most cases in very bad repair and dirty with vermin. On each bed was a very dirty mattress, but the keeper explained that it was to be filled in a few days. In some cases pillows were added, which were all very dirty from use. In two cells were chambers which had been used by prisoners who had left and were still unemptied; few of the cells had received any attention with a broom, and contained rubbish. The water closets were placed at the end of each corridor and used by all the prisoners on the tier. I found them in good order, with abundance of water to keep them flushed. The

seven men then confined in the jail, all on simple charges of drunk or disorderly, were playing cards at a table in the upper corridor. No work was done by the prisoners except an occasional cleaning of the jail. Two women confined for thirty days for drunk and disorderly, and a nine-year-old boy confined for the same period for petit larceny, were kept together in a large light room on the second floor of the main building aside from the jail. There is adjoining this room two small rooms where the women were confined at night, the boy having a cot in the large room. The boy however was associated with them the entire day alone.

The county allows three dollars and fifty cents a week for the board of prisoners and three good substantial meals are supplied to them from a neat kitchen which is situated in the basement of the jail.

The county jail is also used as a city lock-up without cost to the city for food and care.

Lock-up of Saugerties, N. Y., inspected June 29, 1893, at 5 P. M. Shown by Charles E. Beal, constable.

The lock-up at Saugerties is situated one-half block from Main street in center of town, and occupies one corner of hook and ladder room. It consists of three cells about ten feet in height. Each cell has a wooden bunk about two feet wide, on which is a fairly clean mattress and two blankets. In each cell is also an air-tight galvanized iron pail. The doors are secured by iron bars and Yale locks. The lock-up is not much used, the average of arrests being ten a month. It presented a fairly clean appearance, though not carefully looked after. In cold weather place is heated by large stove in corner, six feet from cells. The officer making the arrest is allowed three dollars for each day or fraction thereof per man. This does not include his food which a neighboring hotel supplies at an additional cost to the town. The constable making the arrest sees to prisoner's wants while confined.

Kingston lock-up, inspected June 30, 1893, by J. Morris Fisher.

The city of Kingston at present uses the county jail in that city for detentions, although there is provided in the city hall, beneath the police headquarters, a place for that purpose. These consist of eight cells on the ground floor, light, dry and secure, each six and a half feet long and four feet wide and eight feet high, built of brick and stone, with barred iron doors of half-inch iron, very secure, with bars and padlocks. These cells are unused and consequently unfurnished. Have been there sixteen years, but never considered for use. The location is midway between Kingston and Rondout, well adapted for

use, thus relieving the county jail from the extra trouble of city prisoners. At present drunken persons arrested in Rondout cost the city sixty cents for transportation to jail, when a person is too intoxicated to walk, this being paid the local express company who have the contract.

Columbia County.

Jail at Hudson, inspected by J. Morris Fisher, June 28, 1893.

There have been no improvements in this jail since our last report. Sheriff, Philip W. Rockfeller. There were but three men confined at the time of inspection; a large number had been sent elsewhere to serve various sentences but a few days before. The jail had been white-washed from top to bottom. The cells were clean as was also most of the bedding, though in a few cells they were dirty. The sheriff said that they would be removed and clean ones put in their places. The whitewashing had partly removed the usual jail odor, but there was considerable dampness, which was caused by a leak in the water pipe on the second tier; the sheriff said that he would send at once for a plumber and have the leak attended to. The closets were clean. Behind a closet on the first tier, I found a loose board which pulled away and showed a place where the wall had been torn away. (A prisoner explained that a boy who had been sent to the Elmira Reformatory had worked on it with a view to escape.) Two escapes have occurred, but both were returned. There are two large rooms in the south end of the jail for juveniles and women, but at present they were not occupied. During the year the sheriff's office had been a salaried one, the cost of feeding the prisoners is a separate county charge, and is not to exceed \$2.50 per week per person; this amount is not used, however, and the cost per day per person is about twelve and one-half cents. The commitments have amounted to 4,338 days, with a cost for the entire jail system, including salaries and expenses of every kind, of \$8,899.84. The county jail is also used as the city lock-up for Hudson, the cost of the care for such prisoners being charged in with the county prisoners' bills; this right is claimed by an old land grant, by which the city owns part of the jail grounds. This has been objected to during the last year and some arrangement will probably be made by which the city will have its own lock-up. No apparent progress has been made by the supervisors toward providing a new jail. The January grand jury called to the attention of the supervisors, the unsafe and bad condition of the jail and at the session of the super-

visors held January 15, 1893, a petition was presented by the citizens of Chatham asking for the removal of the jail to that village, and offering as a site, five acres situated in a desirable part of the town. Both of these were referred to the jail committee. The matter now being in the hands of a good committee some action is expected at the next meeting of the board of supervisors.

Lock-up at Chatham, N. Y., inspected June twenty-eighth.

A one-story frame building twelve and one-half by thirteen feet, with a small addition as a coal bin. Situated 600 feet from the railroad station, in an isolated spot near the tracks in the yard of the Boston and Albany railroad. It was not built for the purpose now used. The board of trustees of the town are responsible for its care. The interior consists of three cells, seven by four and one-half by eight, fronting on a corridor four and one-half feet wide, and entered directly from the outside. They are built of wood, each division and partition being four inches thick. Cell doors are of wood, with barred openings one foot square, secured by iron bars which cross the doors and are secured by a padlock. The door is of wood, locked with a common padlock. There is one window protected with light iron bars, set lightly into the window frame. The cells contain only a wooden bunk with a cheap mattress and one blanket for each. There is a stove in the corridor, which is surrounded on two sides by zinc. No ventilation except by the window and a small barred transom six by twelve inches in the rear end of each hall. The closet is in end of corridor one foot from the stove.

On inspecting at 12.30, noon, with Officer Fowler, a town constable, I found the entire place in an extremely dirty condition. In two cells the prisoners had used the floor several times as a closet; rubbish on the floors everywhere; mattresses very dirty, with more or less vermin. Two blankets in the place were black with dirt. The lock-up had been last used in March. Water-closet inoperative, and stopped up with human excrement and paper rubbish. Smell very offensive. Was informed that the building was cleaned twice a year. No one could be found who was responsible for the direct care of the building, though the board of trustees are legally responsible. Many escapes occur by cutting out the door-lock, which is repaired at present by nailing a piece of tin over the damaged part. Each constable in the village places his prisoners in the lock-up as arrested, and calls for them the following morning to take them before the magistrate. For this each constable receives one dollar and sixty cents a day for each prisoner, for which he must feed him, furnish him with a breakfast consisting of

a sandwich and water. Forty-seven prisoners had been confined up to date during the month of June.

In reply to the schedule of questions sent to all the penitentiaries and reformatories, the House of Refuge for Women at Hudson, sends the following:

House of Refuge for Women.

All statistics as to expenditures, etc., are requested to be made to October 1, 1893, in order to harmonize with statistics elsewhere obtained.

1. The corporate name of the institution. A. House of Refuge for Women.
2. Its location and relation to the town. A. ———
3. Its distance from the railway station. A. One mile.
4. Its distance from any similar institution. A. ———
5. The number of buildings, their character and relation to each other. A. Ten in 1892, thirteen now.
6. The total cost of all buildings. A. \$160,618.09.
7. The value of the land on which the buildings are placed. A. \$28,995.23.
8. The value of permanent fixtures, appliances, etc. A. 17,113.85.
9. The value of furnishings, fittings, etc. A. ———
10. The year in which the institution was organized. A. 1886.
11. The increase of values since the formation of the institution. A. About \$100,000 in excess.
12. The operating expenses for the year ending October 1, 1892. A. \$57,236.72.
13. The number of days board furnished the inmates during the year. A. ———
14. The source from which support is derived. A. State of New York.
15. The amount of the last annual appropriation by the State for this institution. A. \$50,000—for 1893 it was \$75,000.
16. The number of prisoners serving sentence October 1, 1892. A. 288.
17. The average length of confinement of prisoners in the year ending October 1, 1892.
18. The average length of confinement of prisoners for three months ending October 1, 1892.
19. The number of unconvicted prisoners in the institution on October 1, 1892. A. ———

20. Number of days board furnished to unconvicted prisoners for the year ending October 1, 1892. A. ———

21. The number of prisoners out on parole October 1, 1892. A. ———

22. In what way is the institution conducted as to its management, *i. e.* by a board of managers, or a committee of the board of supervisors A. By a board of five managers.

23. What system of labor is carried on. A. Not any labor.

24. What were the earnings from labor of the prisoners for the year ending October 1, 1892? A. None.

REMARKS.

Women's House of Refuge.

The Women's House of Refuge is well situated on a high, level piece of land in the southern part of the city of Hudson. The reformatory is chartered under chapter 187 of the Laws of 1881, giving to a board of managers of five, appointed by the Governor, power to receive on the commitment of any justice of the peace, or other magistrates, such girls or women who may be between the ages of 15 and 30, who may be convicted of any misdemeanor; such persons to be received on a maximum sentence of five years.

Much in the institution is copied after the State Reformatory at Elmira, N. Y., and other similar institutions; a prominent feature is the parole system, by which all inmates may secure their conditional release and later on good behavior their absolute discharge, many months before their maximum sentence would have expired by law.

The buildings now available for use are the administration building, in which the superintendent and her assistant live; it includes the office, chapel, dining-room and the general school-rooms; and the family of inmates awaiting their release according to their grade. Behind this building are four cottages, accommodating a family of twenty-seven inmates each, each family being in charge of two matrons. There is also the prison building, in which the inmates spend their first three months in the institution, and which accommodates 150. There is a hospital 250 feet long, with all modern arrangements and appliances and excellent attendance.

There are in course of construction three large cottages, two of which will accommodate thirty-seven each, and one twenty-seven; also a large chapel building to take the place of that now in use, which is too small, and is needed for industrial purposes. These buildings are all heated

by hot air, with a duplicate steam-heating plant in readiness for an emergency.

The women on being received in the institution are at once assigned to the congregate division or second grade, with quarters in the prison building. This is a large brick building, with the block system of cells arranged in three tiers of fifty each; each cell contains a spring cot, chairs and such reasonable additions as the rules and regulations will allow; the corridors, cells, etc., are kept scrupulously clean by the inmates; large windows give abundant light to each cell. At the end of each tier is a large room with facilities for bathing and closets; separated from this, by barred iron doors, is an L, in which is the prison kitchen, class-rooms, recreation and sewing-rooms and the officers' quarters. All meals are served in the cells, in which the inmates are confined at all times, when not in the school, sewing-room or doing house-work. After spending at least two months in the second grade with a perfect record, the inmates may be promoted to cottage No. 4. Few are promoted in less than three months.

In the cottage the inmate finds new conditions; she occupies a room furnished much like the cells, but in which she is only confined at night. They all eat at one table in a large dining-room. New confidence is placed in her. Her school-room is in another building, and more freedom of conversation is allowed her. Her marks determine her advancement to cottages 2 and 1, in the same manner as in the lower grade, and after being advanced to the administration family, an effort is made to secure her employment, and release her on conditional parole. Friends are communicated with, employment procured, a church of her faith assigned, and her report for at least six months must be certified by her employer and pastor, after which time she is absolutely discharged.

No corporal punishment is used in the institution; the merit system being depended upon as far as practical, or else isolation and short rations.

An inspector of the Prison Association, of New York, visited the institution on June twenty-ninth. He was met by the superintendent, Mrs. Sarah V. Coons, and immediately shown over the buildings. In every building the utmost cleanliness prevailed; in the cottages and hospital the rooms looked particularly attractive; the closets, sinks and drains were odorless; the prison building was very much overcrowded, though each cell contained but one person; forty cots had been placed in the recreation rooms, remote parts of the corridors, and in every

spare part, to the L of the prison building; the superintendent said that the opening of the new buildings would greatly lessen this overcrowding. The food for dinner was then being served, which was good and abundant, including a liberal supply of white bread.

No systematic work was being carried on, though all of the garments used in the institution were being made there, with considerable other work. The superintendent said that an effort was being made to organize industries; a stenography and typewriting class of thirty was then in progress, from which eight had already graduated and taken places outside. Every inmate now attends school four and one-half hours a day. Eighty-three are now on parole and reporting well. Seventy-seven per cent of reformations is claimed for the last year. Mrs. Coons spoke very encouragingly of the improved results of the system.

County Jails as Reformatory Institutions.

By EDWARD B. MERRILL, of New York.

The prison association has so frequently given expression to its views regarding county jails and the atrocious system governing them, that it is unnecessary to repeat it here. Its views are, however, fully set forth in one of its conference papers, by a member of its executive committee, which, on account of its connection with the subject in hand, is printed here rather than in the minutes of the conferences.

In the consideration of the topic assigned to me for this meeting of your association, you will be confronted by no new theories. In view of all the contributions which make so compact a body of the literature of knowledge upon this subject,—to be found well preserved in the various reports of penologists and of legislative committees, now so accessible to the seekers for information, and to those other papers which compose so splendid a literature of power,—the culmination of which, I think, is reached in the philosophic essay upon Prison Ethics by Herbert Spencer, in which he lifts with his strong hand this somewhat trite and difficult question of sociology to the high plane of public morals,—I cannot be encouraged by any light ambition in hoping to say to you anything new. Of the right to punish for crime, of the laws of nature and of society upon which that right may be based, and of their purpose, now so generally well settled and embodied in every known system of jurisprudence,—on these subjects I have nothing to say. I must now attempt to speak to you upon the county jail as a reformatory and State institution from an absolutely practical standpoint, or be dumb. And I mean by this use of the word "practical" to give you, without unnecessary elaboration, and in such literary form as the matter of this paper and the time for its preparation have allowed, the opinions I have formed from a somewhat extended study of the subject, while serving as a member of a local committee on the jail in one of the counties of this State, together with such suggestions for changes and modifications in the present jail system as have occurred to me as necessary to be made.

The proposed end and purpose of the county jail system is well understood. In one of the States, by a delicate touch of irony, it is classified (but, to speak fairly, for purposes of convenience only) as one of the State *benevolent* institutions. This end and purpose is generally defined with sufficient accuracy for practical purposes in the statutes of the several States. In New York it is especially provided that the common jails shall be kept by the sheriffs of the counties in which they are respectively situated, and shall be used as prisons for the detention of persons only committed in order to secure their attention as witnesses in any criminal case; for the detention of persons charged with crime and committed for trial; for the confinement of persons duly committed for any contempt or upon civil process; and for the confinement of persons sentenced to imprisonment therein upon conviction for any offense.

By the law of New York, also, where the performance of any act, if prohibited by a statute, and no penalty for the violation of such statute is imposed by *any statute*, the doing of such act is a misdemeanor, the punishment for which is imprisonment in a penitentiary or county jail for not more than one year, or by a fine of not more than \$500.

No criminal, after conviction, can be confined in the county jail for a longer period than one year.

For the architecture of the jail, it is enacted by the statute of 1847, that each jail shall contain 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; also, a sufficient number of rooms for the confinement of prisoners under sentence; and also a sufficient number of rooms for the separate confinement of persons committed on civil process for contempt, or as witnesses.

The statute, among other things, provides that the prisoners, so far as practicable, shall be kept separate and apart from each other, and that the keepers shall prevent all conversation between the prisoners. The latter shall also have sufficient quantity of inferior but wholesome food, and shall be kept at hard labor. A Bible shall be provided for each room, and divine service shall be held once each Sunday.

It would be ungracious to criticize adversely the terms and provisions of this statute of 1847. When we consider that it was enacted forty-five years ago, we can justly say, if we are to consider solely its terms and the amplitude of its provisions for the punishment and reformation of petty criminals, that it is an unusually good statute, and the Legislature which passed it is entitled to high praise. But in the observance of this,

like that of many other statutes upon kindred subjects, based upon a sentiment too elevated to be reached by the average standard of public opinion, which keeps all law alive and renders it effective — this statute looking to the safe detention of the prisoner, to a mild but oftentimes useful and sufficient punishment — was to be enforced by the sheriff. Now, the sheriff is one of a class of necessary officials, of whom it may be said generally that, whatever their private and personal character and standing in the community may be, as citizens merely, they are not those upon whom should be placed the duty of the reformation of petty criminals; nor from whom can reasonably be expected any extended knowledge of the physical or scientific basis of crime, nor any especially illumined interest in the practical and beneficial results which depend altogether upon such knowledge, and upon the faithful performance of this branch of official duties. So this statute, in all that makes it praiseworthy as an effective reformatory law, and which otherwise commends itself to our approval, failed utterly in its administration, and is now practically obsolete and a dead letter.

To quote from Mr. Thomas's elaborate and able paper upon the History of Prison Architecture ("The History of Prison Architecture," John R. Thomas, New York, 1892): "A place of mere confinement is one thing, a place of mere punishment is another. A place which — while the prisoner is securely kept in it, and while he undergoes, at the least, the great punishment of a privation of liberty — is also a place of education and a place of reform, in which a prime object is that he shall go out a better and more useful man than he came in — such a place has architectural requirements of its own, that can not be satisfied merely by the construction of a place in which prisoners are securely kept, or of a place in which they are certain to suffer."

I suppose that the author of the New York Statute of 1847 really intended to provide for the construction of jails which should be "not places of detention merely, not places of punishment merely, but places of reform;" but how great was the failure in the execution of his intention we shall see later on. Perhaps I can make myself clearer by relating some incidents of my own personal observation. They will certainly make plainer some suggestions I have to offer regarding a change in the treatment of petty criminals, and the future use to which the buildings now occupied as county jails in this State may be put.

The statute I have referred to was enacted in 1847. Some years afterwards a county jail was built by the board of supervisors in

one of the counties in this State. It stands to-day as originally built. Upon the outer walls is an inscription, cut in stone, informing the curious passer-by, with a finer regard to the customary game played in the neighboring tavern than to the strict demands of a correct Latin version, that it was "Erected Anno *Domino* 1853."

From the internal form and arrangements of this building, constructed under the supervision of a paid board of public officials, you would hesitate before saying that there was any statute on our books which prescribed the architecture of such a building, or that there are any legal requirements concerning it.

It consists of a long room, in shape that of a parallelogram, in which there is a central tier of two stories. Into these are built some twenty or thirty cells of the usual inadequate size. Upon three sides of this tier of cells there are corridors some ten feet in width, with walls of the height of the building, and with the usual narrow and grated windows. At one end of one of the long corridors there was provided the usually inconvenient, inefficient, and insanitary water fixtures, and no bath-room.

At the end of the other long corridor was a wooden door, which was the only entrance into the apartments provided for women and girls under commitment. Into this central room and these corridors all persons, whether old or young; white or black, tramp, drunkard or loafer, with the convicted or only accused criminal together with the witnesses of the crime, who were held for detention, and persons committed for contempt or on civil process were turned, indiscriminately, like sheep into a fold, there to stay until discharged by order of court. These poor creatures passed their whole days in utter idleness, each talking and teaching to the others, in the relating of his personal experiences, his methods of living, and every device known to any one of them, and such other schemes as could be planned by an exchange of the events in his past life.

Through this crowd, jeered and insulted by both men and boys, were led or carried the women prisoners to their separate apartment. And through this wooden door, when both departments happened to be occupied at the same time, which was usually the case, a conversation between the prisoners passed, the profanity and indecency of which, on the one side of the partition, was only equalled by the licentiousness and depravity on the other side. This wooden door was afterwards replaced by one of iron; but that was not entirely effective to prevent communication between the inmates. The provisions of law for separate rooms for certain classes of prisoners were substantially ignored in the construction

of this building. And, as the law limits the sum to be expended for the enlargement and repairs of the jails to \$500, no changes could be made in that regard. The average number of prisoners was twenty. The food supplied by the sheriff was far from inferior, and it was furnished at an extravagantly high price. In fact, the sheriff kept a boarding-house for petty criminals at the public expense, the rates of board varying in price in different years, from three dollars and a half to four dollars and a half per week for each criminal. These sums were always paid with but little, if any, sincere criticism by the public officials. A full house was altogether dependent upon the good will of the magistrates of the county who made the commitments. The food furnished was of much better quality and of more variety than is usually found upon the tables of the farmers and mechanics in that neighborhood — honest, industrious and law-abiding citizens, who pay their own bills.

A sincere effort was made by application to the county judge, and by repeated application to the board of supervisors, to change this abnormal condition of affairs, and to bring the order of administration of the jail more into accordance with the provisions of the law, by providing labor for the prisoners in breaking stone for use on the public highways. And while for a brief period this was partially accomplished, yet, upon the whole, the effort failed of success. Some reasons for the failure I shall refer to later.

In 1858 a step was taken by the Legislature of New York to put the jails to a better use than that of a pretended reformatory institution, by a provision of law (chap. 139, Laws 1858) which permitted the supervisors of two of the counties of this State to contract with the board of supervisors of Albany county to receive and keep in the Albany County Penitentiary any person or persons who should be sentenced to confinement at hard labor by any court or magistrate in either of these two counties for any term not less than sixty days. And it was made the duty of every court, police justice, justice of the peace, or other magistrate by whom any person could be sentenced in either of these two counties, for any term not less than sixty days, for any crime or misdemeanor not punishable by imprisonment in the State prison, during the continuance of the contract before mentioned, to sentence such person to imprisonment in the Albany County Penitentiary, there to be received, kept, and employed in the manner prescribed by law and the rules and discipline of the penitentiary.

This Act of 1858 was amended in 1859 (chap. 269, Laws 1859), and further amended in 1874 (chap. 206, Laws 1874), when it was extended

to all the counties of the State, so that thereafter the misdemeanants sentenced for not less than sixty days, if the boards of supervisors contracted to that end, might be sent to the penitentiaries instead of to the county jails.

Accepting the privileges as embodied in the provisions of this law of 1874, a contract was made by the board of supervisors of the particular county whose jail I have described, with the board of supervisors of a neighboring county in which was located one of the penitentiaries of the State, by which contract it was agreed that such sixty-day prisoners as should be committed to such penitentiary should be there received and confined at an agreed price not exceeding one dollar and a half per week. This contract, while it continued in force, resulted in a considerable saving of the public funds. It was a means of confining misdemeanants in a prison where the discipline and punishment were more in accord with the requirements of justice and of the criminal law; and it also almost depleted the boarding-house of the sheriff. It was, I think, mainly owing to this last result that the law in that part of the State became a dead letter. I believe that after the contract had expired by limitation it was only once renewed; and the law, though it remains upon our statute book unrepealed, is obsolete. You know that under the laws of New York the sheriff is the legal jailkeeper, and that he and all the magistrates are officers elected by the people; that the offices are the chief spoils of the local politicians, and to get and keep them the end and aim of their existence. Now, as soon as the sheriff discovered that his total fees as turnkey were being reduced in amount, that the number of his boarders was lessened, and dire destruction threatened his almost sole business and occupation, he was not slothful in finding out the cause; and he found that it was not because petty crime was less in that county, but because the magistrates, in obedience to the then new provisions of law, had sent all the sixty-day prisoners to the penitentiary. The jailkeeper himself will tell you he is not there for the purpose of lessening crime, nor are his nights disturbed nor is his rest broken by reflections upon the wisest methods of reform for the petty criminal. Under the present system his object, for reasons personal to himself, lies in the other direction. His interest as an officeholder, paid by fees as turnkey and by board money, is in a frequent opening of the doors and in having the jail well filled with boarders. So, to stop this depletion of his income, and to prevent the office of jailkeeper from becoming utterly useless as a money-making position, his political training and

party standing were of use to him; and it needed but a word or a hint of his wishes to his co-politico magistrates to have them avoid the strict provisions of the new law, from the new observance of which something of advantage and benefit to the public, and to the criminal in the way of training, discipline and reform, was reasonably to be expected. And this avoidance they each of them evidenced by hereafter sentencing all the petty criminals who were convicted before them to fifty-nine days in the county jail instead of to sixty days in the penitentiary.

We found that neither sheriff, nor jailkeeper, nor magistrate could be expected to evince any regard for law or for public opinion, or any respects for the requirements of a sincere and strict performance of the duties of the office of the petty magistrate, for the possible reform of the criminal or the duties of the good citizen, if their party leaders for any reason required it to be otherwise, or if the personal advantage of the party officeholder thereby assumed any risk. This was a verification, from his own neighborhood, of the apothegm of the bishop, "that a public office is a private snap." To counteract this intentional violation of their official duties, and the nonobservance by the magistrate of the provisions of this excellent law, it was suggested that the office of jailkeeper be made a salaried office, at such salary as the several boards of supervisors should fix, and the price of board of the criminal be limited to a sum not to exceed the highest price paid to the penitentiary, or one dollar and a half per week. This method, it was thought, would in a large degree reduce the annual expenses of the jail, remove the chief inducement of keeping it full of boarders, and by indirection relieve the magistrates from the temptation to maintain their party standing by subserving the material business interests of one of their local party leaders. But this proposition never passed beyond the point of suggestion. And, while it was deemed to be in every way practical, no organized and persistent effort was ever made to enact it into a law.

I do not feel that, by whatever else I may say to you, I can make clearer the present condition of the "county jails as reformatory institutions." The subject of the care and reform of petty criminals is one which, on its practical side, touches life and society at many points. If we deal with it broadly, in general terms, or upon the highest ethical plane, we shall escape all criticism save such as is borne in the ordinary and usual phrases which follow every *a priori* discussion, that it harms no one and may please for a time those who engage in it, but that liberty and the State are still safe. But when one

attempts, in some practical way, from a benevolent, or philanthropic, or charitable, or scientific motive, to interfere with the established and time-worn methods, and to change any system or part of a system of quasi-organized public and State institutional or jurisprudential polity, at that moment he moves upon a watchful and suspicious public force, and touches the sensitive tentacles of the commonalty themselves at many points. He must of necessity, in the present order of things, interfere with vested interest of the politician, the purveyor of offices, the officeholder and officeseeker; the distiller, brewer, and liquor-dealer; the parents of children either born into a career of crime or led by the failings and neglect of their natural guardians and by the temptations of their environment to fall into it. He will also touch the penurious private citizen at his most sensitive point of tax-paying; and the intending reformer's patience will be tried to the last degree of endurance by the foolish and affected sentimentalists, whose interest in the criminal class early and easily, but repeated, expends itself in a few caramels and flowers, and in vacuous phrases of prim and prudish pretensions. It was in the west, where a visitor at the jail said to the man behind the bars, "Poor, poor man! may I offer you this bunch of flowers?" and he replied, "You've made a mistake, Miss, the fellow that killed his wife and children is in the next cell. I'm yere for stealin' a cow." And all these will, each in his own chosen way, express his opposition, and condemn at the first hearing every contemplated reform, whatever may be its historical support or scientific merit. And it is just here, at the outset of any well-considered work in this direction — when one meets with a difficulty in arousing any active and intelligent interest in the career and reformation of misdeameanants, and with the loud and exaggerated expression of opposition on the part of the thoughtless and really indifferent citizen,—that one almost despairs of the real usefulness of any effort on his part toward this end. I know nothing of the "higher criticism;" but, with this before me, I lose faith in the early maturity of the promises of poetic prophecy, when, with impunity, the "sucking child shall play on the hole of the asp, and the weaned child shall put his hand on the cockatrice's den."

Crime may be defined as a violation of public law. In ancient times, when there was no organized society, and before man was possessed of any belief in personal rights of property or life, when "might was right," and brute force ruled every tribe and family, almost every person may be said to have been, more or less, a criminal, and crime to have been a violation of private right, and perhaps of divine law.

Those men and women who, then living, perceived in themselves and their fellows the possession of a moral sense, who listened to its precepts, assented to and obeyed its suggestions, being guided by it in the conduct of their lives, finally brought the human race up to that point of development where society could be organized upon a civilizing basis.

Since that day, by slow degrees, but with halting footsteps, crime has gradually decreased. But it still remains what it has always been, a difficult problem with which to deal. The theologian has endeavored to treat it by an exegesis of the text, "The heart is deceitful above all things, and desperately wicked," and he has failed; the missionary has tried to cure it by a distribution of "tracts," among criminals, upon some irrelevant topic, and he has failed; and society, while protecting itself in a slight measure from the annoyance and expense of crime and the criminal by the enactment of laws of more or less efficacy for the time being, which laws, by providing for the detention and punishment of the criminal, have done nothing in the direction of a permanent reform, may also be said to have failed. But I am persuaded we shall, by the labors of Christian men and women, by the studies of scientific men into the laws of life, and in their physiological and psychological researches, discover at the last the causes of crime to which an abundant remedy may be applied.

I have been greatly interested in a paper read before the Indiana Medical Society in June, 1891, by Gonzalva C. Smythe, M. D., upon "The Influence of Heredity in Producing Disease and Degeneracy," to much of which I incline to give my entire assent. In course of his discussion of his topic, he says: "It is conceded now by almost everybody that insanity is not a disease of that immaterial, unknown quantity formerly known as the mind; but, on the contrary, it is an abnormal physiological and psychological manifestation of a physically diseased and degenerate nervous system. It is impossible for me to conceive of a mind separate and distinct from a brain, any more readily than of digestion without a stomach and gastric juice, or the secretion of bile without a liver. * * * This unfortunate class of patients is no longer regarded as demoniae, and the clergy is no longer expected to relieve them of devils by casting them out. It is certainly a physical disease, and in a large proportion of cases is caused by heredity. But it may be based upon an acquired condition, which is also clearly transmissible to offspring. * * * Crime based on a degeneration of the nerve tissue, inherited in this manner, is a physical disease as certainly as insanity and inebriety, and is the result of imperfect cerebration of a

badly constructed brain. The thoughts, feelings, desires, impulses and, in fact, all his actions, the inability to restrain himself even when he is fully aware that he is committing a crime against the law and humanity, is a physiological and psychological result of the anatomical construction of the criminal's brain."

If this position be scientifically correct, you will readily perceive the variance in their respective directions of the lines along which run the causes of crime and the methods which have been adopted for its reformation and cure.

There will be no difficulty attending any effort to find testimony to establish the fact that *crime, like insanity and inebriety, is hereditary.* The history of the Jukes family, by Mr. Dugdale, the reports of the State Boards of Charities and of city missionaries, and many monographs upon special cases will abundantly supply the evidence if the facts should be disputed.

If the cause of any human ill is discovered, and the fact be admitted that such ill is transmissible to offspring, a great light is at once let in upon the way to its cure; and the duty is clear, if you could remove it. The criminals which we are considering are classed as petty criminals, or misdeameants. As the degree of their crime is deemed to be petty and their punishment for a short period only, one might reasonably presume that it should not be a difficult matter with which to deal, nor one the reformation and removal of which might not be accomplished. But it is far otherwise. We have been too lenient towards crime and its causes, and towards its miserable subjects. The labors of Howard and Dorothea Dix, and of all the other benevolent saints, philanthropists, and preachers who have heretofore undertaken in all sincerity the accomplishment of so beneficent a work, have so far all but utterly failed. All that we in this nineteenth century have to show as the outcome of all their labors is the institution now known as the county jail. As practically administered, I have fully described it to you. It still remains as it was before the fathers, and the practices and methods of its administration are but little, if any, better now than then. I do not hesitate to say that, as reformatories, they are false in name; that they are utter, absolute, and positive failures, a disgrace to our boasted and boastful civilization, a preposterous institution, worthy only of plenary condemnation when measured by the tenets of the Christian religion, and, when contrasted with the conceits of mankind, fit subjects only for the scornful laughter of the gods.

As reformatory institutions, they do not reform, but they impair. The confinement therein, in idleness, is an entirely inadequate punish-

ment; and they are always a refuge for the hardened and incorrigible misdemeanants, who oftentimes commit a petty crime in order that they may be committed there during the winter months, as it is for them the warmest, most social, and best-provisioned abode to which they have ready access. The discipline does not deter any one from the violation and continued violation of law; and, as jails exist to-day, with but one or two notable exceptions, they serve the public only as the preparatory school for advancement in crime, out of which the most apt pupils are matriolated into the State prison and to moral death.

If such an institution be allowed to live; if its defects of administration be continued, and such direful results be viewed henceforward with the same constant and apathetic indifference as in the past; if the care and treatment of petty criminals be not changed and the canons of jail discipline be not made more consonant with the rights of the individual, as maintained in a well-ordered community; if we still close our eyes to the immoral epidemic which so insidiously encompasses and attacks the young, the ignorant, and the inexperienced, and, still refusing to them a helping hand, we blindly follow the insufficient, destructive, and inequitable methods of the present system,—I cannot refrain from asking, in view of the creeds of the churches, of the preaching of the Divine Master, of our duties under the maxims of good citizenship, of our education and of our own self respect, in what set terms we may express the excuses for our neglect, of how we can make answer to the prayer of, "Lead us not into temptation," nor of how society before the everlasting judgments of God can stand justified.

I have no quarrel with any one who deems my judgment too severe, or who may differ from me in opinion as to the remedy for all this ill which I have to offer for your consideration; nor any vanity to be hurt if my propositions for the reform of petty criminals be wholly rejected. The suggestions I make, as tending towards the result we all are seeking, may perhaps furnish a standing place, if nothing more, for the discussion, or the beginning of a new consideration, of this important and vital question of sociology. What to do with the petty criminal and with the incorrigible misdemeanant? And, if such standing place only be adopted and such discussion be begun on these lines, I shall be content.

If these statements regarding the county jails are a fair disclosure of their present condition and administration, and of their complete failure as reformatory institutions, then, of course, as places for confinement of convicts, we must adjudge that they should be abolished; for otherwise we condemn ourselves. But before such a change in the adminis-

tration of our criminal jurisprudence is made, some substitute must be devised and provided to take their place, such as will more equitably and wisely meet the intrinsic necessities of the question, and tend in a larger degree both to reform the ordinary criminal and to reduce crime. I shall express my suggestions towards such a change in a formal way, and as briefly as their number and scope will permit.

First.—Petition the Legislature for an act directing the Governor to appoint an independent and nonpartisan commission of five persons, to be composed of both men and women, without salary, their personal expenses only being paid, to serve for two years; they being directed to personally visit and examine every jail and penitentiary in the State, and report to the Legislature upon their location, architecture, sanitary condition, adaptation to their present pretended use as reformatory institutions, and also upon the number, sex, age, parentage, residence, occupation, and nationality of the inmates.

Second.—Based upon such report, an act should be prepared providing for the establishment of workhouses and reform and nautical schools, to which all petty criminals should be thereafter committed; and the jails as places for the confinement of petty criminals should thereafter be abolished. The act should embrace, in every possible aspect and regard, the future care, punishment, and reformation of the inmates, and a strict observance of its provisions be made mandatory upon all the courts. The respective workhouses and schools for males and females should be located in different districts; and the districts may, for convenience and economy, be composed of several counties. The various schools of instruction and occupations of the inmates should be placed under the care, visitation and supervision of either the Superintendent of Prisons or of the State Board of Charities; or, better still, of a local, independent, nonpartisan board of three or five persons, both men and women, resident in the district in which their institutions are located, and to be known as the Board of Control of Reformatory Institutions. To this board, in conjunction with the superintendent or matron in charge, should be left the entire care, instruction, occupation, and final disposition and discharge of the inmates. The habitual drunkard should be sent to an inebriate asylum; and both he and the incorrigible criminal should be sentenced indeterminate, and without power of pardon by the Executive. The board of control for each district to meet all the other boards in the State at stated quarterly periods, to compare their work, discuss new problems appertaining to their work, as they may arise, and to make annually a joint report to the Legislature.

Third.—Every subordinate officer and employe, under the Superintendent of Prisons, and all such as may have the charge and superintendence of the proposed workhouses and reform and nautical schools, under the State Board of Charities, or the proposed local board, shall be classified under and placed within the provisions of the Civil Service Law, so that every superintendent, official, matron, employe, servant and laborer therein shall be removed from partisan politics.

Fourth.—Add to the duties of the State Board Health an active and compulsory examination and oversight over the physical and sanitary condition of each workhouse, school, and inmate, with ample powers to effect all proposed changes, and to employ the inmates, if desirable, upon any work of public drainage and otherwise, and to report in detail each year.

Fifth.—Congress should pass an act forbidding the landing of any immigrant in whose family there has been a convicted criminal for the past three generations. Each immigrant to furnish such evidence by affidavit of two unrelated persons, to be sworn before, and a certificate thereon obtained to that effect from, the American consul at the port of departure. Every steamship or sailing vessel to be heavily fined if convicted of bringing any immigrant without such certificate.

Sixth.—The passage of a strenuous compulsory education law, with appointment of truant officers to attend to its enforcement, such truant officers to be under the Civil Service Law.

Seventh.—Absolute prohibition of sale or delivery of intoxicating liquors to minors, under penalty of forfeiture of license.

Eighth.—An absolute provision of law for a complete jail delivery every thirty days.

Ninth.—Special provision for absolute separation of husband and wife when either or both are criminals, and also the separation of children from criminal parents, with provisions for their care and education in some institution during minority.

Such, in brief and informally, are the suggestions I have to submit to you, as the results of such consideration as I have given to the topic in hand. They are submitted with a slight hope that they may give some direction to a more philosophical and equitable solution of our difficulties by persons of more experience and riper judgment.

The inexorable logic of the laws of nature I deem to be a great encouragement to any future efforts of the sociologist to make our common jails to be reformatory institutions in fact as they have heretofore been in name and intent, but which in reality are such lamentable and disastrous failures. For if, by observation and reflection,

both the physical and mental bias and idiosyncrasy of the misdemeanant can be accurately discerned, what can prevent, by a careful induction, the ascertainment of the cause? and, the cause being discovered, a remedy may be applied. If it be ignorance, you may compel study; if alcoholism, restraint and abstinence; if heredity, a change of environment, diet, and discipline; if idleness, a compulsion to labor and to the conquest of slothfulness. But, if after all has been done that can be done, the criminal be incorrigible, then for him only absolute and final seclusion from the world, without power of pardon by any executive authority, will meet the just demands of society and of the highest equity.

To accomplish such results, you have the willing aid of a large body of helpers; the great majority of estimable citizens who keep the law and preserve the autonomy of the State; the clergy, whose office and province it is now, as it has always been and will remain, to preserve among the people the "abiding naturalness and beauty of the sentiment of patriotism," to inculcate the noblest spirit of civic virtue and public duty, and to teach in words of living light how far above the mere self-satisfaction of the Christianity of talk is the more exceeding glory of the Christianity of thinking and doing; the learned body of scientists, with all the world as their realm, to whom nothing is foreign which relates to either the "magnitude of nature or the majesty of man;" and those many philanthropists, patriots and reformers, lovers of their country, and of children, of men and women, of the poor, the neglected, the outcast and the criminal, towards whom society in general, from fear or indifference, offers but an averted head. From all these and more we shall find such aid and help in our endeavors, shall in the end reach such grand results of accomplishment, that, to others who follow, the public prophecy of the millennium on the earth shall become the supreme article of their faith, a record of the promise of Scripture engraved upon the hearts of men, an assurance of the wisdom and desire for justice in mankind, and of the divine origin of the attributes of human love. You will not despair, even if the mite of your sympathy shall fall without clangor into the treasury of public opinion, and the State shall seem to reject the gift; for on your way to the new home which shall yet be erected for these wayward children of men your footsteps shall lead you past an altar upon which is this super-scription: "He that goeth forth in humility, bearing precious seed, shall doubtless come again with rejoicing, bringing his sheaves with him."

CONFERENCES.

Not the least part of the work of the prison association during the last few years has been the series of conferences that it has held on various institutional subjects. This year there have been but two conferences held. One of them treated on the subject of prison diet, or rather of institutional diet and the other on prison punishments. Although these conferences were not largely attended they were attended by practical men, and the outcome has been a very substantial contribution to institutional economy and discipline. The first conference on the subject of institutional diet brought together some of the best managers in the country. The result was, after a long discussion, the adoption of a bill of fare for institutions which for economy and wholesomeness certainly may be considered a model. It is as follows:

BILL OF FARE.

Sunday.

Breakfast.—Pea soup, bread and butter.
Dinner.—Baked beans, brown bread, pudding.
Supper.—Bread or crackers, cheese, milk.

Monday.

Breakfast.—Oatmeal or boiled rice with sugar and milk.
Dinner.—Salt fish, vegetables, fruit.
Supper.—Bread and butter, milk.

Tuesday.

Breakfast.—Bean porridge, bread.
Dinner.—Roast beef, two or more kinds of vegetables, bread.
Supper.—Bread and milk, molasses.

Wednesday.

Breakfast.—Pea soup, bread.
Dinner.—Beef or mutton stew with vegetables. (Rice may be used in place of potatoes.)
Supper.—Cornmeal mush, molasses.

Thursday.

Breakfast.—Bread and butter, milk.
Dinner.—Baked beans, bread, fruit.
Supper.—Bread and butter, cereal coffee.

Friday.

Breakfast.—Pea soup, bread.
Dinner.—Fresh fish, vegetables. (Rice may be used in place of potatoes.)
Supper.—Bread and milk, cheese.

Saturday.

Breakfast.—Oatmeal mush, milk, bread.
Dinner.—Corned beef, vegetables.
Supper.—Bread and milk, molasses.

This dietary although ample in all its provisions and in variety, can be furnished for considerably less than twelve cents per capita for an adult with an absolutely unlimited amount of food. An examination will show that it is susceptible of variation, especially in the matter of cereals without any considerable increase of cost.

THE SECOND CONFERENCE.

Prison Punishments.

The second conference of the association was on the subject of prison punishments. Nothing need be said beyond giving the papers that were read on this occasion from those high in authority, and special attention is called to the remarks of Warden Darston of Sing Sing prison and Dr. Ransom of Denmemora, both of whom have had long experience and are professionally too well known to have their views in any degree questioned. At this last conference Bishop Huntington presided, and it was a notable feature of the conference that with the sincerest desire to get at the truth as to methods and limitations, all those present were practical, hardheaded persons, who weighed well their words before uttering them. There was a feeling that corporal punishments were sometimes necessary in prison, and however severe they might be should be administered with the greatest caution, and the most careful protection against anger or personal feeling. The papers, however, speak for themselves, and their tone, we are sure, though contrary to the prevailing sentiment of the time, will not be found unmerciful or unkind.

Dr. Ransom's Paper.

The question of prison punishment is one beset with difficulties, especially at this time, not only on account of the intrinsic obstacles which have obtained, but more particularly because of an evolutionary tendency in public sentiment with reference to the whole prison system. It is a period of passings, and the difficulty lies in attempting to adjust the requirements of one set of conditions to those of a different time and state of feeling.

Public sentiment is awakened to the idea that the time has come when something should be done toward the perfection of a prison system of a more comprehensive nature, apparently ignoring the fact that no provisions have been made for the carrying out of the innovations they propose, and consequently the public is expecting some very difficult things of prison management, not unlike the difficulties which beset the Israelites of old in their brick-making operations. In the public mind, prisons have suddenly become reformatory rather than retentive, without consideration being given as to whether or no the essentials to such a change are extant or forthcoming. That no absolute change has taken place in the condition by which this desirable end might be reached is made perfectly evident by the laws upon our statute books, and the existence of the self-same prison buildings, for do not the self-same prison walls rear their hoary sides aloft in silent mockery of an advanced public sentiment? Do not nearly all of the ill advised conditions exist with reference to classification, grading, working, locking, etc.?

It should be remembered that a portion of the class of men with whom prison management has to deal have, by inheritance and training, known no law of control but the law of force, and the majority of the incorrigible class of convicts have fallen into ways, thought and actions which no amount of persuasion, suasion or kindness will turn from the path of insubordination in which they may have chosen to walk.

For the proper control or reformation of this class of men it may be necessary to discipline them with some form of punishment which will be sharp, decisive and sudden; producing a shock mentally, without inflicting bodily injury. When the subject has reached that mental condition termed submission, all punishment should cease, for beyond this it becomes persecution.

In the punishment of any man his temperament should be taken into consideration, for what is punishment to one is not punishment to

another; therefore it can be said that punishment is only relative, and is altogether concrete when efficient. The rule thus holds good both mentally and physically, and is an important factor in the adjustment of punishment of whatever form.

I doubt not that some of those now present have read the proceedings of the National Prison Congress at Baltimore in 1892, and have therein learned the position taken by myself in reference to punishments. That the intent of the position taken was somewhat misunderstood is clearly perceived in the criticisms since made, but by a careful study of the article it will be seen that what was intended was not so much to advocate spanking as to show that the constituted dark cell punishment was a still more barbarous one, fraught with far more risk to health, and yet far less efficient. To the views there expressed I must still adhere, speaking from a physician's standpoint of physical safety. With the social aspect I have nothing to do, nor is it within my limit to discuss the question of propriety, nicety of adjustment to social conditions or pleasantness, nor the advisability of any form. I am here to advise simply upon the physical safety of this or of that form.

There is nothing clearer to my mind than this, that if we are to have an intelligent administration of prison justice we must have a radical revolution in methods of developing our prison population; that is, we must so grade, classify and instruct, that the whole convict body is metamorphosed and rendered amenable to a more systematic handling. It is clear to me that with a proper grading of the prisons themselves, and suitable provisions for class and type treatment, the question of physical punishment will sink into insignificance. If, however, we are to meet the problem as to how we are to punish under existing conditions, I must admit myself at a loss as to what course is likely to be most effective. This I fully believe must be left largely to the management of each institution, directed and guided by a general head.

There are certain rules and axioms which should always be observed: First, a fair trial should be given every prisoner accused of any insubordinate act, and judgment should only be passed upon him after due deliberation on the part of the proper officer. Second, the temperament, habits, and physical condition should be taken into consideration, and the punishment prescribed be adjusted to his peculiarities.

When once a punishment is decided upon let it be sharp, decisive, and as much in the nature of a shock as is consistent with health.

Punishment should be infrequent and always with a purpose. When frequent it becomes persecutive, petulant, and likely to result in harm.

Always seek to avoid bodily injury in the infliction of any punishment. Never tantalize; punishment should be a moral process having a mental effect. The question should not be so much how to punish as how *not* to punish. A pound of prevention is worth tons of cure.

Let us study the situation. The legalized punishment of this State, to wit, the dark cell, is capable of much injury to the punished, and easily made an instrument of the most fatal nature; it is a very easy thing to overdo this form of punishment.

It can not be intelligently set down as a merely coincident fact or as a matter of chance, that with the more general use and dependence upon the dark cell or dungeon form of punishment, as the extreme of punishment, the death rate of our prisons should have so markedly increased, or that the *prison mortality* statistics of this State should show that the increase of death from tubercular disease in a little over a decade, has been from less than forty per cent to the alarming figure of eighty per cent. This increase has too steadily kept pace with the increased use of the dark cell, and it appears too constantly in connection to deceive even the careless observer of prison affairs as to the close relation which the one holds to the other. It is only reasonable to suppose that the improved methods of living outside the prison, especially the improved sanitary conditions under which the class from whence came the larger part of our criminals are able to live, would tend to lessen rather than to increase the mortality from a disease so directly dependant upon improper health conditions; undoubtedly this is so, and we can consistently look to the above-mentioned cause as the one especial cause for this marked increase of consumption among our prison population, when almost every other condition has greatly improved looking to the prevention of this disease. The cause and effect principle is very easily established when the subject is fairly considered.

My own belief is fully established in this direction, and I know of no form of punishment so capable, in fact so likely, to destroy health as this. It requires very little penetration into the subject to understand why this is so when we consider that the man to be punished is already suffering from the effects of confinement, and that his offense is, perhaps, the direct result of unequal adjustment of his nerve centres to co-ordinate acts. Is it reasonable to expect to reform such a man by adding to confinement a still closer confinement, and to take from the body its rightful and necessary supply of food? It is in these conditions — shutting out the light, depriving the body of food, and the nerve strain consequent upon

protracted close confinement and lack of food — which furnish a set of conditions well calculated to arouse any passive state of tubercular process, or to bring into activity any latent tendency to this disease. More than this, what better opportunity, or what situation is there more conducive to those vices to which this very class of men are so likely to be addicted. It is indeed a fruitful cause not only of consumption, but also for a train of nervous disorders often resulting in weakened intellects dementia, and the graver forms of insanity.

In this connection it is pertinent to inquire how so much harm can come from this form of punishment when it is placed so directly under the supervision of the physician by law. In answer, I would say that there must be discipline in any prison, and the physician must consistently sustain that discipline in so far as the present health of the prisoner permits. He can not exercise his more acute observation and decree that a certain man shall not be punished because it may work an injury to him in the future, for the exercise of such prerogative would be impracticable, and calculated to limit the use of the dark cell to a period not exceeding twenty-four hours at any one time. Then, too, the processes by which tubercular disease is set up are often insidious, and do not manifest themselves, even to the expert, until after some time has elapsed. The daily visit of the physician, and his guardianship of the punished, is a saving function and averts somewhat the otherwise disastrous results; but he can not do more, only as he exercises his powers in abolishing the system.

It is, I think, a well understood fact by prison men that once a prisoner has been put into the dark cell he is returned there very often and it is these repeated attacks upon his vitality that finally break him down.

If our prison system is responsible in any degree for the production of tubercular disease, it should be held responsible to the public, and the time is close upon us when it will be. It is fully time to act in the matter, for it is manifestly of greater moment to the community at large than even the spread of cholera, for where cholera kills its thousands, tubercular disease kills it ten thousands. It is to this insidiously infectious disease that much of the suffering and unhappiness of life, and a large percentage of death, is due; and awakened public sentiment is fast coming to a lively recognition of this fact, and any system of punishment which tends to produce the disease and further its development, can not long stand before the public's demand.

It would be far better to kill a man at one blow than to make a consumptive of him, for he must eventually die after much suffering, and you have inflicted upon a large number of people a dire calamity.

It is often urged that this form of punishment is more humane in character, less barbaric, and less likely to be abused by cruel and vindictive officers who may be in charge of a prison, than other forms of punishment. That this view of the case was taken by those designating it as the legal method of our State is very patent; it is, however, difficult to understand how any of these merits can be attached to this form of punishment, for in the first place, it is a well known historical fact that it was in the darkest periods of the world's history when the cave, the dungeon, and the mine were used to reduce to subjection, and to get out of the way those standing in the way of ambition or greed, and no fate was considered more terrible, no torture more agonizing than that of the dungeon. Its victims were numberless, and the secret horrors of these dungeons beyond description. So, this method of punishment is not modern, but ancient and barbaric. More than this, it is the most cowardly of punishments, for it requires no courage to order a man locked in a dark cell; neither is it attended with any risk of publicity. What better opportunity for a cruel and vindictive officer to wreak his vengeance, or satisfy a petty spite or prejudice against a man? It is capable of the greatest abuse in the hands of either the careless or brutal officer. Last, but not least, it usually fails in its object in either subduing or reforming the punished, when used beyond the purpose of reflection or temporary detention. On the contrary, it more frequently renders the sullen man more so, the ugly man vengeful, and the average man morose. You can not starve a man into reformation. Any concessions are but diplomatic, and insincere, and a full stomach usually dissipates the submission and feeds the resentment.

There are uses for the solitary cell, and restricted diet, safely within the lines of health, but the margin of use is narrow, and must be discreetly used.

I can not too strongly urge the necessity of the restriction of this form of punishment, or of its entire abolition as now used. If you ask what I would substitute, I should say to you that that is not my province here to-day, neither does time permit. I have attempted to show you how not to punish rather than how to punish, and if I have succeeded in impressing this body with the importance of mental and physical safety in punishment, I have discharged my whole duty from a medical standpoint, and can now safely leave the solution of the problem "how to punish" to your deliberation.

DR. J. B. RANSOM,
Clinton Prison.

The Right to Punish.

By the editor of THE SUMMARY, the paper issued by the State Reformatory at Elmira.

In this consideration of the right to punish the idea of vengeance or of retaliation, which John Stuart Mills considers as inseparable from that of justice, will find no place. Whether or not a reactive impulse against the individual formed the basis of the right to punish in ancient times it is not our purpose to discuss; but it is our contention, and we think it the only contention possible, for that matter, that the idea and certainty of punishment in some form is an indispensable condition to the suppression of crime and thereby to the protection of society. The right to vengeance may be contested, but not the right to correction. It has been justly said that the *function of protection* is the essential function of any government, and unless it is so constituted as to actualize that function it will prove inadequate to the subservience of its proposed ends. If this be admitted, and there seems no sufficient reason why it should not, then we must also admit with Plato, Seneca, Montesquien, Baconia and others that the right to punish and the idea of justice are inseparable. But be it said by way of explanation that we do not here mean by punishment a punitive measure considered wholly as such; that is, punishment for the mere sake of punishment, but, on the contrary, by punishment we mean a punitive measure with an ulterior object, namely, correction. To punish without such an object would be a great wrong.

In criminal law the system of pecuniary compensation is ordinarily regarded as the origin of penal justice, and the idea of vengeance as necessarily dependent upon the idea of culpability. This, as M. Tarde has somewhere observed, is a mistake. He sees the defensive reaction made against criminal acts originally splitting up into two distinct forms of quite unequal scope; the one moral, the joint product of indignation and compassion; the other vindictive, malevolent and ruthless. The first of these, according to that philosopher, is exercised within the family and between members of the same social group; the second is displayed towards the foreigner and the enemy. Of these two sources of penalty the domestic moral punishment is by far the most important; the blow-for-blow policy, or vengeance, though more apparent in our courts of law, is a secondary and unjustifiable source. In the most circumscribed form of government known to us, the family, is where the former most generally obtains, and it is here that we see this domestic moral punishment, which is wholly corrective, most highly developed.

[Senate, No. 49.]

The nature of parental government, as of civil government, is coercive, and it is by virtue of this right to coercion vested in the parent by the State that the parent controls the child and forces it to conform to certain standards of purity, honesty and industry, determined by society and enforced upon each of its members. The parent has no inherent right in the child, not even to its custody should the State decree otherwise. He is recognized as the natural custodian and protector of his offspring, particularly until it has attained a certain age, but he can have no title in it, since the child is free and equal with himself; nor can he have any authority over it other than such as the State may delegate to him. There are many instances in which the parent seems to possess absolute authority over his offspring from the fact that he frequently coerces it to conform to certain customs which the State does not enjoin upon anybody, such, for instance, as attendance upon a particular religious worship, or the performance of certain duties in matters of dress and social intercourse; however, these exceptions are only seeming, for the State does not enjoin a preference for a particular religious creed, trade, social habit, or form of dress, but allows each and every individual to decide such matters for himself. The parent, the protector of his offspring, is equally the custodian of its rights, which are held in abeyance until it shall have attained such an age, predetermined by the State, at which it shall be thought able to protect those rights and to use them to the best interests of society.

If, then, the only right a parent has to control his child is delegated to him by the State, the State may be justly accounted responsible for the use or abuse of the authority delegated. In the growing life of the child, while its intellect and character are as yet in their nascent stages, it may become imperative at times to bring to bear upon it corrective influences in the form of punishment. In recognition of this need, the State gives the parent the alternative of several modes of corrective influence, either of which, in case of necessity, he may bring to bear upon the child, but leaves him to consult his individual judgment in the matter of selection. Among these influences is corporal punishment, and the almost universality of its application is a strong argument for its efficacy.

The parent, doing what he believes to be just, punishes the child according to his judgment; yet this right to punish does not belong to the parent by virtue of his parenthood, but is the prerogative of the State delegated to him for disciplinary purposes. The influence which is most generally selected in corporal punishment, and it is here, in

this instance of the exercise of authority most remote from the seat of the federal government, that there first obtains the employment of a power which no individual could possess by virtue of his own right, but which, delegated to him by the State, he exerts in its behalf; and the State, through its acquiescence to an established custom, should not think itself misjudged if we assume its recognition of its justice. But if at any time the parent finds himself unable to control the child, he may return it to the State, its true guardian, whereupon it will be placed in an institution maintained for the care and training of such incorrigibles; or, if, on the other hand, at any time the State thinks that its delegated authority is being abused, or that any minute member of its composite body has not proper surroundings it may make requisition for its return, and remove it even though it be on the breast of its mother.

Corporal punishment then is recognized by the State as a means to correction — of forcing obedience to parental authority. Now suppose that a parent is unable to control his child and returns it to the custody of the State with such authority to correct it as may have been originally delegated to him, does that simple act of return cancel the recognition on the part of the State of the child's eligibility to further punishment of a like nature? We see no reason why it should, as the child, owing to parental weakness, physical or moral, may never have been so punished, or subjected to such correctional influences. What then becomes of this authority returned to the State by the parent? It is surely not lost, unless it be admitted that the natural parent only, through some prerogative granted to consanguinity, may so punish his offspring; but this can not be, since the State does not disclaim the right of a foster-parent to so correct the child of his adoption; nor of the guardian to so punish his ward; indeed, this would seem to be a right which the State may delegate at will. The argument has been raised that it is a question of age, and that beyond a certain period the State right to employ corporal punishment ceases. But this argument is entirely inadequate — indeed, it has no sufficient "raison d'être." The object of law is to protection through admonition and correction. There are many delinquent children in our large cities whom the State allows to grow up without parental guidance, or very much as they please. If one such child terminates its youthful career in a reformatory, as there is every chance that it will, why should it be exempt from such corrective influences as have been brought to bear upon other children who had not ended there? Why should not similar influences obtain in such an institution as do obtain in almost every

American household? Why should the legality of such corrective measures in reformatories be questioned? These are questions which we are wholly unable to answer.

When the State commits a youth to a reformatory, by the very nature of the commitment it delegates to the board of governors of that institution the authority to restrain, to control, and to correct the one committed. The course of treatment to which the individual is to be subjected, is not stipulated; that is left entirely to the discretion and experience of the management. In sober truth, none other than a specialist would be qualified to render a decision in such matters. Our court officials are not educated along these lines. A layman would not be justified in passing a diagnosis upon the condition of a patient in opposition to the expressed opinion of a skilled practitioner. No two criminals are exactly alike, nor are they to be treated alike. Time and association with them alone can determine their individual needs and failings. As an example of many of the cases which the management is called upon to deal with, we quote the words of Dr. M. V. Ball, physician at the Eastern Penitentiary of Pennsylvania. The youth in question is described by him as one of a numerous and "interesting class" of urban criminals, and he may be accepted, though rather exaggerated, as the type of a not inconsiderable portion of our prison population.

Case 19.* White, male, age 23; nativity, United States.

When eight years old he was sent to the house of refuge for running away from home. After a residence there of thirteen months, he was returned to his parents. At the expiration of another year he was arrested for larceny and, being declared insane, sent to an asylum and from there to an institution for defective children, and from the latter he finally ran away. He stole from his parents and was generally so incorrigible that he was placed in the Norristown Asylum as morally insane. At the expiration of two years he was discharged and at once returned to his old habits. In 1886 was again arrested for stealing from his parents. In 1890 he was convicted of larceny and sent to the Huntington Reformatory, from which institution he was transferred here for incorrigibility. He says he is addicted to intemperance, opium, onanism and venery, and seems proud of his record. His mother can do nothing with him and in the neighborhood of his home he is a common nuisance. The first day here he tried to obtain opium through complaining of cramps, as he claims to have

*From "The Journal of the American Medical Association" of Chicago for September 23, 1903, in an article under the caption "Insanity Among Convicts," by Dr. Ball.

succeeded in doing in other institutions. He failed here, however, and has had no return of cramps. He feigned epileptic fits. These were promptly cured by the cold water douche. He went through the entire list of troubles to obtain special privileges or escape work with the regularity of a professional. Failing in every attempt, and through the assistance of persistent discipline, he has finally been brought into fair submission.

Whether this perverseness of disposition was due to a defective home-training or to moral blindness, is a question which nobody can satisfactorily answer; but how much more probable would be the solution if the case were left wholly to the judgment and experience of the specialist. Such matters are fairly beyond the jurisdiction of the courts and represent the domain of the intelligent penologist who can bring to his assistance the fruit of years of observation and patient industry. The functions of the former ends where the latter begins.

That the State has the right to impose corporal punishment would seem to be confirmed by a circumstance which was sometime ago brought to our notice through the metropolitan press. The old colonial law which provides a public flogging for wife-beating has suffered a survival in Frederick county, Maryland, and in Wilmington, Delaware, where several offenders were sentenced to be so punished in the early part of last summer. A similar law, though inactive, is on the statute-books of many of our Eastern States. Some would object to this form of punishment on the ground that it is humiliating, and would plead tolerance and humanity; yet we fail to see its severity over many other forms of punishment which are in general use. Show us the successful man of letters, the Senator or the business man who has not at some time in his life been so disciplined. Yet he has turned out none the worse for it. Surely that punishment which was not considered too "brutal" for some of the best men of which the nation can boast should not be withheld from the incorrigible on the ground of its brutality. However, anything which is good within reasonable limits may be bad when carried to an extreme, and this is particularly true of corporal punishment.

There are no two men whose enviroing influences have been the same during life, nor are there any two whose mental, physical and nervous systems could be described as being anything more than resemblances. And now let us return to the boy whose parent, finding his offspring wholly beyond his control, has returned it to the State; or to the boy whom the State has allowed to grow up as a wild, untrained

plant, and who, ere having turned the point of manhood finds himself an inmate of a prison. These youths, though differing widely from each other, differ yet more widely from the normal boy of their own age. The one, who has had the benefit of a parental discipline probably equal to that which has kept other boys within the narrow path of rectitude, proves by his actions his insensibility to such influences, and thereby establishes the fact of his abnormality; while the other, who has never known the meaning of such correctional influences — influences which in all but seven cases out of every thousand have produced good citizens — have ended in a prison through want of that training which has been denied him. Why should not the same persuasives, with now and then an exception, apply with equal benefit to these youths, which have produced such palpable and commendable results in others? We believe that a limited corporal punishment, not as a punitive but as a corrective measure, may be employed, as it actually is employed, in many cases to great advantage. As we have before said, there is a great difference in individuals. Just as in the outer world, one child in a family is seldom punished, while another is frequently and severely so dealt with. Great caution and reserve should be exercised in this discrimination, yet with even the greatest care, owing to the fallibility of human judgment, errors will sometimes occur. The penologist should be as much the *paterfamilias* of the reformatory as the parent is of the household; their functions are the same with this difference, the one is a layman, while the other is a specialist. The questions which the superintendent of the reformatory is called upon to answer and meet, are far more weighty than those which demand a solution at the hand of the average parent; his function is to accomplish that in which the parent has failed. His duties very much resemble those of the medical staff of a great hospital to which patients are transferred who need greater care and skill, or a more heroic treatment than can be given to them in smaller institutions. To such hospitals are sent only exaggerated cases of disease.

The authority delegated by the State to the management of a reformatory is, therefore, to correct, to reconstruct, to reform, and this, if need be, by punishment. Many criminals from a want of training, or from organic deficiencies, are almost children intellectually, with this difference, that the child has an untutored, wholly undeveloped mind, resembling a growing bud, or blade of grass; whereas the criminal has an untutored mind which has developed in the wrong direction. As a twisted, wayward and distorted vine, requires first to be straightened and placed upon a trellis before it can expand

and display its tendrils to the sun just so with the mind of the average criminal, it must needs be first untwisted, brought as nearly as possible to a normal state, and then retaight. As one of the most difficult things for a man to learn is to unlearn his bad habits, the criminal accomplishes this task oftentimes only after repeated floundering and great difficulty. In this demolition and subsequent reconstruction many influences of necessity obtain; with some it is one persuasive; with some it is another; with some nothing more is necessary than admonition and direction; others require a strict corrective regimen, while to others the most heroic treatment is imperative. With many criminals as with many children, a judicious infliction of corporal punishment has an effect upon the nervous system very similar to that produced by a shower bath of cold water douche but safer and more harmless withal. We need not say that this treatment should never descend to brutality, nor should it be so trifling as to be no punishment at all. Just as the physician prescribes the strength and quality of the dose, just so should the intelligent penologist prescribe the strength and quality of the punishment. Both extremes should be equally avoided, and it should ever be borne in mind that no two individuals are exactly alike, nor are they moved by the same influences; that which would be of benefit to one might be fraught with the greatest injury to another.

A Letter from Col. Charles E. Felton.

CHICAGO.

W. M. F. ROUND, Esq., *Secretary of the New York State Prison Association, New York City:*

MY DEAR SIR.—I have received your letter dated December twenty-sixth, ultimo. In it you say that I have so often expressed my opinion as to the modes and limitations of punishments that you feel quite sure that I will be willing to give my counsel and help to a conference, to be held in your city on the eighteenth inst.; and you also say that at your last conference, I was quoted as having said that "No blow should ever be struck a prisoner;" and ask me to give to the coming conference an expression of my views on the subject.

In answer; I am not aware that I ever, in public at least, gave so radical an expression, without qualification. At the congress of the National Prison Association, held at Toronto, in 1887, I said, "I am opposed to flogging as a mode of punishment, even of a little child. There are sections of the country, however, in which flogging is not so

abhorrent to the average mind as it is in other sections, where it can not only be tolerated but may prove very effective where it does not specially humiliate either the party who receives the punishment or the person who inflicts it. It should never be resorted to in any case as a means of accomplishing a moral change in a human being. If applied at all, it should only be for the purpose of intimidation." Also at the congress at Chicago, in 1893, when prison discipline was being discussed, among other things, I said: "Punishment is but incidental—forms but a part of the discipline. The rules (for discipline) of a prison should be distinctively applicable to the individual prison itself, and not be merely a copy from those of another institution under the same name in another section of the country, but whose prison population is of an entirely different character. Rules governing the State prison at Sing Sing, N. Y., could not be enforced at the State penitentiary of Alabama, nor in Texas, nor in the penitentiaries of many other States; nor could the rules governing in the prison for misdemeanants at Albany, N. Y., be enforced in the like institution at Chicago without bringing upon the heads of its officers the just condemnation of everybody; and still the system at Albany may be as appropriate to the class of inmates in its prison as would be an acceptable system in our (Chicago) city prison to our own people." Also, I said: "Rules or discipline should be such as would appear reasonable in the mind of the more intelligent and least criminal and best behaved of its inmates. They should be in the direction of elevating the man, not, as of old, assisting in his physical and moral depression. The old order of things has changed somewhat, and it should be changed wholly, and their enforcement should be flexible. The old 'pound for pound' is too antique; and a compliance with its theory often would require unnecessary and injurious harshness in the punishment of offending prisoners. It may be well to confer power to almost take life; but let that stand as a menace, never to be used." "Punishment should not be cruel. Corporal punishments must, however, sometimes be given. In some localities, as in the southern States, the lash may be used. Often negro prisoners have told me that they preferred a whipping to being sent to prison—punishment usual prior to the civil war for petty offenses in the southern States. But I doubt the efficiency of the lash in our northern prisons. Its use is brutalizing to the man who uses it, and makes the recipient vengeful in the extreme."

The above quotations, I think, fully cover my best thought upon the subject; and to emphasize my views I admitted having whipped a prisoner, after having tried milder methods for enforcing discipline.

The offense was persistent attempts to make keys, with view to escape. In speaking of the whipping post I said: "It reformed one man—that man was myself—but it did not deter the other man—the prisoner—he still made keys."

It is not pleasant at this time to discuss adversely the subject of flogging, as one of the most able, earnest, untiring and successful prison managers on this continent or elsewhere has been severely publicly criticised for reason of claimed inhumanity by the use of the strap, and his methods and practices are now being investigated. He was the pioneer of a new reformatory prison system; and the results he has obtained in the reformation of first offending criminals, estops, at least, his friends adding to the public clamor which now prevails in relation to the punishment of refractory inmates. In the matter of flogging alone can any one take exception to his methods.

Civilization has not yet reached that state when men do not commit crimes for which they must be imprisoned; and when imprisoned, they must be subject to rules for government more exacting than those prevailing in an army or in other life of restraint; and the security and safety, and happiness of each inmate and officer in a prison makes it imperatively necessary that a reasonable compliance to those rules be secured. No other course can be tolerated, without danger.

Prior to conviction, criminals are not as a rule favorites in the public mind; and one often hears the expression toward one, "Hanging is too good for him." After conviction, however, and when serving time, the sympathetic side of our common humanity prompts us to set aside our common sense—our reason—and at the least whisper of injustice and cruelty, with or without cause, the scandal or complaint will echo and re-echo until it has been heard everywhere; and the response is seldom, if ever, favorable to the prison officer.

Crime prevention makes it necessary that penalties follow crime commission. When imprisonment is imposed, labor and orderly behavior, and the compliance with the rules of an institution and the orders of its officers, must follow as a sequence, must be exacted, must be obtained.

The characteristics of prisoners are as varied as it is possible to conceive. Many are well behaved, and readily comply with the rules for their government. Others are more or less unevenly balanced in mind, and require watchful discriminating care, for reason of not being altogether responsible for their acts; and still others are mere Topsyies; "were born wrong", and have always lived wrong. As a rule, from cradle to conviction, the inmates of our prisons, from habit, have lived

in their own way — not having been under healthful restraint scarcely a day in their lives. What nature did not do to debase them, environment has done; and it requires all the intelligence, all the tact, and all the patience of the prison officials to so manage the men under them as not to be in turmoil all the time. Frictions, and assaults, and so-called "pure cussedness," by prisoners; neglect or refusal to work, or injury to or slighting work; "playing sick"; destruction of property; impudence to officers; and a hundred other offenses equally objectionable occur. In workshops, reports are frequent of neglect or inability to accomplish the assigned tasks. To use slang, "every man must keep up with the band wagon", or suffer. If from inability (and the line is not readily observable between that and neglect), where is the diagnostician so skillful that the real cause is always discovered? Besides, seldom is the physician called until the so-called "shirk" has been often punished for neglect. That is not right; but it is a condition under which punishment is frequently inflicted. Outside our prisons, often, physicians fail to correctly diagnose ailments among the better class and prescribe bread pills for months, but ultimately discover that they were in error — the patients were really ill. Are prison officials or institution physicians more accurate in their diagnoses than they? I think they are not; they are frequently wrong and prisoners are unjustly punished.

With so motley a congregation of mankind and so intimate an association as must needs be in a congregate prison it is not strange that corporal punishment of some kind ever has been and possibly for a long time will be an attempted means for securing ready, if not willing compliance with prison rules. Is flogging the panacea? I think not. In some States the laws say it shall not be done. Laws, however, without penalties are but expressions of opinion; they do not prohibit. Still, in that matter, they voice the best humane thought and should be followed. Flogging is brutalizing; it appeals not to the reason of man; is vengeful, hence, contagious, "catching," and if adopted as a means to an end it does not end by a single infliction; it is repeated often. Inmates know it to be cruel; know it to be in violation of law; know it to be a means to punish; know it to be debasing, not elevating and in no sense reformative, and that its infliction becomes habit, and that often the undeserving are its victims. What shall be its substitute? Almost any punishment which appeals more to man's reason; best of all would be a change of system, and the discussion of that subject would require many pages, and can herein be spoken of only in brief. A proper construction of our prisons would enable officers to minimize corporal punishment. It can not be minimized as our prisons now are.

Under the congregate system, claim what we may, make the ideal as aerial to the imagination as you can, and bring to administration every conceivable influence tending to the realization of your fondest hope, and still, for reason of the utter impossibility of properly classifying inmates, you most frequently resort to somewhat brutal methods to restrain or control your inmates, or chaos follows.

The individual treatment system — perfect separation — furnishes such advantages over the congregate in that regard that punishment, by whipping at least, need never be resorted to, and the necessity for punishment by other means is reduced to the minimum. There can be no excuse for the use of the lash where facilities exist for continued secluded confinement of individual prisoners. Be they good or bad, intelligent or demented, invalid or able-bodied, mildly mannered or infernal, the classification is perfect and the treatment can be rational without regard to the inquiry, what will be the effect upon other of their fellows?

But it will be said the individual treatment system of construction and management is inconsistent with the prevailing reformatory methods. True, but so blend the two as to utilize the advantages offered by both. Instead of a few so-called solitary cells, construct many, but upon broader principles, for better uses — not for places for punishing but for developing the better characteristics of the occupants. They are more necessary than are workshops, more useful than trade-schools, more educational than common schools, and may be utilized to the same ends in their place. I do not favor solitary imprisonment for a definite time as a prelude to associated imprisonment, as in British prisons, nor would I disturb the prevailing grade system in the reformatories in our country, save to add to it a fourth division — for the individual treatment for those who have fallen to the third grade, and have not, after a reasonable time, made upward progress; this disposition not to be made as punishment, but for the better development of the prisoner.

"But we have but few solitary cells in our reformatory," a superintendent may say. Then construct more. Bring the subject before your legislative body with half the earnestness with which you ask for appropriations for other purposes, and appropriations will be made. The fact is, prison officers are averse to talking out loud on the subject of punishment, and their timidity often enhances the bitterness of criticism, and places the acts of officers in more unfavorable light than were they more frank in the matter. Tell legislators what your embarrassments are, and suggest remedies and they will assist you.

It is in the direction of more humane management, and they can not decline.

This paper is more in relation to the treatment of prisoners in reformatory prisons for first offending criminals than to those in prisons for misdemeanants or habitual criminals. The present methods in those prisons will for the present be followed, as public sentiment must be educated before appropriate legislation can be secured.

To that end, all discussions, *pro and con*, are useful, upon systems or administrations, which, of course, includes punishments. Our people have made remarkable changes during the recent past; and in the coming decade others as great will be made. Give praise to those who have been workers in the field; look with charity upon their supposed mistakes, and give credit in full for the grand results obtained.

Very respectfully yours.

CHARLES E. FELTON.

Remarks of Hon. Charles F. Durston, Warden of Sing Sing Prison.

* * * One day a man was brought in, and I was told to "keep this man locked up." I made the inquiry what this man was there for, and I learned that he had stabbed, or tried to stab an officer, and they had put him into a dark cell for a long period, and had then taken him from the dark cell and kept him in the ordinary cell three and one-half by seven and one-half. I immediately ordered him unlocked—and this I would say was shortly after I had taken charge of Auburn prison the first time—and soon after the abandonment of corporal punishment. I had the man brought to my office, and found him a robust, strong man who seemed to be afraid of himself; he seemed to be mentally and physically a wreck, and the more I studied him the more I realized the terrible condition he was in. I talked with him, and told him I was going to take him out and put him into the large kitchen. He stayed there three months, and then we transferred him to the asylum for insane criminals. He finally grew into a state of half consciousness—you would have to push your finger against him, or pinch him to arouse him, or get him to look at you. He remained in this condition until he died. From this, and other experiences in punishments, I have come to this conclusion concerning the dark cell: There is no dread to it when the man is going in, nothing that terrorizes him at all, nothing that alarms him. Now we have all seen boys when their

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mothers start to whip them, when they see the stick they commence to cry before they are struck, but if you take the little boy into a dark room, he never minds that. Now, in reference to putting a man into a dark cell; as I said, he does not seem to dread it. He goes into the dark cell stubborn and determined, and he stays there twenty-four hours, or forty-eight hours, usually stays, to be frank with you, gentlemen, until he asks to come out. (Question by Mr. Round—"What is the average time that a prisoner remains in the dark cell?") We ask a man after he has been in twenty-four hours if he is willing to come out; the average time, I think, would be about twenty-six hours. Now, the effect of confinement in the dark cell I sometimes illustrate in my own mind in this way: You and I might start out on a cold night to ride across the country. We are feeling the cold of course, yet when we get where the fire is, it is then when we suffer from what we have endured, and were perfectly willing to endure. We find that the real injury has resulted after the ride, when we get into a warm room. This is precisely the case with the dark cell. There is nothing decisive about it, and he remains in there stubborn, and does not appreciate the fact that it is ruin mentally and physically for him to stay there for any length of time. These dark cells, as a rule, are badly constructed; I never saw one that had any ventilation, generally stuffed up, and hardly a board to sleep on. If the system of the dark cell is to be kept up, we think they ought to be properly constructed. I fully agree with Dr. Ransom in his views on this subject. People would not want to accept the old remedy of the "cat," but I fully believe that if you would ask the wardens of the country, the best of them, I think they would all agree, at least ninety per cent or ninety-five per cent of them, that it was the most humane punishment that has been devised. The yoke, shower-bath, thumbscrews and the paddle afterwards were used to a great extent, but the paddle is far more injurious, if you please, than the cat could be. The cat is something that when it is going to be applied upon the back the man often submits before he is struck. The effect is sharp and quick and painful, but it works no deep or lasting injury. I want to say to you from long experience that many men are willing to go into the dark cell. They go in and suffer from the effects just as a man does from drinking. At first he drinks a little and thinks it is not going to hurt him. He feels no ill effects in the early stages and keeps at it. Great injury to mind and body has resulted before the victim is aware of it. You make miserable wrecks of men by putting them into dark cells. I don't believe in it. If we have got to continue punishments in

prisons by confining men let it be in large airy cells, but keep them there so they can not see another human face; make their confinement absolutely solitary. Yet do not exclude the light. This will have just as much effect to break down one of these stubborn spirits as a dark place, and it will not ruin the man. Keep them in there until they are willing to yield; feed them and make them do something.

Department for Discharged Convicts.

In this department of the association's work it has assisted by temporary employment during the year 1,402 men. It has succeeded in finding permanent employment for forty-two men. It has clothed 231 men, giving them 237 pieces of clothing. Thirty-three men have been sent to places of employment out of the city or to their homes. Mechanic's tools have been furnished to twenty-one men. Forty-three thousand nine hundred and four circulars have been distributed by discharged prisoners during the year. The principle adopted some years ago of refusing to extend assistance except in cases where the applicant was willing to work, has been very effectual in relieving the association from the importunities of an undeserving class of ex-convicts who might, very properly, be classed as "professional discharged prisoners," trading on the fact that they have been in prison. No deserving man is turned away from the doors of the association without assistance. A great many others apply but get no satisfaction. Tools are never furnished until the association has proved by investigation that the applicant is deserving and that work has already been secured, experience having taught us that many a poor fellow in desperation at his failures to secure employment or shelter will pawn these very necessary articles in order to live. Transportation is never given to anyone unless he has a claim to citizenship in the place to which he desires to be sent, or can prove to our satisfaction that he has secured work in that place. In the cases of applicants for clothing care is taken to see that the applicant is properly bathed before he is provided with the necessary garments, and in every instance the clothing which he wears at the time of application is left at the office and destroyed. Most of the applicants for relief are provided with lodgings and meals, and compelled in return to accomplish a certain amount of labor in cleaning the building or in the Press Bureau. In some instances they are paid in money for their services and in others, where we have reason to believe that the applicant is a victim of the drink habit, provided with orders

on lodging houses and restaurants. The printing of all the circulars of the association is done on a small printing press, donated by a member of the executive committee, by a needy discharged prisoner, and from time to time any other printers that apply are employed in this department of the work. The addressing, folding and delivering of these circulars is done entirely by discharged prisoners under proper supervision. Appended hereto we give a number of cases as examples of the manner in which relief is extended in this department.

— came to us from jail in the month of August, after having served twenty-five days for appropriating a set of books purchased by him on the installment plan. He had been in the employ of one of the largest title insurance companies in the city for some years, and also in the book business. He had received a comfortable salary for some time, but owing to his passion for gambling on the race track and leaving his employment without permission to indulge in that pastime, he lost his situation and soon pawned all his clothes and belongings for money on which to exist. At last he pawned a set of books which he had purchased on the installment plan, and being unable to continue the payments or produce the books, he was arrested and fined twenty-five dollars. Being penniless he was, of course, detained in jail for twenty-five days. On being discharged he was utterly discouraged and fully made up his mind that he was ruined for life, and that "there was no hope for him this side of the grave." We did our best to cheer him up at the office, gave him temporary employment in the Press Bureau, and found that he did his work fairly well. His greatest fault seemed to be a lack of energy and ambition. He had too much pride to go near his former friends or to ask them for assistance. Believing that he could help himself if he would but make an effort, we told him that we would be obliged to dispense with his services in the press bureau. He protested that he could not obtain any other work and we told him that he must positively go and make the attempt. He went and almost the first person he asked gave him words of encouragement and cheer and financial aid, and in a few days helped to employment in a place where he had worked before, guaranteeing him a salary of twelve dollars per week. He came to us ragged and dirty and we sent him away in new clothes looking like a gentleman. We saw him a few weeks later and he expressed his gratitude for all the association had done for him and acknowledged that if we had not dismissed him that he would have been with us yet.

—, a young man of twenty-five, called to ask for assistance after having been discharged from Auburn prison where he had been confined for forgery. Although he should have been assisted by the State agent for discharged convicts, we concluded that his was a case worthy of our attention, as he was a bright fellow and seemed desirous of leading a better life. He said he had made up his mind to starve rather than steal and go to prison again; that he had been a wild boy for fifteen years and that his mother was a wealthy and respectable woman, owning several farms in a western State. He was advised to communicate with her and ask for some assistance. He said it was of no use as he was the black sheep of the family and had been cast off years before. He expressed his willingness to work for any assistance which the association might be able to give him, and as a test of his intentions he was put to work in the Press Bureau, spending a couple of hours each day searching about for a steady place. He met with no success, and after we had assisted him for some time he asked us to communicate with his mother, tell her just what he was doing, and what we thought of him. The lady was communicated with, and in our letter we expressed the opinion that her son had started on the right path at last and if she encouraged him a little he would in all probability lead an honest life. She answered and said that she hoped our estimate of him was correct, and that while she was only too willing and glad to help him she did not care to send him any money as he would surely gamble it away before reaching home; that if he wanted to return home, work hard on the farm, and assist in the management of the estate, she would send the money necessary for his transportation and would see that he was started on the road to prosperity. We sent the young man home to her and he sent back a letter thanking the association for giving him a new start in life. A short time after he wrote that he had married and settled down and was happier than he had ever been in his life before.

E..... B....., 36 years of age, came to us the second of October after having completed a term of four years and four months in Sing Sing prison for burglary. It was his second prison experience, and during both terms he was employed in the foundry. He worked so long at iron work that he became a good practical molder and declared that if he could secure employment at that trade he would soon be self-supporting. As he seemed to be in earnest I put him at work in the Press Bureau and at cleaning the building under the supervision of the janitor, as a labor test. He did his work faithfully for two weeks. In the meantime I tried in every direction to get work

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for him in some iron foundry, but without success. He was given a few lines of introduction to the foreman of an iron foundry in Brooklyn, who has helped us in the same way before, and sent over with it. Greatly to our surprise, considering the hard times, B. was put to work, and at last accounts was making three dollars a day and abstaining from liquor entirely. It is a great satisfaction to get work for any one during these times when the city is full of men who have never been in prison, but who can not get sufficient money to keep their families from starvation.

[Senate, No. 49.]

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TABLE OF APPLICATIONS FOR RELIEF AT THE OFFICE OF THE PRISON ASSOCIATION.

MONTH.	FROM STATE PRISONS.				FROM PENITENTIARIES AND REFORMATORIES.			From other cities and county jails.	Total.	
	Sing Sing.	Auburn.	Clinton.	Other State.	Blackwell's New York county.	Other counties.	Elmira Reformatory.			
November.....	9	7	9	1	30	.....	34	1	81	
December.....	6	5	4	5	14	.....	18	2	55	
January.....	3	1	1	4	4	.....	5	16	4	42
February.....	7	3	2	7	17	.....	3	35	2	74
March.....	4	2	3	3	23	.....	3	24	1	65
April.....	.....	.....	.....	.....	36	.....	1	9	3	48
May.....	0	.....	.....	.....	24	.....	3	45	3	85
June.....	.....	.....	.....	.....	31	.....	1	.....	3	48
July.....	7	3	.....	1	11	.....	.....	.....	.....	24
August.....	9	2	2	1	18	.....	.....	53	2	87
September.....	11	1	1	3	20	.....	1	38	4	69
October.....	8	2	4	.....	20	.....	1	11	1	49
Totals.....	76	38	34	32	284	18	298	27	737	

Department of Detentions.

Section 8 of the by-laws of the association says that it shall be the duty of the committee on detentions 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. 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. In accordance with the above, the Tombs is visited with such regularity as the other duties of our agent in connection with the Elmira reformatory work will permit. During the year the cases of many people unjustly imprisoned, have been taken up and attended to. Those who have been detained longer in prison than seemed necessary without trial or conviction, have had their cases drawn to the attention of the proper authorities in the district attorney's office and their discharge brought about in a short time. First offenders who are over the age of sixteen have been, on our recommendation committed to reformatory institutions or allowed to go under a suspension of sentence upon the association making such of the presiding judge. The cases of all prisoners under the age of 16 are attended to by the Society for the Prevention of Cruelty to Children. Most cases of women are attended to by the Protestant Episcopal City Mission Society or the Gospel Mission to the Tombs, and on the recommendation of these societies this association has attended to a number of deserving cases during the year. The nature and scope of this work has been so fully set forth in preceding reports that we regard it as unnecessary to give more than two or three specimen cases. A small letter-box is placed in the corridor of the Tombs and any prisoner who feels that he has been unjustly accused and is by reason of his poverty unable to provide himself with proper counsel, can drop a note into a box and receive such assistance at the hands of the association as seems wise.

T—C—, a boatman, was found in the Tombs, where he had been sixty-seven days awaiting trial on a petty charge, while papers in the case had been lying on the clerk's desk. He told his story substantially as follows:

"I went into a saloon on Twenty-third street to get out of the rain and drank a number of five-cent whiskies. I remember being knocked

down by the bartender and thrown into the street. In the heat of passion, I picked up a stone and hurled it through the plate-glass door of the saloon. I was arrested and taken to Jefferson Market court next morning, when the judge sent me here (the Tombs) on a charge of malicious mischief."

On visiting the Court of General Sessions I was informed that they had no record of any such prisoner. On going to the police court I found that through the negligence of the clerk the papers had been tucked away into a pigeonhole, where they had rested for over two months while C. was in the Tombs. He said to a reporter: "For sixty days I waited patiently because some of my fellow prisoners said that my sentence was for two months. When I finally discovered that this was a cruel joke, I became nearly frantic. Agent Kimball of the Prison Association has a letter-box in the prison, and into it I dropped a message begging him to assist me. He visited me to-day and tells me that I shall have justice."

We succeeded in securing his discharge a few days later. The clerks of the police court have been severely criticised from time to time for their negligence in matters similar to this, but when it is considered that they handle a good many thousand cases a year, and such instances as the above are extremely rare, the public should not be too quick to condemn them. It is a common thing for legal papers in the police courts to become "telescoped." The papers are all of the same size and folded in the same manner, and occasionally one paper will slip into another, and it takes much time and trouble to find such a document.

G ——— L ———, who has been confined awaiting trial on a charge of bigamy for over seven months. I called the attention of the district attorney to the case and received a promise that the case would be put on. They had been unable to find witnesses. I called on District Attorney Nicoll, saw his private secretary and explained that it would be impossible to ever bring the man to trial as the woman who caused his arrest and acted as complaining witness for the people had gone west and that L ——— could produce a number of letters that he had received from her saying that she had no desire to prosecute him. The next day I had the satisfaction of learning that L ——— was to be discharged that day. If he had been convicted of bigamy the circumstances are such that his sentence would probably have been about one year and he has already served seven months in waiting for a trial.

In closing this report the executive committee of the Prison Association desires to extend its thanks to the officials of this State, county and city who have facilitated its work in every possible way. It has carefully utilized every dollar that has come to it with the one desire of promoting the interests for which it was established, which are :

To protect society against the criminal who has become reckless in unsuccessful attempts to find honest work. It affords him succor, counsel and encouragement while he is gaining a foothold in society.

To afford help to the innocent woman and child who are in need because some supporting member of the family is in prison.

To uplift the whole jail system of the State, inspecting all county institutions, furnishing reading matter to prisoners in the county jails who are in enforced idleness.

To supply by its library, all the latest penological information to legislators and managers of prisoners and reformatories.

By an agent in the courts to protect the innocent against the malevolent and unjust persecution of enemies and to save first offenders from the stigma of prison life and criminal association.

By its moral support to aid in establishing institutions for youth, for children and for women.

To represent Christian society in its effort to save even the worst of men and women.

The Prison Association is entering upon its jubilee year of work. There is no feature of the penal system of the State in which its work has not told. It still has a work to do in the county jails, and this work is being pushed forward with the utmost vigor. It asks the support of all earnest citizens in the creation of a penal system, beginning with the county jails and ending with the State prisons, that shall be at once protective to society and uplifting to the individual who may be under treatment. It asks that the prisons may be lifted from the realm of mere partisan politics and put upon a basis of the highest regard for the common weal. In itself it has nothing to gain, but it hopes by earnest and untiring effort to gain something for the State.

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